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Pages 676 & 813 are incorrectly numbered page 67 & 12.

In index page vii is incorrectly numbered page vi.

# DEBATES

OF THE

# HOUSE OF COMMONS

OF THE

# DOMINION OF CANADA.

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T. J. RICHARDSON AND G. B. BRADLEY,  
*Editors and Chief Reporters.*

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Vol. III.

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FOURTH SESSION—THIRD PARLIAMENT.



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# TABLE OF CONTENTS

TO

# HOUSE OF COMMONS DEBATES.

---

## VOLUME III.

---

THURSDAY, FEBRUARY 8TH.

	PAGE.
<b>MEETING OF PARLIAMENT—</b>	
THE MEMBERS OF THE HOUSE attend at the BAR of the SENATE, by command of HIS EXCELLENCY THE GOVERNOR GENERAL.....	1
CONTROVERTED ELECTION—County of Glengarry.....	1
NEW WRIT during the Recess—County of Glengarry.....	1
VACANCIES in the Representation during the Recess.....	1
NEW MEMBERS ELECTED during the Recess.....	2
NEW MEMBERS INTRODUCED.....	2
<b>Oaths of Office Bill—</b>	
Introduced ( <i>Mr. Mackenzie</i> ) and read the first time [Bill 1].....	2
<b>His Excellency's Speech—</b>	
Reported by <i>Mr. Speaker</i> —To be considered to-morrow.....	2
VOTES AND PROCEEDINGS—To be printed.....	4
SELECT STANDING COMMITTEES—Ordered.....	4
PUBLIC WORKS DEPARTMENT—Report presented by <i>Mr. Mackenzie</i> .....	4
LIBRARY OF PARLIAMENT—Librarian's Report presented by <i>Mr. Speaker</i> .....	4
OFFICIAL REPORT OF THE DEBATES—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Mackenzie</i> .....	4

---

FRIDAY, FEBRUARY 9TH.

MR. JUSTICE LORANGER—CHARGES AGAINST—Petition presented by <i>Mr. Mousseau</i>	4
DEPARTMENT OF JUSTICE—Penitentiaries—Report presented by <i>Mr. Blake</i> ....	4
DEPARTMENT OF MARINE AND FISHERIES—Report presented by <i>Mr. Smith</i> (Westmoreland).....	4

	PAGE.
TRADE AND NAVIGATION—Tables presented by <i>Mr. Burpee</i> (St. John).....	4
<b>Address in answer to His Excellency's Speech—</b>	
THE SPEECH taken into consideration—ADDRESS in reply thereto moved by <i>Mr. Guthrie</i> , seconded by <i>Mr. Béchard</i> .....	4
After debate, Motion agreed to, a Committee appointed to draw up an Address, Report brought up and Address agreed to—To be presented by <i>Privy Councillors</i> .....	21
SUPPLY— <i>Resolved</i> , That this House will, on Monday next, resolve itself into a Committee to consider of a Supply to be granted to Her Majesty.....	23
WAYS AND MEANS— <i>Resolved</i> , That this House will, on Monday next, resolve itself into a Committee to consider of the Ways and Means for raising the Supply to be granted to Her Majesty.....	24
OFFICIAL REPORT OF THE DEBATES—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Mackenzie</i> .....	24
—	
MONDAY, FEBRUARY 12TH.	
NEW MEMBER INTRODUCED ( <i>Mr. McCarthy</i> ).....	24
INLAND REVENUES—Report presented by <i>Mr. Laflamme</i> .....	24
PUBLIC ACCOUNTS—Presented by <i>Mr. Cartwright</i> .....	24
<b>Insolvent Acts<sup>1</sup> Repeal Bill—</b>	
Introduced ( <i>Mr. Barthe</i> ) and read the first time [Bill 2].....	24
CANADIAN SURGEONS IN ALLAN STEAMSHIPS—Question, <i>Mr. Brouse</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	24
MANITOBA BATTALION CLAIMS—Question, <i>Mr. Snider</i> ; Answer, <i>Mr. Vail</i> ....	25
REGISTRATION OF SHIPPING—Question, <i>Mr. Cheval</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	25
SITE OF QUEBEC GRAVING DOCK—Question, <i>Mr. Fréchette</i> ; Answer, <i>Mr.</i> <i>Mackenzie</i> .....	25
IMPORTS FROM THE UNITED STATES—Motion for Return ( <i>Mr. Irving</i> )—Motion agreed to.....	25
SELECT STANDING COMMITTEES—Committee to prepare lists of, appointed.....	25
NAVIGATION OF AMERICAN WATERS—Motion for correspondence ( <i>Mr. Currier</i> ) —Motion agreed to.....	25
PRAYERS IN THE HOUSE—Moved—	
“ That it be an order of the House that each day, and immediately after the Speaker shall have taken the chair at three o'clock in the afternoon, the prayers now read daily in the Senate be read in this chamber by such Chaplain as the Speaker may appoint for that purpose, and, in his absence, by the Clerk of the House.”—( <i>Mr.</i> <i>Macdonald, Centre Toronto</i> ).....	26
After short debate, debate adjourned, on motion of <i>Mr. Holton</i> .....	28
DOMINION DAM ON DEVIL LAKE—Motion for Returns ( <i>Sir John A. Mac-</i> <i>donald</i> )—Motion agreed to.....	28
FISHERY CLAUSES OF THE WASHINGTON TREATY—Motion for correspondence ( <i>Mr. Mitchell</i> )—Motion slightly amended by consent, and agreed to....	28

TABLE OF CONTENTS.

PAGE.

THE IMPERIAL BOARD OF TRADE AND CANADIAN SURGEONS—Motion for correspondence ( <i>Mr. Tupper</i> )—Motion agreed to.....	30
MILITARY COLLEGE AT KINGSTON—Motion for Return ( <i>Mr. Langevin</i> )—Motion agreed to.....	30
MARINE HOSPITAL AT SYDNEY—Motion for Return ( <i>Mr. McDonald, Cape Breton</i> )—Motion agreed to.....	31
OFFICIAL REPORT OF THE DEBATES—Select Committee appointed.....	31
CHANGES IN THE CABINET—Ministerial Explanations, <i>Mr. Mackenzie</i> .....	32

TUESDAY, FEBRUARY 13TH.

BOUNTY ON COAL—Petition for, presented by <i>Mr. MacKay</i> (Cape Breton) and read.....	39
POST OFFICE DEPARTMENT—Report of the Postmaster General, presented by <i>Mr. Huntington</i> .....	39
OFFICIAL REPORT OF THE DEBATES—Select Committee to have power to report from time to time—First Report, presented by <i>Mr. Ross</i> (West Middlesex).....	39
SELECT STANDING COMMITTEES—Report of Committee appointed to prepare lists, presented by <i>Mr. Mackenzie</i> , and concurred in so far as relates to the Select Standing Committee on Standing Orders.....	39
OFFICIAL REPORT OF THE DEBATES—First Report of Select Committee concurred in.....	40
MANAGEMENT OF THE LIBRARY—Select Committee appointed to assist Mr. Speaker.....	40
ADJOURNMENT FOR ASH WEDNESDAY— <i>Resolved</i> , That, when this House adjourns this day, it do stand adjourned until Thursday next.....	40
MR. JUSTICE LORANGER—CHARGES AGAINST—Petitions to be printed.....	40
THE INSOLVENT ACT—AMENDMENT OR REPEAL—Question, <i>Mr. Ross</i> (East Durham); Answer, <i>Mr. Blake</i> .....	40
PIERS AT BAIE ST. PAUL, EBOULEMENTS AND MALBAIE—Motion for Return ( <i>Mr. Langevin</i> )—Motion agreed to.....	40
REDUCTION OF DUTIES ON PETROLEUM—Moved— “That in the opinion of this House, the interests of the country would be promoted by a reduction of the duties on refined Petroleum.”—( <i>Mr. Colby</i> )— After Ministerial statement, motion withdrawn.....	40
DAILY PRAYERS IN THE HOUSE—Adjourned Debate—Moved— “That Messrs. Macdonald (Toronto), McCraney, Gibbs (South Ontario), Wood, Blackburn, Goudge, Casgrain, Desjardins, McDonald (Cape Breton), Ryan, Carmichael, Platt and Wright (Ottawa County), be a Committee to bring before the House a form of prayer.”—( <i>Mr. Macdonald, Centre Toronto</i> )— After a short debate, Motion withdrawn.....	40
Moved— “That a Special Committee be appointed to consider and report upon the desirability of using a form of prayer in this Chamber; to be composed of Messrs. Macdonald (Toronto), McCraney, Gibbs (South Ontario), Wood, Blackburn, Goudge, Casgrain, Desjardins, McDonald (Cape Breton), Ryan, Carmichael, Platt and Wright (Ottawa County).”—( <i>Mr. Macdonald, Centre Toronto</i> ).....	40
Motion agreed to.....	41

	PAGE.
THURSDAY, FEBRUARY 15TH.	
PETITIONS INVOLVING EXPENDITURE— <i>Mr. Speaker's</i> ruling.....	42
OFFICIAL REPORT OF THE DEBATES—Second Report of Select Committee, presented by <i>Mr. Ross</i> (West Middlesex), and concurred in. ....	42
<b>Procedure in Criminal Cases Bill—</b>	
Introduced ( <i>Mr. Irving</i> ) and read the first time [Bill 3].....	42
<b>Alien Corporations Investment Act Repeal Bill—</b>	
Introduced ( <i>Mr. Blain</i> ), and read the first time [Bill 4].....	42
<b>Criminal Procedure Act Amendment Bill—</b>	
Introduced ( <i>Mr. Dymond</i> ) and read the first time [Bill 5]. ....	42
SELECT STANDING COMMITTEES—Lists prepared by Committee concurred in...	42
JOINT COMMITTEE ON PRINTING—Message to be sent to the Senate informing their Honours of the names of members composing the Select Standing Committee on Printing of this House.....	42
PALMER'S POINT, N.B.—Question, <i>Mr. Domville</i> ; Answer, <i>Mr. Smith</i> (West- moreland).....	43
PRINCE EDWARD ISLAND—COMMUNICATION WITH THE MAINLAND—Question, <i>Mr. Sinclair</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	43
NATURALIZED ALIENS—Question, <i>Mr. Trow</i> ; Answer, <i>Mr. Mackenzie</i> .....	43
GEORGIAN BAY BRANCH—Question, <i>Mr. White</i> (North Renfrew); Answer, <i>Mr. Mackenzie</i> .....	43
THE RIVER SYDENHAM—Question, <i>Mr. Stephenson</i> ; Answer, <i>Mr. Mackenzie</i> ...	43
TELEGRAPH LINE ON VANCOUVER ISLAND—Question, <i>Mr. DeCosmos</i> ; Answer, <i>Mr. Mackenzie</i> .....	43
PACIFIC RAILWAY SURVEYS—Question, <i>Mr. DeCosmos</i> ; Answer, <i>Mr. Mac-</i> <i>kenzie</i> .....	43
BOUNDARY LINE OF ALASKA—Question, <i>Mr. DeCosmos</i> ; Answer, <i>Mr. Mac-</i> <i>kenzie</i> .....	44
WELLAND CANAL WORKS --WINTER OPERATIONS—Question, <i>Mr. Norris</i> ; Answer, <i>Mr. Mackenzie</i> .....	44
TAMPERING WITH REGISTERED LETTERS—Question, <i>Mr. Little</i> ; Answer, <i>Mr.</i> <i>Huntington</i> . ....	44
RELIEF TO SALT INTERESTS—Question, <i>Mr. Farrow</i> ; Answer, <i>Mr. Cart-</i> <i>wright</i> .....	44
CANADA SOUTHERN RAILWAY—MAILS ON THE ST. CLAIR BRANCH—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Huntington</i> .....	44
SECRET SERVICE FUND—Personal explanations by <i>Sir John A. Macdonald</i> .....	44
PARLIAMENTARY REPRESENTATION—Motion to appoint Select Committee dropped	49
WEIGHTS AND MEASURES ACT—Motion for Inspectors' instructions ( <i>Mr. Flynn</i> ). After a short debate, the motion was slightly amended, by consent, and agreed to.	49
BOUNTY ON COAL—Motion to receive petition ( <i>Mr. MacKay, Cape Breton</i> ).....	51
After a short debate, the consideration of the subject was postponed.	

TABLE OF CONTENTS.

vii

PAGE.

RECOGNITION OF THE VOLUNTEERS OF 1837-8—Moved—

“That the House resolve itself into Committee of the Whole to consider the following resolution :—

“That some substantial recognition should be given to those loyal Volunteers who defended the British flag during the troubles of 1837 and 1838 in this country. And therefore it is the opinion of this House that an area of the wild lands of the Dominion should be granted them, not less equal in extent to that offered to the immigrant settler.”—(*Mr. Brouse*).....

52

After short debate, Motion withdrawn.

MERCHANT SHIPPING—Motion for correspondence (*Mr. Tupper*)—Motion agreed to.....

55

INTERCOLONIAL RAILWAY—Motions for Returns (*Mr. Domville*).....

56

SESSIONAL PAPER No. 96—Motion to Print (*Mr. Langevin*)—Motion withdrawn.

66

QUEBEC MARINE HOSPITAL—Motion for Report (*Mr. Langevin*)—Motion agreed to.....

66

MANITOBA RAILWAY RESERVE—Motion for correspondence (*Mr. Schultz*)—Motion agreed to.....

67

ACCIDENTS ON THE INTERCOLONIAL RAILWAY—Motion for Return (*Mr. Mitchell*)—Motion slightly amended, and agreed to.....

67

IRON RAILS LOANED TO RAILWAYS BY THE GOVERNMENT—Motion for Return (*Mr. Bowell*)—Motion agreed to.....

68

DISALLOWANCE OF PROVINCIAL ACTS—Motions for correspondence (*Mr. Laurier*)—Motions agreed to.....

68

LIVE STOCK—Motion for Return (*Mr. McDougall, Renfrew*)—Motion agreed to.....

68

IMPORTATION OF SUGAR—Motion for Return (*Mr. Desjardins*)—After short debate, Motion agreed to.....

68

SUPERANNUATED AND RETIRED OFFICIALS—Motion for Return (*Mr. Caron*)—Motion withdrawn.....

72

MAIL SERVICE BETWEEN VICTORIA AND SAN FRANCISCO—Motion for correspondence (*Mr. DeCosmos*)—Motion agreed to.....

72

ADMINISTRATION OF JUSTICE IN THE DISTRICT OF RICHELIEU—Moved—

“That the entry in the Journals of this House of the 3rd April, 1876, relating to the petition of F. X. A. Biron, Notary, and others, of the District of Richelieu, complaining of the conduct of Mr. Justice Loranger, be now read.”—(*Mr. Béchard*)..

73

Motion agreed to and entry read.

Moved—

“That a Special Committee, consisting of Messrs. Béchard, Holton, MacDonnell (Inverness), Appleby, Kirkpatrick, Irving, Masson, Desjardins, Brooks, Baby, Jetté, Taschereau and Laurier, be appointed to inquire into the administration of justice in the District of Richelieu, in the Province of Quebec; and that the petition of F. X. A. Biron, Notary, and others, of the said District of Richelieu, complaining of the conduct of the Honourable Thomas Jean Jacques Loranger, Judge of the Superior Court of the said Province of Quebec, and petition of the Hon. Mr. Justice Loranger, be referred to the said Committee, and that the said Committee have power to send for persons, papers and records, and to report from time to time.”—(*Mr. Béchard*.)

After debate, Motion agreed to.....

77

Moved—

“That it is desirable that any witness to be examined by the said Committee, be examined on oath.”—(*Mr. Blake*)

Motion agreed to.....

77

Motion (*Mr. Barthe*) on the same subject, agreed to.....

77

	PAGE.
NORTHERN RAILWAY COMMISSION—Question, <i>Mr. Bowell</i> ; Answer, <i>Mr. Mackenzie</i> .....	77
FRIDAY, FEBRUARY 16TH.	
COAL OWNERS' PETITION— <i>Mr. Speaker's</i> ruling.....	77
RECEPTION OF PRIVATE BILLS—Motion to extend time ( <i>Mr. Rymal</i> )—Motion agreed to.....	78
<b>Maitland Marine Insurance Company Bill—</b>	
Introduced ( <i>Mr. Goudge</i> ) and read the first time [Bill 6].....	78
<b>Amendment and Consolidation of the Insurance Acts—</b>	
Resolutions ( <i>Mr. Cartwright</i> ) considered in Committee—Resolutions reported.....	79
<b>Insolvent Acts Repeal Bill [BILL 2]—</b>	
Second reading proposed ( <i>Mr. Barthe</i> )—Order discharged.....	83
THE "NORTHERN LIGHT" STEAMER—Motion for Return ( <i>Mr. Perry</i> )—After debate, Motion agreed to.....	83
GOVERNMENT LIFE INSURANCE—Motion ( <i>Mr. Wood</i> ) withdrawn.....	88
DISMISSALS FROM OFFICE—Motion for Returns ( <i>Mr. Campbell</i> )—Motion agreed to.....	88
DISMISSALS FROM OFFICE—Motion for correspondence ( <i>Mr. Campbell</i> ).....	89
After discussion debate adjourned on motion of <i>Sir John A. Macdonald</i> ....	93
<b>Message from His Excellency</b> .....	93
THE ESTIMATES.	
MONDAY, FEBRUARY 19TH.	
PETITIONS FROM UNITED STATES CITIZENS— <i>Mr. Speaker's</i> ruling.....	93
PRAYERS IN THE HOUSE—Report of Committee, presented by <i>Mr. Macdonald</i> (Centre Toronto)—After debate, Report slightly amended and concurred in.....	94
<b>Weights and Measures Act Amendment Bill—</b>	
Introduced ( <i>Mr. Bolduc</i> ) and read the first time [Bill 7].....	96
<b>St. Francis and Megantic International Railway Company Bill—</b>	
Introduced ( <i>Mr. Brooks</i> ) and read the first time [Bill 8].....	96
<b>Canada Southern Bridge Company Bill—</b>	
Introduced ( <i>Mr. Casey</i> ) and read the first time [Bill 9].....	96
<b>London and Canada Bank Incorporation Act Amendment Bill—</b>	
Introduced ( <i>Mr. Burk</i> ) and read the first time [Bill 10].....	96

**Insolvent Act Amendment Bill---**

Introduced (*Mr. Landerkin*) and read the first time [Bill 11]..... 96

**Springhill and Parrsborough Coal and Railway Company Bill---**

Introduced (*Mr. Donville*) and read the first time [Bill 12]. ..... 96

THE ESTIMATES.

Moved---

“That the message of His Excellency the Governor General presented to the House on Friday last, and the Estimates accompanying the same, be referred to the Committee of Supply.”—(*Mr. Cartwright*.) ..... 96

Motion agreed to.

RECEPTION OF PRIVATE BILLS—Motion to extend time (*Mr. Rymal*)—Motion agreed to. .... 96

SUPPLY—IN COMMITTEE.

III. CIVIL GOVERNMENT..... 97

Vote 2 agreed to.

IMMIGRATION AND COLONIZATION COMMITTEE—Explanation, *Mr. Trow*..... 97

THE JESUIT BARRACKS—Question, *Mr. Masson*; Answer, *Mr. Mackenzie*..... 97

**Maitland Marine Insurance Company Bill [BILL 6]---**

Read the second time (*Mr. Goudge*)..... 98

MAIL TO WEST INDIES—Question, *Mr. Forbes*; Answer, *Mr. Huntington*..... 98

BAYFIELD HARBOUR, LAKE HURON—Question, *Mr. Greenway*; Answer, *Mr. Mackenzie*.. . . . 98

STEAMERS BETWEEN ONTARIO AND CAPE BRETON—Question, *Mr. McDonald* (Cape Breton); Answer, *Mr. Mackenzie*..... 98

NORTH-WESTERN BOUNDARY OF ONTARIO—Question, *Mr. Masson*; Answer, *Mr. Blake*..... 98

TÊTE-DE-BRÛLE INDIANS—Question, *Mr. Gill*; Answer, *Mr. Mills*..... 98

COUNTY COURT JUDGE OF LEEDS AND GRENVILLE—Question, *Sir John A. Macdonald*; Answer, *Mr. Blake*..... 99

**Message from His Excellency---**

REPLY TO THE ADDRESS..... 99

THE HOUR OF ADJOURNMENT—Moved---

“That it be an Order of the House that if at the hour of 10 o'clock p.m., the business of the day be not concluded, Mr. Speaker shall leave the Chair and the House shall stand adjourned until its next regular meeting, unless it be otherwise resolved by a majority of the members present at that hour, and in case any desire to continue in Session, Mr. Speaker shall, on being requested by not less than five members, put the question without debate.”—(*Mr. Blain*) ..... 99

After debate, motion withdrawn..... 102

ACCIDENTS CAUSED BY RAILWAY FROGS—Motion for Return (*Mr. Fleming*)—Motion agreed to.... 103

	PAGE.
<b>EXTENSION OF JURISDICTION OF VICE-ADMIRALTY COURTS</b> —Motion for correspondence ( <i>Mr. Bowell</i> )—Motion amended and agreed to.....	103
<b>TELEGRAPH LINES IN BRITISH COLUMBIA</b> —Motions for Returns ( <i>Mr. Langevin</i> )—Motions agreed to.....	103
<b>COAL SHIPMENTS ON THE INTERCOLONIAL RAILWAY</b> —Motion for Return ( <i>Mr. Domville</i> )—Motion amended and agreed to.....	103
<b>REVENUE PAID BY PROVINCES</b> —Motion for Return ( <i>Mr. Archibald</i> )—Motion agreed to.....	104
<b>HARBOUR IMPROVEMENT</b> —Motion for Papers ( <i>Mr. Tupper</i> )—Motion agreed to.	105
<b>THE LOAN OF 1875</b> —Motion for Return ( <i>Mr. Tupper</i> )—Motion slightly amended and agreed to.....	106
<b>GREAT BRAS D'OR POSTMASTERSHIP</b> —Motion for correspondence ( <i>Mr. Campbell</i> )—After short debate, Motion agreed to.....	106
<b>CONVICTIONS FOR CAPITAL OFFENCES</b> —Motion for Return ( <i>Mr. Dymond</i> )—Motion amended and agreed to .....	108
<b>HALF-BREED LANDS IN MANITOBA</b> —Motion for correspondence ( <i>Mr. Ryan</i> )—After short debate, Motion agreed to.....	109
<b>VICTORIA BREAKWATER, WOOD ISLANDS, PRINCE EDWARD ISLAND</b> —Motion for reports ( <i>Mr. Pope, Queen's, P.E.I.</i> )—Motion agreed to.....	112
<b>MAIL SERVICE ON LAKES HURON AND SUPERIOR</b> —Motion for advertisement for Tenders ( <i>Mr. McCarthy</i> )—Motion agreed to.....	112
<b>STEEL RAILS FOR THE PACIFIC RAILWAY</b> —Motion for Return ( <i>Mr. Bowell</i> )—Motion agreed to.....	112
<b>POST OFFICE PRINTING</b> —Motion for Return ( <i>Mr. Bowell</i> )—After short debate, Motion agreed to.....	112
<b>EXPENSES OF ADVERTISING</b> —Motion for statement ( <i>Mr. Bowell</i> )—Motion agreed to.....	114
<b>LE CRÉDIT FONCIER DU BAS CANADA</b> —Motion for statement ( <i>Mr. Béchard</i> )—Motion agreed to.....	114
<b>AGRICULTURAL COMMITTEE'S REPORT</b> —Motion to print ( <i>Mr. Orton</i> )—Referred to Printing Committee.....	115
<b>RETURNING OFFICER AT THE DORCHESTER ELECTION</b> —Motion for correspondence ( <i>Mr. Rouleau</i> )—Motion withdrawn .....	118
<b>THE CIVIL SERVICE</b> —Motion for Return ( <i>Mr. Costigan</i> )—Motion slightly amended and agreed to.....	119
<b>MANITOBA LAND CLAIMS</b> —Motion for Return ( <i>Mr. Ryan</i> )—After short debate, motion withdrawn.....	119
<b>NOVA SCOTIA INDIAN COMMISSIONERS</b> —Motion for Return ( <i>Mr. Forbes</i> )—Motion agreed to.....	120

---

TUESDAY, FEBRUARY 20TH.

<b>APPOINTMENT OF MR. TREMAIN TO A JUDGESHIP</b> —Explanation, <i>Mr. Campbell</i>	121
<b>Dominion of Canada Civil Service Mutual Benefit Association Bill</b> —	
Introduced ( <i>Mr. Wood</i> ) and read the first time [Bill 13].....	122

	PAGE.
<b>Montreal, Portland &amp; Boston Railway Co'y Amendment Bill—</b>	
Introduced ( <i>Mr. Baby</i> ) and read the first time [Bill 14].....	122
<b>Insolvent Act Amendment Bill—</b>	
Introduced ( <i>Mr. White, North Renfrew</i> ) and read the first time [Bill 15].	122
<b>Beaver &amp; Toronto Mutual Fire Insurance Company Bill—</b>	
Introduced ( <i>Mr. Bowell</i> ) and read the first time [Bill 16].....	122
<b>Banking Act Amendment Bill—</b>	
Introduced ( <i>Mr. Frazer</i> ) and read the first time [Bill 17].....	122
<b>Geological and Natural History Survey of Canada Bill—</b>	
Introduced ( <i>Mr. Mills</i> ) and read the first time [Bill 18].....	122
<b>BANKING AND COMMERCE COMMITTEE—Motion to add names (<i>Mr. Mackenzie</i>)</b>	
—Motion agreed to.....	122
<b>St. Francis &amp; Megantic Railway Bill [BILL 8]—</b>	
Motion to discharge order for second reading ( <i>Mr. Brooks</i> )—Motion	
agreed to and Bill withdrawn.....	122
<b>MILITIA DEPARTMENT—Report presented by <i>Mr. Vail</i>.....</b>	122
<b>MAILS BETWEEN SYDNEY AND COW BAY—Explanation, <i>Mr. MacKay</i> (Cape</b>	
Breton).....	122
<b>SUPPLY.—CONCURRENCE.</b>	
Resolution (Feb. 19) concurred in.....	123
<b>RECEIPTS AND EXPENDITURE—Statement to Feb. 10, presented by <i>Mr Cartwright</i></b>	123
<b>WAYS AND MEANS.—THE BUDGET.</b>	
Order for the House to go into Committee of the Whole to consider of the	
Ways and Means for raising the Supply to be granted to Her Majesty,	
read. Motion, That the Speaker do now leave the chair ( <i>Mr Cartwright</i> )	123
After debate, Motion agreed to. Resolutions adopted in Committee and	
reported.....	183
—	
WEDNESDAY, FEBRUARY 21st.	
<b>London and Ontario Investment Company Amendment Bill—</b>	
Introduced ( <i>Mr. Macdonald, Centre Toronto</i> ) and read the first time	
[Bill 20].....	184
<b>Ontario Permanent Building Societies Bill—</b>	
Introduced ( <i>Mr. Hall</i> ) and read the first time [Bill 21].....	184
<b>Dominion Grange of the Patrons of Husbandry Incorporation</b>	
<b>Bill—</b>	
Introduced ( <i>Mr. Rymal</i> ) and read the first time [Bill 22].....	184

	PAGE.
<b>Criminal Laws Extension Bill—</b>	
Introduced ( <i>Mr Blake</i> ) and read the first time [Bill 23].....	184
<b>Larceny Act Amendment Bill—</b>	
Introduced ( <i>Mr Blake</i> ) and read the first time [Bill 24].....	184
LIEUTENANT-GOVERNOR OF MANITOBA—Explanation, <i>Mr. Mackenzie</i> .....	185
THE "NORTHERN LIGHT"—Explanation, <i>Mr. Pope</i> (Queen's, P. E. I.).....	186
ANNUITIES TO INDIANS—Question, <i>Mr. Borron</i> ; Answer, <i>Mr. Mills</i> .....	186
MAIL ON THE LONDON, HURON AND BRUCE RAILWAY—Question, <i>Mr. Macmillan</i> ; Answer, <i>Mr. Huntington</i> .....	186
FREE POSTAGE DELIVERY—Question, <i>Mr. Desjardins</i> ; Answer, <i>Mr. Huntington</i>	186
GODERICH HARBOUR WORKS—Motion for papers ( <i>Mr. Farrow</i> )—Motion agreed to.....	186
FORT FRANCES LOCKS, OR CANAL—Motion for papers ( <i>Mr. Kirkpatrick</i> )—After debate, Motion agreed to.....	186
NORTHERN RAILWAY COMMISSION—Proposed Motion for instructions ( <i>Mr.</i> <i>Robinson</i> ).....	196
THE CIVIL SERVICE—Motion for Returns ( <i>Mr. Casey</i> )—After a short debate, Motion agreed to.....	196
RIVER SYDENHAM SURVEYS—Motion for Returns ( <i>Mr. Stephenson</i> )—Motion agreed to.....	198
VITAL STATISTICS—Moved—	
" That a Select Committee be appointed, composed of Messrs. Brouse, Holton, Tupper, Blanchet, Pope (Compton), Dymond, Landerkin, Forbes, Christie and Kerr, to examine and report upon the subject of Vital Statistics and Public Health, with power to send for persons and papers."—( <i>Mr. Brouse.</i> )	
After a short debate, Motion agreed to.....	199
POSTMASTERSHIP OF PORT HOPE—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Mackenzie</i> .....	201
—	
THURSDAY, FEBRUARY 22ND.	
MR. JUSTICE LORANGER—Motion to refer papers to the Special Committee ( <i>Mr.</i> <i>Holton</i> )—Motion agreed to.....	202
THE PUBLIC ACCOUNTS—Motion to refer to Public Accounts Committee ( <i>Mr.</i> <i>Young</i> )—Motion agreed to.....	202
<b>Canada Atlantic Cable Company Incorporation Act Amend- ment Bill—</b>	
Introduced ( <i>Mr. Thomson, Welland</i> ) and read the first time [Bill 25].....	202
<b>Pickering Harbour and Road Joint Stock Company Bill—</b>	
Introduced ( <i>Mr. Gibbs, South Ontario</i> ) and read the first time [Bill 26] ...	202
<b>Offences Against the Person Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ), and read the first time [Bill 27].....	202

	PAGE.
WELLAND CANAL—Question, <i>Mr. Norris</i> ; Answer, <i>Mr. Mackenzie</i> .....	202
CANAL TOLLS—Question, <i>Mr. Cheval</i> ; Answer, <i>Mr. Smith</i> (Westmoreland) ...	202
IMMIGRANT SHEDS—Question, <i>Mr. Gillies</i> ; Answer, <i>Mr. Mackenzie</i> .....	202

**Procedure in Criminal Cases Bill [BILL 3]—**

Read the second time ( <i>Mr. Irving</i> ) and referred to Special Committee....	203
----------------------------------------------------------------------------------	-----

**Lending and Investing Institutions Bill [BILL 4]—**

Second reading postponed ( <i>Mr. Blain</i> ).....	204
----------------------------------------------------	-----

**Criminal Witnesses Bill [BILL 5]—**

Second reading postponed ( <i>Mr. Dymond</i> ) .....	204
------------------------------------------------------	-----

DISMISSALS FROM OFFICE—Adjourned debate on motion of <i>Mr. Campbell</i> —Motion amended ( <i>Mr. Plumb</i> ) and agreed to.....	204
----------------------------------------------------------------------------------------------------------------------------------	-----

---

FRIDAY, FEBRUARY 23RD.

**Niagara Grand Island Bridge Company Bill—**

Introduced ( <i>Mr. Thomson, Welland</i> ) and read the first time [Bill 28]....	247
----------------------------------------------------------------------------------	-----

**British Canadian Loan and Investment Company Amendment Bill—**

Introduced ( <i>Mr. Young</i> ) and read the first time [Bill 29] .....	247
-------------------------------------------------------------------------	-----

**Union Marine Insurance Company Incorporation Bill—**

Introduced ( <i>Mr. Jones, Halifax</i> ) and read the first time [Bill 30].....	247
---------------------------------------------------------------------------------	-----

**Metropolitan Bank Bill—**

Introduced ( <i>Mr. Workman</i> ) and read the first time [Bill 31].....	247
--------------------------------------------------------------------------	-----

**La Banque Jacques Cartier Bill—**

Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 32].....	247
------------------------------------------------------------------------	-----

**La Société de Construction St. Jacques Incorporation Bill—**

Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 33].....	247
------------------------------------------------------------------------	-----

**St. Francis and Megantic International Railway Company Bill—**

Introduced ( <i>Mr. Brooks</i> ) and read the first time [Bill 8].....	247
------------------------------------------------------------------------	-----

**Ottawa Agricultural Insurance Company Amendment Bill—**

Introduced ( <i>Mr. Rochester</i> ) and read the first time [Bill 34] .....	247
-----------------------------------------------------------------------------	-----

**Ottawa, Vaudreuil and Montreal Railway Company Bill—**

Introduced ( <i>Mr. Hagar</i> ) and read the first time [Bill 35] .....	247
-------------------------------------------------------------------------	-----

	PAGE.
<b>Inland Revenue Act Amendment—</b>	
Motion for Committee of the Whole ( <i>Mr. Laflamme</i> )—Motion agreed to...	247
<b>Adulteration of Food, Drink and Drugs Act Amendment—</b>	
Motion for Committee of the Whole ( <i>Mr. Laflamme</i> )—Motion agreed to...	248
<b>Inspection of Gas and Gas Meters Act Amendment—</b>	
Motion for Committee of the Whole ( <i>Mr. Laflamme</i> )—Motion agreed to...	248
<b>Salaries of Judges Readjustment Act Amendment—</b>	
Motion for Committee of the Whole ( <i>Mr. Blake</i> )—Motion agreed to.....	248
<b>Life Insurance Acts Amendment Bill—</b>	
Resolution ( <i>Mr. Cartwright</i> )—Considered in Committee, Bill introduced and read the first time [Bill 36] .....	248
<b>SUPPLY.—IN COMMITTEE.</b>	
III. CIVIL GOVERNMENT.....	248
Votes 3 to 20 agreed to.	
IV. ADMINISTRATION OF JUSTICE.....	254
Votes 21 to 31 agreed to.	
<b>Canada Southern Bridge Company Bill [BILL 9]—</b>	
Read the second time ( <i>Mr. Casey</i> ) .....	257
<b>London and Canada Bank Act Amendment Bill [BILL 10]—</b>	
Read the second time ( <i>Mr. Brooks</i> ). .....	257
<b>Dominion of Canada Civil Service Mutual Benefit Association Bill [BILL 13]—</b>	
Read the second time ( <i>Mr. Wood</i> ).....	257
<b>Montreal, Portland and Boston Railway Company Acts Amendment Bill [BILL 14]—</b>	
Read the second time ( <i>Mr. Baby</i> ).....	257
<b>Banking Act Amendment Bill [BILL 17]—</b>	
Read the second time ( <i>Mr. Frazer</i> ).....	257
<b>London and Ontario Investment Company Bill [BILL 20]—</b>	
Read the second time, ( <i>Mr. Macdonald, Centre Toronto</i> ).....	257
<b>Dominion Grange of the Patrons of Husbandry Incorporation Bill [BILL 22]—</b>	
Read the second time ( <i>Mr. Rymal</i> ).....	257

TABLE OF CONTENTS.

xv

	PAGE.
<b>SUPPLY.—IN COMMITTEE.</b>	
V. POLICE .....	257
Vote 32 agreed to.	
VI. PENITENTIARIES.....	257
Votes 33 to 39 agreed to.	

---

MONDAY, FEBRUARY 26TH.

FORM OF PETITIONS— <i>Mr. Speaker's</i> ruling.....	268
<b>Protest of Inland Bills Bill—</b>	
Introduced ( <i>Mr. Jones, Halifax</i> ) and read the first time [Bill 37].....	269
<b>Procedure in Criminal Cases Bill—</b>	
Introduced ( <i>Mr. Palmer</i> ) and after short debate, read the first time [Bill 38]	269
<b>Insolvent Acts Repeal Bill—</b>	
Introduced ( <i>Mr. Palmer</i> ) and after short debate, read the first time [Bill 39].....	269
<b>Rockwood Asylum Transfer Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 40].....	271
<b>Ontario Maritime Court Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and after debate, read the first time [Bill 41]....	271
LIEUTENANT-GOVERNOR OF MANITOBA—Remarks and explanations, <i>Mr. Schultz</i>	274
LUNENBURG SHIPPING MASTER—Explanation, <i>Mr. Smith</i> (Westmoreland)....	276
<b>Insolvent Acts Repeal Bill [BILL 2]—</b>	
Second reading proposed ( <i>Mr. Barthe</i> ).....	279
Amendment moved, that the Bill be read the second time this day four months ( <i>Mr. Wood</i> ).....	284
Debate adjourned on motion of <i>Sir John A. Macdonald</i> .....	309

---

TUESDAY, FEBRUARY 27TH.

<b>Kincardine Harbour Tolls Bill—</b>	
Introduced ( <i>Mr. Gillies</i> ) and read the first time [Bill 42].....	310
<b>Union Forwarding and Railway Company Bill—</b>	
Introduced ( <i>Mr. Currier</i> ) and read the first time [Bill 43].....	310

	PAGE.
<b>Rivière du Loup Bridge Company Act Amendment Bill—</b>	
Introduced ( <i>Mr. Boyer</i> ) and read the first time [Bill 44].....	310
<b>St. Lawrence and Pacific Railway Company Bill—</b>	
Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 45].....	310
<b>Union Cable Company Bill—</b>	
Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 46].....	310
<b>Dominion Elections Act of 1874 Amendment Bill—</b>	
Introduced ( <i>Mr. Richard</i> ) and read the first time [Bill 47].....	310
<b>Albert Railway Company Bill—</b>	
Introduced ( <i>Mr. Domville</i> ) and after short debate, read the first time [Bill 48].....	310
<b>Dominion Elections Act Amendment Bill—</b>	
Introduced ( <i>Mr. Cook</i> ) and read the first time [Bill 49].....	311
<b>Geological Survey Bill [BILL 18]—</b>	
Read the second time ( <i>Mr. Mills</i> ) after debate .....	311
<b>Criminal Law Extension Bill [BILL 23]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	317
<b>Larceny Act Amendment Bill [BILL 24]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	319
<b>Offences against the Person Bill [BILL 27]—</b>	
Read the second time ( <i>Mr. Blake</i> ) .....	319
<b>Insurance Acts Amendment Bill [BILL 36]—</b>	
Read the second time ( <i>Mr. Cartwright</i> ).....	320
<b>Salaries of Judges Bill—</b>	
Resolutions ( <i>Mr. Blake</i> ) adopted in Committee, Bill introduced and read the first time [Bill 50].....	320
<b>Inland Revenue Act Amendment—</b>	
Resolution ( <i>Mr. Laflamme</i> ) considered in Committee, and progress reported.....	321
<b>SUPPLY—IN COMMITTEE.</b>	
<b>VII. LEGISLATION.....</b>	<b>323</b>
Votes 40 to 51 agreed to.	
<b>NEW MEMBER INTRODUCED (<i>Mr. Roy</i>).....</b>	<b>328</b>

	PAGE.
SUPPLY— IN COMMITTEE.	
VIII. ARTS, AGRICULTURE AND STATISTICS.....	328
Votes 52 to 54 agreed to.	
IX. IMMIGRATION AND QUARANTINE.....	330
Vote 55 considered.	

— — — — —  
WEDNESDAY, FEBRUARY 28<sup>TH</sup>.

<b>Montreal Loan and Mortgage Company Bill—</b>	
Introduced ( <i>Mr. Holton</i> ) and read the first time [Bill 51].....	337
<b>Canadian Mutual Marine Insurance Company Act Amend- ment Bill—</b>	
Introduced ( <i>Mr. Domville</i> ) and read the first time [Bill 52].....	337
<b>Quebec Building Societies Bill—</b>	
Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 53].....	337
<b>Water Works Companies Bill—</b>	
Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 54].....	337
<b>Prison Discipline Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 55].....	337
<b>Gambling in Public Conveyances Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 56].....	338
POST OFFICE IN ST. ROCH—Question, <i>Mr. Thibaudeau</i> ; Answer, <i>Mr. Mackenzie</i>	338
THE TRENT WORKS—Question, <i>Mr. Bertram</i> ; Answer, <i>Mr. Mackenzie</i> .....	338
EXEMPTION FROM DUTY—Question, <i>Mr. Domville</i> ; Answer, <i>Mr. Mackenzie</i> .....	338
PROTECTION OF FISH—Question, <i>Mr. Brouse</i> ; Answer, <i>Mr. Mackenzie</i> ... ..	339
CARILLON DAM—Question, <i>Mr. McDougall</i> , ( <i>Renfrew</i> ); Answer, <i>Mr. Mackenzie</i>	339
<b>Message from His Excellency—</b>	
CANADIAN PACIFIC RAILWAY—Correspondence submitted. ....	339
FORM OF PUTTING QUESTIONS—Point of Order, <i>Mr. Speaker</i> .....	339
GEORGIAN BAY BRANCH—Motion for Reports ( <i>Mr. McCarthy</i> )—After debate, Motion amended and agreed to.....	339
<b>Canada Atlantic Cable Company Act Amendment Bill [BILL 25]—</b>	
Read the second time ( <i>Mr. Thomson, Welland</i> ) .....	351
<b>Ottawa, Vaudreuil and Montreal Railway Company Bill [BILL 35]—</b>	
Read the second time ( <i>Mr. Hagar</i> ).....	351

	PAGE.
<b>Niagara Grand Island Bridge Company Bill [BILL 28]—</b>	
Read the second time ( <i>Mr. Thomson, Welland</i> ).....	351
<b>British Canadian Loan and Investment Company Act Amendment Bill [BILL 29]—</b>	
Read the second time ( <i>Mr. Young</i> ).....	351
<b>Union Marine Insurance Company Bill [BILL 30]—</b>	
Read the second time ( <i>Mr. Jones, Halifax</i> ) .....	351
<b>Société de Construction St. Jacques Bill [BILL 33]—</b>	
Read the second time ( <i>Mr. Jetté</i> ).....	351
<b>St. Francis and Megantic International Railway Company Bill [BILL 8]—</b>	
Read the second time ( <i>Mr. Brooks</i> ).....	351
<b>Pickering Harbour and Road Company Bill [BILL 26]—</b>	
Read the second time ( <i>Mr. Gibbs, South Ontario</i> ).....	351
<b>Metropolitan Bank Bill [BILL 31]—</b>	
Read the second time ( <i>Mr. Workman</i> ).....	352
<b>Ottawa Agricultural Insurance Company Bill [BILL 34]—</b>	
Read the second time ( <i>Mr. Rochester</i> ).....	352
<b>Springhill and Parrsborough Coal and Railway Company Bill [BILL 12]—</b>	
After short debate, read the second time ( <i>Mr. Domville</i> ).....	352
<b>Beaver and Toronto Mutual Fire Insurance Company Bill [BILL 16]—</b>	
Read the second time ( <i>Mr. Bowell</i> ).....	353
<b>Insolvent Act Repeal Bill [BILL 2]—</b>	
Debate on <i>Mr. Barthe's</i> motion for the second reading of the Bill, and motion of <i>Mr. Wood</i> in amendment thereto, resumed.....	353
After debate, amendment agreed to on division. Yeas, 103; Nays, 41.	366
—	
THURSDAY, MARCH 1ST.	
<b>THE CHARLEVOIX ELECTION—Motion for new Writ withdrawn (<i>Sir John A. Macdonald</i>).....</b>	366
<b>Royal Canadian Insurance Company Bill—</b>	
Introduced ( <i>Mr. Jetté</i> ) and read the first time [Bill 57].....	367

**Dominion Building Society Bill—**

Introduced (*Mr. Ouimet*) and read the first time [Bill 58]..... 367

**Union Life and Accident Insurance Company of Canada Act Amendment Bill—**

Introduced (*Mr. Kirkpatrick*) and read the first time [Bill 59]..... 367

COMMERCIAL AGENCIES—Question, *Mr. Bernier*; Answer, *Mr. Blake*..... 367

QUEBEC AND LAKE ST. JOHNS RAILWAY—Question, *Mr. Thibaudeau*;  
Answer, *Mr. Mackenzie*..... 367

THE GRAND TRUNK STRIKE—Question, *Mr. Scriver*; Answer, *Mr. Blake* ..... 368

**Weights and Measures Amendment Bill [BILL 7]—**

TWENTY-CENT PIECES—Question, *Mr. Cheval*; Answer, *Mr. Cartwright* ..... 368

Order for second reading discharged, and Bill withdrawn (*Mr. Bolduc*)... 368

**Insolvent Act Amendment Bill [BILL 11]—**

Order for second reading discharged, and Bill withdrawn (*Mr. Landerkin*) 368

**Insolvent Act Amendment Bill [BILL 15]—**

Order for second reading discharged, and Bill withdrawn (*Mr. White, North Renfrew*).. ..... 368

**Ontario Permanent Building Societies Bill [BILL 21]—**

Order for second reading discharged (*Mr. Hall*)..... 369

**Protest of Inland Bills Bill [BILL 37]—**

After short debate, read the second time (*Mr. Jones, Halifax*)..... 369

AMOUNTS CARRIED OVER BY ORDER IN COUNCIL—Motion for Return (*Mr Tupper*)  
—Motion amended and agreed to..... 370

APPOINTMENT OF SENATORS—Motion for correspondence (*Mr. Masson*) —After  
debate, Motion agreed to..... 376

QUEBEC GRAVING DOCK—Motion for Return (*Mr. Blanchet*)—After short  
debate, Debate adjourned on motion of *Mr. Masson*..... 377

PILOTAGE AUTHORITIES—Motion for Returns (*Mr. McDonald, Cape Breton*)--  
Motion agreed to..... 378

THE STEAMER "NORTHERN LIGHT"—Motion for Return (*Mr. Pope, Queen's, P. E. I.*)--Motion agreed to..... 379

**THE COAL INTEREST—Moved—**

"That the petition of Henry Mitchell and others be referred to a Select Committee composed of Messrs. McGregor, Norris, Flynn, Campbell Power, Robinson, Tupper, Frazer, Workman, Macdonald (Toronto), and the mover, and that the said Committee have power to send for persons, papers and records; and report from time to time."—(*Mr. MacKay, Cape Breton*). ..... 379

**Moved in amendment—**

"That all the words after 'Petition of H. Mitchell and others' be expunged, and the following words be substituted: 'be referred to a Select Committee, composed of Messrs. MacKay (Cape Breton), Laurier, McGregor, Flynn, Frazer, Workman, Macdonald (Toronto), Campbell, Power, Tupper, Appleby, Sinclair and Dymond, to enquire into and report upon the allegations as to the state of the Coal trade, contained in the said Petition.'"—(*Mr. Cartwright*)..... 396

Debate adjourned on motion of *Mr. Wallace (Nerfolk)*..... 396

	PAGE.
FRIDAY, MARCH 2ND.	
THE COAL PETITION COMMITTEE—Ruling of <i>Mr. Speaker</i> .....	396
MR. JUSTICE LORANGER—Motion to refer petition ( <i>Mr. Blanchet</i> )—Motion amended and agreed to.....	399
SELECT STANDING COMMITTEES—Moved—	
“ That the name of Mr. Roy be substituted for that of Mr. Langevin on the Select Standing Committees on Public Accounts, and Railways, Canals and Telegraph Lines.”—( <i>Mr. Blanchet</i> .)	
Moved in amendment—	
“ That Mr. Roy be added to the Select Standing Committee on Railways, Canals and Telegraph Lines; and Mr. Thompson (Cariboo), to that on Public Accounts”—( <i>Mr. Mackenzie</i> .)	
Motion as amended, agreed to.....	399
GEOLOGICAL SURVEY BRANCH—Motion to consider in Committee of the Whole ( <i>Mr. Mills</i> )—Motion agreed to.....	399
TRANSFER OF THE TRURO AND PICTOU BRANCH RAILWAY—Motion to refer resolutions ( <i>Mr. Mackenzie</i> )—Motion agreed to.....	400
<b>Insolvent Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 60].....	400
<b>Criminal Laws Extension Bill [BILL 23]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	400
<b>Larceny Act Amendment Bill [BILL 24]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Blake</i> )....	400
<b>Offences against the Person Act Amendment Bill [BILL 27]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	401
<b>Salaries of Judges re-adjustment Act Amendment Bill [BILL 50]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	461
<b>Geological Survey and Museum Bill [BILL 18]—</b>	
Considered in Committee ( <i>Mr. Mills</i> ).....	401
WAYS AND MEANS,—CONCURRENCE—THE TARIFF.	
Second reading of Resolution 1 proposed ( <i>Mr. Cartwright</i> )..	401
Moved in amendment—	
“ That the said resolution be not now read a second time, but that it be resolved, that this House regrets that the financial policy submitted by the Government increases the burthen of taxation on the people, without any compensating advantage to Canadian industries; and, further, that this House is of opinion that the deficiency in the Revenue should be met by a diminution of expenditure, aided by such manufacture of the Tariff as will benefit and foster the agricultural, mining and a readjusturing interests of the Dominion.”—( <i>Sir John A. Macdonald</i> ) .....	405
Debate suspended at six o'clock.	

	PAGE.
<b>Kincardine Harbour Tolls Bill [BILL 42]—</b>	
Read the second time ( <i>Mr. Gillies</i> ) .....	409
<b>Union Forwarding and Railway Bill [BILL 43]—</b>	
Read the second time ( <i>Mr. Currier</i> ).....	409
<b>Rivière du Loup Bridge Company Bill [BILL 44]—</b>	
Read the second time ( <i>Mr. Boyer</i> ).....	409
<b>St. Lawrence and Pacific Railway Ferry Company Bill [BILL 45]</b>	
Read the second time ( <i>Mr. Jetté</i> ).....	409
<b>Union Cable Company Bill [BILL 46]—</b>	
Read the second time ( <i>Mr. Jetté</i> ).....	409
<b>Albert Railway Company Bill [BILL 48]—</b>	
Read the second time ( <i>Mr. Domville</i> ).....	409
<b>Montreal Loan and Mortgage Company Bill [BILL 51]—</b>	
Read the second time ( <i>Mr. Devlin</i> ).....	409
<b>Canada Mutual Marine Insurance Company Act Amendment Bill [BILL 52]—</b>	
Read the second time ( <i>Mr. Domville</i> )..	409
<b>Royal Canadian Insurance Company Bill [BILL 57]—</b>	
Read the second time ( <i>Mr. Jetté</i> ).....	409
<b>Union Life and Accident Assurance Company of Canada Act Amendment Bill [BILL 59]—</b>	
Read the second time ( <i>Mr. Kirkpatrick</i> ).....	409
<b>WAYS AND MEANS—CONCURRENCE—THE TARIFF.</b>	
Debate on Resolution 1 ( <i>Mr. Cartwright</i> ) and <i>Sir John A. Macdonald's</i> amendment thereto—resumed.....	409
Debate adjourned on motion of <i>Mr. Charlton</i> .....	435

---

MONDAY, MARCH 5TH.

<b>Canadian Securities Company Bill—</b>	
Introduced ( <i>Mr. Casgrain</i> ) and read the first time [Bill 61].....	435
<b>Northern Railway of Canada Bill—</b>	
Introduced ( <i>Mr. Macdonald, Centre Toronto</i> ) and read the first time [Bill 62]. .....	436

**Means of Escape for Drowning Persons Bill —**

Introduced (*Mr. Cook*) and read the first time [Bill 63]..... 436

**Supreme and Exchequer Courts Acts Amendment Bill—**

Introduced (*Mr. Blake*) and read the first time [Bill 64]..... 436

ISSUE OF WRITS DURING THE SESSION—*Mr. Speaker's* ruling..... 436

**Dominion of Canada Civil Service Mutual Benefit Association Bill [BILL 13]—**

Considered in Committee (*Mr. Wood*)..... 436

**Banking Act Amendment Bill [BILL 17]—**

Considered in Committee (*Mr. Frazer*)..... 436

CONSTRUCTION OF BRANCH LINE OF RAILWAY IN COUNTY OF BELLECHASSE—  
Question, *Mr. Blanchet*; Answer, *Mr. Mackenzie* ..... 436

THE FORM OF PUTTING QUESTIONS—Remarks by *Mr. Speaker* and others..... 437

REEF NEAR RIVIÈRE DU LOUP—Question, *Mr. Pouliot*; Answer, *Mr. Smith*  
(Westmoreland)....., ..... 437

THE DUFFERIN IMPROVEMENTS IN QUEBEC—Question, *Mr. Caron*; Answer,  
*Mr. Mackenzie*..... 437

FOG—WHISTLE AT COFFIN ISLAND—Question, *Mr. Forbes*; Answer, *Mr. Smith*  
(Westmoreland)..... 438

THE VETERANS OF 1812-15—Motion for Return (*Mr. Delorme*)—Motion  
agreed to..... 438

MANITOBA LANDS—Motion for Return (*Mr. Schultz*)—Motion agreed to ..... 438

SEIZURE OF A DISTILLING APPARATUS—Motion for correspondence (*Mr. Mas-  
son*)—Motion withdrawn..... 439

**SECRET SERVICE FUNDS—Moved—**

“That the following items of expenditure of Secret Service Funds be referred to the  
Committee on Public Accounts, viz: the item of \$15,086.41 for the year 1868; the  
item of \$33,103.88 for the year 1869; the item of \$10,208.54 for the year 1870, and  
the item of \$75,000 for the year 1871.”—(*Mr. Charlton*)..... 439

After a short debate, motion agreed to..... 442

SMELT FISHERIES IN BATHURST HARBOUR—Motion for Return (*Mr. Mitchell*)—  
Motion agreed to..... 442

POST OFFICES AT NOTRE DAME DE GRACE AND STE. CUNÉGONDE—Motion for  
Return (*Mr. Desjardins*)—Motion agreed to ..... 442

INSOLVENT ESTATES—Motion for Returns (*Mr. Young*)—Motion agreed to..... 442

INTERCOLONIAL RAILWAY EMPLOYÉS IN NORTHUMBERLAND—Motion for Re-  
turn (*Mr. Mitchell*)—Motion agreed to..... 443

APPOINTMENT OF OFFICIALS—Motion for Return (*Mr. McCarthy*)—Motion  
agreed to ..... 443

NEW BRUNSWICK ORANGE INCORPORATION ACT—Motion for correspondence  
(*Mr. Costigan*)—Motion withdrawn ..... 444

POST OFFICE AND CUSTOM HOUSE BUILDINGS—Motion for Return (*Mr. Appleby*)  
—Motion agreed to..... 444

TABLE OF CONTENTS.

xxiii

	PAGE.
VOLUNTEER MILITIA—Motion for Return ( <i>Mr. Bowell</i> )—Motion agreed to.....	444
MAILS IN THE COUNTIES OF BEAUCE AND DORCHESTER—Motion for correspondence ( <i>Mr. Blanchet</i> )—Motion amended and agreed to.....	444
ARICHAT WEST BREAKWATER—Motion for reports and plans ( <i>Mr. Flynn</i> )—Motion agreed to.....	445
NORTHERN RAILWAY ENQUIRY—Motion for Return of instructions to Commissioners ( <i>Mr. Robinson</i> ).....	445
Motion in amendment—	
“That all the words after ‘that,’ in the said motion be left out, and the following inserted instead thereof: ‘the allegations in the Report, and evidence of the Commission on the Northern Railway Company, as to the application of moneys payable to the Government, deserve the serious consideration of this House, and that a Select Committee of nine Members be appointed to enquire into and report upon the said allegations, with power to send for persons, papers and records, and to report from time to time.’”—( <i>Mr. Young</i> )......	477
Motion in amendment to the amendment—	
“‘That the following words be added after the word ‘allegations’: ‘and also to make a searching enquiry into the accounts of the Northern Railway and Northern Extension Railway, so as to complete the enquiry begun and left unfinished by the Commission.’”—( <i>Sir John A. Macdonald</i> )......	488
Amendment to the amendment, amendment as amended, and motion as amended, agreed to.....	488

TUESDAY, MARCH 6TH.

FRENCH REPATRIATION—Question, <i>Mr. Masson</i> ; Answer, <i>Mr. Mackenzie</i> .....	488
<b>Salaries of Judges Readjustment Act Amendment Bill [BILL 50]</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Blake</i> )....	488
<b>Prison Discipline Bill [BILL 55]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	488
<b>Gambling in Public Conveyances Prevention Bill [BILL 56]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	488
<b>Geological Survey and Museum Bill [BILL 18]—</b>	
Read the third time and passed ( <i>Mr. Mills</i> ).....	488
<b>Rockwood Asylum Transfer Bill [BILL 40]—</b>	
Read the second time ( <i>Mr. Blake</i> ).....	489
<b>WAYS AND MEANS—CONCURRENCE—THE TARIFF.</b>	
Debate on Resolution 1 ( <i>Mr. Cartwright</i> ) and <i>Sir John A. Macdonald's</i> Amendment resumed.....	489

	PAGE.
Motion in amendment to the amendment—	
“ That all the words after ‘resolved’ be left out, and the following inserted instead thereof:—‘ That, inasmuch as it has been deemed necessary to raise an additional revenue, it is the opinion of this House that the interests of the country would be better served by imposing additional duties upon such goods and wares as may be produced in Canada, thereby affording increased protection, while securing the additional revenue required.’—( <i>Mr. Wood</i> ). . . . .	513
Debate adjourned on motion of <i>Mr. Blain</i> . . . . .	524
—	
WEDNESDAY, MARCH 7TH.	
<b>Extradition of Fugitive Criminals Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 65]. . . . .	524
<b>Incorporation of Joint Stock Companies Amendment Bill—</b>	
Introduced ( <i>Mr. Cartwright</i> ) and read the first time [Bill 67]. . . . .	524
<b>Protection of Life and Property in the Mines of British Columbia Bill—</b>	
Introduced ( <i>Mr. Bunster</i> ) and read the first time [Bill 68]. . . . .	524
<b>Breaches of Contract Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 66]. . . . .	524
REFUNDING OF FEES—Motion to refund fees paid on Bill 17 ( <i>Mr. Frazer</i> )—	
Motion agreed to. . . . .	525
<b>Life Insurance Policies Bill—</b>	
Introduced ( <i>Mr. Trow</i> ) and read the first time [Bill 69]. . . . .	525
A PRIVATE BILL—Leave asked to introduce ( <i>Mr. Macmillan</i> )— <i>Mr. Speaker's</i> ruling. . . . .	525
THE MIRAMICHI RIVER—Question, <i>Mr. Domville</i> ; Answer, <i>Mr. Blake</i> . . . . .	526
THE INTERNATIONAL EXHIBITION—Question, <i>Mr. Young</i> ; Answer, <i>Mr. Blake</i> . . . . .	526
BAIE DES CHALEURS RAILWAY—Question, <i>Mr. Robitaille</i> ; Answer, <i>Mr. Blake</i> . . . . .	526
RIVERS VERTE AND CABANEAU BRIDGES—Question, <i>Mr. Blanchet</i> ; Answer, <i>Mr. Blake</i> . . . . .	526
DOMINION NOTES IN BRITISH COLUMBIA—Motion for Return ( <i>Mr. Thompson, Cariboo</i> )—Motion agreed to. . . . .	526
HORSE-SHOE BAR CHANNEL—Motion for correspondence ( <i>Mr. Domville</i> )—Motion agreed to. . . . .	527
IMPORTED COAL—Motion for Return ( <i>Mr. Gouge</i> )—Motion amended and agreed to. . . . .	527
REPATRIATION OF FRENCH EMIGRANTS—Motion for correspondence ( <i>Mr. Masson</i> )—Motion agreed to. . . . .	527
SEIZURE OF THE SCHOONER “NAPIER”—Motion for correspondence ( <i>Mr Campbell</i> )—After a short debate, Motion agreed to. . . . .	528
DEFALCATIONS AT PORT OF BADDECK—Motion for correspondence ( <i>Mr. Campbell</i> )—Motion agreed to. . . . .	529

TABLE OF CONTENTS.

xxv

PAGE.

HARBOUR OF REFUGE AT RONDEAU—Motion for Returns ( <i>Mr. Stephenson</i> )— After a short debate, Motion agreed to .....	530
SPECIAL TARIFF FOR BRITISH COLUMBIA—Moved— “That the House do now resolve itself into a Committee of the Whole to consider the following resolution :—That in the opinion of this House the interests of British Columbia will be promoted by the adoption of a Special Tariff for the protection of the Farming, Mining, and Manufacturing interests of that Province, until the construction of the Canadian Pacific Railway.”—( <i>Mr. Bunster</i> .) .....	531
After a short debate, Motion withdrawn .....	534
THE TORONTO HARBOUR—Motion for Return ( <i>Mr Macdonald, Toronto</i> )—After short debate, Motion agreed to.....	534
AMOUNTS PAID BY STEAMBOATS TO THE HARBOUR COMMISSIONERS OF MONTREAL— Motion for Return ( <i>Mr. Cheval</i> )—Motion agreed to.....	535
IMPORTS AND EXPORTS OF LIVE CATTLE—Motion for Return ( <i>Mr. Higinbotham</i> ) Motion amended and agreed to.....	536
EAGLE HARBOUR—Motion for Report ( <i>Mr. Casey</i> )—Motion agreed to.....	536
SALE OF CANADIAN SHIPS IN FRANCE—Motion for Return ( <i>Mr. Killam</i> )—Motion agreed to .....	536
THE POSTAL UNION—Motion for Return ( <i>Mr. Jones, South Leeds</i> )—After a short debate, Motion agreed to.....	537
DEPARTMENTAL CONTINGENCIES—Motion for Return ( <i>Mr. Oliver</i> )—Motion agreed to.....	538
DEPARTMENTAL OFFICIALS—Motion for Return ( <i>Mr. Oliver</i> )—Motion agreed to.....	538
WOOD LAND IN MARQUETTE—Motion for Return ( <i>Mr Ryan</i> )—Motion postponed at six o'clock .....	538
<b>Dominion of Canada Civil Service Mutual Benefit Association Bill [BILL 13]—</b> Read the third time and passed ( <i>Mr. Wood</i> ).....	540
<b>Banking Act Amendment Bill [BILL 17]—</b> Read the third time and passed ( <i>Mr. Frazer</i> ).....	540
<b>Canadian Securities Company Incorporation Bill [BILL 61]—</b> Read the second time ( <i>Mr. Jetté</i> ).....	540
<b>City Mortgage Loan Company Bill [BILL 58]—</b> Read the second time ( <i>Mr. Ouimet</i> ).....	540
<b>New Brunswick Criminal Procedure Bill [BILL 38]—</b> Order discharged, and Bill withdrawn ( <i>Mr Palmer</i> ).....	540
<b>Insolvent Act Repeal Bill [Bill 39]—</b> Order discharged, and Bill withdrawn ( <i>Mr Palmer</i> ) .....	541
THE COAL INTEREST—Adjourned debate on Motion of ( <i>Mr. MacKay, Cape Breton</i> ) and <i>Mr. Cartwright's</i> amendment resumed.....	541

	PAGE.
Amendment amended on Motion of <i>Mr. Dymond</i> , and Motion, as amended, agreed to, as follows.....	552
<i>Resolved</i> , That the petition of Henry Mitchell, and others, be referred to a Select Committee, composed of Messrs. MacKay (Cape Breton), Laurier, McGregor, Flynn, Fraser, Workman, Macdonald (Toronto), Campbell, Power, Tupper, Appleby, Sinclair and Dymond, to enquire into and report upon the allegations as to the state of the coal trade, contained in the said petition; and to enquire into the best means of promoting Interprovincial trade, with power to send for persons, papers and records.	
<b>Insolvent Act Amendment Bill [BILL 15]—</b>	
Order for second reading discharged, and Bill withdrawn ( <i>Mr White</i> , <i>North Renfrew</i> ).....	552
<b>Procedure and Evidence in Criminal Cases Bill [BILL 3]—</b>	
Considered in Committee ( <i>Mr. Irving</i> ).....	552
GOVERNMENT BUSINESS—Moved—	
“ That Government business shall have precedence on Thursdays during the remainder of the Session.”—( <i>Mr. Mackenzie</i> .)	
Motion amended as follows :—	
“ That Government business shall have precedence after to-morrow, on Thursdays, during the remainder of the Session.”	
Motion agreed to.....	552
<b>Improvement in Prison Discipline Bill [BILL 55]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr Blake</i> )....	552
<b>Gambling Practices Prevention Bill [BILL 56]—</b>	
Considered in Committee ( <i>Mr. Blake</i> ) .....	553
THE NORTHERN RAILWAY COMMITTEE—Remarks.....	554
—	
THURSDAY, MARCH 8TH.	
THE PENSIONERS OF 1812-15—Ministerial Statement, <i>Mr. Vail</i> .....	554
PROTESTANT INDIANS AND THE SEMINARY OF MONTREAL—Question, <i>Mr. Bowell</i> ; Answer, <i>Mr. Blake</i> .....	554
WOOD LAND IN MARQUETTE—Debate resumed, and Motion ( <i>Mr. Ryan</i> ) agreed to	555
<b>Election Act Amendment Bill [BILL 47]—</b>	
Second reading proposed ( <i>Mr. Richard</i> )—After a short debate, Order discharged, and Bill withdrawn.....	557
QUEBEC GRAVING DOCK—Adjourned debate on Motion for Reports ( <i>Mr. Blanchet</i> ) resumed.....	559
Amendment moved ( <i>Mr. Rouleau</i> ) .....	562
Motion and amendment withdrawn.....	574
<b>Procedure and Evidence in Criminal Cases Bill [BILL 3]—</b>	
Concurrence in Committee's Report moved ( <i>Mr. Irving</i> )—Amendment ( <i>Mr. Blake</i> ) agreed to—Bill as amended read the third time and passed.....	574

**Criminal Procedure Law Amendment Bill [BILL 5]—**

Second reading proposed ( <i>Mr. Dymond</i> )—After debate, Order discharged and Bill withdrawn.....	574
------------------------------------------------------------------------------------------------------	-----

FRIDAY, MARCH 9TH.

COAL OWNERS' PETITION COMMITTEE—Motion ( <i>Mr. MacKay, Cape Breton</i> ) to add name—Motion agreed to.....	584
NORTHERN RAILWAY INQUIRY—Committee selected—Witnesses to be examined on oath.....	585
DISMISSALS FROM OFFICE—Explanations and remarks, <i>Mr. Vail</i> and others....	585

**Rockwood Asylum Transfer Bill [BILL 40]—**

Read the third time and passed ( <i>Mr. Blake</i> ).....	588
----------------------------------------------------------	-----

**Supreme and Exchequer Courts Act Amendment Bill [BILL 64]—**

Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	588
---------------------------------------------------------------------------------------------------------	-----

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Adjourned debate on Resolution 1 ( <i>Mr. Cartwright</i> ), <i>Sir John A. Macdonald's</i> amendment and <i>Mr. Wood's</i> amendment to the amendment resumed .....	588
Debate suspended at Six o'clock .....	596

**St. Francis & Megantic International Railway Company Bill [BILL 8]—**

Considered in Committee, read the third time and passed ( <i>Mr. Brooks</i> ) ..	596
----------------------------------------------------------------------------------	-----

**Ottawa, Vaudreuil & Montreal Railway Company Bill [BILL 35]—**

Considered in Committee, read the third time and passed ( <i>Mr Hagar</i> ) ....	596
----------------------------------------------------------------------------------	-----

**Canada Southern Bridge Company Bill [BILL 9]—**

Considered in Committee, read the third time and passed ( <i>Mr Casey</i> ). ..	596
---------------------------------------------------------------------------------	-----

**Montreal, Portland & Boston Railway Company Acts Amendment Bill [BILL 14]—**

Considered in Committee, read the third time and passed ( <i>Mr. Baby</i> )...	596
--------------------------------------------------------------------------------	-----

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Debate resumed.....	596
Debate adjourned on motion of <i>Mr. Fleming</i> .....	618

	PAGE.
MONDAY, MARCH 12TH.	
<b>Representation of Electors of Stouffville Bill—</b>	
Introduced ( <i>Mr. Metcalfe</i> ) and read the first time [Bill 70].....	618
<b>Weights and Measures Act Repeal Bill—</b>	
Introduced ( <i>Mr. Jones, Halifax</i> ) and read the first time [Bill 71].....	618
<b>Niagara Grand Island Bridge Company Bill [BILL 28]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Thomson, Welland</i> ).....	619
<b>Canada Atlantic Cable Company Act Amendment Bill [BILL 25]</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Thomson, Welland</i> ).....	619
<b>Union Forwarding and Railway Company Bill [BILL 43]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Currier</i> )..	619
<b>Springhill and Parrsborough Coal and Railway Company Bill [BILL 12]—</b>	
Considered in Committee ( <i>Mr. Donville</i> ).....	619
<b>FISH-BREEDING ESTABLISHMENT IN CAPE BRETON—Question, <i>Mr. MacKay</i> (Cape Breton); Answer, <i>Mr. Smith</i> (Westmoreland).....</b>	619
<b>DREDGING IN CAPE BRETON—Question, <i>Mr. MacKay</i> (Cape Breton); Answer, <i>Mr. Mackenzie</i>.....</b>	620
<b>QUARANTINE STATION AND HOSPITAL AT SYDNEY—Question, <i>Mr. MacKay</i>, (Cape Breton); Answer, <i>Mr. Mackenzie</i>.....</b>	620
<b>BREAKWATER AT MAIN-A-DIEU—Question, <i>Mr. McDonald</i> (Cape Breton); Answer, <i>Mr. Mackenzie</i>.....</b>	620
<b>FOURCHI HARBOUR, RICHMOND COUNTY—Question, <i>Mr. Flynn</i>; Answer, <i>Mr. Mackenzie</i>.....</b>	620
<b>PORT HOOD HARBOUR—Motion for Reports and Plans (<i>Mr. MacDonnell</i>)—Motion agreed to.....</b>	620
<b>GOVERNMENT BANK DEPOSITS—Motion for Returns (<i>Mr. Ross, West Middlesex</i>)—Motion amended and agreed to.....</b>	620
<b>APPOINTMENT OF J. G. NORRIS—Motion for correspondence (<i>Mr. Dewdney</i>)—Motion agreed to.....</b>	621
<b>INSPECTION OF BRITISH COLUMBIA CUSTOMS STATIONS—Motion for correspondence (<i>Mr. Dewdney</i>)—Motion agreed to.....</b>	621
<b>THE LATE EDWIN LARWILL—Motion for correspondence and documents (<i>Mr. Stephenson</i>)—After a short debate, Motion withdrawn.....</b>	621
<b>PETITION OF ELIZABETH SULLIVAN—Motion for correspondence (<i>Mr. White, Renfrew</i>)—Motion agreed to.....</b>	623
<b>THE RIDEAU CANAL—Motion for Return (<i>Mr. Shibley</i>)—After a short debate, Motion agreed to.....</b>	623
<b>REPORT ON DOMINION DAM, DEVIL LAKE—Motion to print (<i>Mr. Jones, South Leeds</i>)—Motion agreed to.....</b>	628

TABLE OF CONTENTS.

xxix

	PAGE.
RETURNS OF HARBOUR MASTERS—Motion for copies ( <i>Mr. McDonald, Cape Breton</i> )—Motion amended and agreed to.....	628
GRAND TRUNK RAILWAY STRIKE—Motion for Orders in Council ( <i>Mr. Tupper</i> )—Motion withdrawn.....	629
BRIDGE AT LONG ISLAND—Motion for correspondence ( <i>Mr. Rochester</i> )—Motion agreed to.....	629
DUTY ON MALT—INSTRUCTIONS TO INLAND REVENUE OFFICERS—Motion for Return ( <i>Mr Rochester</i> )—Motion agreed to.....	629
ST. PETER'S CANAL—Motion for Orders in Council ( <i>Mr. Flynn</i> )—After a short debate, Motion agreed to.....	629
REMOVAL OF MALCOLM MATHESON—Motion for correspondence ( <i>Mr Campbell</i> )—Motion withdrawn.....	632
ASPY BAY HARBOUR—Motion for Report ( <i>Mr. Campbell</i> )—Motion agreed to...	632
THE LATE WILLIAM GRAHAM—Motion for correspondence ( <i>Mr. Tupper</i> )—After a short debate, Motion agreed to.....	633
INTECOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS—Motion for Return ( <i>Mr. Domville</i> )—Motion agreed to.....	634
BY-WASH AT LONG ISLAND—Motion for correspondence ( <i>Mr. Rochester</i> )—Motion agreed to.....	635
THE GREAT SEAL OF NOVA SCOTIA—Motion for correspondence ( <i>Mr. Tupper</i> )—Motion amended and agreed to.....	636
SLIDE MASTERS ON THE OTTAWA RIVER—Motion for Return ( <i>Mr. White, Renfrew</i> )—Motion agreed to.....	636
ST. JOHN RIVER NAVIGATION—Motion for Reports ( <i>Mr. Burpee, Sunbury</i> )—Motion agreed to.....	636
TOBIQUE INDIAN AGENCY—Motion for correspondence ( <i>Mr. Costigan</i> )—Motion agreed to.....	637
RAILWAY FROM QUEBEC TO LAKE ST. JOHN—Motion for correspondence ( <i>Mr. Cimon</i> )—Motion agreed to.....	638
BRITISH COLUMBIA MAILS—Motion for tenders ( <i>Mr. DeCosmos</i> )—After a short debate, Motion agreed to.....	638

TUESDAY, MARCH 13TH.

**Gambling Practices Prevention Bill [BILL 56]—**

Read the third time and passed (*Mr. Blake*)..... 640

**Ontario Maritime Court Bill [BILL 41]—**

Read the second time (*Mr. Blake*)..... 640

**Insolvent Act Amendment Bill [BILL 60]—**

Read the second time (*Mr. Blake*)..... 641

**Salaries of Judges of Ontario Maritime Court—**

Resolutions considered in Committee (*Mr. Blake*)..... 641

	PAGE.
<b>Customs Act Amendment Bill—</b>	
Resolution considered in Committee.....	643
Bill introduced ( <i>Mr. Burpee, St. John</i> ) and read the first time [Bill 19]....	653
<b>WAYS AND MEANS—CONCURRENCE—THE TARIFF.</b>	
Adjourned debate on Resolution 1 ( <i>Mr. Cartwright</i> ), <i>Sir John A. Macdonald's</i> amendment, and <i>Mr. Wood's</i> amendment to the amendment resumed.....	653
Debate adjourned on motion of <i>Mr. Mills</i> .....	682
—————	
WEDNESDAY, MARCH 14TH.	
PRINTING OF VOTES AND PROCEEDINGS—Concurrence in the Report of the Committee moved ( <i>Mr. Ross, West Middlesex</i> )—After short debate, Motion agreed to and Report concurred in, excepting the last paragraph.....	682
<b>Criminal Laws Extension Bill [BILL 23]—</b>	
Senate amendment agreed to.....	684
<b>Globe Printing Company Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blain</i> ) and read the first time [Bill 72].....	684
<b>Stamps on Promissory Notes and Bills of Exchange Bill—</b>	
Introduced ( <i>Mr. Irving</i> ) and read the first time [Bill 73].....	684
<b>Trade Marks in Prince Edward Island and British Columbia Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 75].....	685
<b>Safe Custody of Prisoners Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 77].....	685
<b>Convictions by Justices of the Peace Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 78].....	685
<b>Improper Use of Firearms Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 79].....	685
<b>Suppression of Gaming Houses Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 80].....	685
<b>Larceny Act Amendment Bill --</b>	
Introduced ( <i>Mr. Guthrie</i> ) and read the first time [Bill 81].....	685
<b>North-West Territories Act Amendment Bill—</b>	
Introduced ( <i>Mr. Mills</i> ) and read the first time [Bill 74]... ..	685

	PAGE.
<b>Railway Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 76].....	685
<b>MR. JUSTICE LORANGER—</b> Motion to print evidence ( <i>Mr. Laurier</i> )—Motion referred under the rules.....	685
<b>BREAKWATER AT GODERICH—</b> Question, <i>Mr. Horton</i> ; Answer, <i>Mr. Mackenzie</i> ...	686
<b>RIFLE REGIMENTS' ARMS—</b> Question, <i>Mr. Caron</i> ; Answer, <i>Mr. Vail</i> .....	686
<b>MILITIA GENERAL ORDERS—</b> Question, <i>Mr. Caron</i> ; Answer, <i>Mr. Vail</i> .....	686
<b>CANADIAN PACIFIC RAILWAY—</b> Motion for Committee ( <i>Mr. DeCosmos</i> )—After debate, Motion lost on division.....	686
<b>THE CIVIL SERVICE—</b> Motion to appoint Committee ( <i>Mr. Casey</i> )—Debate adjourned on motion of <i>Mr. Mitchell</i> .....	696
<b>Union Marine Insurance Company of Halifax, Nova Scotia, Bill [BILL 30]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Jones, Halifax</i> ).....	698
<b>Metropolitan Bank Bill [BILL 31]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Workman</i> )	698
<b>La Banque Jacques Cartier Bill [BILL 32]</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Jetté</i> ).....	698
<b>St. Lawrence and Pacific Railway Ferry Company Bill [BILL 45]</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Jetté</i> ).....	698
<b>Quebec Building Societies Bill [BILL 53]—</b>	
Read the second time ( <i>Mr. Jetté</i> ).....	699
<b>Non-Forfeitable Life Assurance Policies Bill [BILL 69]—</b>	
Second reading proposed ( <i>Mr. Trow</i> )—After a short debate, Order discharged and Bill withdrawn.....	700
<b>Ontario Permanent Building Societies Bill [BILL 21]—</b>	
Read the second time ( <i>Mr. Hall</i> ).....	702
<b>Truro and Pictou Branch Railway Transfer Bill—</b>	
Resolutions considered in Committee.....	702
Bill introduced ( <i>Mr. Mackenzie</i> ) and read the first time [Bill 82].....	710
<b>Extradition of Criminals Bill [BILL 65]</b>	
Read the second time ( <i>Mr. Blake</i> ).....	710
<b>Joint Stock Companies Act Amendment Bill [BILL 67]—</b>	
Read the second time ( <i>Mr. Cartwright</i> ).....	711

## THURSDAY, MARCH 15TH.

## WAYS AND MEANS—CONCURRENCE—THE TARIFF—

Adjourned debate on Resolution 1 ( <i>Mr. Cartwright</i> ), <i>Sir John A. Macdonald's</i> amendment, and <i>Mr. Wood's</i> amendment to the amendment, resumed.....	712
Motion to adjourn debate ( <i>Mr. DeCosmos</i> ) negatived.....	771
Amendment to the amendment ( <i>Mr. Wood</i> ) negatived on division. Yeas, 78; Nays, 109 .....	771
Motion in amendment to the amendment—	
“ That all the words after ‘Resolved’ in the said amendment be left out, and the following inserted instead thereof:—‘That this House expresses its regret that the Government have not seen fit, with a due regard to all other industries so to arrange the Customs Tariff, as to relieve the farmers of Canada from the unjust effects of the one-sided and unfair Tariff relations which exist between Canada and the United States, in reference to the interchange of agricultural products; and at the same time place this country in a better position to negotiate a fair and just reciprocity in the interchange of such products between Canada and the United States.’”—( <i>Mr. Orton.</i> ).....	771
Motion to adjourn debate ( <i>Mr. Borron</i> ) negatived on division. Yeas, 75; Nays, 112.....	778
Motion to adjourn the House ( <i>Mr. Bowell</i> ) .....	779
Motion agreed to.....	783

## FRIDAY, MARCH 16TH.

**Extradition of Criminals Bill [BILL 65]—**

Considered in Committee; read the third time and passed ( <i>Mr. Blake</i> )....	783
----------------------------------------------------------------------------------	-----

**Inspection of Steamboats Acts Amendment Bill—**

Resolution considered in Committee, Bill introduced ( <i>Mr. Smith, Westmoreland</i> ) and read the first time [Bill 83].....	785
-------------------------------------------------------------------------------------------------------------------------------	-----

## SUPPLY.—IN COMMITTEE.

IX. IMMIGRATION AND QUARANTINE.....	785
-------------------------------------	-----

**Mary Jane Bates Divorce Bill—**

Motion for first reading of the Bill ( <i>Mr. Trow</i> )—Motion agreed to on Division. Yeas, 74; Nays, 37. Bill read the first time [Bill 85] and referred to Select Committee .....	796
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

**Canada Mutual Marine Insurance Company Act Amendment Bill [BILL 52]—**

Considered in Committee, read the third time and passed ( <i>Mr. Domville</i> ). ..	797
-------------------------------------------------------------------------------------	-----

**Royal Canadian Insurance Company Bill [BILL 57]—**

Considered in Committee, read the third time and passed ( <i>Mr. Jetté</i> ).....	797
-----------------------------------------------------------------------------------	-----

**Union Cable Company Bill [BILL 46]—**

Considered in Committee, read the third time and passed ( <i>Mr. Jetté</i> ).....	797
-----------------------------------------------------------------------------------	-----

	PAGE.
<b>Ottawa Agricultural Insurance Company Act Amendment Bill [BILL 34]—</b>	
Considered in Committee ( <i>Mr. Rochester</i> ).....	797
<b>Globe Printing Company Bill [BILL 72]—</b>	
Read the second time ( <i>Mr. Blain</i> ).....	798
SUPPLY.—IN COMMITTEE.	
IX. IMMIGRATION AND QUARANTINE.....	798
Vote 55 agreed to.....	810

---

MONDAY, MARCH 19TH.

**Walter Scott Divorce Bill—**

Motion for first reading ( <i>Mr. McCarthy</i> ) agreed to on Division. Yeas, 92; Nays, 47. Bill read the first time [Bill 84] and referred to Select Committee.....	811
----------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

**Ottawa Agricultural Insurance Company Bill [BILL 34]—**

Read the third time and passed ( <i>Mr. Currier</i> ).....	812
------------------------------------------------------------	-----

**Pickering Harbour and Road Joint Stock Company Bill [BILL 26]—**

Considered in Committee and referred back to Private Bills Committee ( <i>Mr. Gibbs, South Ontario</i> ).....	812
---------------------------------------------------------------------------------------------------------------	-----

**Springhill and Parrsborough Coal and Railway Company Bill [BILL 12]—**

Referred back to Railway Committee ( <i>Mr. Domville</i> ).....	813
-----------------------------------------------------------------	-----

THE FISHERIES COMMISSION—Question, <i>Mr. Mitchell</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	814
-------------------------------------------------------------------------------------------------------	-----

THE ST. ISIDORE MAIL—Question, <i>Mr. Rouleau</i> ; Answer, <i>Mr. Huntington</i> .....	815
-----------------------------------------------------------------------------------------	-----

JUDICIAL STAFF OF MONTREAL DISTRICT—Motion for correspondence ( <i>Mr. Laurier</i> )—Motion agreed to.....	815
------------------------------------------------------------------------------------------------------------	-----

INGONISH HARBOUR—Motion for Plans and Report ( <i>Mr. Campbell</i> )—Motion agreed to.....	815
--------------------------------------------------------------------------------------------	-----

GRAND TRUNK AND INTERCOLONIAL RAILWAYS—Motion for correspondence ( <i>Mr. Fiset</i> )—Motion agreed to.....	815
-------------------------------------------------------------------------------------------------------------	-----

DISMISSAL OF POSTMASTER AT UPPER ST. FRANCIS—Motion for correspondence ( <i>Mr. Costigan</i> )—Motion agreed to.....	815
----------------------------------------------------------------------------------------------------------------------	-----

## REPRESENTATION OF MINORITIES—Moved—

“That a Select Committee be appointed to enquire into and report upon the expediency of providing some system by which a more equal and just representation of all the electors, minorities as well as majorities, may be secured, and that with this view they be respectfully requested to investigate the system originated by <i>Mr. Thomas Hare</i> .”—( <i>Mr. Devlin</i> ).....	816
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----

After a long debate, Motion withdrawn.....	836
--------------------------------------------	-----

	PAGE.
Moved—	
“ That a Select Committee of nine members be appointed to enquire into, and report on the practical working of the plan under which the people are now represented in Parliament ; and of the systems which have of late years been adopted in other countries, with a view to remedy some of the alleged defects of the existing plan.” —( <i>Mr. Devlin</i> ).	
Motion agreed to on a Division.....	836
EMIGRATION AGENTS IN IRELAND—Motion for correspondence ( <i>Mr. Devlin</i> )— Motion agreed to.....	836
WELLAND AND ST. LAWRENCE CANALS—Motion for Returns ( <i>Mr. Blain</i> )—De- bate adjourned on Motion of <i>Mr. Brouse</i> .....	837
HARBOURS OF BRITISH COLUMBIA—Motion for papers ( <i>Mr. DeCosmos</i> )—Motion withdrawn.....	837
ESQUIMALT GRAVING DOCK—Motion for correspondence ( <i>Mr. DeCosmos</i> )— Motion agreed to.....	837
CANADIAN PACIFIC RAILWAY—Motion for correspondence ( <i>Mr. DeCosmos</i> )— Motion withdrawn.....	837
Motion for Despatches ( <i>Mr. DeCosmos</i> )—Debate adjourned on Motion of <i>Mr. Blake</i> .....	837
NEWCASTLE FISH-BREEDING ESTABLISHMENT—Motion for Return ( <i>Mr. Burk</i> ) —Motion agreed to.....	838
MONEY PAID TO C. J. BRYDGES—Motion for Return ( <i>Mr. Palmer</i> )—Motion agreed to.....	838
SUPERANNUATION OF COLLECTOR OF CUSTOMS AT WHITBY—Motion for corres- pondence ( <i>Mr. Gibbs, South Ontario</i> )—After a short debate, Motion agreed to.....	838
CARRYING MAILS BELOW QUEBEC IN WINTER OF 1876—Motion for Return ( <i>Mr. Blanchet</i> )—Motion agreed to.....	841
—	
TUESDAY, MARCH 20TH.	
THE VETERANS OF 1812-15—Motion to print ( <i>Mr. St. Jean</i> )—Motion referred, under Rule 94.....	841
ORDER OF PROCEDURE WITH GOVERNMENT ORDERS—Remarks.....	842
<b>Quebec Harbour and Pilotage Acts Amendment—</b>	
Resolution considered in Committee.....	842
<b>Trade Marks Act Extension Bill [BILL 75]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	848
<b>Railway Act Amendment Bill [BILL 76]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	848
<b>Safe Custody of Prisoners Bill [BILL 77]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	848

**Appeals from Justices' Convictions Law Amendment Bill [BILL 78]—**

Read the second time (*Mr. Blake*)..... 849

**Improper Use of Firearms Bill [BILL 79]—**

Read the second time (*Mr. Blake*)..... 849

**Suppression of Gaming Houses Amendment Bill [BILL 80]—**

Read the second time (*Mr. Blake*)..... 853

**Inland Revenue Act Amendment—**

Resolutions (*Mr. Laflamme*) considered in Committee..... 853

**Adulteration of Food, Drink & Drugs Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Laflamme*) and read the first time [Bill 86]..... 854

**Inspection of Gas & Gas Meters Act Amendment—**

Resolution considered in Committee (*Mr. Laflamme*) ..... 854

**Breaches of Contracts Bill [BILL 66]—**

Second reading proposed (*Mr. Blake*)..... 855

Moved in amendment—

“That the Bill be read the second time this day three months.”—(*Mr. Irving*)..... 857

Amendment lost on division. Yeas, 46; Nays, 125..... 874

Bill read the second time..... 874

WEDNESDAY, MARCH 21ST.

**Boundaries of Manitoba Bill—**

Introduced (*Mr. Mills*) and read the first time [Bill 87]..... 874

**PARLIAMENTARY REPRESENTATION—Moved—**

“That the following nine members, viz: Messrs Devlin, Kerr, Kirkpatrick, Caron, Fréchette, Gilmor, Costigan, Borden and the mover (of whom four shall form a quorum), be appointed to compose the Select Committee to inquire into and report on the practical working of the plan under which the people are now represented in Parliament; and of the systems which have of late years been adopted in other countries; with a view to remedy some of the alleged defects of the existing plan; as ordered by the House on Monday last, the 19th instant.”—(*Mr. Cusey*.)

Motion agreed to..... 875

**Floating Cordwood on the River St. Francis Bill—**

Introduced (*Mr. Gill*) and read the first time [Bill 88]..... 875

**Safety & Convenience of Railway Passengers Bill—**

Introduced (*Mr. Trow*) and read the first time [Bill 89]..... 875

	PAGE.
<b>Walter Scott Divorce Bill</b> [BILL 84]—	
Motion for Order for second reading ( <i>Mr. McCarthy</i> )—Motion agreed to on a division .....	876
<b>Mary Jane Bates Divorce Bill</b> [BILL 83]—	
Motion for Order for second reading ( <i>Mr. Ross, West Middlesex</i> )—Motion agreed to, on a division .....	876
QUESTIONS PUT BY MEMBERS—Remarks .....	877
AUDIT OF ADVERTISING ACCOUNTS—Motion for Order in Council ( <i>Mr. Palmer</i> )—Motion agreed to .....	877
SALE OF POSTAGE STAMPS IN ST. JOHN POST OFFICE—Motion for Return ( <i>Mr. Palmer</i> )—After a short debate, Motion agreed to .....	877
FISHERY REGULATIONS IN RESTIGOUCHE—Motion for papers ( <i>Mr. Palmer</i> )—Motion agreed to .....	881
THE CASE OF DAVID H. WATERLEY—Motion for papers ( <i>Mr. Palmer</i> )—After a short debate, Motion amended and agreed to .....	881
PACIFIC RAILROAD SURVEY EMPLOYÉS—Motion for papers ( <i>Mr. Cook</i> )—Debate adjourned on motion of <i>Mr. Dymond</i> .....	884
DEEP SEA WEIRS OR POUNDS—Motion for Returns ( <i>Mr. Davies</i> )—After a short debate, Motion agreed to .....	884
<b>Kincardine &amp; Bruce Harbour and Tolls Bill</b> [BILL 42]—	
Considered in Committee, read the third time and passed ( <i>Mr. Gillies</i> )...	889
<b>“Globe” Printing Company Act Amendment Bill</b> [Bill 72]—	
Considered in Committee, read the third time and passed ( <i>Mr. Blain</i> )...	889
<b>Dominion Grange of the Patrons of Husbandry Bill</b> [BILL 22]—	
Considered in Committee, read the third time and passed ( <i>Mr. Rymal</i> )...	889
<b>Protection of British Columbia Miners Bill</b> [BILL 68]—	
Motion for second reading ( <i>Mr. Bunster</i> ) .....	889
After a short debate, Order discharged, and Bill withdrawn .....	892
<b>Representation of Electors of Stouffville Bill</b> [BILL 70]—	
Read the second time ( <i>Mr. Metcalfe</i> ) .....	892
<b>Larceny Act Amendment Bill</b> [BILL 81]—	
Read the second time and referred ( <i>Mr. Guthrie</i> ) .....	892
THE CIVIL SERVICE—Debate resumed on <i>Mr. Casey's</i> motion for appointment of Select Committee .....	893
After debate, Motion agreed to .....	901
<b>Election Law Amendment Bill</b> [BILL 49]—	
Motion for second reading ( <i>Mr. Cook</i> )—After discussion, Order discharged, and Bill withdrawn .....	902

THURSDAY, MARCH 22<sup>ND</sup>.

**Montreal Harbour Tolls Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Smith, Westmoreland*) and read the first time [Bill 90]..... 903

**Gaming Houses Suppression Act Amendment Bill [BILL 80]—**

Considered in Committee, read the third time and passed (*Mr. Blake*)..... 904

**Inland Revenue Act Amendment Bill—**

Resolution reported from Committee of the Whole agreed to; Bill introduced (*Mr. Laflamme*) and read the first time [Bill 91]..... 904

**Gas and Gas Meters Inspection Bill—**

Resolutions reported from Committee of the Whole agreed to; Bill introduced (*Mr. Laflamme*) and read the first time [Bill 92]..... 904

**Inspection of Steamboats Act Amendment Bill [BILL 83]—**

Read the second time (*Mr. Smith, Westmoreland*)..... 905

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Adjourned Debate on the proposed motion of *Mr. Cartwright* for the second reading of Resolution 1, reported from the Committee of Ways and Means, the Motion of *Sir John A. Macdonald* in amendment thereto, and the Motion of *Mr. Orton* in amendment to the said proposed amendment resumed ..... 905

Debate adjourned on Motion of *Mr. Brouse* ..... 936

FRIDAY, MARCH 23<sup>RD</sup>.

**Martha Jemima Hawkshaw Holiwell Divorce Bill—**

Motion for first reading of the Bill (*Mr. Cameron*)—Motion agreed to on Division. Yeas, 94; Nays, 54..... 936

Bill read the first time [Bill 93.]

Motion, that the Bill be read the second time on Monday (*Mr. Cameron*) agreed to on the same Division..... 936

POSTMASTER AT LITTLE NARROWS—Explanations, *Mr. Campbell*..... 938

THE DUTY ON MALT—Question, *Mr. Rochester*; Answer, *Mr. Laflamme*..... 940

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Adjourned Debate on the proposed Motion of *Mr. Cartwright* for the second reading of Resolution 1, reported from the Committee of Ways and Means, the Motion of *Sir John A. Macdonald* in amendment thereto, and the Motion of *Mr. Orton* in amendment to the said proposed amendment, resumed..... 940

Debate suspended at Six o'clock..... 948

	PAGE
<b>Beaver &amp; Toronto Mutual Fire Insurance Company Bill</b> [BILL 16]—	
Considered in Committee, read the third time and passed ( <i>Mr. Bowell</i> )....	948
<b>Walter Scott Divorce Bill</b> [BILL 84]—	
Motion for second reading ( <i>Mr. Oliver</i> )—Motion agreed to on division. Yeas, 69; Nays, 44.	
Bill read the second time.....	948
<b>Mary Jane Bates Divorce Bill</b> [BILL 85]—	
Motion for second reading ( <i>Mr. Trow</i> )—Motion agreed to on division. Yeas, 88; Nays, 52.	
Bill read the second time.....	949
<b>WAYS AND MEANS—CONCURRENCE—THE TARIFF.</b>	
Debate resumed.....	949
Amendment to the amendment ( <i>Mr. Orton</i> ) negatived on division. Yeas, 74; Nays, 113.....	975
Amendment ( <i>Sir John A. Macdonald</i> ) negatived on division. Yeas, 70; Nays, 119.....	976
Main Motion agreed to on division. Yeas, 120; Nays, 69 .....	976
Resolution 1 concurred in.	
—	
<b>MONDAY, MARCH 26TH.</b>	
<b>Employment of Prisoners Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 94].....	977
<b>Repressing of Betting and Pool-selling Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 95].....	977
<b>Post Office Act Amendment Bill—</b>	
Introduced ( <i>Mr. Blake</i> ) and read the first time [Bill 96].....	977
<b>Holiwell Divorce Bill</b> [BILL 93]—	
Motion for second reading ( <i>Mr. Cameron</i> )—Motion agreed to on Division. Yeas, 91; Nays, 48.	
Bill read the second time.....	978
<b>PACIFIC RAILWAY ROUTE IN BRITISH COLUMBIA—Question, <i>Mr. Dewdney</i> ;     Answer, <i>Mr. Mackenzie</i>.....</b>	<b>978</b>
<b>PURCHASE OF OLD RAILS FROM THE INTERCOLONIAL—Question, <i>Mr. Domville</i> ;     Answer, <i>Mr. Mackenzie</i>.....</b>	<b>978</b>
<b>WINDSOR BRANCH RAILWAY—Question, <i>Mr. Goudge</i> ; Answer, <i>Mr. Mackenzie</i>...</b>	<b>978</b>

	PAGE.
L'ANSE ST. JEAN LIGHTHOUSE—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	979
FISHING REGULATIONS IN CHICOUTIMI, SAGUENAY AND CHARLEVOIX—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	979
NAVIGATION ON THE NORTH SHORE OF THE ST. LAWRENCE—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Smith</i> (Westmoreland).....	979
L'ANSE ST. JEAN WHARF—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Mackenzie</i> .....	979
THE WASHINGTON TREATY AND BRITISH COLUMBIA—Question, <i>Mr. DeCosmos</i> ; Answer, <i>Mr. Blake</i> .....	979
THE LATE NORTHERN RAILWAY COMMISSION—Question, <i>Mr. Lymond</i> ; Answer, <i>Mr. Mackenzie</i> .....	980
THE LONDON EMIGRATION AGENCY—Question, <i>Mr. White</i> (East Hastings); Answer, <i>Mr. Burpee</i> (St. John).....	980
THE GREAT SEAL OF NOVA SCOTIA—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Mackenzie</i> .....	981
THE FISHERIES COMMISSION—Ministerial Statement, <i>Mr. Smith</i> (Westmoreland)	981
PIERS AT BAIE ST. PAUL, MALBAIE AND EBOULEMENTS— Motion for Return ( <i>Mr. Cimon</i> )—Motion agreed to.....	981
ORDNANCE PROPERTY AT QUEBEC—Motion for Return ( <i>Mr. Caron</i> )—Motion amended and agreed to.....	981
LACHINE CANAL STAFF—Motion for Return ( <i>Mr. Caron</i> )—Motion agreed to....	981
THE DISMISSAL OF WILLIAM COLWELL—Motion for Return ( <i>Mr. Domville</i> )—Motion agreed to.....	982
THE ALASKA BOUNDARY LINE—Motion for Returns ( <i>Mr. Roscoe</i> ).....	983
Motion, after short debate, withdrawn.....	985
SUPPLIES FOR THE MOUNTED POLICE—Motion for Returns ( <i>Mr. Stephenson</i> )—After a short debate, Motion agreed to.....	985
REPAIRS TO BREAKWATERS ON THE SOUTH SHORE OF THE ST. LAWRENCE—Motion for instructions ( <i>Mr. Roy</i> )—Motion agreed to.....	988
<b>Royal Canadian Insurance Company Bill [BILL 57]—</b>	
Senate amendment agreed to ( <i>Mr. Jetté</i> ).....	988
LOSS OF A MAIL BAG—Motion for Return ( <i>Mr. McKay, Colchester</i> )—Motion agreed to.....	988
<b>Coteau &amp; Province Line Railway and Bridge Act Amendment Bill—</b>	
Motion for the first reading of the Bill ( <i>Mr. Currier</i> )—Bill read the first time [Bill 98].....	989
DEPARTMENTAL PRINTING—Motion for Return ( <i>Mr. Blanchet</i> )—Motion agreed to.....	989
THE POSTMASTER OF MONTMAGNY—Motion for Return ( <i>Mr. Blanchet</i> ).....	989
After a short debate, Motion withdrawn.....	990
PRESERVATION OF THE BUFFALO—Motion for papers ( <i>Mr. Schultz</i> ).....	990
After debate, Motion agreed to.....	995
ONTARIO BANK GOVERNMENT DEPOSITS— Motion for correspondence ( <i>Mr. Bowell</i> ).....	995
Motion agreed to.....	1003

	PAGE
FOG WHISTLE AT CAPE D'OR—Motion for correspondence ( <i>Mr. Tupper</i> )— Motion agreed to.....	1003
FISHING RIGHTS IN NEW BRUNSWICK—Motions for Returns ( <i>Mr. Palmer</i> )— Motion amended and agreed to.....	1003
PARRY SOUND HARBOUR—Motion for report ( <i>Mr. Cockburn</i> )—Motion agreed to	1005
SECTION FIFTEEN OF THE PACIFIC RAILWAY—Motion for papers ( <i>Mr. Bowell</i> ) —Motion agreed to.....	1005
KILLING OF CATTLE ON THE INTERCOLONIAL RAILWAY—Motion for Return —( <i>Mr. Mitchell</i> )—Motion agreed to.....	1005
TARIFF OF CHARGES ON THE GRAND TRUNK AND INTERCOLONIAL RAILWAYS— Motion for Return ( <i>Mr. Pouliot</i> )—After a short debate, Motion agreed to.....	1006

---

TUESDAY, MARCH 27<sup>TH</sup>.

**Canadian Engine and Machine Company Bill—**

Introduced (*Mr. Workman*) and read the first time [Bill 99]..... 1009

**Canadian Traffic Company Bill—**

Introduced (*Mr. Workman*) and read the first time [Bill 100]..... 1009

GODERICH HARBOUR RETURN—Remarks (*Mr. Farrow* and *Mr. Mackenzie*)..... 1009

**Breaches of Contracts Bill [BILL 66]—**

Considered in Committee (*Mr. Blake*) ..... 1010

**Steamboat Inspection Acts Amendment Bill [BILL 83]—**

Considered in Committee, read the third time and passed (*Mr. Smith,*  
*Westmoreland*) ..... 1020

**Quebec Harbour & Pilotage Acts Amendment Bill—**

Resolution reported from Committee of the Whole agreed to..... 1020

**Truro & Pictou Branch Railway Transfer Bill [BILL 82]—**

Read the second time and considered in Committee of the Whole (*Mr.*  
*Mackenzie*)..... 1020

**Boundaries of Manitoba Bill [BILL 87]—**

Read the second time, considered in Committee, read the third time and  
passed (*Mr. Mills*) ..... 1021

**Customs Acts Consolidation Bill [BILL 19]—**

Read the second time, considered in Committee, and progress reported  
(*Mr. Burpee, St. John*)... 1021

---

TABLE OF CONTENTS.

xli

PAGE.

WEDNESDAY, MARCH 28TH.

THE FRENCH INTERNATIONAL EXHIBITION OF 1878—Question, <i>Mr. Delorme</i> ; Answer, <i>Mr. Mackenzie</i> .....	1025
WHARF AT STE. ANNE DU SAGUENAY—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Mackenzie</i> .....	1025
DISMISSAL OF POSTMASTER OF ERIN—Question, <i>Mr. Orton</i> ; Answer, <i>Mr. Huntington</i> .....	1026
DAM, LOCK AND SLIDE AT CARILLON—Motion for correspondence ( <i>Mr. Rochester</i> )—After a short debate, Motion agreed to.....	1026
LEGAL EXPENSES IN PRINCE EDWARD ISLAND—Motion for Return ( <i>Mr. Pope, Queen's</i> )—Motion agreed to .....	1028
GOVERNMENT OFFICIALS IN PRINCE EDWARD ISLAND—Motion for Return ( <i>Mr. Pope, Queen's</i> )—Motion agreed to .....	1028
CLOSING OF A POST OFFICE—Motion for correspondence ( <i>Mr. Pope, Compton</i> ) —Motion agreed to.....	1028
POSTAGE ON NEWSPAPERS—Motion for statement ( <i>Mr. Bowman</i> )—Motion agreed to.....	1029
SEIZURE OF ILLICIT STILLS—Motion for Return ( <i>Mr. Rochester</i> )—Motion agreed to.....	1029
THE RISE OF WATERS IN THE OTTAWA—Motion for Report ( <i>Mr. Hagar</i> )—After a short debate, Motion agreed to.....	1029
GOVERNMENT PRINTING IN PRINCE EDWARD ISLAND—Motion for Return ( <i>Mr. Pope, Queen's</i> ) .....	1032
NEW MEMBER ( <i>Hon. H. L. Langevin</i> ) introduced.....	1032
MAIL SERVICE BETWEEN CAMPBELLTON AND PASPEBIAC—Motion for correspon- dence ( <i>Mr. Robitaille</i> )—Motion agreed to.....	1032
POLITICAL CUSTOM HOUSE OFFICERS—Motion for correspondence ( <i>Mr. Mc- Carthy</i> )—After a short debate, Motion withdrawn.....	1033
LACHINE CANAL ENLARGEMENT—Motion for correspondence ( <i>Mr. Baby</i> )— Motion agreed to.....	1035
WIGHT DUES ON CANADIAN SHIPPING—Motion for correspondence ( <i>Mr. Goudge</i> ) —Motion agreed to.....	1036
APPOINTMENT OF COUNTY COURT JUDGE FOR NEW WESTMINSTER—Motion for correspondence ( <i>Mr. Cunningham</i> )—After a short debate, Motion agreed to.....	1036
UNPREPAID LETTERS—Motion for correspondence ( <i>Mr. Caron</i> )—Motion agreed to.....	1038
<b>Walter Scott Divorce Bill [Bill 84]—</b>	
Considered in Committee.....	1039
Motion for third reading ( <i>Mr. McCarthy</i> )—Motion agreed to on division. Yeas, 58 ; Nays 39.	
Bill read the third time and passed on the same division.....	1040
<b>Mary Jane Bates Divorce Bill [BILL 85]</b>	
Considered in Committee.	
Motion for third reading ( <i>Mr. Trow</i> )—Motion agreed to on division. Yeas, 69 ; Nays, 45.	
Bill read the third time and passed on the same division.....	1040

	PAGE.
<b>Riviere du Loup Bridge Company Act Amendment Bill</b> [BILL 44]—	
Considered in Committee and progress reported ( <i>Mr. Jetté</i> ).....	1041
<b>Pickering Harbour and Road Joint Stock Company Bill</b> [BILL 26]—	
Considered in Committee, read the third time and passed ( <i>Mr. Gibbs,</i> <i>South Ontario</i> ) .....	1042
<b>Springhill and Parrsborough Coal and Railway Company Bill</b> [BILL 12]—	
Considered in Committee, read the third time and passed ( <i>Mr. Domville</i> )	1042
<b>London and Ontario Investment Company Act Amendment Bill</b> [BILL 20]—	
Considered in Committee, read the third time and passed ( <i>Mr. Macdonald,</i> <i>Centre Toronto</i> ) .....	1042
<b>British Canadian Loan and Investment Company Act Amend- ment Bill</b> [BILL 29]—	
Considered in Committee, read the third time and passed ( <i>Mr. Young</i> ).....	1042
<b>Albert Railway Company Bill</b> [BILL 48]—	
Considered in Committee, read the third time and passed ( <i>Mr. Domville</i> ).	1042
<b>Coteau and Province Line Railway and Bridge Act Amend- ment Bill</b> [BILL 98]—	
Read the second time ( <i>Mr. Currier</i> ).....	1042
<b>Canadian Engine and Machinery Company Act Amendment Bill</b> [BILL 99]—	
Read the second time ( <i>Mr. Workman</i> ).....	1042
<b>Canadian Traffic Company Bill</b> [BILL 100]—	
Read the second time ( <i>Mr. Workman</i> ).....	1042
<b>Electors of Stouffville Representation Bill</b> [BILL 70]—	
Considered in Committee ( <i>Mr. Metcalfe</i> ).....	1042
<b>Ontario Permanent Building Societies Bill</b> [BILL 21] --	
Considered in Committee ( <i>Mr. Hall</i> ).....	1043
<b>Construction of Waterworks by Joint Stock Companies Bill</b> [BILL 54]—	
Read the second time ( <i>Mr. Geoffrion</i> ).....	1043
<b>Foreign Corporations Loan Act Repeal Bill</b> [BILL 4]—	
Read the second time ( <i>Mr. Blain</i> ).....	1043
CANAL IMPROVEMENTS—Debate on <i>Mr. Blain's</i> Motion for Returns, resumed....	1046
After a short debate, Motion agreed to.....	1051

THURSDAY, MARCH 29TH.

EASTER ADJOURNMENT—*Resolved*,—

“That when the House adjourns at its present sitting, it shall stand adjourned until Monday, April 2nd, at 3 o'clock, p.m.”..... 1051

RECEPTION OF REPORTS—TIME EXTENDED..... 1051

**Truro & Pictou Branch Railway Transfer Bill [BILL 82]—**

Motion for third reading (*Mr. Mackenzie*).

Motion in amendment—

“That the Bill be not now read the third time, but that it be referred back to a Committee of the Whole, with instructions that they have power to add to Clause 1, the following proviso :—

“Provided always that there is hereby reserved to the Government of Canada, free of cost, the absolute right and free use of the said railway for the purpose of transporting coal or other supplies and materials, required for the maintenance and working of the Intercolonial and other Government Railways.”—(*Mr. Mitchell*)... 1051

Amendment negatived on division. Yeas, 44; Nays, 88.

Bill read the third time and passed, on a division..... 1054

**Breaches of Contracts Bill [BILL 66]—**

Motion for third reading (*Mr. Blake*)—

Motion in amendment—

“That the Bill be not now read the third time, but be referred back to the Committee of the Whole House to amend by striking out of the first section the following :— All those parts of Sections 4, 5, 6, 7, 8, 9, 10 and 11 of the Act of 1875, Consolidated Statutes of Upper Canada, entitled an Act respecting the Masters and Servants Act.”—(*Mr. White, North Renfrew*.)

Amendment negatived on a division.

Bill read the third time and passed..... 1054

**Ontario Maritime Court Bill [BILL 41]—**

Considered in Committee (*Mr. Blake*)..... 1054

**Payment of Active Militia Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Blake*) and read the first time [Bill 102] ..... 1061

**Gambling in Public Conveyances Prevention Bill [BILL 56]—**

Senate amendments considered and further amended (*Mr. Blake*)..... 1062

**Employment of Prisoners outside of Jails Bill [BILL 94]—**

Read the second time (*Mr. Blake*)..... 1062

**Betting and Pool-selling Repression Bill [BILL 95]—**

Read the second time (*Mr. Blake*)..... 1062

**Post Office Act Amendment Bill [BILL 96]—**

Read the second time, and considered in Committee (*Mr. Blake*)..... 1063

**Adulteration of Food, Drink and Drugs Bill [BILL 86]—**

Read the second time, and considered in Committee (*Mr. Laflamme*)..... 1064

	PAGE.
<b>Inland Revenue Act Amendment Bill [BILL 91]—</b>	
Read the second time ( <i>Mr. Laflamme</i> ).....	1064
<b>Montreal Harbour Tolls Bill [BILL 90]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Smith, Westmoreland</i> ).....	1064
<b>Joint Stock Companies Incorporation Bill [BILL 67]—</b>	
Considered in Committee ( <i>Mr. Cartwright</i> ).....	1064
<b>North-West Territories Act Amendment Bill [BILL 74]—</b>	
Read the second time, and considered in Committee ( <i>Mr. Mills</i> )... ..	1065
— — —	
MONDAY, APRIL 2ND.	
<b>Holiwell Divorce Bill [BILL 93]—</b>	
Considered in Committee ( <i>Mr. Cameron</i> ).....	1065
<b>National Investment Company Incorporation Act Amend- ment Bill [BILL 97]—</b>	
Read the second time ( <i>Mr. Blain</i> ).....	1065
QUEBEC SCHOOL OF NAVIGATION—Question, <i>Mr. Blanchet</i> ; Answer, <i>Mr. Smith</i> ( <i>Westmoreland</i> ).....	1066
ST. PLACIDE VILLAGE WHARF, OTTAWA RIVER—Motion for papers ( <i>Mr. Daoust</i> ) —Motion withdrawn.....	1066
ST. AUGUSTIN PARISH POST OFFICE—Motion for correspondence ( <i>Mr. Daoust</i> ) —Motion agreed to.....	1066
PURCHASE OF LANDS IN PRINCE EDWARD ISLAND—Motion for papers ( <i>Mr.</i> <i>Perry</i> )—Motion agreed to.....	1067
THE POSTMASTER AT THE MOUTH OF THE NERIPIS—Motion for papers ( <i>Mr.</i> <i>Palmer</i> )—Motion agreed to.....	1067
APPOINTMENT OF HARBOUR MASTERS AT QUEBEC PORTS—Motion for Return ( <i>Mr. Lanthier</i> )—Motion agreed to.....	1068
MALT TAKEN OUT OF BOND—Motion for Return ( <i>Mr. Rochester</i> )—Motion agreed to.....	1068
CASCUMPEC HARBOUR—Motion for Reports ( <i>Mr. Perry</i> )—Motion agreed to....	1068
COURT HOUSE AND JAIL FOR KAMOURASKA—Motion for Statement ( <i>Mr.</i> <i>Pouliot</i> )—Motion agreed to.....	1069
BREAKWATER AT POINT ESCUMINAC—Motion for papers ( <i>Mr. Palmer</i> )— Motion agreed to.....	1069
<b>LIFE-SAVING STATIONS IN BRITISH COLUMBIA—Moved—</b>	
" That it is desirable to establish life-saving stations on the west coast of Vancouver Island, on Queen Charlotte's Islands, and on the mainland of British Columbia, north of Fort Rupert, to succour shipwrecked mariners, and to protect their lives against the murderous attacks of savage tribes of Indians."—( <i>Mr. DeCosmos</i> .)	
After debate, Motion withdrawn.....	1070

	PAGE.
DUNDAS POST OFFICE SAVINGS BANK—Motion for papers ( <i>Mr. Bain</i> )—After a short debate, Motion withdrawn.....	1071
POSTMASTERSHIP OF ERIN VILLAGE—Motion for papers ( <i>Mr. Orton</i> )—Motion agreed to.....	1073
TRANSPORT OF RAILS IN NEW BRUNSWICK—Motion for papers ( <i>Mr. Palmer</i> )—Motion agreed to.....	1074
THE RICHELIEU RIVER FISHERIES—Motion for papers ( <i>Mr. Benoit</i> )—Motion agreed to.....	1074
LAKES HURON AND SUPERIOR INDIAN ANNUITIES—Motion for correspondence ( <i>Mr. Borron</i> )—Motion agreed to.....	1075
INDIAN LANDS IN BRITISH COLUMBIA—Motion for correspondence ( <i>Mr. Dewdney</i> )—Motion agreed to.....	1075
 <b>Ontario Permanent Building Societies Act Amendment Bill</b> [BILL 21]—	
Order for second reading read and postponed ( <i>Mr. Hall</i> ).....	1075
PACIFIC RAILWAY SURVEY EMPLOYEES—Adjourned debate on Motion for papers ( <i>Mr. Cook</i> ) resumed—Motion agreed to.....	1075
 <b>Means of Escape from Drowning Bill</b> [BILL 63]—	
Read the second time and referred ( <i>Mr. Cook</i> ).....	1077
 <b>Permanent Building Societies Act Amendment Bill</b> [BILL 101]—	
Order for second reading ( <i>Mr. Wood</i> ) read and postponed.....	1078
 <b>Customs Acts Consolidation Bill</b> [BILL 19]—	
Further considered in Committee and reported ( <i>Mr. Burpee, St. John</i> )...	1079
 <b>Culling of Timber Bill</b> —	
Resolution considered in Committee; Bill introduced ( <i>Mr. Laflamme</i> ) and read the first time [Bill 103].....	1082
 <b>Admission of Newfoundland Fish and Fish-oil Bill</b> —	
Resolution considered in Committee; Bill introduced ( <i>Mr. Laflamme</i> ) and read the first time [Bill 104].....	1083
 <b>Quebec Harbour and Pilotage Acts Amendment Bill</b> —	
Introduced ( <i>Mr. Smith, Westmoreland</i> ) and read the first time [Bill 105]	1083
 <b>Insurance Acts Amendment Bill</b> [BILL 36]—	
Considered in Committee ( <i>Mr. Cartwright</i> ).....	1083

TUESDAY, APRIL 3RD.

**Post Office Act Amendment Bill [BILL 96]—**

Read the third time and passed (*Mr. Blake*)..... 1084

**Adulteration Prevention Act Amendment Bill [BILL 86]—**

Read the third time and passed (*Mr. Laflamme*)..... 1084

**North-West Territories Act Amendment Bill [BILL 74]—**

Read the third time and passed (*Mr. Mills*)..... 1085

**Insolvent Act Amendment Bill [BILL 60]—**

Considered in Committee (*Mr. Blake*) ..... 1085

Concurrence in amendments moved (*Mr. Blake*)..... 1103

Motion in amendment—

“That the said amendments be not now read the second time, but that the Bill be re-committed to a Committee of the Whole, with instructions that they have power to strike out the 15th section of the Bill.”—(*Mr. Gibbs, South Ontario*)..... 1103

Motion in amendment to the amendment—

“That all the words after the word ‘the’ in the last line of the said amendment, where it occurs the first time, be struck out, and the following inserted instead thereof:—14th and 15th Sections of the Bill.”—(*Mr. White, North Renfrew*)..... 1206

Amendment to the amendment (*Mr. White, North Renfrew*) negatived on division. Yeas, 57; Nays, 112 ..... 1113

Amendment (*Mr. Gibbs, South Ontario*) negatived on division. Yeas 58; Nays, 113..... 1114

Motion in amendment—

“That the Bill be re-committed to a Committee of the Whole, in order that a clause may be added, declaring that this Bill, and the Acts thereby amended, shall remain in force until the end of the next Session of Parliament, and no longer.”—(*Mr. Barthe*)..... 1115

Amendment negatived on division. Yeas, 25; Nays, 141..... 1115

Main motion agreed to on a division

Amendments concurred in..... 1116

**Employment of Prisoners outside of Jails Bill [BILL 94]—**

Considered in Committee; read the third time and passed (*Mr. Blake*).... 1161

A DEFECTIVE RETURN—Remarks..... 1116

**Customs Acts Amendment Bill [BILL 19]—**

Amendments made in Committee of the Whole agreed to; Bill read the third time and passed (*Mr. Burpee, St. John*)..... 1117

TABLE OF CONTENTS.

xlvii

PAGE.

WEDNESDAY, APRIL 4TH.

NORTHERN RAILWAY COMMISSION—Question, <i>Mr. McCallum</i> ; Answer, <i>Mr. Mackenzie</i> .....	1117
RAILWAY FROM QUEBEC TO LAKE ST. JOHN—Question, <i>Mr. Cimon</i> ; Answer, <i>Mr. Mackenzie</i> .....	1117
CANADA CENTRAL EXTENSION—Motion for Returns ( <i>Mr. McDougall, Smith Renfrew</i> )—Motion agreed to.....	
TRANSFER OF PORTAGE ISLAND—Motion for papers ( <i>Mr. Mitchell</i> )—Motion agreed to.....	1118
THE CANADIAN PACIFIC RAILWAY—Motion for Reports ( <i>Mr. Smith, Sellkirk</i> )—After debate, Motion agreed to.....	1118
PROHIBITORY LIQUOR LAW—Moved—	
“That, in the opinion of this House, a Prohibitory Liquor Law is the only effectual remedy for the evil of intemperance, and that it is the duty of the Government to submit such a measure at the earliest moment practicable.”—( <i>Mr. Schultz</i> ).....	1126
Motion in amendment—	
“That all the words after ‘that’ in the original motion be expunged, and the following substituted in lieu thereof:—Whereas grave doubts exist, whether, under the provisions of the British North America Act, 1867, this House has the power to deal with the sale of intoxicating liquors as a beverage, and whereas the Court of Error and Appeal in the Province of Ontario has referred a case to the Supreme Court, whereby the relative jurisdiction of the Provincial and Dominion Legislatures over the liquor traffic will be argued; be it therefore resolved, That this House, while not receding from any previous declaration on the importance of a Prohibitory Liquor Law, deems it inexpedient, under these circumstances, at present, to express any opinion regarding the action to be taken by the Government in dealing with this question.”—( <i>Mr. Ross, West Middlesex</i> ).....	1137
Debate suspended at Six o’clock.	
<b>Rivière du Loup Bridge Company Act Amendment Bill</b> [BILL 44]—	
Read the third time and passed ( <i>Mr. Jetté</i> ).....	1138
<b>Dominion Building Society Bill</b> [BILL 58]—	
Read the third time and passed ( <i>Mr. Ouimet</i> ).....	1138
<b>La Société de construction St. Jacques Bill</b> [BILL 33]—	
Read the third time and passed ( <i>Mr. Jetté</i> ).....	1138
<b>Canadian Securities Company Bill</b> [BILL 61]—	
Considered in Committee.....	1138
<b>Holiwell Divorce Bill</b> [BILL 93]—	
Read the third time and passed on a Division.....	1138
<b>Stouffville Electors Representation Bill</b> [BILL 70]—	
Order for second reading ( <i>Mr. Metcalfe</i> ) discharged and Bill withdrawn....	1139
<b>Floating of Cordwood on River St. Francis Bill</b> [BILL 88]—	
Read the second time ( <i>Mr. Gill</i> ).....	1139

	PAGE.
<b>Safety of Passengers on Railways Bill</b> [BILL 89]—	
Read the second time and referred ( <i>Mr. Trow</i> ).....	1139
<b>Ontario Permanent Building Societies Act Amendment Bill</b> [BILL 101]—	
Read the second time ( <i>Mr. Wood</i> ).....	1144
<b>Incorporation of Joint Stock Companies Bill</b> ]BILL 67]—	
Considered in Committee, read the third time and passed ( <i>Mr. Cartwright</i> ).	1145
<b>Insolvent Act Amendment Bill</b> [BILL 60]—	
Read the third time and passed ( <i>Mr. Blake</i> ).....	1146
<b>Payment of Active Militia Bill</b> [BILL 102]—	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	1152
—	
THURSDAY, APRIL 5TH.	
<b>Pilotage Act Amendment Bill</b> —	
Resolutions considered in Committee; Bill introduced ( <i>Mr. Smith, West-</i> <i>moreland</i> ) and read the first time [Bill 108].....	1158
<b>Bank Shareholders' Votes Bill</b> —	
Motion for first reading ( <i>Mr. Cartwright</i> .) Bill read the first time [Bill 107].....	1164
<b>Measurement of Registered Ships Bill</b> —	
Introduced ( <i>Mr. Smith, Westmoreland</i> ) and read the first time [Bill 106].	1164
<b>Transfer of Public Works</b> —	
<i>Resolved</i> ,—"That it is expedient to transfer the control, management and main- tenance, as respects ordinary repairs, of all harbours, wharves, piers and break- waters, being the property of the Dominion, except those under the management of Commissioners appointed under an Act of the Parliament of Canada, and the harbours of St. John, N.B., and Pictou, from the Department of Public Works to that of Marine and Fisheries, the construction and extraordinary repairs remain- ing under the control of the Department first named; and to empower the Govern- or in Council, from time to time, on the recommendation of the Minister of Marine and Fisheries, to make, alter or rescind rules and regulations for the management and a tariff or tariffs of tolls and dues for the use of the said works respectively, and to impose penalties for contravention of such rules and regula- tions; such tolls and penalties to belong to Her Majesty for the public uses of the Dominion."—( <i>Mr. Smith, Westmoreland</i> ).....	1164
<b>Appeals from Justices of the Peace Bill</b> [BILL 78]—	
Considered in Committee and read the third time and passed ( <i>Mr. Blake</i> )	1165
<b>Culling of Timber Act Amendment Bill</b> [BILL 103]—	
Read the second time ( <i>Mr. Laflamme</i> ).....	1166

**Admission of Newfoundland Fish and Fish-Oils Bill [BILL 104]—**  
 Read the second time, considered in Committee, read the third time and passed (*Mr. Laflamme*)..... 1168

**Inland Revenue Act Amendment Bill [BILL 91]—**  
 Considered in Committee (*Mr. Laflamme*)..... 1168

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Concurrence in Resolutions 2 to 9 inclusive, proposed (*Mr. Cartwright*)... 1171  
 Resolution 2 concurred in on a division..... 1175

Motion in amendment to Resolution 3—

“That the said Resolution be not now concurred in, but that it be referred back to the Committee on Ways and Means, with instructions that they shall have power to substitute for the said duties on tea some tax that, while bringing to the Treasury an equivalent amount of revenue, will, at the same time, aid the various industries of the country.”—(*Sir John A. Macdonald*) ..... 1175

Amendment (*Sir John A. Macdonald*) negatived on division. Yeas, 67; Nays, 119.

Amendment proposed—

“That the said Resolution be not now concurred in, but that it be referred back to the Committee of Ways and Means, with instructions that they shall have power to amend it by substituting for the present and proposed specific duty on tea, an *ad valorem* duty, in such a manner as not to increase the burden of taxation, but which will be more just to the masses who are the consumers of cheap tea.”—(*Mr. Wallace, South Norfolk*)

Amendment (*Mr. Wallace, South Norfolk*) negatived on division. Yeas, 65; Nays, 114..... 1187

Resolution 3 concurred in..... 1188

Resolutions 4 and 5 concurred in on a division..... 1188

Resolutions 6 and 7 concurred in on a division..... 1189

Resolutions 8 and 9 concurred in on a division . ..... 1190

SIR A. T. GALT'S CORRESPONDENCE—Remarks..... 1190

**The Tariff Bill—**

Introduced (*Mr. Cartwright*) and read the first time [Bill 109]..... 1192

FRIDAY, APRIL 6TH.

**Transfer of Public Works Bill—**

Introduced (*Mr. Smith, Westmoreland*) and read the first time [Bill 110]. 1192

BUSINESS OF THE HOUSE—Moved—

“That the House shall, for the remainder of the Session, sit on Saturdays; that the Government measures shall then have precedence, and that when the House adjourns to-day it shall stand adjourned until to-morrow at 3 o'clock p.m.”—(*Mr. Mackenzie*.)

Motion agreed to..... 1193

A DEFECTIVE RETURN—Question and remarks..... 1193

	PAGE.
<b>Insurance Acts Amendment Bill [BILL 36]—</b>	
Third reading proposed ( <i>Mr. Cartwright</i> ).....	1194
Motion in amendment—	
“That the Bill be re-committed to a Committee of the Whole, with instructions that they shall have power to provide that the reserves to be held by all Foreign Insurance Companies under this Act, shall be solely for the benefit of Canadian policy-holders.”—( <i>Mr. Young</i> ).....	1194
Motion in amendment to the amendment—	
“That all the words after ‘to provide’ in the motion be struck out, and the following substituted therefor: That the following words be added to the first clause of the 7th section of the Bill: ‘Unless the said Company, if incorporated elsewhere than in Canada, shall establish to the satisfaction of the Finance Minister that it is possessed of well invested assets sufficient to re-insure all its outstanding policies, and pay all its liabilities, and has also a surplus sufficient to re-insure all its outstanding policies in Canada.’—( <i>Mr. Colby</i> ).....	1200
Debate suspended at six o’clock.	
<b>Canadian Securities Company Incorporation Bill [BILL 61]—</b>	
Read the third time and passed ( <i>Mr. Casgrain</i> ).....	1208
<b>Union Assurance Company Bill [BILL 59]—</b>	
Read the third time and passed ( <i>Mr. Kirkpatrick</i> ).....	1208
<b>Coteau &amp; Province Line Railway &amp; Bridge Bill [BILL 98]—</b>	
Read the third time and passed ( <i>Mr. Currier</i> ).....	1208
<b>Insurance Acts Amendment Bill—</b>	
Debate resumed.....	1208
Amendment to the amendment ( <i>Mr. Colby</i> ) negatived on a division. Yeas, 23; Nays, 157.....	1220
Amendment ( <i>Mr. Young</i> ) negatived, on a division. Yeas, 77; Nays, 104	1221
Motion in amendment—	
“That the Bill be re-committed to a Committee of the Whole, with instructions that they shall have power to amend Section 16 of the Bill, by providing that the reserves to be held by all Foreign Insurance Companies, not incorporated as Mutual Companies only, and prohibited by their Charter, Act of Incorporation, or articles of Association of the Company from setting apart any portion of their Assets for the benefit of any special number of their policy-holders, shall be held solely for the benefit of Canadian policy-holders.” ( <i>Mr. Cameron</i> ).....	1221
Amendment ( <i>Mr. Cameron</i> ) negatived, on a division. Bill read the third time and passed.....	1222
<b>Bank Shareholders Votes Bill [BILL 107]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Cartwright</i> ).....	1222
<b>Improper Use of Firearms Bill [BILL 79]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Blake</i> )...	1222

TABLE OF CONTENTS.

li

PAGE.

SATURDAY, APRIL 7TH.

GOVERNMENT PRINTING IN NEW BRUNSWICK.

Motion that House go into Committee of Supply (*Mr. Cartwright*)..... 1222  
 Motion in amendment—

“That the Speaker do not now leave the Chair, but that it be Resolved, That, in the opinion of this House, it is inexpedient and improper for the Government to enter into any agreement or contract whereby public money is paid to members of Parliament—such as the Postmaster General’s Reports of 1875 and 1876, and the vouchers laid on the table of this House on the 15th March ult., show to have been paid to Timothy Warren Anglin, a member of this House for the County of Gloucester; namely, \$8,126.31, for the year ended 30th June, 1875, and \$10,263.24 for the year ended 30th June, 1876, and \$2,709.55 being for the quarter ended 30th September, 1876, in payment for printing and stationery done for and furnished by him to the Post Office Department of Canada ‘per agreement;’ as shown by the return laid before Parliament by the Postmaster General on the 1st March last, and the vouchers reported to the House by the Select Standing Committee on Public Accounts on the 15th March, 1877—as such payments are in contravention of an Act passed in the 31st year of Her Majesty’s reign intituled: ‘An Act further to secure the Independence of Parliament,’ which provides that: ‘No person whatsoever holding, enjoying, undertaking or executing, directly or indirectly, alone or with any other, by himself or by the interposition of any trustee or third party, any contract or agreement with Her Majesty, or with any public officer or Department, with respect to the public service of Canada, or under which any public money of Canada is paid for any service or work, shall be eligible as a member of the House of Commons, nor shall he sit or vote in the same;’ and are calculated to detract from the independence of the members of this House.”—(*Mr. Bowell*).....

1223

Debate adjourned on Motion of *Mr. Costigan*..... 1266

MONDAY, APRIL 9TH.

Adjourned debate on Motion to go into Committee of Supply (*Mr. Cartwright*) and *Mr. Bowell’s* Motion in amendment thereto, resumed..... 1266  
 Amendment (*Mr. Bowell*) negatived on division. Yeas, 72; Nays, 111... 1310

SUPPLY.—IN COMMITTEE.

X. PENSIONS..... 1310  
 Vote 57 agreed to

THE SEAT FOR GLOUCESTER—Moved—

“That the attention of this House having been called to the reports, returns and vouchers laid upon the table touching the payment of public moneys to the Hon. T. W. Anglin, member for the Electoral District of Gloucester, for printing and stationery for the Post Office Department, the said papers be referred to the Select Standing Committee on Privileges and Elections, and they be directed to enquire into the facts, to search for precedents, and to report the result of their enquiries; and whether the said Hon. T. W. Anglin has vacated his seat.”—(*Mr. Casey*).....

1311

After a short debate, Motion agreed to..... 1316

TUESDAY, APRIL 10TH.

Extradition of Fugitive Criminals—

ADDRESS TO HER MAJESTY..... 1316

Measurement of Registered Ships Bill [BILL 106]—

Read the second time and considered in Committee (*Mr. Smith, Westmoreland*).....

1317

	PAGE.
<b>Public Works Transfer Bill [BILL 110]—</b>	
Read the second time, considered in Committee, read the third time, and passed ( <i>Mr. Smith, Westmoreland</i> ) .....	1317
<b>Pilotage Act Amendment Bill [BILL 108]—</b>	
Read the second time and considered in Committee ( <i>Mr. Smith, Westmoreland</i> ) .....	1317
<b>FORT FRANCES LOCK.</b>	
Motion that House go into Committee of Supply ( <i>Mr. Cartwright</i> ).....	1319
Motion in amendment—	
“That Mr. Speaker do not now leave the Chair, but that it be resolved: That Fort Frances Lock is said to be a part of the Canadian Pacific Railway, and the money spent thereon has been expended out of the Pacific Railway appropriation, and that the said work is, therefore, subject to the provisions of the Canadian Pacific Railway Act, 1874.	
“That by Section 11 of the Canadian Pacific Railway Act, 1874, it is enacted that ‘no contract for any portion of the main line of the said Railway shall be binding until it shall have been laid before the House of Commons for one month without being disapproved, unless sooner approved by a resolution of the House.’	
“And by Section 12 of the said Act, it is enacted that ‘in case it shall be found by the Governor in Council more advantageous to construct the said Railway, or any portion thereof, as a public work of the Dominion of Canada, the construction thereof shall be let out by contracts offered to public competition.’	
“That the construction of the Fort Frances Lock has been carried on as a work of the Dominion by time work, and has not been let out by contract offered to public competition.	
“That no Order in Council has been passed authorizing the construction of said work, or the application of the Parliamentary appropriation thereto.	
“That it does not appear, from the papers laid before the House, that the Chief or any Engineer of the Canadian Pacific Railway Survey has ever recommended the construction of the said lock; nor does it appear that there was, or is, any estimate of the cost of the improvements on Rainy Lake and Rainy River, and water stretches connecting therewith, necessary to attain the object for which the said lock is being constructed:	
“That, in the opinion of this House, the commencement of said work without any Order in Council authorizing the same, and the construction of the said work, otherwise than by contract offered to public competition, is unconstitutional and a violation of the express terms of the Canadian Pacific Railway Act, 1874.”—( <i>Mr. Kirkpatrick.</i> )	1319
Amendment ( <i>Mr. Kirkpatrick</i> ) negatived on division. Yeas, 59; Nays, 107.....	1345
<b>SUPPLY.—IN COMMITTEE.</b>	
X. PENSIONS.....	1345
Votes 58 to 60 agreed to.	
XI. MILITIA .....	1346
Votes 61 to 69 agreed to.	
—	
WEDNESDAY, APRIL 11TH.	
<b>IMPROVEMENT OF MIRAMICHI RIVER—Question, <i>Mr. Mitchell</i>; Answer, <i>Mr. Mackenzie</i> .....</b>	<b>1360</b>
<b>APPOINTMENT OF HARBOUR COMMISSIONERS—Question, <i>Mr. Cheval</i>; Answer, <i>Mr. Smith</i> (<i>Westmoreland</i>) .....</b>	<b>1361</b>
<b>SETTLEMENT OF CLAIMS—Question, <i>Mr. Desjardins</i>; Answer, <i>Mr. Burpee</i> (<i>St. John</i>).....</b>	<b>1361</b>

TABLE OF CONTENTS.

liii

	PAGE.
PORT COLBORNE HARBOUR MASTER—Question, <i>Sir John A. Macdonald</i> ; Answer, <i>Mr. Mackenzie</i> .....	1361
NEWSPAPER POSTAGE—Question, <i>Mr. Trow</i> ; Answer, <i>Mr. Mackenzie</i> .....	1361
DISMISSAL OF ARNPRIOR SLIDE MASTER—Motion for correspondence ( <i>Mr. White, North Renfrew</i> ).....	1361
After a short debate, Motion agreed to.	
THE CHICOUTIMI MAILS—Motion for correspondence ( <i>Mr. Cimon</i> )—Motion agreed to.....	1337
VOTING BY BALLOT ON THE DUNKIN ACT—Moved—	
“ That the House do resolve itself into a Committee of the Whole to consider the following resolution :—That it is expedient to provide that so far as the concurrence of the Parliament of Canada may be necessary for the purpose, the Legislature of the Province of Ontario or the Province of Quebec shall be authorized and empowered to provide that the votes of the electors under the Act of the late Province of Canada, 27 and 28 Vict., chap. 18, therein called the Temperance Act, and commonly known as the Dunkin Act, shall be given by ballot in such manner as the Provincial Legislature may direct, subject to such provisions and changes only as may be deemed necessary for the purpose, but retaining all the provisions of the Act, which are not inconsistent with the voting by ballot.”—( <i>Mr. Robinson</i> ). .....	
	1367
After debate, Motion withdrawn.....	1373
SPECIAL TARIFF FOR BRITISH COLUMBIA—Motion for correspondence ( <i>Mr. DeCosmos</i> )—Motion agreed to .....	1373
NORTHERN RAILWAY COMMISSION—Motion for Return ( <i>Mr. Bowell</i> )—Motion withdrawn.....	1374
CANADA CENTRAL EXTENSION—Motion for Engineer's Report ( <i>Mr. McDougall, South Renfrew</i> )—Motion agreed to.....	1375
CHANGE OF MAIL ROUTE TO GRANVILLE, N. B.—Motion for correspondence ( <i>Mr. Tupper</i> )—Motion agreed to.....	1375
WINTER NAVIGATION OF THE ST. LAWRENCE—Resolution proposed—	
“ Declaring it expedient that the Government should be advised to take proper steps to test the possibility of navigating the St. Lawrence from Quebec to the Gulf during the winter season.”—( <i>Mr. Fréchette</i> ). .....	
	1375
Debate suspended at six o'clock.	
<b>National Investment Company Act Amendment Bill [BILL 97]—</b>	
Read the third time and passed ( <i>Mr. Blain</i> ).....	1375
<b>Canadian Engine and Machinery Company Act Amendment Bill [BILL 99]—</b>	
Read the third time and passed ( <i>Mr. Workman</i> ).....	1375
<b>Northern Railway of Canada Bill [BILL 62]—</b>	
Read the second time ( <i>Mr. Macdonald, Centre Toronto</i> ).....	1375
PROHIBITORY LIQUOR LAW—Adjourned debate on <i>Mr. Schultz's</i> proposed resolution, and <i>Mr. Ross' (West Middlesex)</i> amendment thereto resumed...	1375
Amendment ( <i>Mr. Ross, West Middlesex</i> ) agreed to on division. Yeas, 104; Nays, 59. ....	1394
Motion, as amended, agreed to on the same division.	

	PAGE.
<b>Ontario Building Societies Act Amendment Bill [BILL 21]—</b>	
Read the third time and passed ( <i>Mr. Hall</i> ). . . . .	1395
<b>Quebec Building Societies Bill [BILL 53]</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Jetté</i> ).....	1395
—	
THURSDAY, APRIL 12TH.	
<b>Ordnance and Admiralty Lands Bill—</b>	
Introduced ( <i>Mr. Mills</i> ) and read the first time [Bill 111].....	1396
<b>THE OLD RAILS DISTRIBUTION—</b> Question, <i>Mr. Bowell</i> ; Answer, <i>Mr. Mackenzie</i> .	1396
<b>Measurement of Registered Ships Bill [BILL 106]—</b>	
Third reading proposed ( <i>Mr. Smith, Westmoreland</i> ). . . . .	1396
Motion in amendment—	
“ That the Bill be not now read a third time, but that it be referred back to a Committee of the Whole House, with instructions to amend the said Bill by adding to the third section thereof the following words:—‘ And any amount which may have been paid previous to the passing of this Act, by the owner or master of any steamship, over and above the amount which under this Act he is held to pay, shall be refunded to him.’”—( <i>Mr. Cheval</i> .)	
Amendment ruled out of order by <i>Mr. Speaker</i> .	
Motion in amendment—	
“ That the Bill be not now read a third time, but that it be referred back to the Committee of the Whole House, with instructions that they have power to amend the same by adding the following words after the word ‘ tonnage,’ in the 35th line in clause one:—‘ For all purposes except those of the Act respecting the inspecting of steamboats, and for the better safety of passengers by them, passed in 1868, and the Acts in amendment thereto, for which last mentioned purposes the tonnage shall remain as it is at present.’”—( <i>Mr. Smith, Westmoreland</i> .)	
Motion agreed to.	
Bill amended accordingly in Committee, read the third time and passed.	
<b>Pilotage Act Amendment Bill [BILL 108]—</b>	
Reconsidered in Committee, read the third time and passed ( <i>Mr. Smith, Westmoreland</i> ). . . . .	1397
<b>Ontario Maritime Court Bill [BILL 41]—</b>	
Reconsidered in Committee and amended ( <i>Mr. Blake</i> ).....	1397
<b>Repression of Betting and Pool-selling Bill [BILL 95]—</b>	
Considered in Committee ( <i>Mr. Blake</i> ).....	1397
<b>Culling of Timber Act Amendment Bill [BILL 103]—</b>	
Considered in Committee ( <i>Mr. Laflamme</i> ) . . . . .	1398
<b>Inland Revenue Act Amendment Bill [BILL 91]—</b>	
Read the third time and passed ( <i>Mr. Laflamme</i> ).....	1404

**Inspection of Petroleum Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Laflamme*) and read the first time [Bill 112] ..... 1404

**British Columbia Judges Travelling Allowances Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Blake*) and read the first time [Bill 113]..... 1404

**THE NORTH-WEST TROUBLES—W. D. O'DONOUGHUE.**

Motion that the House go into Committee of Supply (*Mr. Cartwright*).... 1405

Motion in amendment—

“That Mr. Speaker do not now leave the Chair, but that it be Resolved,—That in pursuance of the Address, passed by this House on the 13th day of February, 1875, full amnesty was granted to all persons concerned in the North-West troubles, for all acts committed by them during the said troubles, save only Louis Riel, A. D. Lépine, W. D. O'Donoughue, and a partial amnesty was granted to Louis Riel, and A. D. Lépine, conditional on five years' banishment from Her Majesty's Dominion, thereby leaving the said W. D. O'Donoughue as the only person liable to the extreme penalty of the Law for all acts committed by him during the said troubles. That this solitary exception has created dissatisfaction among a large class of Her Majesty's loyal subjects of the same nationality as the said W. D. O'Donoughue, and that, in the opinion of this House, as all disquiet and fear of disturbances have long since ceased in the North-West Territories, it is just and proper that the said W. D. O'Donoughue be placed in the same position, with regard to the said troubles, as Louis Riel and A. D. Lépine.”—(*Mr. Costigan.*)

Amendment (*Mr Costigan*) negatived on a division. Yeas, 60; Nays, 105 1429

**SUPPLY.—IN COMMITTEE.**

IX. MILITIA..... 1429

Votes 70 and 71 agreed to.

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FRIDAY, APRIL 13TH.

**Loan Companies Bill—**

Introduced (*Mr Cartwright*) and read the third time [Bill 114]..... 1438

**Provincial Great Seals Bill—**

Introduced (*Mr. Blake*) and read the first time [Bill 115]..... 1438

**GOVERNMENT BUSINESS—Moved—**

“That for the remainder of the Session, Government business shall have precedence on Mondays.”—(*Mr. Mackenzie*)..... 1439

After a short debate, Motion amended and agreed to, as follows---

“That for the remainder of the Session, Government business shall have precedence on Wednesdays.”..... 1441

**Repression of Betting and Pool-selling Bill [BILL 95]—**

Read the third time and passed (*Mr Blake*)..... 1441

**Culling of Timber Act Amendment Bill [BILL 103]—**

Read the third time and passed (*Mr. Laflamme*)..... 1441

	PAGE
<b>Ontario Maritime Court Bill [BILL 41]—</b>	
Further considered, read the third time and passed ( <i>Mr. Blake</i> ). . . . .	1441
<b>THE LOAN OF 1876.</b>	
Motion for House to go into Committee of Supply ( <i>Mr. Cartwright</i> ) . . . . .	1443
Motion in amendment—	
“ That the Speaker do not now leave the Chair, but that it be Resolved, That, in the opinion of this House, the course adopted by the Minister of Finance in placing the late Government loan of £2,500,000 sterling on the London money market at a fixed rate of 91 per cent., with allowances of accrued and accruing interest, thus reducing it to about 90 per cent., was an inexpedient course in itself, and also resulted in great pecuniary loss to the Dominion.”—( <i>Mr. Gibbs, South Ontario</i> ) . . . . .	1449
Amendment ( <i>Mr. Gibbs, South Ontario</i> ) negatived on division. Yeas, 60; Nays, 111. . . . .	1471
<b>SUPPLY.—IN COMMITTEE.</b>	
<b>XII. PUBLIC WORKS AND BUILDINGS.</b> . . . . .	1472
Votes 75 to 77, 80 to 88, and 90, agreed to.	

---

SATURDAY, APRIL 14TH.

<b>THE QUEEN vs. WILKINSON—</b> Motion to grant leave of absence to the Finance Minister ( <i>Mr. Bowell</i> ) . . . . .	1482
<b>MR. CURRIER'S SEAT FOR OTTAWA—</b> Motion to refer to Committee on Privileges and Elections ( <i>Mr. Laurier</i> )—Motion agreed to. . . . .	1482
<b>THE SEAT FOR LINCOLN—</b> Motion for new Writ ( <i>Sir John A. Macdonald</i> )—Amendment to refer to Committee on Privileges and Elections ( <i>Mr. Mackenzie</i> )—Amendment agreed to on a division. . . . .	1483
<b>THE SECRET SERVICE MONEY—</b> Motion to adopt report of Public Accounts Committee ( <i>Mr. Young</i> ) . . . . .	1484
After a long debate, Report concurred in on division. Yeas, 82; Nays, 60	1497
<b>PRIVILEGES AND ELECTIONS COMMITTEE—</b> Motion to examine on oath ( <i>Mr. Irving</i> )—Motion agreed to. . . . .	1497
<b>British Columbia Judges Travelling Allowances Bill [BILL 113.]—</b>	
Read the second time; considered in Committee, read the third time and passed ( <i>Mr. Bloke</i> ). . . . .	1498
<b>SUPPLY.—IN COMMITTEE.</b>	
<b>XII. PUBLIC WORKS AND BUILDINGS.</b> . . . . .	1498
Votes 89, 91 to 97 agreed to.	

---

MONDAY, APRIL 16TH.

**Improper Use of Fire-arms Bill—**

Senate amendment concurred in ( <i>Mr. Blake</i> ) .....	1509
THE QUEEN VS. WILKINSON—Motion to grant leave of absence to the Finance Minister ( <i>Mr. Bowell</i> ).....	1509
NEWSPAPER POSTAGE—Question, <i>Mr. Trow</i> ; Answer, <i>Mr. Huntington</i> .....	1509
THE ENGLISH MAIL TRAIN—Question, <i>Mr. Mitchell</i> ; Answer, <i>Mr. Huntington</i> ..	1510
QUEBEC JUDGES' SALARIES—Question, <i>Mr. Brooks</i> ; Answer, <i>Mr. Blake</i> .....	1510
MAIL SERVICE IN THE COUNTY OF BRUCE—Question, <i>Mr. Gillies</i> ; Answer, <i>Mr. Huntington</i> .....	1510
SLIDE-MASTERSHIP OF BLACK RIVER—Question, <i>Mr. Farrow</i> ; Answer, <i>Mr. Mackenzie</i> .....	1510
LOGAN'S FARM AT MONTREAL—Question, <i>Mr. Desjardins</i> ; Answer, <i>Mr. Mackenzie</i> .....	1510
CANADIAN PACIFIC RAILWAY SURVEYING STAFF — Question, <i>Mr. Bunster</i> ; Answer, <i>Mr. Mackenzie</i> .....	1510
IMMIGRATION TO BRITISH COLUMBIA—Question, <i>Mr. Bunster</i> ; Answer, <i>Mr. Mackenzie</i> .....	1511
HOMESTEAD SETTLEMENT—RAILWAY RESERVE—Question, <i>Mr. Schultz</i> ; Answer, <i>Mr. Mackenzie</i> .....	1511
TRANSPORTATION OF MOUNTED POLICE, EMIGRANTS, &c.—Motion for Orders in Council ( <i>Mr. McCarthy</i> )—After a short debate, Motion agreed to .....	1511
RESIGNATION OF MR. CURRIER.....	1513
ROYAL CANADIAN INSURANCE COMPANY—Motion for Reports ( <i>Mr. Barthe</i> )—Motion agreed to.....	1516
MONTREAL HARBOUR COMMISSIONERS' PILOTAGE TARIFF BY-LAW—Motion for Order in Council ( <i>Mr. De St. Georges</i> )—Motion agreed to.....	1517
PAYMENT BY STEAMERS AT ST. OURS LOCK—Motion for Statement ( <i>Mr. Cheval</i> )—Motion agreed to.....	1517
CANADIAN PACIFIC RAILWAY SURVEY—Motion for Statement ( <i>Mr. McCarthy</i> )—Motion agreed to.....	1517
NORTHERN RAILWAY COMMISSION—Motion for Accountant's report ( <i>Mr. McCallum</i> )—Motion negatived on a division .....	1517
INTERCOLONIAL RAILWAY—Motion for Return ( <i>Mr. Bertram</i> )—Motion agreed to	1519
SUNDAY TRAFFIC ON CANALS—Moved—	

“That it be resolved that, for the better observance of the Lord's Day and in the interests of morality, vessels propelled by steam and carrying passengers, may be detained from proceeding on their voyage through the Canals from the hour of 6 a.m. until the hour of 9 o'clock p.m. on the Sabbath day.”—(*Mr. Brouse*)..... 1520

After a short debate, Motion withdrawn .....

1521

**Railway Companies Traffic Rates Bill—**

Resolution considered in Committee; Bill introduced (*Mr. Irving*) and read the first time [Bill 116]..... 1521

**Manitoba Junction Railway Company Act Amendment Bill—**

Introduced (*Mr. Thompson, Haldimand*) and read the first time [Bill 117]. 1529

	PAGE.
QUEBEC HARBOUR IMPROVEMENTS—Motion for papers ( <i>Mr. Blanchet</i> )—Motion agreed to.....	1529
WORKS AT RIVER ST. CHARLES—Motion for papers ( <i>Mr. Blanchet</i> )—Motion withdrawn.....	1529
ADMINISTRATION OF HARBOUR BOARD OF MONTREAL—TOWN OF SOREL—Motion for correspondence, &c., ( <i>Mr. Barthe</i> )—Motion agreed to.....	1530
HARBOUR OF REFUGE AT ROND EAU—Motion for correspondence ( <i>Mr. Stephenson</i> )—Motion withdrawn.....	1531
FISHERIES IN THE NAPAN AND BLACK RIVERS—Motion for Reports ( <i>Mr. Mitchell</i> )—Motion agreed to.....	1531
HARBOUR MASTER AT PORT COLBORNE—Motion for Orders in Council ( <i>Sir John A. Macdonald</i> )—Motion agreed to.....	1532
PURCHASE OF IRON—Motion for Return ( <i>Mr. Plumb</i> )—Motion agreed to.....	1533
MILITIA STAFF OFFICERS—Motion for Orders in Council ( <i>Mr. Domville</i> )—Motion agreed to.....	1533
POSTMASTER OF JONQUIÈRES—Motion for correspondence ( <i>Mr. Cimon</i> )—Motion agreed to.....	1533
BOOMS AND PIERS ON THE GATINEAU—Motion for report ( <i>Mr. Cameron</i> )—After a short debate, Motion withdrawn.....	1533
THE QUEEN vs. WILKINSON—Moved—	
“ That the Hon. Richard John Cartwright have leave of absence to attend the Assizes now being holden in the Town of Cobourg, in obedience to a subpoena served upon him to give evidence in the case of the Queen, on the prosecution of Hon. John Simpson, against James A. Wilkinson.”—( <i>Mr. Bowell.</i> )	
Motion negatived on a division.....	1540
DAWSON ROUTE SUBSIDY—Motion for Return ( <i>Mr. Rochester</i> )—Motion agreed to.....	1541
DEPARTMENTAL PAY LISTS—Motion for copies ( <i>Mr. Rochester</i> )—Motion amended and agreed to.....	1541
EMPLOYÉS OF THE HOUSE—Motion for statements ( <i>Mr. Bowell</i> )—Motion agreed to.....	1541

---

TUESDAY, APRIL 17TH.

NEW WRIT FOR OTTAWA ISSUED.....	1541
GODERICH HARBOUR WORKS.	
Motion for House to go into Committee of Supply ( <i>Mr. Cartwright</i> ) ....	1541
Motion in amendment—	

“ That Mr. Speaker do not now leave the Chair, but that it be resolved, That by a Return to an Address from the House of the 21st February, 1877, dated the 8th March, 1877; for copies of all Orders in Council having reference to the Goderich Harbour Works, in 1874, together with a copy of the notice or advertisement calling for tenders for such work, the tenders received in response and Reports in relation thereto, with the contract entered into for the performance of such work, it appears :—

' That in all, 16 tenders were sent in for the performance of said work, averaging from \$182,630 to \$301,185. The four lowest tenders, being as follows :—

John S. Tolton, Walkerton.....	\$182,630
George Neilson, Belleville.....	200,375
W. H. Ellis, Toronto.....	212,155
Moore, Clendenning & Wilson, Walkerton.....	212,540

" That on the 23rd February, 1874, an Order in Council was passed, setting forth the fact that 16 tenders had been sent in, and containing as follows :—' That W. H. Ellis, whose tender is third lowest, and when extended is found to amount \$212,155, appears to be in a position to execute the work satisfactorily, and that his sureties appear to be good and solvent, and recommending that the tender of Mr. Ellis be accepted, and that for the due fulfillment of his contract satisfactory security be required on real estate, or by deposit of money, public or municipal securities, or bank stock, to the amount of 5 per cent. on the bulk sum of his contract.'

" That four days later, on the 27th February, without any information in relation to the said Ellis having, as appears by the Return, been furnished to the Department, a telegram to the following effect, was sent by Mr. Braun, Secretary of the Department of Public Works to Messrs. Moore, Clendenning & Wilson :—

" ' Your tender for Goderich Harbour Works is amongst the lowest ; are you prepared to deposit 5 per cent. of contract amount, and are both your sureties men of large means and property,' to which telegram Moore & Co., on the 28th February, replied as follows :—

" ' Prepared to make deposit and go on with Goderich Harbour Works ; can give satisfaction as to standing of sureties.'

" That on the 7th March an Order in Council was passed on a memorandum of the Minister of Public Works of the 5th March, stating :—' That Mr. Ellis has left the country, and recommending that the next lowest tender, that of Messrs. David Moore & Co., whose tender, when extended, amounts to the sum of \$212,540, be accepted.'

" That on the 20th March, 1874, a letter was addressed to J. Y. Elwood, Esq., of Goderich, instructing him to examine titles and state value of property offered by Messrs. David Moore & Co., as security, and to say what it would bring at Sheriff's sale.

" That on the 28th March, the said Elwood reported to the Department of Public Works, that the property was worth from \$5,000 to \$5,500, less a mortgage upon it of \$1,400.

" That by a schedule submitted by other valutors appointed by the Government on the 11th June, 1874, it appears that properties valued at \$11,800, less \$3,400, incumbrances, were accepted as security, the security having been fixed by the Department at \$7,500, being \$3,127 less than 5 per cent. on the bulk sum of the contract.

" That on the 16th day of February, 1877, after notice had been given of the intention to move for the papers, a letter was addressed by Mr. Page to Mr. Mackenzie, Minister of Public Works, in answer to enquiry from him, explaining the reason why the tender of John S. Tolton had not been accepted, the reason being that the tender of John S. Tolton was at that time looked upon as so low that some trouble was taken to ascertain whether he was a person acquainted with such work ; but no information could be obtained about him, and that it would be injudicious to entrust the execution of such work to him, as it probably would result, not only in a loss to the Government, but also prove ruinous to the man himself. But there does not appear to have been any correspondence in relation to the said John S. Tolton, or any reference to him or to the reason for ignoring his tender at the time the contract was let.

" That on the 22nd February, 1877, the Hon. E. Blake addressed a note to the Hon. A. Mackenzie, requesting that a letter written by him on the 2nd January, 1874, might be included among the papers, which letter was in the following terms :—

" TORONTO, January 2nd, 1874.

" ' MY DEAR MACKENZIE,—David Moore, of Walkerton, asks me to inform you that he is about to tender for the Goderich Works, and I do so accordingly. I told my friend Moore that an introduction was unnecessary, as you would let the work fairly without respect of persons.

" Yours truly,  
" (Signed), ' EDWARD BLAKE.'

" That, notwithstanding the statement in the letter of Mr. Page to Mr. Mackenzie, it appears from a statement made by an honorable member in his place in this House, that the Hon. Minister of Public Works had information connected with the said John S. Tolton, the following telegram having been addressed to him by Mr. David Stirton, at that time a Member of this House :—

“GUELPH, January 4th, 1874.

“To the Hon. ALEXANDER MACKENZIE, Minister of Public Works, Ottawa:—

“I understand that John S. Tolton, of Walkerton, has tendered for the Goderich Harbour Works. Mr. Tolton is a thorough practical, honest and reliable man, financially able, and accustomed to the construction of Public Works. The securities named are reliable, sound men.

“(Signed) D. STIRTON.

“That it appears that the tender of John S. Tolton was improperly ignored, and that the country has lost thereby the sum of \$29,525.

“That in the opinion of this House, the Government in thus awarding this contract, are justly censurable for violating the principles of the contract system, and causing serious loss to the country.”—(*Mr. Farrow*) .....

1514

Amendment (*Mr. Farrow*) negatived on division. Yeas, 62; Nays, 103. 1554

SUPPLY.—IN COMMITTEE.

XII. PUBLIC WORKS AND BUILDINGS..... 1534

Votes 98 to 106 agreed to.

XIII. OCEAN AND RIVER SERVICE..... 1559

Votes 107 to 121 agreed to.

XIV. LIGHTHOUSE AND COAST SERVICE..... 1567

Votes 122 to 124 agreed to.

XV. FISHERIES..... 1567

Votes 125 to 127 agreed to.

XVI. GEOLOGICAL SURVEY AND OBSERVATORIES..... 1568

Votes 128 to 132 agreed to.

THE SEAT FOR LINCOLN—RESIGNATION OF MR. NORRIS..... 1568

**Manitoba Junction Railway Company Act Amendment Bill**  
[BILL 117]—

Read the second time (*Mr. Thompson, Haldimand*)..... 1569

WEDNESDAY, APRIL 18TH.

THE CANADIAN PACIFIC RAILWAY—Notice of motion (*Mr. Tupper*)..... 1570

DISTRIBUTION OF OLD RAILS—Remarks (*Mr. Bowell*)..... 1570

SUPPLY.—IN COMMITTEE.

XVI. GEOLOGICAL SURVEYS AND OBSERVATORIES..... 1571

Votes 133 and 134 agreed to.

XVII. MARINE HOSPITALS AND SICK AND DISTRESSED SEAMEN..... 1571

Votes 135 to 138, and 140 to 143 agreed to.

XVIII. STEAMBOAT INSPECTION..... 1571

Vote 144 agreed to.

XIX. INSPECTION OF INSURANCE COMPANIES..... 1571

Vote 145 agreed to.

XXI. INDIANS..... 1571

Votes 146 to 158, and 160 to 167 agreed to.

TABLE OF CONTENTS.

lxi

	PAGE.
XXII. MISCELLANEOUS.....	1586
Votes 168 to 172 agreed to.	
XXIII. COLLECTION OF REVENUE—CUSTOMS.....	1587
Vote 173 agreed to.	
XXIV. EXCISE.....	1587
Vote 174 agreed to.	
XXV. CULLING TIMBER.....	1539
Vote 175 agreed to.	
XXVI. WEIGHTS AND MEASURES AND GAS (EQUIPMENT AND INSPECTION)..	1589
Votes 176 to 182 agreed to.	
XXVII. INSPECTION OF STAPLES.....	1589
Vote 183 agreed to.	
XXVIII. ADULTERATION OF FOOD.....	1590
Vote 184 agreed to.	
XXIX. PUBLIC WORKS.....	1595
Votes 185 to 192 agreed to	
XXX. POST OFFICE.....	1595
Vote 193 agreed to.	

---

THURSDAY, APRIL 19TH.

**Auditing of Public Accounts Act Amendment Bill—**

Introduced (*Mr. Cartwright*) and read the first time [Bill 118]—..... 1595

**Weights and Measures Act Amendment Bill—**

Resolutions considered in Committee; Bill introduced (*Mr. Laflamme*) and read the first time [Bill 119]..... 1595

SUPPLY—CONCURRENCE..... 1611

---

FRIDAY, APRIL 20TH.

**Indian Act Amendment Bill—**

Introduced (*Mr. Mills*) and read the first time [Bill 120]..... 1627

**Quebec Harbour Act Amendment Bill [BILL 105]—**

Read the second time and considered in Committee (*Mr. Smith, Westmoreland*)..... 1628

**Inspection of Petroleum Bill [BILL 112]—**

Read the second time, and considered in Committee (*Mr. Laflamme*)..... 1628

	PAGE.
<b>SUPPLY.—IN COMMITTEE.</b>	
<b>XII. PUBLIC WORKS AND BUILDINGS.....</b>	1629
Votes 78 and 79 agreed to.	
<b>Northern Railway Company Bill [BILL 62]—</b>	
Considered in Committee ( <i>Mr. Macdonald, Toronto</i> ).....	1644
<b>Canada Traffic Company Bill [BILL 100]—</b>	
Considered in Committee, read the third time and passed ( <i>Mr. Workman</i> )	1645
<b>SUPPLY.—IN COMMITTEE.</b>	
<b>II. CHARGES OF MANAGEMENT.....</b>	1651
Vote 1 agreed to.	
<b>IX. IMMIGRATION AND QUARANTINE .....</b>	1651
Vote 56 agreed to.	
<b>XXXI. DOMINION LANDS.....</b>	1657
Vote 194 agreed to.	
<b>SUPPLY—CONCURRENCE.....</b>	1657
<b>Powers of Loan Companies Bill [BILL 114] —</b>	
Bill read the second time ( <i>Mr. Cartwright</i> ).....	1664
—	
SATURDAY, APRIL 21ST.	
<b>Ordnance and Admiralty Lands Bill [BILL 111]—</b>	
Bill read the second time ( <i>Mr. Mills</i> ).....	1664
<b>Quebec Harbour Act Amendment Bill [BILL 105]—</b>	
Third reading proposed ( <i>Mr. Smith, Westmoreland</i> )..	1666
Motion in amendment—	
“ That the Bill be not read the third time, but that it be referred back to the Committee of the Whole with instructions that they have power to amend the same by striking out paragraph 8 of clause 18, and to insert the following instead thereof:—On schooners and barges of from 25 to 100 tons, for each time the vessel uses the Harbour of Quebec, \$1, or on each vessel for the season \$5; on schooners and barges from 100 to 250 tons, \$1 for the first 100 tons, and one cent for each ton over 100 tons, or \$10 per annum.”—( <i>Mr. De St. Georges</i> .)	
Amendment negatived on a division.	
Bill read the third time and passed.	
<b>Provincial Great Seals Bill [BILL 115]—</b>	
Read the second time, considered in Committee, read the third time and passed ( <i>Mr. Blake</i> ).....	1666
<b>SUPPLY—CONCURRENCE.....</b>	1668

TABLE OF CONTENTS.

lxiii

	PAGE.
<b>THE CANADIAN PACIFIC RAILWAY.</b>	
Motion for House to go into Committee of Supply ( <i>Mr. Cartwright</i> ).....	1668
Motion in amendment—	
“ That Mr. Speaker do not now leave the Chair, but that it be Resolved, That this House cannot approve of the course pursued by this Government with respect to the Canadian Pacific Railway.”—( <i>Mr. Tupper</i> )......	1709
Debate adjourned on motion of <i>Mr. Mackenzie</i> .....	1709

---

MONDAY, APRIL 23RD.

THE SEAT FOR ST. JOHN—Motion to refer to Committee on Privileges and Elections ( <i>Mr. Domville</i> )---Motion agreed to.....	1709
<b>Ontario Maritime Court Bill</b> [BILL 41]—	
Senate amendments concurred in ( <i>Mr. Blake</i> ).....	1710
<b>Insolvent Act Amendment Bill</b> [BILL 60]—	
Senate amendments concurred in ( <i>Mr. Blake</i> ) .....	1710
THE SEAT FOR RESTIGOUCHE—Motion to refer to Committee on Privileges and Elections ( <i>Mr. Ross, West Middlesex</i> )—Motion agreed to.....	1710
<b>THE CANADIAN PACIFIC RAILWAY.</b>	
Adjourned debate on motion to go into Committee of Supply ( <i>Mr. Cartwright</i> ) and <i>Mr. Tupper's</i> amendment thereto resumed ....	1711
Debate adjourned on motion of <i>Mr. Dymond</i> .....	1754

---

TUESDAY, APRIL 24TH.

<b>Northern Railway Bill</b> [BILL 62]—	
Read the third time and passed ( <i>Mr. Macdonald, Toronto</i> ).....	1755
<b>The Campbell Divorce Bill</b> —	
Motion to place on the Orders ( <i>Mr. Gibbs, South Ontario</i> )—After a short debate, Motion postponed .....	1760
THE SEAT FOR RESTIGOUCHE—Motion to take evidence on oath ( <i>Mr. Irving</i> )—	
Motion agreed to.....	1760
<b>Inspection of Petroleum Bill</b> [BILL 112]—	
Amendments made in Committee of the Whole, agreed to, read the third time and passed ( <i>Mr. Laflamme</i> ).....	1760
<b>Ordnance and Admiralty Lands Bill</b> [BILL 111]—	
Considered in Committee, read the third time and passed ( <i>Mr. Mills</i> )....	1760
<b>Indian Act Amendment Bill</b> [BILL 120]—	
Read the second time ( <i>Mr. Mills</i> ).....	1764
<b>Auditing Public Accounts Bill</b> [BILL 118]—	
Read the second time and considered in Committee ( <i>Mr. Cartwright</i> ).....	1765

	PAGE.
<b>Inspection of Gas and Gas Meters Act Amendment Bill</b> [BILL 92]—	
Order for second reading discharged, and Bill withdrawn ( <i>Mr. Laflamme</i> )	1769
<b>THE CANADIAN PACIFIC RAILWAY.</b>	
Adjourned debate on motion to go into Committee of Supply ( <i>Mr. Cartwright</i> ) and <i>Mr. Tupper's</i> amendment thereto resumed.....	1769
Amendment ( <i>Mr. Tupper</i> ) negatived on a division. Yeas 59; Nays, 104	1808
<b>SUPPLY.—IN COMMITTEE.</b>	
Progress reported.....	1808
<b>Message from His Excellency.</b>	
SUPPLEMENTARY ESTIMATES.....	1808

---

WEDNESDAY, APRIL 25TH.

<b>Manitoba Junction Railway Bill</b> [BILL 117]—	
Bill withdrawn ( <i>Mr. Thompson, Haldimand</i> ).....	1809
<b>Independence of Parliament Act Amendment Bill—</b>	
Introduced ( <i>Mr. Mackenzie</i> ) and read the first time [Bill 122].....	1809
<b>THE SEAT FOR MONTREAL WEST—</b> Motion to refer to Committee on Privileges and Elections ( <i>Mr. Mousseau</i> )—Motion agreed to.....	180
<b>THE SEAT FOR HOCHELAGA—</b> Motion to refer to the Committee on Privileges and Elections ( <i>Mr. Casey</i> )—Motion agreed to.....	1810
<b>NORTHERN RAILWAY COMPANY—</b> Government notice of motion ( <i>Mr. Cartwright</i> )—Motion agreed to.....	1810
<b>Auditing of Public Accounts Act Amendment Bill</b> [BILL 118]—	
Read the third time and passed ( <i>Mr. Cartwright</i> ).....	1822
<b>Indian Act Amendment Bill</b> [BILL 120]—	
Considered in Committee ( <i>Mr. Mills</i> ).....	1824
<b>Weights and Measures Act Amendment Bill</b> [BILL 119]—	
Considered in Committee, read the third time and passed ( <i>Mr. Laflamme</i> )	1825
<b>SUPPLY.—IN COMMITTEE.</b>	
XXXII. MINOR REVENUES.....	1826
Vote 195 agreed to.	
Votes 196 to 233 agreed to.	
<b>Messages from His Excellency—</b>	
SUPPLEMENTARY ESTIMATES.....	1836

TABLE OF CONTENTS.

lxv

PAGE.

THURSDAY, APRIL 26TH.

ELECTION CASES—Motion to examine witnesses on oath ( <i>Mr. Irving</i> )—Motion agreed to. ....	1836
<b>The Campbell Divorce Bill—</b>	
Motion to place on the Orders for second reading ( <i>Mr. Gibbs, South Ontario</i> )—Motion negatived on a division.....	1837
<b>Northern Railway Amendment Bill—</b>	
Resolution considered in Committee; Bill introduced ( <i>Mr. Cartwright</i> ) read the first, second and third times and passed [Bill 123]....	1810
<b>Indian Act Amendment Bill [BILL 120]—</b>	
Order for third reading discharged and Bill withdrawn ( <i>Mr. Mills</i> ).....	1810
<b>The Tariff Bill [BILL 109]—</b>	
Read the second time, considered in Committee, read the third time and passed on a division ( <i>Mr. Cartwright</i> ) .....	1841
<b>Independence of Parliament Act Amendment Bill [BILL 122]—</b>	
Second reading moved ( <i>Mr. Mackenzie</i> ).....	1851
Motion agreed to on division. Yeas, 97; Nays, 45 .....	1864
Bill read the second time, considered in Committee, read the third time, and passed on a division.	
<b>SUPPLY.—IN COMMITTEE.</b>	
Votes 234 to 266 agreed to.	

---

FRIDAY, APRIL 27TH.

CIVIL SERVICE—Report of Select Committee presented by <i>Mr. Casey</i> .....	1869
COAL TRADE—Report of Select Committee presented by <i>Mr. MacKay, (Cape Breton)</i> ... ..	1869
CIVIL SERVICE—Motion to print Report of Committee ( <i>Mr. Casey</i> )—Motion referred .....	1870
<b>Pilotage Act Amendment Bill [BILL 108]—</b>	
Senate amendments concurred in ( <i>Mr. Smith, Westmoreland</i> ).....	1872
<b>North-West Territories Bill [BILL 74]—</b>	
Senate amendments concurred in ( <i>Mr. Mills</i> ).....	1872
<b>Albert Railway Company Bill [BILL 48]—</b>	
Motion to consider ( <i>Mr. Domville</i> )—Motion agreed to.....	1872
COAL INTERESTS—Motion to print report of Committee ( <i>Mr. MacKay, Cape Breton</i> )—Motion agreed to .....	1873

	PAGE.
SUPPLY—CONCURRENCE.....	1873
<b>Albert Railway Company Bill</b> [BILL 48]—	
Concurrence in Senate amendment proposed ( <i>Mr. Domville</i> ) .....	1879
Motion in amendment to postpone consideration for three months ( <i>Mr. Burpee, Sunbury</i> ).....	1879
Motion in amendment to the amendment to disagree with the Senate amendment ( <i>Mr. Gibbs, South Ontario</i> ).....	1880
Amendment to the amendment ( <i>Mr. Gibbs, South Ontario</i> ) negatived on division. Yeas, 24; Nays, 63.....	1880
Amendment ( <i>Mr. Burpee, Sunbury</i> ) agreed to on division. Yeas, 47; Nays, 21 .....	1883
SUPPLY—CONCURRENCE.....	1883
<b>The Supply Bill—</b>	
Introduced ( <i>Mr. Cartwright</i> ), read the first, second and third times and passed [Bill 124] .....	1893
INDEPENDENCE OF PARLIAMENT—Explanation, <i>Sir John A. Macdonald</i> .....	1893
SIR JOHN A. MACDONALD AND CROWN SUITS—Motion for Return ( <i>Mr. Dymond</i> ) —Motion agreed to.....	1893
—	
SATURDAY, APRIL 28TH.	
THE WASHINGTON TREATY AND FISHERIES COMMISSION—Explanation ( <i>Mr. Mackenzie</i> ) .....	1893
GEORGIAN BAY BRANCH—Question, <i>Mr. Taschereau</i> ; Answer, <i>Mr. Mackenzie</i> ..	1894
MARITIME CONTRACTS ACT—Question, <i>Mr. Killam</i> ; Answer, <i>Mr. Smith</i> (Westmoreland) .....	1895
THE SEAT FOR GLOUCESTER—Report of Committee on Privileges and Elections presented by <i>Mr. Irving</i> .....	1895
MEMBERS SUMMONED TO ATTEND HIS EXCELLENCY IN THE SENATE CHAMBER...	1896
BILLS ASSENTED TO .....	1896
BILLS RESERVED.....	1898
SUPPLY BILL ASSENTED TO.....	1898
<b>His Excellency's Speech</b> .....	1898
<b>Prorogation of Parliament</b> .....	1899

## ERRATA.

Page 267, first column, line 18, for \$16,000 read \$16,000,000.

Page 494, first column, line 29, for 132 read  $13\frac{1}{2}$ .

Page 1698, second column, line 18, after "that?" insert "Mr. TUPPER."

Page 351, add to second readings: "Bill (No. 32) respecting La Banque Jacques Cartier."

Page 1051, insert first reading of Bill 97.

Page 1164, second column, for Bill "106," read "103."

Page 1360, insert Bill 37 withdrawn.

AKER,

# THE DEBATES

OF THE

## HOUSE OF COMMONS OF CANADA

IN THE

FOURTH SESSION OF THE THIRD PARLIAMENT OF THE DOMINION OF CANADA,  
APPOINTED TO MEET FOR THE DESPATCH OF BUSINESS 8 FEBRUARY,  
1877, IN THE FORTIETH YEAR OF THE REIGN OF

### HER MAJESTY QUEEN VICTORIA.

#### HOUSE OF COMMONS.

*Thursday, 8th Feb., 1877.*

The Parliament which had been prorogued successively from the twelfth day of April, 1876, and thence from time to time to the eighth day of February, 1877, met this day for the despatch of business.

The SPEAKER took the Chair at three o'clock.

A Message from His Excellency the Governor General, by the Gentleman Usher of the Black Rod:—

“Mr. SPEAKER,—

“His Excellency the Governor General commands this Honourable House to attend immediately in the Chamber of the Senate.”

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency;

And having returned;

#### CONTROVERTED ELECTION.

Mr. SPEAKER informed the House that he had received from one of the Judges selected for the trial of Election Petitions, pursuant to *The Dominion Controverted Elections Act, 1874*, a Certificate relating to the Election for the Electoral District of the County of Glengarry.

1

Mr. SPEAKER informed the House, that in conformity with the Act 37 Victoria, Chapter 10, Section 36, he had issued his Warrant to the Clerk of the Crown in Chancery to make out a new Writ of Election for the said Electoral District.

#### VACANCIES.

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

Of THOMAS SCATCERD, Esq., Member for the Electoral District of the North Riding of the County of Middlesex, by decease; Of DAVID STIRTON, Esq., Member for the Electoral District of the South Riding of the County of Wellington, by resignation; Of ADAM GORDON, Esq., Member for the Electoral District of the North Riding of the County of Ontario, by decease; Of the Hon. MALCOLM CAMERON, Member for the Electoral District of the South Riding of the County of Ontario, by decease; Of BARCLAY E. TREMAIN, Esq., Member for the Electoral District of Victoria, N.S., by acceptance of the office of County Judge in Cape Breton; Of CHRISTIAN HENRY POZER, Esq., Member for the Electoral District of Beauce, by resignation; Of the Hon. DAVID MILLS, Member for the Electoral District of the County of Bothwell, by acceptance of the office of Minister of the Interior; Of the Hon. DAVID LAIRD, Member for the Electoral District of Queen's County District, P.E.I., by acceptance of the office of Lieutenant Governor of

the North-West Territories; Of the Hon. RODOLPHE LAFLAMME, Member for the Electoral District of Jacques Cartier, by acceptance of an office of emolument under the Crown; Of the Hon. JOHN HILLYARD CAMERON, Member for the Electoral District of the County of Cardwell, by decess, and Of the Hon. C. A. P. PELLETIER, Member for the Electoral District of Kamouraska, by acceptance of the office of Minister of Agriculture; and that he had issued his several Warrants to the Clerk of the Crown in Chancery, to make out new Writs of Election for the said places respectively.

#### NEW MEMBERS ELECTED.

Mr. SPEAKER further informed the House, that during the Recess the Clerk of the House had received from the Clerk of the Crown in Chancery, Certificates of the Election and Return of the following Members, viz:—

Of ROBERT COLIN SCATHERD, Esq., for the Electoral District of the North Riding of the County of Middlesex; Of the Hon. THOMAS NICHOLSON GIBBS, for the Electoral District of the South Riding of the County of Ontario; Of WILLIAM HENRY GIBBS, Esq., for the Electoral District of the North Riding of the County of Ontario; Of DONALD GUTHRIE, Esq., for the Electoral District of the South Riding of the County of Wellington; Of ARCHIBALD McNAB, Esq., for the Electoral District of the County of Glengarry; Of CHARLES J. CAMPBELL, Esq., for the Electoral District of Victoria, N.S.; Of JOSEPH BOLDUC, Esq., for the Electoral District of Beauce; Of the Hon. DAVID MILLS, for the Electoral District of the County of Bothwell; Of the Hon. JAMES COLLEGE POPE, for the Electoral District of Queen's County District, P.E.I.; Of the Hon. RODOLPHE LAFLAMME, for the Electoral District of Jacques Cartier; and of DALTON MCCARTHY, Esq., for the Electoral District of the County of Cardwell.

#### NEW MEMBERS INTRODUCED.

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

ROBERT COLIN SCATHERD, Esq., Member for the Electoral District of the North Riding of the County of Middlesex:—Hon. THOMAS NICHOLSON GIBBS, Member for the Electoral District of the South Riding of the County of Ontario.—WILLIAM HENRY GIBBS, Esq., Member for the Electoral District of the North Riding of the County of Ontario.—DONALD GUTHRIE, Esq., Member for the Electoral District of the South Riding of the County of Wellington.—ARCHIBALD McNAB, Esq., Member for the Electoral District of the County of Glengarry.—CHARLES J. CAMPBELL, Esq., Member for the Electoral District of Victoria, N.S.—JOSEPH BOLDUC, Esq., Member for

the Electoral District of Beauce.—Hon. DAVID MILLS, Member for the Electoral District of the County of Bothwell.—Hon. JAMES COLLEGE POPE, Member for the Electoral District of Queen's County District, P.E.I.—and Hon. RODOLPHE LAFLAMME, Member for the electoral District of Jacques Cartier.

#### OATHS OF OFFICE BILL.

Mr. MACKENZIE introduced a Bill (No. 1.) respecting the administration of Oaths of Office, which was read the first time.

#### SPEECH FROM THE THRONE.

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

*“ Honourable Gentlemen of the Senate :*

*Gentlemen of the House of Commons :*

“ I am glad to be again enabled to summon you to meet for the despatch of business at the time which has been considered best suited to the convenience of members.

“ During the recess, I visited the Province of British Columbia, and had much satisfaction in becoming acquainted with the people of that interesting part of the Dominion, and with the climate and resources of their Province.

“ The surveys of the Pacific Railway have been prosecuted with the utmost vigour and at a larger cost during the past than in any previous year, but it has not been found possible, as yet, to complete the location of the line, and I have consequently been obliged to postpone the inviting of tenders for its construction on the terms indicated by the Act of 1874.

“ A further correspondence on the subjects at issue between my Government and British Columbia will be laid before you.

“ During the recent suspension of the Extradition arrangements with the United States, I took care that the importance to Canada of a speedy resumption of these arrangements should be represented to Her Majesty's Government, whose attention has been further invited to the expediency of largely extending the provisions of the existing treaty.

“ I am glad to be able to state that, while the operation of the Treaty has been resumed, negotiations are in progress for a convention, more liberal, and better suited to the circumstances of the two countries.

“ The attention of my Government having been directed to some anomalies in the Royal Commission and Royal Instructions to the Governor General, particularly with regard to the exercise of the Prerogative of Pardon, steps have been taken towards the amendment of these instruments.

“ Papers on this subject, as well as on that of the Extradition question, will be laid before you.

Mr. SPEAKER.

"The great public works connected with the St. Lawrence navigation, and the canals required to complete the system, have been prosecuted with success during the past year.

"Nearly all the works on the Welland and Lachine Canals have been placed under contract on terms favourable to the country.

"The active prosecution of these works during the last three years has necessarily increased the public debt, and, though expectations are entertained that the outlay may ultimately be repaid to the country, it may be considered advisable not to press all the works, contemplated in the earlier years of Confederation, to completion at present.

"I am happy to state that the Intercolonial Railway was opened for traffic, throughout its entire length, early in the summer, with as favourable results as could have been expected.

"One of the immediate advantages of the completion of the Railway was the delivery and reception of the British Mails at Halifax after the closing of the St. Lawrence; and I am happy to say that, up to the present time, mails and passengers have been successfully carried over the line without any interruption.

"The exhibition of Canadian products, manufactures, and works of art at the United States National Exposition at Philadelphia was eminently successful, and proclaimed to the world that Canada had already taken a high place as a farming, manufacturing and mining country.

"It is gratifying to be able to state that the expenditure was kept well within the estimate.

"It is but just that I should acknowledge that the success achieved by the enterprise of our people was largely aided by the energy and wisdom of the Commissioners who had charge of the arrangements.

"I have considered it advisable in the interest of the country to make arrangements for exhibiting Canadian products at the Exhibition to be held at Sydney, New South Wales, for which you will be asked to make provision.

"Notwithstanding the loss of revenue, consequent chiefly on the diminution of our importations, the reductions effected during the current year have gone far to restore the equilibrium between income and expenditure, though great economy will be still needful to attain this object.

"I regret that I am still unable to announce any progress in obtaining a settlement of the Fishery claims under the Washington Treaty, though my Government has made every effort to secure that result.

"My Commissioners have made further treaty arrangements with certain of the Indian tribes of the North-West territories, by which their title is extinguished to a very large portion of the territories west of Treaty No. 4; and, although some of the provisions of this treaty are of a somewhat onerous and exceptional character, I have thought it nevertheless advisable on the whole to ratify

it. This treaty will be placed before you. I have made an engagement to negotiate a treaty with the remaining tribes east of the Rocky Mountains.

"The expenditure incurred by the Indian Treaties is undoubtedly large, but the Canadian policy is nevertheless the cheapest, ultimately, if we compare the results with those of other countries; and it is above all a humane, just, and Christian policy.

"Notwithstanding the deplorable war waged between the Indian tribes in the United States territories, and the Government of that country, during the last year, no difficulty has arisen with the Canadian tribes living in the immediate vicinity of the scene of hostilities.

"You will be asked to consider the expediency of making such changes in the Joint Stock Companies Act as may obviate for the future the passage of special Acts of Parliament for the incorporation of various classes of Companies, including such corporations as seek to engage in the borrowing and lending of money, by providing for their organization by Letters Patent.

"The desirability of affording additional security to policy-holders of Life Assurance Companies has engaged the attention of my Government, and I trust that the measure which will be submitted will accomplish the desired object.

"A measure will be submitted to you for the purpose of extending to the navigation of the great inland waters rights and remedies at present confined to waters within the jurisdiction of the Courts of Vice-Admiralty.

"You will be asked to amend and consolidate the laws relating to Customs.

"I have considered it advisable to provide for the permanent prosecution of the Geological Survey, which has heretofore been carried on under temporary enactments, and to make this a distinct branch of the Civil Service; your attention will be invited to a Bill for that purpose.

"Measures will be submitted also for the amendment of the Weights and Measures Act, the Excise laws, and other Acts, and also a Bill relating to Shipping.

*"Gentlemen of the House of Commons:*

"The accounts of the past year will be laid before you.

"The Estimates of the next financial year will also be submitted, and will, I trust, be found to be framed with a view to meet the existing circumstances of the country, while, at the same time, providing for carrying on the administration of affairs with efficiency.

*"Honourable Gentlemen of the Senate:*

*Gentlemen of the House of Commons:*

"I place full reliance on your prudence and ability, and your devotion to the work of legislation, which, I trust, may be carried on and completed in such a way as to minister to the prosperity of the country, and the unity of the people."

On motion of Mr. MACKENZIE, His Excellency's Speech was *ordered* to be taken into consideration *to-morrow*.

*Resolved*, That the Votes and Proceedings of the House be printed, being first perused by Mr. Speaker, and that he do appoint the printing thereof; and that no person but such as he shall appoint do presume to print the same

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

#### REPORTS.

Mr. MACKENZIE laid before the House the General Report of the Minister of Public Works, for the fiscal year, ending the 30th June, 1876.

Mr. SPEAKER laid before the House the Report of the Librarian of the House of Commons, on the state of the Library of Parliament, which was read.

#### OFFICIAL REPORT OF THE DEBATES.

Sir JOHN A. MACDONALD inquired whether the Government had taken or proposed to take any steps with a view to procure an official report of the Debates of the Session.

Mr. MACKENZIE replied that the Government had not taken any steps, the subject being one which the House might deal with in its own discretion. The Committee charged with the desire of hon. members failed to make a report last Session until the House was so thin that there was no time to proceed with its consideration, the objection of any Member being sufficient to prevent discussion. The Government thought it was desirable to leave the question entirely in the hands of the House.

Sir JOHN A. MACDONALD hoped the Premier, who had considerable influence with the House, would exercise it so that the House and the country might have a correct report of the debates.

SPEECH.

Mr. BOWELL said the Committee met and adopted a report, and it was in consequence of the Chairman having neglected to present the report in time that it was not concurred in. If blame attached to any one, it was not the Committee, but to the Chairman.

Mr. CAUCHON said he brought the report immediately before the House, and he was not responsible for any delay which occurred.

House adjourned at  
Four o'clock.

#### HOUSE OF COMMONS.

Friday, 9th Feb., 1877.

The Speaker took the chair at Three o'clock.

MR. JUSTICE LORANGER.

#### PETITION.

Mr. MOUSSEAU presented the petition of Mr. Justice Loranger denying the charges contained in the petition of François X. A. Biron and others presented against him at the close of last session, expressing his desire to undergo an investigation, and his intention of demanding one if the petition is reported, and requesting beforehand that he may be heard before the House in the event of further proceedings.

#### REPORTS.

Mr. BLAKE laid before the House the Report of the Hon the Minister of Justice, having reference to Penitentiaries.

Mr. SMITH laid before the House the ninth annual Report of the Department of Marine and Fisheries, being for the fiscal year ended 30th June, 1876; also, Supplement (No. 1) to the foregoing, being a List of Lights on the coasts, rivers and Lakes of the Dominion of Canada, on the 31st December, 1876.

Mr. BURPEE laid before the House Tables of the Trade and Navigation of the Dominion of Canada, for the year ending 30th June, 1876.

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

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

Mr. GUTHRIE (South Wellington) moved the resolution in reply to the Speech from the Throne. After craving as a new member the indulgence of the House while endeavouring to deal with subjects of such importance to the Dominion at large, he called attention to the period of the year at which Parliament had been called together for the past three sessions, and suggested that the opening should take place even earlier, so that the legislative business might be closed before spring opened. Adverting to the Governor General's visit to British Columbia, he remarked that His Excellency had visited almost every part of the Dominion, and his visits had been received everywhere with marked appreciation. That satisfaction which he expressed having felt, has been felt in return towards him by the people. From His Excellency's speeches it was manifest that he felt a real pride in the country over which he is Governor, and the country was equally proud of its Governor. A great benefit would undoubtedly be derived from the addresses delivered by Lord Dufferin, and his recent speech at the Toronto Club perhaps excelled all previous ones, admirable as they were. The next paragraph in the Speech from the Throne contained matter partly for congratulation and partly for regret. It was satisfactory to find that the surveys of that great national work, the Pacific Railway, had been pushed forward with vigour, and that the expenditure upon them had been greater during the past than any previous year. But it was not agreeable to find that the work was so great and the difficulties so formidable. Sufficient progress had not been made to enable contracts to be let. Every one must admit that it was indispensably necessary before contracts were let or tenders asked, that the location of the road should be completed; but it was indeed not surprising that further delay was necessary when consideration was given to the character of the country which the road would traverse, and the difficulty experienced in finding a suitable scaport as an outlet for the railway; and it was no matter of surprise that the greatest care had been necessary on the part of the engineers in

selecting a route, especially when that selection might increase or diminish the expenditure by twenty million dollars. The question of the extradition of criminals between this country and the United States was one of much importance. The treaty which had been for many years in operation was lately suspended, but it had been restored. That circumstance was a matter for congratulation and satisfaction, because, lying as Canada does along a widely extended frontier, with ample means of communication with the adjoining Republic, it was of more importance to the Dominion than to the mother country that the treaty should be in force. It was moreover a source of gratification to find that negotiations were pending with a view of largely extending the class of crimes to be embraced in the extradition treaty. Although the crimes for which offenders might now be extradited were of a grave character, they were comparatively few in number, and the crimes most common in our midst were those for which no provision was made in the treaty—such as larceny, embezzlement, and fraudulent removal of assets by bankrupt traders. He hoped the result of the negotiations would be to have not only a treaty more extended in its operations, but containing provisions framed for its perfect working. Indeed, there was no reason why the operation of the treaty should be confined to what might be called the more serious crimes. Neither Canada nor the United States desired their countries to become asylums for criminals, and the treaty might include the lesser crimes with benefit to both peoples. They were informed in the Speech that steps had been taken to amend the Royal Commission and the Instructions of the Governor General in some respects in which they contained anomalous provisions understood to be inconsistent with our constitutional freedom and that system of responsible government which we enjoy. The anomalies referred to were chiefly: First, the power possessed by the Governor General to pardon a prisoner convicted of a capital offence without the advice or even against the advice of his Council; and, second, the power possessed by him to disallow any act

of a Provincial Legislature, also without the advice of his Council or even contrary to their advice. It must be a source of satisfaction that those anomalies were about to be removed; that the country was to enjoy responsible government in a more complete form than hitherto. It was not correct to say that those provisions in the Royal Commission and instructions were obsolete and were never enforced, because with regard to one of them a case occurred not many years ago where the power was exercised; and with respect to the other, viz., that of the disallowance of Acts of Provincial Legislatures, an opinion was obtained from the law officers of the Crown in England as late as 1873 which affirmed that the Governor General possessed that power, and was entitled, of course, to exercise it. These were not, therefore, obsolete, but practical questions, and the administration of the day was entitled to the thanks of the country for having secured the removal of anomalies which, in practice, might not have worked badly in the past, but which might in the future be the source of very great difficulty and misunderstanding. It was the part of statesmen not to be wise after the fact, but before it. The Speech referred to the opening of the Intercolonial Railway, regarding which undertaking it should be remembered that, although the road might not prove remunerative for many years, yet it was not projected or constructed as a commercial enterprise. It was entered upon as a national work, and he was prepared to support an expenditure for any reasonable time in order that the railway might be kept open, and that the Provinces which it serves might be brought closer together, not only with regard to personal intercourse, but in matters of trade and commerce. Since the road was opened, considerable trade had sprung up between the Maritime Provinces and Ontario, and the millers of Upper Canada especially had been enabled to send their produce to ports of Quebec and the Maritime Provinces which they were formerly unable to reach. It was satisfactory to find that, so far, no difficulty had been experienced in keeping the road open during

the present season, and even if trouble were encountered, he trusted a determined effort would be made to work the road and avail themselves of our winter port. Reference was made in the Speech to the display of Canadian goods at the Philadelphia Exhibition, which display astonished not only foreign nations but Canadians themselves. The results obtained would be of permanent benefit to the country. He was personally aware that in consequence of the admirable display made by the Dominion, many Ontario manufacturers had received orders from the most distant parts of the world. Those orders had been executed, and if the quality of the goods was as high as was expected, a largely increased trade would ensue. In that connection, the country would consider the Government had acted wisely in determining that Canada should be represented at the forthcoming Exhibition at Sydney. Our relations with other British Colonies should be cultivated. After the display of their own products, nothing was, perhaps, so gratifying at the Philadelphia Exhibition as the very creditable display sent by the Australian Colonies. If, as a result of the Canadian display at Sydney, a trade should spring up, it would be one of great magnitude, and prove advantageous to Canada and Australia alike. No means of removing the prevailing trade depression would prove more efficacious than the opening up of new foreign markets for our manufactures and products. A manufacturer of sewing machines in the town in which he resided (Guelph) did the greater portion of his trade with South America, where he was able successfully to compete with British and American makers. In the discussion on trade depression, the fact was often lost sight of that the country had passed through similar dull times. The present depression was not to be compared with that which followed the crisis of 1857, from which the country did not recover for five or six years. There was bound to be a return of prosperity, no matter what Government was in power, for indeed they could affect it in a very trifling degree. After complimenting the Canadian Commissioners at Philadelphia, the hon. mem-

ber remarked that the paragraph in the Speech relating to the comparative position of the revenue and expenditure would possess public interest. By reason principally of a decline in importations, there had been a loss of revenue, which, in itself, was always a serious matter, but there was some satisfaction in knowing that the reduction in expenditures proposed by the Government last year, and assented to by the House, had resulted in nearly meeting or being quite equal to the amount of that decline. It was proper that the policy of economy and retrenchment should be still continued. That was what the Government proposed, and it was a course which would receive the sanction of the House and country, because it was the policy of common sense. The decline in imports was due to the fact that the people were not able to buy so freely as formerly, and when their constituents had found it necessary to retrench, the Government should not neglect to act in the same direction. When the people were poor was not the time to increase taxation. The poverty of the people should not be the occasion for increasing their burdens, and the proper policy to adopt was to follow the example of the people, who, by frugality and economy, had been endeavouring to pay their way. The position of the United States towards the Dominion in the matter of the non-payment of compensation for the use of the Canadian Fisheries was one that excited a painful regret that a great nation should so far forget its own honour as to treat with contempt, at all events with neglect, the representations of the British Government, asking them simply to fulfil their obligations. No doubt the United States were as firmly bound as possible in that matter, but hitherto they had set us at defiance in regard to compensation for our fisheries, and we had failed to obtain an excuse, valid or invalid, for the delay; and that, too, in the face of the fact that the British Government had fulfilled all its obligations, and in view of the balance remaining of the fifteen millions, it had much more than fulfilled them. He trusted that the Administration to be inaugurated on the 4th of March

would take a view more worthy of the obligations the Washington Treaty imposed on them, and that the country would no longer shrink from performing its duty in that matter. He concurred in the sentiments expressed in the Speech with regard to the mode of dealing with the Indians by paying them a fair compensation for their lands, instead of pursuing a policy of slaughter and extermination, as a just and Christian policy. Legislation respecting the regulation and formation of joint-stock companies, especially such as lend and borrow money, was desirable, as indicated in the Speech. Such corporations had been very plentiful of late years, and had striven to obtain from Parliament more favourable charters than their neighbours. Such legislation must have occupied much time, and towards the end of each session clauses were allowed to pass which otherwise would not have been approved. It was, indeed, well known that some insurance companies and money-lending corporations, in soliciting subscriptions for stock, boasted that they had got most valuable charters. Such an announcement simply meant that they had obtained power to borrow as much money as possible on little security and at a low rate of interest. All would agree that that kind of private legislation should be terminated, and a general Act passed under which no company would be granted any special privileges. In England, the Companies Act of 1862 had prevented special legislation in regard to such corporations, and been found to work admirably. If a similar Act were passed in Canada, much time of Parliament would be saved and the public interest conserved. The hon. member expressed approval of the proposed legislation with a view to protect policy holders of life insurance companies, and pointed to the distress which had been caused by the failure of a leading company in New York. He endorsed the proposal to extend the maritime laws to our great rivers and inland waters, giving special rights and remedies under Canadian laws, a change which he presumed would not be objectionable to the Imperial Government. It was proposed by

an Act of the Dominion Parliament to constitute Courts having the civil jurisdiction of Courts of Vice-Admiralty. Those Courts had jurisdiction to the extent of tide water, but they had not jurisdiction over the great inland navigation system of Canada. The Americans did not at first extend that jurisdiction over the lakes and rivers lying between their country and the Dominion, but for some years the maritime law had been extended by them to those waters. A similar law should be extended to Canadian waters. In view of the importance of the mineral resources of the country, he approved of the proposal to place the Geological Survey on a permanent footing, and attaching it to one of the branches of the Civil Service. Within its scope would be embraced botany, meteorology, and other branches of physical science. The concluding paragraph of the Speech from the Throne expressed confidence in their prudence and ability in proceeding with the work of legislation, a confidence which His Excellency would not find to have been misplaced, and it was to be hoped that the result would be, as indicated by His Excellency, the prosperity of the country and liberty of the people. They desired that this young nation should be prosperous and the people united; that there should be no sectional jealousies, and with that as the aim and object of legislation, their purpose would be attained. Viewing the subjects embraced in the Speech, the constitutional questions, the matters relating to public works and to trade, and looking at the important legislation proposed, he confidently asked the favourable consideration by the House of the resolutions which he had the honour to propose.

Mr. BECHARD: However honourable may be the task of seconding the Address in reply to His Excellency, I cannot venture to say that it is with pleasure that I accepted that honour. The feeling of my insufficiency to touch upon every point in the vast field laid open before me, produces a degree of hesitation which the kindness of the House alone can assist me in overcoming. Thus, more than any of those who have preceded me in the path in which I now venture to tread,

Mr. GUTHRIE.

I feel the need of the indulgence of the House. The duty of thanking His Excellency the Governor General for the Speech with which he every year opens the session of Parliament, is one to which the most perfect degree of courtesy is invariably brought; but that duty becomes an especially agreeable one when we are called upon to perform it with reference to the eminently distinguished man who to-day presides over the destinies of Canada. On many occasions since his arrival among us, Lord Dufferin has done the country notable service. No man appears to have taken a greater interest in its prosperity than he, and no man has spoken of its progress and natural advantages more ably than he. Especially the remembrance will not soon fail of the eloquent account which he gave of the country last year, on the occasion of his visit to England, where he became the panegyrist of Canada; he presented it before the eyes of the mother country in the most favourable light, sketching a brilliant picture of its resources, extolling the harmony of its inhabitants, and rendering a high tribute to the character of its inhabitants, their feelings of loyalty to the Crown, and their attachment to the principles of the old British Constitution. But I must here make special allusion to the journey which His Excellency undertook last summer to the most remote Province of the Dominion, the Province of British Columbia. There, again, the Governor General found an opportunity of showing his devotion to the public interests, sparing no trouble to examine into the resources of that Province, and manifesting his wish to see every difficulty smoothed away which might be of a nature to disturb, even for a time, the good understanding which ought to reign between the several Provinces which form part of the Confederation. Time would fail me, Mr. Speaker, if I ventured here to enumerate all Lord Dufferin's claims to our gratitude; I merely wish to be allowed to add that by his affection for the Canadian people, and the lively interest which day by day he takes in their prosperity, he appears to have taken as his device, the words so frequently repeated of one of the best

men who ever reigned over a people : "It is my wish that every inhabitant of my kingdom should, every Sunday, eat without stint." Long, Mr. Speaker, may it be possible for him to display in our midst the eminent qualities which make him so dear to Canadians of every origin and of every creed. It was not without a lively feeling of satisfaction that the House heard His Excellency refer in his Speech to the progress made in our various public undertakings; but an event which was received with a special feeling of enthusiasm was the opening of the Intercolonial Railway. That great Railway may now be looked upon as one of the safest, most comfortable, and most complete in all America. Every doubt of its great utility must vanish when it is considered that, in addition to the fresh facilities which it affords to trade, it will in great measure contribute to the development of one of our finest branches of industry, the fisheries, and will at the same time prove a powerful agent in promoting colonization in a portion of territory hitherto comparatively unexplored. In this connection, Sir, may I be permitted to claim a humble share in the merit of those who, as members of this House, contributed to the production of the resolution which decided the selection of that line. Begun soon after the inauguration of our federal system, which made it a political as well as a commercial necessity, the Intercolonial has finally, by its opening, affixed the last seal to the union of the Maritime Provinces with those which formerly constituted the Province of Canada. If we now turn our eyes upon our vast public works in connection with the navigation of the St. Lawrence and those which are in course of being carried out in the boundless regions of the west, we shall find that we have reason to congratulate ourselves and the country upon the rapid progress which, during some years past, has been obtained in the execution of those enormous undertakings. Already the colossal enterprise destined to connect the Atlantic with the Pacific, shows highly appreciable results, and notwithstanding the innumerable difficulties which beset

the carrying that work into effect, we may now believe that, thanks to the vigour with which the operations are directed, the line of the Pacific Railway will soon be completely located. This will be a great step towards the accomplishment of that gigantic enterprise, the management of which, as well as that of our other great public works has been hitherto, it is but fair to acknowledge, conducted by the hon. the Prime Minister with a degree of tact and prudence, combined with a spirit of economy, of which the Canadian people will not, in a fitting time, fail to show their appreciation. Connected with the construction of the Pacific Railway is another work, which in no way yields to it in importance, and that is the colonization of the North-West. For several years the Government of Canada availed themselves of different means to attract immigration towards our great western prairies. For that purpose, agencies were kept up in different parts of Europe, and various publications, intended to convey a knowledge of our territory and its natural advantages, were circulated here and there. These laudable efforts doubtless received lively encouragement from the marked results which followed them. I may, however, be allowed to express the view that in my humble opinion the most powerful means which would efficiently contribute to the colonization of the North-West is the construction of the Pacific Railway. I have always considered railways as the most powerful colonizing agents. But here I hasten to request hon. members, especially those who sit on the left of this House, not to be led to infer from that, that, with a view of greater impulse to the construction of that immense railway, I should be disposed to favour an increase of the burdens and of the sacrifices which are now laid upon us. The Pacific Railway is a majestic work which must be carried to a successful termination, without doubt, but in time. To be brought to that successful termination it must, like all our great public undertakings, make gradual progress without haste, without irregularity, and, above all, according to the measure of our resources. If, in contradistinction to the

wise temporizing of the Prime Minister, we should be induced by false appearances, or by vanity, to allow ourselves to be drawn into excessive efforts which would paralyze our powers by exhausting them, we should, perhaps, expose ourselves to share the unlucky fate of the Titan who found himself, as a punishment for having attempted to scale Olympus, condemned to pass the rest of his days in absolute immobility. However the case may be, the Government has lately given fresh proofs of its regard for the cause of colonization, and the friends of that work have seen with pleasure, without doubt, that, under treaties recently entered into with the various Indian tribes, vast additions of territory are assured for the future in that immense region which is one day destined to become the granary of Canada, it may even be of Europe. The philanthropic, and above all, Christian policy, proclaimed by His Excellency with reference to our Indian tribes has, I am satisfied, been received with warm approbation by all true friends of humanity, and indeed that policy is but a faithful continuation of the traditional liberality of England in her treaties with those children of nature, the hardships undergone by whom in a neighbouring country have excited pity in every Christian heart. In his Speech, His Excellency draws the attention of this House, in a very marked manner, to the part which Canada has taken at the great Exhibition at Philadelphia, and speaks in flattering terms of the success which we gained there. As it is well known, the American Republic celebrated, last summer, by an exhibition of objects of art and products of every kind, the hundredth anniversary of her independence, of the day ever memorable in history, when she took her position among the nations of the earth. All peoples had been invited to this grand international tourney, in which the combatants no longer presented themselves, as in old time, lance in rest and foot in stirrup; but under the varied forms of the rich productions of the agricultural and manufacturing industries, in which were numberless marvels, ravished by genius from the secrets of science. It was the

Mr. BECHARD.

great strife of the peaceful arts, which seemed to have gathered themselves together in that vast enclosed field, in order to measure their strength there, in pacific contests, whence should result for the nations a new feeling of emulation in the direction of advancement, of reciprocal admiration, and fraternity towards one another. This youthful Canada of ours also entered the lists, and we may say at once that she left them covered with laurels. Her triumph has been so great that it has been resolved to celebrate it in a solemn manner by a festival which is being arranged with this object, and of which the inhabitants of this capital will in a few days be the happy witnesses. This distinguished success certainly confers the highest honour upon the Government as well as upon the representatives of Canada at Philadelphia, who one and all, neglected nothing which could contribute to render it as striking as possible. But as you see, Mr. Speaker, the high reputation which we acquired at Philadelphia already produces appreciable results. Already, far-distant nations seek to open commercial intercourse with us, and the House has, without doubt, learnt with satisfaction, from the lips of His Excellency, that in order to meet overtures which had been made to him in that respect, the Government has complied with the invitation to have Canada represented at an Exhibition which would be held very shortly in Australia. To extend the circle of our commerce to the very ends of the earth, to convey the products of our various industries to the most distant markets, even to the antipodes, would this not be in reality, Mr. Speaker, for our country, as yet so young, a success worthy of the admiration of all, and it is impossible to find one better adapted to encourage amongst us the development of new sources of production. Moreover, that which the country will learn with special interest, and will regard perhaps with reason, as one of the results obtained by our display on the grand theatre of Philadelphia is the fact that on the occasion of the renewal of the treaty concerning the extradition of fugitive criminals, negotiations have been opened, and are now progressing, with the object of

giving to the commercial relations between the United States and Canada a more intimate nature and a more liberal basis. We in Canada have not forgotten the admirable results of the commercial policy, initiated by the treaty negotiated in 1854, under the auspices of Lord Elgin, of illustrious memory. This is why, notwithstanding the abrogation ultimately of the treaty by the Government at Washington, that of Canada believed that it served the true interests of the country by remaining faithful to this liberal policy. If, under the exceptional circumstances in which it found itself placed at the close of a terrible civil war, the American Government thought proper to raise, in a somewhat exorbitant proportion, the duties on its imports, on the entry into its ports of foreign products, the disastrous commercial and industrial prostration which has been the fatal consequence, by creating disorder in the fortunes of men, seems also to have deeply moved their minds, and seems likely to be followed by a powerful reaction on a large scale towards its marvellous prosperity. Whatever may happen, the negotiations which are in progress, when more cordial relations between the two countries are considered, will not fail to give an opportunity for the final settlement of the fisheries question, resulting from the Treaty of Washington. This year, again, His Excellency expresses to us his regret at not having to announce to us any advance towards the solution of this question. But the House knows already that these delays are not to be attributed to the Government of Canada, but attach rather to that of the United States. It is to be regretted, doubtless, that the great Republic should have shown, up to the present, so much indifference as to what affects the settlement of this important question. But let us abstain from all recrimination, when we are, perhaps, on the point of obtaining full satisfaction, thanks to the negotiations commenced, and which are so well calculated to cement the friendly relations which ought to exist between two neighbouring countries for the common happiness of their people. His Excellency is pleased to

conclude by expressing his confidence in the prudence of the House, in its devotion to the prosperity of the country and in the unity of the people. This House could not in a better way make an echo to the homage rendered to the country, in the persons of its representatives, than by declaring to His Excellency, that, under his happy auspices, and with the skilful assistance of those who have the honour to be his advisers, it would be difficult for this House not to coöperate in the prosperity of our young country, and in promoting the harmony of the various elements which are destined to make us a mighty people. Nothing further remains for me, Mr. Speaker, but to thank the House for its kind attention, and to second the motion of the hon. member for South Wellington.

Sir JOHN A. MACDONALD said it was not intended, so far as he knew, to move any amendment to the Address from that side of the House, provided a change which he would presently suggest was made by his hon. friend at the head of the Government in a clause which contained something, that, if adopted, might be deemed obligatory on the House as a matter of policy. He referred to the paragraph relative to the completion of the work on the St. Lawrence canals. The hon. member for South Wellington, whom he (Sir John A. Macdonald) was glad to see in this House, though he would prefer to see him on the Opposition side of it, had appealed to the House for the usual consideration which was given to young members. Of course, under any circumstances, he would have received that consideration; but there was really no occasion to bespeak the forbearance of the House. He congratulated the House, and especially the hon. gentleman's party, on such an accession to their number. His hon. friend had undertaken to show to this House, and through this House to the country, the great importance of the Speech which they had heard from the Throne, and in so doing had been well seconded by the practised eloquence of his hon. friend, the seconder of the Address. But great artists as the gentlemen had both shown themselves to be, they had not quite been able to conceal the

meagreness of the bill of fare which had been placed before the House. However, as they were approaching the season of Lent, they might expect to have Lenten fare, and they had got it. To be sure, the Address was of the usual length, perhaps it exceeded the usual longitude. It might be said by some arithmetical critics, that like a line, it was length without breadth. However, they must not look a gift horse in the mouth, but must be thankful for small mercies. The legislation to be proposed to them, unless there was something concealed in the "etcetera," which they did not know anything about, was not great in amount, though some of the measures, he would agree, would be of considerable importance if they were carefully drawn; and he had no doubt that they would receive the careful consideration of hon. gentlemen opposite. The bill for enlarging the scope of and amending the Joint Stock Companies' Act would have to be very carefully prepared, or it might be very mischievous in its influence. If it were made too liberal in its provisions, it might increase and perpetuate the evils from which we are now suffering in consequence of the "valuable charters" to which the mover of the Address had alluded, as having been embodied, in some way in private Acts; and if it were too restricted, the Government would be continually troubled with applications for special Acts to get rid of obnoxious clauses in the general Act. They could not hope to be able by any general Act, however well and carefully prepared it might be, to get entirely rid of annual applications for special Acts with enlarged powers. However, the attempt was praiseworthy, and he hoped it would be successful. The matter was one of such great importance that he had no doubt every hon. member in this House, on both sides of it, would agree to direct his attention to the perfection of a measure of this kind. So also with respect to the Act to afford additional security to policy-holders of life insurance companies. That question was discussed here before, and he had no doubt it would engage the best attention of the House. He hoped that confidence would be restored in this country to

the minds of those who chose to avail themselves of this means of providing for their families and children. A measure for the purpose of extending to the navigation of the great inland waters, rights and remedies at present confined to waters within the jurisdiction of the Courts of Vice-Admiralty, would certainly be an important one, and he had no doubt his hon. friend the Minister of Justice had found a great many difficulties in its preparation. There were constitutional questions connected with that matter which he (Sir John A. Macdonald) had no doubt would be discussed by their friend the Minister of the Interior, unless his elevation to office had caused him to withdraw his attention from constitutional work in order that he might devote it to the more important work of looking after the affairs of his department. He (Sir John A. Macdonald) was not sure that a measure of this kind was required, or that one could be framed which would give that satisfaction which was anticipated. He was afraid it would be found that, guarded though the measure might be, the obstruction to trade in our inland waters that would be caused by the operation of such a measure, would more than counterbalance the security which might be given by it to persons having claims against vessels sailing on these waters. One could not say what was involved in the promise of a measure to amend and consolidate the laws relating to the customs. He presumed from the general way in which it was inserted in the Speech, that it was not at all a measure connected with the tariff arrangement, but that it was simply a consolidated Act, and one to amend those clauses which experience in the Department had shewn were in need of amendment. And so, he presumed, with regard to the Excise law. The measure promised for placing the geological survey on a permanent basis would be useful. The mover of the Address had spoken as if he was a little behind the scenes in regard to this measure, for he told them that it was to be very extended in its operations, that it was not to be confined to the geological survey, but that other branches of physical science were to be placed in the same Department, such

as botany and cognate subjects. These were the measures that were promised, and the House would, of course, give them due consideration. They were not of a nature to occupy the House long, and therefore they would have the greater opportunity to consider questions, which, under the present system, were really of as much importance as matters affected by the promised legislation. Both here and in England the tendency had been to confide to the Ministry of the day all important legislation, and it had been found almost impossible for a private member, no matter what his ability might be, or what might be his zeal or industry, to carry any great measure affecting the general interests of the country. That duty had been, both in England and in this country, thrown upon the Government, so that it was said in England that the duty of an Opposition was confined principally to conducting a critical examination into the administration of the affairs of the country. It had been said by a great Liberal of that country that this was the most important duty thrown upon the members of Parliament under the present system. England had had centuries of legislation, and there was now a large body of laws in force under which the country, without any amendment being made to them for a series of years, could continue to flourish. So in this country: we had received from England and from France the advantage of all the legislation of both those great countries, and the affairs of Canada could be carried on and the material progress of the country not be impeded if we had no new legislation for several years, such had been the advantage we had gained from a long series of laws well considered and successfully operated. But in the consideration of public affairs, questions continually arose, whether the Government had been wise or unwise, prudent or imprudent, whether they had conducted the affairs of the country correctly or incorrectly in matters in regard to which an educated country kept a steady eye upon the action of its representatives in Parliament, and in regard to which it was the duty of the Opposition—a duty which the Opposition in this House

would perform without factiousness but with firmness—to criticise the conduct the Administration of the day, and see that what it did was for the best interests of the country. He agreed with his hon. friend the mover of the resolutions that this House had learned with pleasure that His Excellency had had much satisfaction in becoming acquainted with the people in British Columbia, and with the climate and resources of the Province. The eulogium passed by his hon. friend upon His Excellency was an expression of the general feeling of the country towards that illustrious individual. They knew the people enjoyed the full advantages conferred by the Constitution, under which they happily lived under His Excellency's guidance; and they felt with regret that Lord Dufferin's sway could not last always. They would be happy to see His Excellency here for many years, and they would regret the time when he would be removed, as a matter of course, to other scenes of usefulness; but when His Excellency did leave this country the information which he obtained not only in British Columbia, but in other parts of Canada, would be of great advantage to the whole Dominion. He believed that the interest of His Excellency in this country would not cease with the government of it. The Speech promised that further correspondence would be laid before the House on the subject at issue between His Excellency's Government and British Columbia. He did not know whether that correspondence would include any communication that His Excellency had been advised by his responsible Ministers to make on political subjects while in that Province. Rumour had it that certain communications had been made from that country, and it was to be presumed they would be laid before Parliament in the usual way and at the usual time. He would say, however, that while the information which His Excellency had acquired would be of use to us hereafter in England, it would, perhaps, have been of more immediate use had it been acquired by the visit of some of his hon. friends opposite at the same or some other time. He believed that some of his hon. friends, exhausted by

the labours of their different Departments, had been obliged to take a holiday during the summer. Now, if they had combined business with pleasure, and gone to British Columbia, the experience they would have been able to gain would, he thought, have been of great use to the country. It was a matter of satisfaction to the House to know, from the Speech, that the surveys of the Pacific Railway had been prosecuted with vigour; but he must say that it would have been but graceful for hon. gentlemen opposite to have expressed regret, if they did feel regret, that it was impossible to proceed with the work immediately. He believed that paragraph in the Speech would cause great disappointment in British Columbia, and in the western country generally, both east and west of the Rocky Mountains, and yet no expression of regret found place either in the Speech or in the response. Of course it was of great importance that the Extradition Treaty between this country and the United States should be re-established. It was unfortunate that it was suspended, and it was now gratifying, for very obvious reasons, that the obstructions in the working of it had been removed, and that friendly relations with regard to it between Canada and the United States were resumed. He hoped the Minister of Justice had taken great care with regard to the provisions which should be introduced into the proposed extension of the Treaty. He (Sir John Macdonald) was afraid that he could not go so far as his hon. friend, the mover of the resolution, in hoping that the Treaty would be extended so as to include smaller offences than under its existing provisions. He was afraid that such an extension would be attended by very many dangers, and it would deprive of liberty many of our fellow subjects, or at all events those whose extradition might be demanded for comparatively light offences. Undoubtedly, provision should be made in such a measure that the tribunal before which any extradited person should be sent, should be one of such a status as to prevent the possibility of an injustice being done him. No person in such circumstances should be tried before an insignificant

court in a foreign country. They were told that the attention of His Excellency's Government had been directed to some of the anomalies in the Royal Commission and the Royal instructions to the Governor General, particularly with regard to the exercise of the Royal prerogative. Some anomalies certainly did exist, but he doubted whether there was any particular necessity for dealing with that subject now any more than at any former period. These instructions had lasted for very many years, and on a very recent occasion they were utterly disregarded and set aside, and they could be set aside again. His hon. friend who moved the resolution had alluded to some of the anomalies which were to be cured by the negotiations referred to in this paragraph. What these were, they would not learn until the bill was submitted to the House. While the people of the Great West would be seriously disappointed at the information that the Pacific Railway was not to be prosecuted immediately, he thought other parts of the country would learn with equal regret and equal disappointment, that the completion of the canal system was to be postponed; and he hoped and believed that before the session closed sufficient arguments would be used to hon. gentlemen opposite to induce them to reconsider the position they had apparently taken with respect to these great works. It was in reference to that clause that he had called the attention of the Premier to the desirability of an alteration being made so as to prevent the necessity of the Opposition moving an amendment to it. The latter portion of that paragraph stated "that though expectations are entertained that the outlay may ultimately be repaid to the country, it may be advisable not to press all the works contemplated in the earlier years of Confederation to completion at present." Now, a good many hon. members felt that if it were at all possible, though there had been a considerable outlay, and though there would have to be a considerable additional outlay, yet these works should be now pressed to completion. The depression which existed in the country, which was noticed by his hon. friend the mover of the resolution, which

could not be denied, which was obvious to everybody, and which he (Sir John A. Macdonald) was afraid there was no immediate hope of dispelling, had caused a great want of employment among our people; and if ever there were a time when not only these works but also the Pacific Railway and other large public works should be pressed forward as fast as possible, now was the time. Our towns were filled with people craving for employment, asking leave to toil, willing to labour, and now, when the families of these people were starving, the works should be pressed to completion. Another reason why this should be done was, that in consequence of the want of employment, and in consequence of the fall in prices, these works could be constructed infinitely cheaper now than years hereafter, when the prosperity, which his hon. friend prophesied would arrive, was on us, and we were enjoying the advantages of it. With returning prosperity, the price of labour and of materials would rise, and if he (Sir John A. Macdonald) were going to move an amendment to the resolution, which he hoped not to be obliged to do, he should move that they hoped, notwithstanding the depression which now existed, and notwithstanding the outlay which had already been made on these works, the Government would be able to complete them at an early date. He had hoped that with the credit Canada possessed, and enjoying as we did the advantages of the able financing of the Minister of Finance, that gentleman would have been able to contrive some means whereby, without unduly burdening the revenue of the country, the Government could complete these works. It was worth while for the Government to strain every nerve to assist the country in this way out of its present depressed state, and he would deeply regret—and he had no doubt the House and the country would also regret—if the condition of the revenue would not admit of the expenditure. The House was glad to know that the traffic on the Intercolonial had been so considerable. The Opposition was sure that the fact that the road had been so successful must give the greatest satisfaction to the Premier, because of the vindication it afforded of the prophecy and defence

of the route he made in 1865. It must be a great gratification to the Premier, as it was to him (Sir John A. Macdonald) that the expectations both of them had formed in that respect had been more than fulfilled. Every Canadian and lover of his country must have felt gratified at the success of Canada at the Philadelphia Exhibition, as it had shown not only to the rest of the world but to Canadians, what the Dominion could do in arts and manufactures. At the same time it was true that the advantage Canada had gained, so far as the United States market was concerned, was very little. Mr. Bright had said, two years before, that it was not much use sending manufactures to an exhibition in a country which practically excluded all foreign manufactures from its markets. It had proved that the Dominion gained little, if anything, by exhibiting, so far as American trade was concerned; and, indeed, if our display had had one effect on the Americans more than another, it was that of making the manufacturers resist more than ever before any alteration in the tariff of their country. But while the advantage in the United States market had not been great, the advantage of exhibiting our goods at the place to which people from all parts of the world resorted, had been marvellous, and he joined with the hon. member for South Wellington in congratulating the country and the House and our manufacturers on opening new fields in other parts of the world than the continent of North America. He would in that connection make a single remark about the compliment that was paid to the energies and wisdom of the Commissioners in charge of the arrangements. There were various opinions held with reference to them. It was believed that some were good and some were not so good, and it might be said that if the exhibition, so far as Canada was concerned, had been a success, it had been a success notwithstanding the obstructions placed in the way of the exhibitors by some or one of the Commissioners. With reference to the paragraph relating to the exhibition at Sydney, it might be considered by some a verbal criticism to say that the paragraph was rather too much in the

Queen Elizabethan style, stating as it did that the Government had made the arrangements and the House would pay the bill. The paragraph might have stated that the consent of the House to the arrangements as well as to the provision for the arrangements would be asked. He was certainly glad to find that, notwithstanding the loss of revenue consequent on the diminution of our importations, the reductions effected during the current year had gone far to restore the equilibrium between income and expenditure. The question as to how far it had gone to restore an equilibrium, the House would learn by and bye, and whether it had restored the equilibrium, or whether there was a deficit. If the latter, they would bear the announcement with all the resignation possible. The House was glad that considerable reductions had been effected during the year; but in what direction these reductions had been made, of course hon. members did not know. Perhaps they had been effected by the dismissal of some of the numerous clerks, messengers, and servants of the Government of whom the hon. Premier had complained so loudly, so strenuously, and so eloquently as having blocked up all the avenues to the public offices. But if it had been in this direction that the reduction had been made, perhaps it would be found that the officers who had been left have had additions to their salaries by way of bonus or otherwise in order to spur them to accomplish the extra work imposed upon them. Everybody must agree with the regret expressed by His Excellency that he was unable to announce any progress in obtaining a settlement of the Fishery claims under the Washington Treaty. He (Sir John A. Macdonald) was glad to learn that the Government had been making, and would continue to make, efforts in that direction. The Speech did not mention the nature of these efforts, but no doubt in due course they would be made known. He hoped, with the hon. gentleman who had moved the resolution, that if the Government of the United States as it now exists, did not, during the short period which remains for its

Sir JOHN A. MACDONALD.

existence, remove the stigma it had cast upon the good faith of the American people by positively refusing to carry out the provisions of the Treaty, the incoming Government would be more sensible of the good reputation of the United States and their duty towards Canada. He was glad to see that in drafting the answer to the paragraph with regard to the Treaty with the Indians, the House was called upon to confirm the policy of the concessions made to the Indians. Of course everybody agreed that His Excellency in conforming to the judicious and humane course which the British Government adopted and which the Canadian Government had followed, was adopting the proper course, and hon. gentlemen could depend on it that on the Opposition side of the House cordial support would be given to every measure which was calculated to grant to the Indians their rights. The only question which could arise on the matter was whether the concessions had been politic and just, for no matter what length they went so long as they did not exceed the bounds of justice, both sides of the House would agree to them. He hoped the Premier in the course of his reply would favour the House with some explanations with respect to the Ministerial changes that had taken place since last session. The *personnel* of his hon. friends opposite was very frequently changed. Some old faces were among them this session, but others had gone. Evidently the hon. gentlemen of the Ministry could not help feeling that they had not an abiding city there. They disappeared one by one. Some went to the west and some to the east, and they reminded him strongly of the expression of Burke, "When I consider these changes, I can only think what shadows we are and what shadows we pursue." They still saw the faces of the Premier and the Minister of Justice, who, probably, would get on very well together during the present session. No doubt they would give every consideration to any criticisms offered by the Opposition, and if they adopted that course he promised that, while their administration of public affairs would receive full and ample criticism, they would not meet with any factious obstruction

at the hands of Her Majesty's Opposition.

Mr. MACKENZIE said it would be observed from the construction of the Address that it was not intended to commit any member to the maintenance or defence of any position taken by the Government. He would propose a slight change in the paragraph regarding canal works, referred to by the leader of the Opposition. The complaint of Lenten fare made by that right hon. gentleman was not a new one. It had been made on several occasions when that hon. gentleman was leader of the Government. It was repeated last session; but there was this much to be said in favour of the present Administration, that when they promised a dish it was presented, and not withdrawn until disposed of. On the other hand, the right hon. gentleman on several occasions presented a bill of fare, not a single prominent dish of which ever reached its intended destination. Some of his dishes were presented in so revolting a shape that the Opposition were compelled to improve them, and then the right hon. gentleman swallowed them himself.

Mr. BOWELL: Was that the reason why the Insurance Bill was withdrawn last session?

Mr. MACKENZIE said it was withdrawn out of deference to the representations of almost the entire body of representatives of English companies. He concurred with the remarks of the hon. member for Kingston that the duty of the Opposition was to criticise the administrative as well as the legislative acts of the Government, and the right hon. gentleman and his friends had hitherto performed that portion of their duty, whatever they might have done in other directions. The Speech from the Throne contained several points which the Government were not bound to refer to, but they desired to be perfectly frank, and to communicate various matters in such a manner as to convey more or less the intentions and views of the Administration. With regard to Indian treaties, the right hon. member for Kingston complained last year that reference was not made in the Speech from the Throne of Treaty No. 4 having been made with the In-

dians, and further that the treaty was not made subject to the ratification of Parliament. He (Mr. Mackenzie) took the ground at the time that in treating with Indians it must be remembered that they are a peculiarly sensitive people, and never forget any part of an obligation undertaken by the Government. It could not be expected of those nomadic tribes to agree to have a treaty made with them subject to the ratification of Parliament. The Government had therefore proceeded in the usual way, and he might urge as a further justification that they had pursued the same course as was pursued by the leader of the Opposition when in office, and he hoped the right hon. gentleman would not go back on himself.

Sir JOHN A. MACDONALD: I raised no objection.

Mr. MACKENZIE said the right hon. gentleman did not raise the objection to-day, but last session. Mention was accordingly made in the Speech that a new treaty had been made, that His Excellency had been advised to ratify it, and that the treaty would be laid on the table as soon as possible. It was very difficult to communicate regularly and rapidly with Commissioners who were in treaty with Indians several hundreds of miles west of the present line of settlement in regard to matters which might arise in the course of the negotiations, and, therefore, the Commissioners must be treated with a good deal of consideration. The right hon. leader of the Opposition knew who the Commissioners were, and had ample confidence in the wisdom and discretion of one of them. Some provisions were inserted in the new treaty which were not contained in former treaties, and the allusion was specific to that point; but considering all the circumstances, the Government did not feel that it would be wise or expedient, perhaps not just, to interfere with the ratification of the treaty as made by the Commissioners appointed by the Government. With regard to the Extradition Treaty, which was a subject chiefly in the hands of legal gentlemen, he would not say more than to entirely dispute the position taken by the leader of the Opposition, that it was necessary for the Government to

exercise any discretion in judging of the kind of tribunals which were to try criminals extradited in other countries. That would be assuming a position beyond our just rights, and one which should not be asserted by any Government. With regard to the suggestion that any communication made by Lord Dufferin to the Imperial Government upon the advice of his advisers, when in British Columbia, should be laid before the House, the right hon. member for Kingston might rest assured that his present advisers had given His Excellency no advice which they were afraid to communicate to the House, and further, that His Excellency knew what was due to the constitutional position which he occupied. As to the right hon. gentleman's remarks about public works he (Mr. Mackenzie) suggested last session the possibility of temporarily avoiding the construction of certain parts of the general canal system, and yet not interfere materially, if at all, with the stream of travel which the Welland Canal, when completed, might be expected to carry to the ocean ports. It would be for the Government to consider what portion of the work could be temporarily delayed in order to ease the pressure upon the public treasury, while fulfilling all the conditions of the scheme proposed by the hon. member for Kingston and his Administration. The Government had been fully alive to the advisability of doing all the work it was possible to undertake at such a time as the present and during the past two years, and it must be admitted that it was impossible to proceed more rapidly than the Government had done in the prosecution of the two main branches of the public works referred to. The Lachine Canal was entirely under contract, and the Welland Canal was all but entirely under contract, and was proceeding more rapidly than was anticipated, from the fact that contractors were able to procure labour cheaper than two or three years ago. The fullest information respecting the canal works would be given to the House at a future period. He proposed to alter the clause of the resolution regarding canal works from "We feel with His Excellency that it may be considered

advisable not to press<sup>s</sup> all the works contemplated in the earlier years of Confederation to completion at present," to "We will give our best attention to the suggestions of His Excellency, &c."

Sir JOHN A. MACDONALD: That will meet the point.

Mr. MACKENZIE said the right hon. leader of the Opposition had remarked that the Government had first acted in regard to the Sydney Exhibition, and afterwards asked the House to make provision. That was quite true. And it was also true that his (Mr. Mackenzie's) desire in that and other matters was to obtain the sanction of Parliament to any undertaking before it was entered upon, whenever it was possible. But the right hon. gentleman would readily understand that if Canada were to be represented at Sydney Exhibition, it was necessary to take action before the meeting of Parliament. The Government did not expect the expenditure to be very large, and he believed from the expressions of public opinion which had reached them from all parts of the Dominion that the course of the Government would be approved by the House. He regretted the opinion expressed by the right hon. member for Kingston that the success of Canada at the Philadelphia Exhibition 'was in spite of rather than in consequence of our Commissioners. It was impossible to please everybody, and to avoid difficulties arising with exhibitors who had complaints to make; but those who had given some attention to the matter knew well the devotion manifested and the amount of labour performed by two of these gentlemen, and the patience, perseverance and wisdom of Senator Perry could not well be excelled. He (Mr. Mackenzie) mentioned the name of Senator Penny specially, he being a member of the other branch of the Legislature, and a gentleman who cheerfully gave his time to the accomplishment of that national object. He could not concur in the opinion expressed by the leader of the Opposition, that it was little use sending Canadian goods to the Centennial, so far as regards American trade, the United States tariff excluding the greater portion of Do-

minion products. There had been an impression prevailing throughout the United States, and to a certain extent in Canada, that the Dominion manufactures were more or less inferior in point of construction to those of the neighbouring Republic. The Exhibition had proved, at all events, to Canadians and citizens of the United States, that our farmers and manufacturers were quite able to compete with their American rivals, and it was important to have been able to disabuse the public minds on both sides of the line, particularly on the southern side, of that impression. Canada had vindicated her claim not only to equality, but to superiority in a very large number of the products exhibited, and most cordial representations in that direction had been made to him by gentlemen occupying high positions in the United States department. Explanations in regard to Ministerial changes he would make to the House on Monday. As to Ministerial changes, he was afraid the stability of the late Administration was not attained, if it was sustained by having the same gentlemen constantly in office. The right hon. leader of the Opposition seemed to complain that members of the present Government had gone east, west, and perhaps, as Byron said of the hon. gentleman's countrymen, everywhere but north, and the hon. gentleman spoke as if it were a crime to depart for other scenes of labour. The right hon. gentleman and his organ appeared to take the ground that the Administration was bound to make all appointments from the ranks of its opponents. A long list was made up of the number of persons appointed and the salaries received yearly by members of the Administration, as if such was morally or legally wrong. No member of the Opposition when he (Mr. Mackenzie) was on that side of the House took that ground. The right hon. gentleman has said that a good deal of the economy alluded to in the speech had been achieved through the dismissal of clerks and messengers who thronged the public departments when he left office. They did dismiss a large number of such officials, who had been appointed by the right hon. gentleman shortly before resigning office. The

right hon. gentleman appeared to think that a great many of those left in their appointments should have been dismissed. He (Mr. Mackenzie) believed that when an officer was appointed, nothing should cause his dismissal except misconduct, and if the Government had not carried out the right hon. gentleman's idea of what they ought to have done, it was because they had a more tender feeling than the right hon. gentleman for officials. Nevertheless, if the right hon. member for Kingston had made his suggestion two or three sessions ago, perhaps in respect to the distinguished position he held in the House and the country, the Government might have considered how far they could comply with his wish. He had no objection to the right hon. gentleman's criticisms, and joined with him very cordially in complimenting his hon. friend the member for South Wellington on the admirable speech he delivered in moving the address. His hon. friend the member for Iberville had long been known as a public man; his ability and power of speech were well known and needed no compliment. He quite agreed with his right hon. friend that the seconder of the Address discharged his duty with very great ability. He trusted, in the words of the closing paragraph of His Excellency's speech, that their labours would be conducive to the prosperity of the country and the unity of the people, and he promised, on the part of the Government, every consideration to those who were in a minority in the House, and that they would endeavour to do all that could fairly be asked of them in matters relating to public affairs; and he invited any criticisms that hon. gentlemen opposite might choose to offer, especially that their criticisms made out of doors with such freedom might be repeated by those hon. members from their places in the House.

Mr. DECOSMOS said he desired, before the resolution was passed, to allude to one or two points contained in the Speech from the Throne. The mover and seconder of the Address, in referring to Canada's exhibit at the Philadelphia Exhibition, might have spoken of it as the exhibit made by Canada and British Columbia, because already British Columbia had been treated in

such a way as to warrant that distinction.

An HON. MEMBER—The Province has not yet seceded.

Mr. DeCosmos said the days or weeks were few before the Legislature of the Province would ask the Imperial Parliament, which united British Columbia with Canada, to use its power to release the Province from the Dominion, unless the Government was prepared to do the work that the people of Canada had promised to perform. When they remembered that the Province entered the Dominion in 1872; that before the declaration of Union the Government of the day sent surveyors into the Province to commence surveys for works connected with carrying out the terms of Union; that in the summer of 1873 a certain line was declared to be the line of the Pacific Railway; that in the autumn of that year the present Administration came into power; that the Government, though there had been ample time, had not commenced to build the railway; that the Government went on their knees to the Province and asked for new terms; that when the ambassador's proposal was refused, the Government agreed with Lord Carnarvon to commence the building of the railway; that the Government had not done anything to carry out that agreement; that a noble person was sent to British Columbia, as the *London Standard* had said, "to offer that Province fifty cents on the dollar;" it was evident the Government had not acted in a straightforward manner. He was prepared to prove before a Committee of the House that the statement in the Speech regarding the Pacific Railway was shown to be false by the words of the Chief Engineer, who had traversed the Province. He (Mr. DeCosmos) would not probably have interrupted the usual and ordinary proceedings which obtain when the reply to the Speech from the Throne is under discussion, but that he well remembered reading in a despatch sent by the Premier and his colleagues to England, that the members for British Columbia never objected to the insertion of the taxation resolution in the bill of 1874.

Mr. DeCosmos.

He now took occasion to denounce such conduct, so that the Government should no longer be able to send despatches to England, stating that the members for British Columbia had remained silent and heard such a statement made in the reply to the Speech, without saying a word. The true route for the Pacific Railway had been already settled. The statement contained in the Speech from the Throne was: "That it has not been found possible as yet, to complete the location of the line, and that His Excellency has consequently been obliged to postpone the inviting of tenders for its construction on the terms indicated by the Act of 1874." He found, however, in the report of Railway Surveys in the western or mountainous region, by Mr. Marcus Smith, the following statement:—

"All the surveys projected for the season have been completed, and the following are the results:—

"1. A complete trial location line from the Provincial boundary, at the summit of Yellow Head Pass in the Rocky Mountains, to Waddington Harbour, at the head of Bute Inlet, a distance of 546 miles."

That extract contained a direct contradiction of the statement embodied in the Speech from the Throne. There was a line proposed by hon. gentlemen of the Opposition when in power, and there was a line proposed by the Premier when he sent Mr. Edgar to British Columbia, and when in 1874 he was prepared to go to work and build the road, expending one million and a half annually on the main line. Yet, though three years have elapsed, a statement appeared in the Speech from the Throne, that it had not been found possible to complete the location of the line. The hon. leader of the Government found it, however, quite an easy and convenient matter to build the portion of the Pacific Railway from Thunder Bay to Winnipeg. In proceeding with the construction of the road in British Columbia, the Government should first find its ocean port and terminus, and from that point carry its surveys eastward. It was well known from the Admiralty and Merchant Marine authorities that we have no port on the Pacific, excepting Esquimaux, capable of competing with San Francisco. The only other

good port was Alberni. The Government, therefore, should have commenced at Esquimault, whatever might be the course followed on the mainland. The natural route was by way of Bute Inlet to Vancouver Island. The idea that Vancouver Island was an ordinary island was a mistake; no island of equal size was so near the mainland of a continent, the distance at one point not exceeding that from Quebec to Levis. He desired to enter his protest against the action of the Government on the Pacific Railway question. If the Government were able, when Mr. Edgar visited British Columbia, to declare, that, if certain concessions were made, they would commence the railway at once on Vancouver Island, they could do the same work now; but the Speech from the Throne announced that there was no line located on which to commence construction. All the Government had to do was to commence work on the railway from Esquimault and afterwards find their line on the mainland. The statement in the Speech that a Bill would be submitted "for amending and consolidating the laws relating to Customs" might mean either Protection or Free Trade. He sincerely hoped hon. members would receive additional light on the subject at an early day.

Mr. THOMPSON (Cariboo) said the remarks in the Speech from the Throne with regard to the Pacific Railway, taken in connection with the statements made in the House in previous sessions by the Premier, as to the condition of the surveys, amounted to a direct abrogation of the terms of Union between Canada and British Columbia. Two years ago the Premier stated that only a small portion of the line remained to be located. Last year it was announced that the line was located except at two points, and now it was stated that the Government had not been able to complete the surveys. The opinion held in British Columbia was that the Government intended to continue the policy of delay from year to year, and that the railway across the mountains—the railway for which British Columbia entered the Dominion—would not be built. He entered his protest against the gross violation of the terms

of Union which had been brought before the House to-day.

The first and subsequent paragraphs of the proposed Address, being read the second time, were severally agreed to.

On motion of Mr. MACKENZIE, the said Resolution was referred to a Select Committee, composed of Messrs. Mackenzie, Blake, Smith (Westmoreland), Cauchon, Vail, Guthrie and Béchard.

Mr. MACKENZIE, from the said Committee, reported the draft of an Address, and the same being read the second time, was agreed to, and is as follows:—

"To His Excellency the Right Honourable Sir Frederick Temple, Earl of Dufferin, Viscount and Baron Clandeboye of Clandeboye, in the County Down, in the Peerage of the United Kingdom, Baron Dufferin and Clandeboye, of Ballyleidy and Killeleagh, in the County Down, in the Peerage of Ireland, and a Baronet, Knight of the Most Illustrious Order of Saint Patrick, Knight Grand Cross of the Most Distinguished Order of Saint Michael and Saint George, and Knight Commander of the Most Honourable Order of the Bath, Governor General of Canada, and Vice-Admiral of the same, etc., etc., etc.

"MAY IT PLEASE YOUR EXCELLENCY :

"We, Her Majesty's dutiful and loyal subjects, the Commons of Canada, in Parliament assembled, humbly thank Your Excellency for your gracious Speech at the opening of the present Session.

"We are grateful to Your Excellency for having again summoned us to meet for the despatch of business, at the time which is best suited to the convenience of members.

"We have learned with pleasure that during the recess, Your Excellency visited the province of British Columbia, and had much satisfaction in becoming acquainted with the people of that interesting part of the Dominion, and with the climate and resources of their Province

"We thank Your Excellency for the information that the surveys of the Pacific Railway have been prosecuted with the

utmost vigour and at a larger cost during the past than in any previous year, and that it has not been found possible, as yet, to complete the location of the line, and that Your Excellency has consequently been obliged to postpone the inviting of tenders for its construction on the terms indicated by the Act of 1874, and that a further correspondence on the subjects at issue between Your Excellency's Government and British Columbia will be laid before us.

"We are glad to learn that during the recent suspension of the Extradition arrangements with the United States, Your Excellency took care that the importance to Canada of a speedy resumption of these arrangements should be represented to Her Majesty's Government, whose attention has been further invited to the expediency of largely extending the provisions of the existing Treaty; and to be informed that while the operation of the Treaty has been resumed, negotiations are in progress for a convention, more liberal and better suited to the circumstances of the two countries.

"We receive with satisfaction the intelligence that the attention of Your Excellency's Government having been directed to some anomalies in the Royal Commission and Royal Instructions to the Governor General, particularly with regard to the exercise of the Prerogative of Pardon, steps have been taken towards the amendment of these instruments, and that papers on this subject, as well as on that of the Extradition question, will be laid before us.

"We receive with pleasure Your Excellency's assurance, that the great public works connected with the St. Lawrence navigation, and the Canals required to complete the system, have been prosecuted with success during the past year; and that nearly all the works on the Welland and Lachine Canals have been placed under contract on terms favourable to the country. We recognize the fact that the active prosecution of these works during the last three years has necessarily increased the public debt; and we will give our best consideration to the suggestion of Your Excellency,

Mr. MACKENZIE.

that though expectations are entertained that the outlay may ultimately be repaid to the country, it may be advisable not to press all the works, contemplated in the earlier years of Confederation, to completion at present.

"We are happy to know that the Inter-colonial Railway was opened for traffic, throughout its entire length, early in the summer, with as favourable results as could have been expected; and that one of the immediate advantages of the completion of the Railway was the delivery and reception of the British Mails at Halifax after the closing of the St. Lawrence; and that up to the present time mails and passengers have been successfully carried over the line without any interruption.

"We feel with Your Excellency that the exhibition of Canadian products, manufactures, and works of art at the United States National Exposition at Philadelphia, was eminently successful, and proclaimed to the world that Canada has already taken a high place as a farming, manufacturing and mining country; that it is gratifying to us to learn that the expenditure was kept well within the estimate; and that we rejoice to know that in Your Excellency's view, the success achieved by the enterprise of our people was largely aided by the energy and wisdom of the Commissioners who had charge of the arrangements.

"We agree with Your Excellency that it was advisable in the interest of the country to make arrangements for exhibiting Canadian products at the Exhibition to be held at Sydney, New South Wales, and that we shall not fail to give our best consideration to any proposal for a provision for this purpose which may be recommended to us.

"We are glad to receive Your Excellency's assurance that notwithstanding the loss of revenue, consequent chiefly on the diminution of our importations, the reductions effected during the current year have gone far to restore the equilibrium between income and expenditure; though we are aware that great economy will still be needful to attain this object.

"We share Your Excellency's regret that

Your Excellency is still unable to announce any progress in obtaining a settlement of the Fishery claims under the Washington Treaty, notwithstanding the efforts made by Your Excellency's Government to secure the result.

"We learn with satisfaction that Your Excellency's Commissioners have made further treaty arrangements with certain of the Indian tribes of the North-West Territories, by which their title is extinguished to a very large portion of the Territories west of Treaty No. 4. We thank Your Excellency for informing us that although some of the provisions of this Treaty are of a somewhat onerous and exceptional character, Your Excellency has thought it nevertheless advisable, on the whole, to ratify it, and that this Treaty will be placed before us; and that Your Excellency has made an engagement to negotiate a Treaty with the remaining tribes east of the Rocky Mountains.

"We feel with Your Excellency that although the expenditure incurred by the Indian Treaties is undoubtedly large, yet that the Canadian policy is nevertheless the cheapest ultimately, if we compare the results with those of other countries; and that it is above all, a humane, just and Christian policy.

"We rejoice to know that notwithstanding the deplorable war waged between the Indian tribes in the United States Territories, and the Government of that country, during the last year, no difficulty has arisen with the Canadian tribes living in the immediate vicinity of the scene of hostilities.

"We shall not fail to consider the expediency of making such changes in the Joint Stock Companies Act as may obviate for the future the passage of special Acts of Parliament for the incorporation of various classes of Companies, including such corporations as seek to engage in the borrowing and lending of money, by providing for their organization by Letters Patent.

"We are well pleased to learn that the desirability of affording additional security to policy holders of Life Assurance Companies has engaged the attention of Your Excellency's Government, and that we trust

the measure which will be submitted will accomplish the desired object.

"We shall give our attentive consideration to any measure submitted to us for the purpose of extending to the navigation of the great inland waters, rights and remedies at present confined to waters within the jurisdiction of the Courts of Vice-Admiralty, as well as to any measure for amending and consolidating the laws relating to Customs.

"We think, with Your Excellency, that it is advisable to provide for the permanent prosecution of the Geological Survey, which has heretofore been carried on under temporary enactments, and to make this a distinct branch of the Civil Service; and that we shall give our best attention to any Bill laid before us for that purpose.

"We shall fully consider any measures submitted to us for the amendment of the Weights and Measures Act, the Excise Laws, and other Acts, and also any Bill relating to Shipping.

"We thank Your Excellency for the assurance that the accounts of the past year will be laid before us, and that the Estimates of the next financial year which will also be submitted, will, as Your Excellency trusts, be found to be framed with a view to meet the existing circumstances of the country, while, at the same time, providing for carrying on the administration of affairs with efficiency.

"Your Excellency may rest assured that we shall earnestly endeavour to justify Your Excellency's reliance on our prudence and ability, and our devotion to the work of Legislation, which, we trust, may be carried on and completed in such a way, as to minister to the prosperity of the country, and the unity of the people."

The Address was then ordered to be engrossed, and to be presented to His Excellency by Members of the Privy Council.

## SUPPLY.

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

## WAYS AND MEANS.

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

## OFFICIAL REPORT OF THE DEBATES.

## QUESTIONS AND OBSERVATIONS.

Mr. MACKENZIE moved the adjournment of the House.

Sir JOHN A. MACDONALD asked the leader of the Government if he proposed to make any attempt to obtain an accurate report of the debates of this House during the present session, or whether independent action would have to be taken in the matter by the House. If not, he would give notice that on Monday next he would move that the subject be taken into consideration.

Mr. MACKENZIE said the Government did not last year undertake anything in regard to the reporting. He had been informed by his hon. friend from West Middlesex that he had given notice to-day, as he had given the second day of the session last year, of a motion for a Select Committee on Monday next, so that the matter had already been taken up in the same manner as last session.

Sir JOHN A. MACDONALD said that if the House were fully in charge of the whole subject, it could decide immediately whether they were to have a *Hansard* this session or not. If action were not taken at once in the matter, the session would be so far gone that a full and accurate report of the debates could not be obtained. He gave the notice to which he had referred.

House adjourned at  
Six o'clock.

## HOUSE OF COMMONS.

*Monday, 12th Feb., 1877.*

The Speaker took the chair at Three o'clock.

## NEW MEMBER INTRODUCED.

DALTON McCARTHY, Esq., Member for the Electoral District of the County

Mr. MACKENZIE.

of Cardwell, having previously taken the oath according to law, and subscribed the roll containing the same, took his seat in the House.

## REPORTS.

Mr. LAFLAMME laid before the House,—Report, Returns and Statistics of the Inland Revenues of the Dominion of Canada for the fiscal year ended 30th June, 1876.

Mr. CARTWRIGHT laid before the House,—Public Accounts of Canada for the fiscal year ended 30th June, 1876.

## INSOLVENT ACTS REPEAL BILL.

## FIRST READING.

Mr. BARTHE introduced a Bill (No. 2) to repeal the Insolvent Acts now in force in the Dominion of Canada.

*Bill read the first time.*

## CANADIAN SURGEONS IN ALLAN STEAMSHIPS.

## QUESTION.

Mr. BROUSE asked if the attention of the Government had been called to a notification of the Imperial Board of Trade to the English agents of the Allan Line of steamers, that henceforth none of that Company's ships carrying passengers would be allowed to clear at the Custom House, unless the surgeons had graduated in one of the colleges in either England, Ireland or Scotland;—if so, did such notification carry executive authority? Also, had the Government taken the necessary action to correct this insult—an insult alike offensive to the Canadian medical graduates and the Universities of our Dominion?

Mr. SMITH (Westmoreland): The attention of the Government has been called to the fact that an order has been issued by the Board of Trade to the effect spoken of by the hon. gentleman. We have, however, had no authentic official information that such is the fact. A communication was sent by Sir Hugh Allan to McGill College, Montreal, and from them we received a copy of his letter, which would appear to furnish evidence that some such steps have been taken by

the Board of Trade. We received the communication on the 24th January, and on the 25th, an Order in Council was passed protesting against such a course. That was forwarded to England, and, I suppose, has been received by the Board of Trade by this time. In reference to the second part of the question, I may say that the Board of Trade is a branch of the Executive Government of England, and an order emanating from it, would, I presume, carry with it the force of executive authority.

#### MANITOBA BATTALION CLAIMS.

##### QUESTION.

Mr. SNIDER, in the absence of Mr. SMITH (Selkirk), asked whether the Government had considered the claims for compensation put forward by Charles William Allen, R. A. W. Rolph, Henry Walker and other non-commissioned officers and men discharged from the Manitoba Provisional Battalion of Infantry?

Mr. VAIL: The Government have considered the claims of that force, and, upon the facts submitted up to the present time, they see no reason to deviate from the conclusion arrived at when the matter was before the Department last autumn.

#### REGISTRATION OF SHIPPING.

##### QUESTION.

Mr. CHEVAL asked whether it is the intention of the Government to amend Section 14 of the "Act relating to Shipping, and for the Registration, Inspection and classification thereof," 36 Victoria, chapter 128, to wit:—

"14. No ship duly registered under the provisions of the said 'Act respecting the Registration of Inland Vessels,' forming chapter 41 of the Consolidated Statutes of the late Province of Canada, before the day on which this Act takes effect, need be registered after that day, in pursuance of the provisions of this Act, except for the purpose of enabling her to proceed to sea as a British ship."

By this section, very great injustice is done to vessels built since the passing of the said Act, inasmuch as in the various canals, of two steamboats of the same tonnage, the one only pays 32 cents, while the other is unjustly compelled to pay \$1.95.

Mr. SMITH (Westmoreland) said the Government felt this subject to be one of importance, and it certainly appeared to involve injustice. The Government were now considering the matter, and the probability was that some measure would be submitted to redress what seemed to be a grievance.

#### SITE OF QUEBEC GRAVING DOCK.

##### QUESTION.

Mr. FRÉCHETTE asked if the Government Chief Engineer had made any report concerning the site of the projected Graving Dock for the Harbour of Quebec.

Mr. MACKENZIE: Yes; the Chief Engineer made a report about two months ago.

#### IMPORTS FROM THE UNITED STATES.

##### MOTION FOR RETURN.

Mr. IRVING moved for a return showing the general nature and the value of all the manufactured goods imported into Canada from the United States in the years 1874, 1875 and 1876.

*Motion agreed to.*

#### SELECT STANDING COMMITTEES

Mr. MACKENZIE moved that a special committee, composed of Sir John A. Macdonald, Messrs. Mackenzie, Smith (Westmoreland), Blake, Holton, Tupper, and Masson be appointed to prepare and report, with all convenient speed, lists of members to compose the Select Standing Committees ordered by the House.

*Motion agreed to.*

#### NAVIGATION OF AMERICAN WATERS.

##### MOTION FOR CORRESPONDENCE.

Mr. CURRIER moved for all correspondence between the Dominion, United States, and Imperial Governments respecting the navigation of American canals and rivers; also any correspondence between the Government and business firms or individuals respecting the same.

*Motion agreed to.*

## PRAYERS IN THE HOUSE.

## RESOLUTION.

Mr. MACDONALD (Toronto) moved:

"That it be an order of the House that each day, and immediately after the Speaker shall have taken the chair at three o'clock in the afternoon, the prayers now read daily in the Senate be read in this chamber by such Chaplain as the Speaker may appoint for that purpose, and in his absence by the Clerk of the House."

He said he rose with a great deal of diffidence to bring this matter before this House, a diffidence produced by the very great importance of the subject, and a fear that he should fail in presenting it with that clearness and force which the subject deserved. He was quite satisfied that if he should unhappily use any word that would interfere with the prejudices of any member of the House, it would not be because he was not influenced by a very strong desire not to give utterance to a single sentiment that would grate upon the feelings of any hon. member. He had been very careful in the construction of this resolution. He could not fancy that what was right in the Senate could be wrong in the Commons. He was not prepared to believe that any member of this House, whatever might be his religious feelings, could be opposed to soliciting the Divine guidance upon their deliberations. He did not forget that the House was composed of hon. gentlemen differing in language, in religion, and in race, but neither did he forget that the hon. members of this House were all Canadians, and that Canadians were Christians. He could not forget either that there were many in this House and out of this House who regarded it as dishonouring to them, that in the deliberations of this House, upon which so much of the happiness and prosperity of this country depends, God was not acknowledged. Moreover, he could not forget that whatever might be the religious opinions of members of this House, there were none of them who ignored the inspiration of God's Word, and that Word said that there are no powers but what are of God and the powers

that be are ordained of God. The hon. member quoted from the journals to show that in 1792 a resolution was passed in the Legislative Council of the Province of Quebec, providing for the prefacing of the proceedings of the House daily with the reading of a prayer by the Chaplain of the House, and in his absence by the Clerk, a form of prayer for the purpose having been drawn up at the request of the House by the Roman Catholic Bishop and the Protestant Rector of the city of Quebec. This prayer was used daily until the union of the Provinces, when the form now used in the Senate was introduced and made use of until 1866, and it was then merely modified sufficiently to meet the change in the circumstances occasioned by Confederation. In Upper Canada also the proceedings of the Legislative Council were opened by prayer until 1829, (the Chaplain being a clergyman of the Church of England appointed by the Lieutenant-Governor) when a vacancy occurred, he presumed, in consequence of the death of the Chaplain, and it was ordered by the House that, during the remainder of that session, the prayer should be said by the ministers of the various denominations in the town of York, which was done. At length, however, the House refused to receive a chaplain of the Church of England, and the system fell into disuse, very much to the discredit, he thought, of all sections of the House. We lived in times of greater catholicity, when the sense of the country would demand that in the House of Commons, as well as in the Senate, their deliberations should commence with the invoking of God's blessing. He did not think it was anything for them to be proud of in not having prayers said in this House. They were an exception to the legislatures of all civilized countries of which he had any acquaintance. He had been influenced to put this motion upon the paper from being present in the House of Representatives in Baltimore last May, and seeing that the proceedings were there opened with prayer. Following the Speaker into the House was a gentleman clothed in a flowing robe, who proved to be the Chaplain, and he opened the House with prayer, the demeanour of mem-

Mr. CURRIER.

bers and the aspect of the whole proceedings being thoroughly devotional. The form used was the same as in the Dominion, with the exception of substituting the President for the Sovereign and State for Province. He (Mr. Macdonald) at that time resolved that he would submit to the Dominion House of Commons the motion he had proposed, and leave the responsibility of accepting or rejecting it with the House. From inquiries made with respect to the practice in the United States, he found that the two Houses of Congress elect ministers of different denominations, who alternately perform the duties of Chaplain; the Legislatures of many of the States follow a similar course; and throughout the whole States the practice was well nigh universal. Whether the prayer in this House should be read by the Clerk, or whether it would be best for the Speaker to read it, he did not say; but he did say that hundreds and thousands of the people of this Dominion wanted and asked that a prayer be read, and he did not think that in following the precedent of the Imperial Parliament in regard to this matter they could go far astray. There, from time immemorial, prayers had been read in the Lords by the junior Bishop, and in the Commons by the Speaker's Chaplain. In order to give the utmost latitude, he had framed the motion in its present form. He trusted that to-day they would, as a deliberate body, discharge this duty, which should have been discharged before; a duty which they owe to themselves, to their children, and to the people of Canada, whose representatives they are.

Mr. MACKENZIE said so far as the motion was concerned there could be little question among members present that what was proposed was a Christian duty. While it was not considered necessary to open the deliberations of all bodies with prayer, it was very plain that the Legislature of the country occupied a position somewhat different to that occupied by municipal councils, agricultural associations and corporate bodies, and that members of Parliament had at heart the welfare of the country in which they performed their duties, and that in a higher sense they

were responsible to the Almighty. He had always held those views, but moreover, he had always been alive to the difficulties in carrying on religious services in an assembly composed so largely of different denominations. He did not know the proportion of Catholic to Protestant members, or the proportion of one denomination of Protestants to another, but it was believed that those denominational distinctions might cause some difficulty and jarring in regard to public worship, which the hon. member for Toronto Centre now proposed for the first time to introduce into the Commons. The Government were naturally desirous of ascertaining the views of hon. members, when a matter was brought up which they were disposed to treat with that solemn feeling which must be associated with everything connected with Divine worship, and of becoming acquainted with the opinions of gentlemen of various denominations and positions in the House on the question.

Sir JOHN A. MACDONALD said he agreed with the remarks of those who had spoken on the matter. He felt as a body composed of representatives of a Christian country and supposed to be Christians themselves, that it was quite proper that the blessing of the Almighty should be invoked upon the acts of the Legislature. Were this assembly composed entirely of Protestants, although of various denominations, he fancied no practical difficulty would arise, but difficulty might arise from the fact that so large a proportion of the members were Roman Catholics. He was not prepared to say whether it would meet their wishes that the motion should carry in the terms in which it was prepared. They formed so large and important a body, and represented such a large community in the Dominion, that their feelings and even their prejudices should be respected; and he felt that the very praiseworthy object of the mover of the resolution would be thwarted if by its adoption the feelings of their Catholic friends were wounded, and they were caused to abstain from entering the House during prayer. He did not know how the difficulty was to be got over, but he would advise that a conversation

should take place in the House on the matter and that it should be left to a committee to inquire into and see how it could be carried out.

Mr. MACKENZIE said he was about to make the same suggestion. This resolution practically involved the adoption of a standing rule, and all such resolutions had hitherto been referred to a Select Committee. His hon. friend had mentioned that in the Province of Quebec, the subject was referred to a Committee, and he (Mr. Mackenzie) found from enquiry that, in some of the other Provinces where a form of prayer had been adopted, which was practically that used by the Protestant Episcopal Church, the Catholic members were in the habit of remaining out of the House until it was over. He thought the suggestion of the hon. gentleman opposite should therefore be adopted, and the matter referred to a Committee to report at an early day. Of course all religious parties should be as fairly as possible represented on such a committee.

Sir JOHN A. MACDONALD suggested that the debate should be adjourned in order to carefully consider who should constitute the committee.

Mr. MACDONALD (Toronto) said the few hon. gentlemen to whom he had spoken on the subject had been members of the Roman Catholic persuasion, and they had, as a rule, expressed their readiness to have a form of prayer adopted. While he had every desire to be influenced by the expressions of the Premier on the one hand and the leader of the Opposition on the other, he agreed to their suggestion chiefly in order that nothing might be hastily done which might conflict with the prejudices of those who differed from him.

Mr. HOLTON moved the adjournment of the debate.

Mr. MACDONALD (Toronto) said he wished it to be distinctly understood that the Committee was to be appointed in order to decide on the form of prayer—not to consider the advisability of having prayer.

Several HON. MEMBERS: No, no.

Sir JOHN A. MACDONALD.

Mr. MACDONALD (Toronto): Then I cannot consent to the adjournment.

Mr. MACKENZIE said it would be hardly respectful for the House to instruct the Committee to decide on the form. The ordinary course would be to instruct them to report on the subject, in which case there would be nothing to prevent their reporting a form if they chose. No doubt any Committee the hon. gentleman named would be accepted by the House.

Motion to adjourn Debate agreed to.

### DOMINION DAM ON DEVIL LAKE.

#### MOTION FOR RETURNS.

Sir JOHN A. MACDONALD, in the absence of Mr. JONES (South Leeds), moved for copies of all Orders in Council and all instructions or orders from the Department of Public Works relating to the destruction by force, last July, of the dam called the Dominion Dam, on Devil Lake, in the County of Addington, and for copies of all reports made by engineers or any engineer or employé of the Government, and of all correspondence relating to the said dam, its destruction or reconstruction.

Motion agreed to.

### FISHERY CLAUSES OF THE WASHINGTON TREATY.

#### MOTION FOR CORRESPONDENCE.

Mr. MITCHELL moved for copies of all correspondence in relation to the settlement of the fishery clauses of the Washington Treaty, between the Government of Canada and that of Great Britain and between the Government of Great Britain and the Government of the United States, in relation to the aforesaid subject; also copies of instructions to Sir A. T. Galt and correspondence with him upon the subject. He said nearly six years had elapsed since the Washington Treaty was signed. The American Government had settled nearly every point involved in the questions decided in the treaty. It was not generally known that the principal object and motive of entering upon negotiations for the treaty, was to obtain some settlement of the diffi-

culties connected with the Canadian fisheries. Senator Campbell was sent by the Government of Sir John A. Macdonald to England for the purpose of obtaining, if possible, a settlement of that question; and it was in consequence of the application made by the Dominion Government to the Government of Great Britain, that Her Majesty's Government availed themselves of the opportunity to consider various other questions at issue with the United States at that time, which questions were subsequently submitted to a Commission, and an amicable arrangement arrived at in regard to them. Although all other subjects dealt with by the Commission, and included in the treaty, had been settled, the matter of the Canadian fisheries, which was the original cause of the treaty being framed, remain as far from settlement as before the treaty was signed. It was expected that the provisions of the treaty would have been carried out within a reasonable time. but to the surprise of the people of Canada, the fishery question was now in a worse position than before the framing of the treaty. He did not submit the motion in a sense hostile to the Government, but to enable them to lay such information before the House as would assure the country that all reasonable steps had been taken—if they had been taken—to bring that question in which Canadians felt so much interest, to a satisfactory adjustment. The treaty gave the Americans the right to fish in our waters for eleven years; six years having elapsed, without any steps having been taken to determine the value of those fisheries, it was time to ascertain whether the Americans had resolved not to make Canada any allowance or compensation for our fishery rights. He observed that the Government had laid on the table a Minute of Council of 24th November last, in which the attention of Her Majesty's Government was called to the position of the question. He found also a reply, dated January 5th, from the Foreign Office, giving an historical *resumé* of negotiations, setting forth that the Dominion had agreed to the appointment of Commissioners to meet at Washington for the

settlement of the questions at issue; that they agreed to the appointment of arbitrators to ascertain whether any, if so, what compensation should be paid to Canada for its fishery rights; that the two Governments were to appoint arbitrators, a third arbitrator to be chosen by the Austrian Government; that up to this time, though repeatedly asked by the British Government, the United States had refused or neglected to appoint a Commissioner; that in 1875 Sir Alexander Galt was appointed British commissioner, and that the provisions of the treaty in regard to compensation to be paid for the use of Canadian fisheries had been practically null and void. He deferred any further observations until the Government brought down the papers, for a discussion might prove unwise at that stage of the question. Whether the blame for allowing action on the fishery question to be deferred year after year was to be attributed to the Dominion Government, which he did not think was the case, or to the Imperial Government, or to the United States Government, would only be known when the correspondence was submitted to the House; at all events, the time had arrived when the people of Canada should know whether their interests had been carefully guarded.

Mr. SMITH (Westmoreland): There is no objection to the resolution passing with some amendment. My hon. friend will see the propriety of striking out the passage relating to the confidential instructions given to Sir Alexander Galt which, I think, it would be improper to produce. There are certain parts of the correspondence which the Government may not consider it wise or politic to submit, but other portions can and will be submitted. When the correspondence is brought down, I am sure my hon. friend will attach no blame to this Government for any apparent neglect or delay which may have taken place in this business. The Government has done everything possible to bring about the result, which was expected long ago.

Mr. MITCHELL consented to the proposed amendment.

Sir JOHN A. MACDONALD: It

would be highly inexpedient to bring down all the papers and information in the hands of the Government. It might have the effect of injuring our cause hereafter.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That an humble address be presented to His Excellency, for copies of all correspondence in relation to the settlement of the Fishery clauses of the Washington Treaty, between the Government of Canada and that of Great Britain, and between the Government of Great Britain and the Government of the United States in relation to the aforesaid subject.

### THE IMPERIAL BOARD OF TRADE AND CANADIAN SURGEONS.

#### MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for all correspondence between the Government of Canada and the Imperial Government or any steamship company or private individual touching the qualifications of surgeons on British steamers or other passenger ships sailing to or from British ports. He said he had put the motion on the paper in order to give him an opportunity in his place in Parliament to protest in the strongest terms, at the earliest possible moment, against the course which it appeared had been taken by the Imperial Board of Trade in this matter. He had learned with very great satisfaction that the feeling which he, in common with every member of the medical profession, and he might say with the people of Canada, had entertained in relation to that undeserved insult to the medical profession of this Dominion had been felt just as keenly and just as promptly by the Government. He was very gratified to learn that not a day had been lost in presenting that sentiment, on the part of the Government, to the Imperial Government, and he had no doubt that that protest would result in such an arrangement as would at once change the course which the Imperial Board of Trade had, he thought very unadvisedly and very inconsiderately, adopted. He held a degree from the University of Edinburgh, and the diploma of the Royal College of Surgeons, but he was able to say that the medical profession of

Sir JOHN A. MACDONALD.

Canada would compare favourably with that of the British Islands themselves; and that the persons who hold diplomas under the stringent regulations in force in this country were as much entitled to the confidence of the public in Great Britain and in Canada as were the graduates of colleges of the very highest standing in the British Islands. He made these statements not only from his own personal knowledge, but he had documents in his possession showing on the highest authority that the students from the universities and colleges of Canada occupied the very highest standing on the other side of the water. Ample testimony had been borne by those best qualified to judge, that when the attainments and abilities of Canadian graduates and the students of Canadian Colleges came into competition with those of Great Britain, the comparison was one of which every Canadian had just reason to be proud, for the students had not only been able to hold their own, but their average ability had been higher and greater than that shown by their fellow-competitors. He had heard with great pleasure of the action of the Government in this matter, and that they had given expression to the feeling that the action of the Board of Trade constituted an undeserved reflection upon the medical institutions of this country.

Mr. SMITH (Westmoreland) said the correspondence would be submitted to the House. It was hoped that in the course of a fortnight or three weeks an answer would be received, and when it was received the Government would take an early opportunity of submitting it to the House without formal notice, trusting that it would be satisfactory.

Motion *agreed to*.

### MILITARY COLLEGE AT KING- STON.

#### MOTION FOR RETURN.

Mr. LANGEVIN moved for a return of the number of candidates that have come forward for admission to the Military College at Kingston; how many from each Province, distinguishing those of French origin from the others; how many have been so

admitted, how many from each Province, distinguishing those of French origin from the others; also, a copy of the present regulations and a statement of the qualifications required of candidates for such admission.

Motion agreed to.

## MARINE HOSPITAL AT SYDNEY.

### MOTION FOR RETURN.

Mr. McDONALD (Cape Breton) moved for a return of all money expended in building a Marine Hospital at Sydney, Cape Breton; the amount of the different tenders for the construction of the said building, with the names of the parties tendering; also, the names of all persons to whom the Government paid directly for work performed on this building, or improvements connected with it; also, the amount paid for superintending the work, and to whom paid; also, the total amount of expenditure to December 31st, 1876; also, correspondence, if any, which led to the transfer of the contract for this building from the gentleman to whom it was awarded in the first instance, to another gentleman.

Motion agreed to.

## OFFICIAL REPORT OF THE DEBATES.

### APPOINTMENT OF SELECT COMMITTEE.

Mr. ROSS (Middlesex) moved:

"That a Select Committee be appointed to consider what arrangements can be made for securing an official report of the debates of this House during the present Session; to be composed of Messrs. Ross (Middlesex), Oliver, Dymond, Béchard, Charlton, Tupper, Bowell, Desjardins, and Colby."

He said he had received a number of letters from members during recess, in consequence of which he thought it desirable to ask the House to grant a committee to make arrangements for an official report of the debates. In making the report there was one of two courses to be taken, viz., either to report them *verbatim* or to condense them. In the former case the bulk would be so great as to render the report of little service. Last year a condensed report was furnished, and there were considerable difficulties with reference to it. It was difficult to satisfy members as to the character of the

condensation, as a member might regard as important in his speech a matter which the reporter would consider of little consequence so far as it concerned the question under discussion. In consequence of that fact, reporters had to be dealt with considerably, and the Committee had to be allowed considerable latitude. The reports of the previous years had been tolerably satisfactory, and the feeling in the House, was, he believed, so far in favour of an official report being taken of the debates that the Committee would be appointed without opposition.

Mr. MACKENZIE said the matter was entirely in the hands of the House. It was a matter in which the Government did not wish to exercise any controlling influence.

Mr. YOUNG said he regretted that provision was not made for the publication of the reports before the close of last session. That being the position of the matter, he thought the best way would be to appoint a committee to carry on the *Hansard*. Upon the whole, he thought that the *Hansard* volumes already published were successful. The reporting of the debates resulted in members preparing their speeches better and in elevating the tone of the House.

Mr. HOLTON said he had always been in favour of reporting the debates, but it appeared to him that last session the reports were not satisfactory, and the course he took at the close of last session was in order to bring about a full consideration of the whole subject in a full House, and preventing the continuance of what he felt to be a defective system. He complained that last session many important speeches, including one by Mr. Blake, were very much condensed and might as well have been left out altogether. What was wanted was an authentic record of the utterances of the leading public men, and he thought the House had failed to obtain that result.

Sir JOHN A. MACDONALD said that in order to make the *Hansard* successful, it should be carefully edited, and there should be a larger staff of reporters than there was last session. He believed from the general feeling in the House that it

would readily sanction the expense of keeping a full staff of reporters in order to take a report of everything which took place in the House, the short conversations as well as the lengthy speeches. When the report was written, a competent editor in whom both sides of the House should have confidence, should look over it with a view to condensing. The English *Hansard* was greatly condensed, and it was well known that the *Times* did not now publish such lengthy reports of the proceedings of Parliament as it did some years ago. The country, he was satisfied, would not be satisfied unless the system was continued. The *Hansard* had been useful. It had not contributed to lengthening the speeches, or to lengthening the session of the House; on the contrary, hon. members knowing that their remarks would be taken down, had carefully prepared their speeches, and kept out irrelevant matter.

Mr. BOWELL said the Committee were fully alive to the difficulties referred to by the hon. member for Chateauguay who, apparently, had not read the report presented by the Committee last session. On the 6th of April the report was laid before the House, its recommendations having been arrived at after much consideration, and a perusal of it would show that the scheme submitted would obviate the difficulties alluded to. Had notice of motion for the adoption of the report been given by the Chairman of the Committee, the hon. member for Chateauguay could not have taken the objection which prevented its adoption. He was surprised to hear that an important speech made by the Minister of Justice, had been omitted; whenever complaints were made to the Committee, steps were immediately taken to have the inaccuracies or omissions corrected. He desired, moreover, to state that the report of the Committee was not presented to the House by the Chairman, but by a member of the Committee, and that no steps were taken by the Chairman, though repeatedly urged, to place a notice on the paper, in order that it might come properly before the House.

Sir JOHN A. MACDONALD.

Mr. BLAKE said he did not know that one of his speeches had been so much condensed, nor did he care how far his utterances were condensed. Hon. gentlemen would never find him complaining. He, however, thought that members when misrepresented had good reason to complain, and he would take that opportunity of saying that he would not hold himself responsible for the reports of what he had been supposed to say, because he had been reported as saying what was diametrically opposed to what he had said.

Motion agreed to.

## CHANGES IN THE GOVERNMENT.

### MINISTERIAL EXPLANATIONS.

Orders of the day called.

Mr. MACKENZIE said that before the orders of the day were called, he desired to make the Ministerial explanations for which the leader of the Opposition had asked on Friday. Such explanations were generally made in Parliament, chiefly because they might involve some new policy on the part of the Administration, or the adoption of a new policy by any of the members joining the Administration. Three vacancies had occurred since the Administration had last met Parliament. One was caused by the elevation of Mr. Laird to the Lieutenant-Governorship of the North-West Territories. One had occurred upon the retirement of his hon. friend the late Minister of Inland Revenue, consequent upon a long illness, which, he was sure, every member of the House, on each side, would regret as sincerely as he did. He was also sure they would all anxiously indulge the hope which he entertained, that it might leave no permanent injury to the health or system of that hon. gentleman, and that they might long see him an ornament to the House, as he had been for many years. The third vacancy had been caused by the elevation of the late Minister of Agriculture to the Lieutenant-Governorship of Quebec. He would say nothing about the appointment of these two gentlemen to the highest political position which the Canadian Government had it in their power to bestow, confident as he was that both appointments would

meet the approval of the country, and that, at any rate, this was not the occasion on which to criticise them. The place occupied formerly by Mr. Laird was offered by His Excellency to the hon. member for Bothwell, who accepted the position, and thereby became a member of the Administration. The position occupied by Mr. Geoffrion was offered to the hon. member for Jacques Cartier, who accepted the offer and became a member of the Administration. The position occupied by Mr. Letellier was offered in the first place to the present Minister, who, upon some consideration, felt indisposed at the time to enter the Senate, and on that account declined to accede to the request that he should join the Administration. Upon that, he (Mr. Mackenzie) had the pleasure of offering the position, with a seat in the Senate, to Mr. Joly, but he, while entirely concurring in the policy of the Administration on public matters, felt indisposed to accede to the request upon personal reasons, which, however, involved no matter of policy in which either the Administration or the House was concerned. He then again approached his hon. friend, Mr. Pelletier, asking him to reconsider his determination, and upon reconsideration he decided to accept the position which was originally tendered him, and was accordingly appointed to the office with a seat in the Senate. These were the very brief explanations he had to tender in relation to the changes which had taken place; and he presumed they would be entirely satisfactory to hon. gentlemen opposite.

Sir JOHN A. MACDONALD said he thanked his hon. friend at the head of the Government for his explanations. It was well that this practice of making such explanations when a reconstruction of the Government took place, or when a change occurred—a practice which prevailed in the old country—should be followed here, in order that the House, and, through the House, the country might know whether there was any change of policy involved in the introduction of a new member into the Government; and also that the House might be able to decide whether their position towards the Ministry was altered thereby. He quite agreed

with what the hon. gentleman had said with regard to the hon. member for Vercheres. That hon. gentleman was always a popular member of Parliament before he took office, and his conduct in office had not in any way diminished the general esteem in which he was held on both sides of the House. With reference to the member for Jacques Cartier, who had succeeded that hon. gentleman, that hon. member was known, before he was made a Minister, to be in the most confidential relations with the Government, and he might as well be a Minister as a mere outside *confidant*. With reference to the appointment of the hon. member for Bothwell to succeed Mr. Laird, he (Sir John A. Macdonald) could only compliment the leader of the Government. He had no doubt that hon. gentleman would make an able Minister. He regretted that his hon. friend the leader of the Government had felt it his duty to send Mr. Laird to the North-West, for that hon. member had just begun to understand the very complicated duties of the Minister of the Interior, and last session, when he had a very difficult measure to carry through this House, although he was put to a little trouble occasionally in the course of the discussion of the details, the then Minister of Interior showed that he had really grasped the details, and understood the questions involved in that measure—the Indian bill. He had hoped, therefore, that as long as the present Government lasted, the country would have had the benefit of the experience that Minister had gained at the head of that Department. It was of the greatest importance that the responsible Minister at the head of Indian affairs, (and that was one of the chief branches of the Department of which that Minister was in charge,) should fully understand that subject. While he had the fullest confidence in the gentleman who now held that office, the newly-appointed Minister could not be expected by intuition to arrive at the knowledge of the subject which his predecessor had acquired after considerable study, pains and experience. On public grounds, however, he might perhaps rejoice at the elevation of Mr. Laird, as it had given him the advantage of the aid and the countenance of

his hon. friend (Mr. Pope) who sat beside him.

**Mr. MACKENZIE**: On a Protection motion?

**Sir JOHN A. MACDONALD** said his hon. friend from Queen's would no doubt protect him from the assaults of the First Minister. With regard to the appointment of the present Minister of Agriculture, it seemed rather an unusual thing, and perhaps a course which was not well adapted to maintain the dignity of the Upper House, that a member of this House should be in the first place appointed a Senator and then appointed a Cabinet Minister. While his hon. friend opposite had a choice among those who usually supported his Government, and had confidence in it, he thought it unreasonable that the doubtful honour should be conferred under those circumstances. He could have understood the elevation of the President of the Council to the Upper House. They had an English precedent for that. The Earl of Beaconsfield was a Cabinet Minister, and in ascending to the House of Lords he was receiving a reward for his long service in the House of Commons, besides which he was at the head of the Cabinet.

**Mr. BLAKE**: What about Mr. Chapais' case?

**Sir JOHN A. MACDONALD**: Mr. Chapais was a Senator before he was a Minister.

**Mr. BLAKE**: There was a voided election for Kamouraska, and you sent him up there while you kept Kamouraska unrepresented.

**Sir JOHN A. MACDONALD**: Then he was not a member of this House. He was quite sure the late Government did not give a double honour to a member of this House. Rumour had it that the President of the Council was going to the Upper House, and although they would all regret to have that gentleman leave them, they must consider the exigencies of public life and the fact that the Premier would have been acting according to precedent in sending the President of the Council to a body of which that hon. gentleman was previously a member, and from which he descended amidst

**Sir JOHN A. MACDONALD.**

the general regret of those he left. But if rumour were correct, the President of the Council refused to go to the Upper House. He, no doubt, felt bound to sacrifice himself for the benefit of his Party. He, as the able and trusted leader of the French Canadian Liberals, felt that he ought not to sacrifice his friends in this House and in this country, and leave the Rouge party without a leader, through allowing himself to be benefited personally by being sent to the Upper House. It was said that the hon. gentleman had, with his usual disinterestedness, sacrificed himself twice over, first in not going to the Senate, and next in not becoming the Lieutenant-Governor of the Province of Quebec. Such instances of disinterestedness were very few, and he complimented his hon. friend on it. No doubt his hon. friend the Premier was wise in strengthening his hands in this House and in the country by keeping here at the head of the Ministerial supporters from the Province of Quebec his hon. friend the President of the Council.

**Mr. CAUCHON** said the hon. member had been trying to be witty as usual, but if he had consented to serve under him, he should still be found very useful, as he was for a long time before. He defied any hon. member to say he had ever asked for any situation of any kind.

**Sir JOHN A. MACDONALD**: I did not say so.

**Mr. CAUCHON** said some had done so, as the House was aware, and some had done something else, which he would not characterize.

**Mr. POPE**, (Queen's, P.E.I.) asked the indulgence of the House while he said a few words in reference to the Province of which he was one of the representatives. Before the present Government was formed, the first session after Prince Edward Island became part of the Dominion, a seat in the Cabinet was offered to Mr. Laird as one of the representatives of that Province. Since then Mr. Laird had been appointed Lieutenant-Governor of the North-West, and the seat he had held had been filled by a gentleman from Ontario, and Prince Edward Island left without a seat in the Cabinet, which

the people of that Province thought was depriving them of a great advantage to which they were entitled. Soon after Mr. Laird was promoted to the Lieutenant-Governorship of the North-West and just previous to the election to fill the place thus left vacant, it was rumoured in Prince Edward Island that the seat was not to be given to any member from Prince Edward Island, and consequently there was a good deal of dissatisfaction there. To allay that, the Dominion law agent publicly stated there that it was not the intention of the present administration to deprive Prince Edward Island of its seat in the Cabinet, but that on the other hand if the electors of Queen's County would return a good man to support the Government and fill that position, the seat in the Cabinet would still be given to that Province. A day or two after this statement was made, the seat in the Cabinet was filled by the present Minister of the Interior. A few days later another vacancy occurred in the Cabinet by the retirement of Mr. Geoffrion, and the law agent again made a statement to the effect that there was another vacancy in the Cabinet, and if they would only return Mr. Welsh to support the Administration that seat would be given to Prince Edward Island. The people thought, however, that Quebec would hardly give up the seat, and did not place much credence in that promise. At another large meeting it was stated that the reason why the seat in the Cabinet belonging to Prince Edward Island was filled by the present Minister of the Interior was, that the work of that Department was very much behind, and the gentleman who had been appointed to it was placed there because of his great legal knowledge and his high standing as a lawyer. He (Mr. Pope) would like to ask the hon. First Minister why a seat was given to Prince Edward Island in the first place. Mr. Laird, against whom he had nothing to say, was appointed to that position not in consequence of anything that was known of him. He had been two sessions, he believed, a member of the local legislature, and about six months a member of the local Government.

He was almost unknown in public life, and his opinion was that the Government did not first nominate Mr. Laird, but accepted his nomination at the hands of the four members for Prince Edward Island, who agreed to aid them in turning the late Government out of power on condition that they should be permitted to name their own representative in the new Cabinet. If this appointment was not made because of Mr. Laird's ability, and he had heard it stated by the hon. member for King's, who, in his position, as a public man stood far higher than Mr. Laird, that he might have had the seat in the Cabinet, if he had chosen, but had nominated Mr. Laird instead—it must have been made because Prince Edward Island was entitled to a seat in the Cabinet, or because a bargain was made, and he had heard the hon. member for King's state at a public meeting that the only stipulation the Island members made, was, that they should have a seat in the Cabinet in return for their support. Those hon. gentlemen certainly deserved to be fairly dealt with, because they had given a faithful and loyal support to the Government ever since, and if the present Administration did make this bargain, he would like to see them carry it out. If the promise was made that Prince Edward Island should have a representative in the Cabinet on the condition stated, it was surely understood that representative should continue during the present Administration. If the representatives from the Island sold themselves for a seat in the Cabinet, let them have the seat. If a seat were taken from Nova Scotia or New Brunswick, it would still have one left, and Ontario would have four left if it lost one, but Prince Edward Island was now left without any. He held that Prince Edward Island had not received that justice from the hands of the Government which it was entitled to, the more particularly in view of the fact that it had sent six members to the House to support the present Administration.

Mr. MACKENZIE said that it was not a convenient time to discuss the question whether it was necessary that every Province should have a representative in the Cabinet or not. It

was too late in the day for an hon. gentleman to come forward, three years after the general election, and discuss proceedings consequent upon the action of the Government in 1873. It was, to say the least, unusual in that quarter of Canada, whatever it might be in the Province in which the hon. member resided. He had merely to say with regard to the hon. gentleman's observations:—First, that the Government has no legal agent in Prince Edward Island, and, second, that no such transaction or conversation ever occurred between himself and Mr. Laird as that to which the hon. member for Queen's County had referred. He gave the statement a flat contradiction; nor did it occur with any gentleman of any Province in the Dominion. He would scorn to be a party to such a transaction as the hon. gentleman insinuated; and he was amazed that the hon. gentleman had such a low opinion of public men as to think any of them would be guilty of it. The hon. gentleman had said that Mr. Laird was a man of no ability, and so if he had sold himself, the price should be paid. That hon. member might get his own price when he sold himself. Let him leave other people alone. Such had, no doubt, been his practice when selling himself.

Mr. POPE (Queen's, P.E.I.): It has been offered to me, but I would not take it.

Mr. MACKENZIE said that with regard to Mr. Laird, it was bad taste for the hon. member to attack a gentleman who was not present to defend himself. The hon. member's own leader had spoken five minutes before of Mr. Laird's supereminent ability, and even went so far as to imply that his successor would scarcely worthily fill his place for a long time to come; but the hon. member for Queen's had declared Mr. Laird to be a man of no ability, who could not have been chosen for a seat in the Cabinet for his ability, and must therefore have been chosen for some other reason. Mr. Laird was, however, chosen for his ability. He had proved his ability by the manner in which he had discharged his duties here, and he would prove it in the discharge of his duties in the North-West.

Mr. MACKENZIE.

Mr. MASSON said the hon. leader of the Government had scorned the idea of any inducement having been given to any member of the House on the hon. gentleman's accession to office in 1873. While the hon. gentleman himself might not be aware of the fact, hon. members on his side of the House knew what means were resorted to in order to obtain votes on that day. He (Mr. Masson) knew those means personally; and he had never said it till this moment that he was approached, at that time and offered a front seat on the Government side of the House if he would only turn his back on Sir John A. Macdonald. He did not say that the hon. gentleman at the head of the Government made the offer or that he would do such an act; but the offer was made. The same offer might have been made to others besides himself. He would briefly examine the explanations given by the Premier regarding Ministerial changes. The explanation was very good so far as it went; but the hon. First Minister must not forget that rumours were circulating in the Province of Quebec to the effect that more than one gentleman had been offered a seat in the Cabinet and more than one had refused. The rumour went that certain most extraordinary reasons were given by gentlemen who now sat in this House for refusing a seat in the Cabinet. The statement in regard to the offer of the seat to Mr. Joly, and to that gentleman declining it, was made in such a way as to lead the House to believe that no similar offer was made to any other gentleman.

Mr. MACKENZIE: Hear, hear.

Mr. MASSON said he was glad to hear that such was the fact. It would be, therefore, desirable that the report of a Cabinet seat having been offered to others should be denied, and they should know if the hon. head of the Government went freely and openly to Mr. Joly and offered him the seat, and offered it to no one else, and that no gentleman was placed in the position of refusing it because the President of the Council is a member of the Cabinet. It was, then, a fact that no member of the Liberal party had given as his reason for refusing to accept a Cabinet seat, that he would not sit with the

President of the Council, and that none could, therefore, take credit for having done so. Up to the present moment there had been some doubt in Quebec as to the status of that hon. gentleman, in the Government. Those hon. members who read the newspapers of the Province of Quebec, would be aware that the whole Liberal party at one time proclaimed that the President of the Council was not the leader of the Liberal party in that Province; that the administration was not that of Mackenzie-Cauchon, but of Mackenzie-Geoffrion. It was afterwards decided that a reconstruction of the Administration should take place, and that the member for Vercheres on account of ill-health should resign his seat in the Cabinet. His successor was the hon. member for Jacques Cartier, and it was thereupon heralded all over the Province of Quebec, that at last the old Liberal party had found its leader in the person of the hon. Member for Jacques Cartier. That report was allowed to go to the public, and the Conservative party had no reason to controvert the assertion that the Liberal party would not accept the President of the Council as its leader. He (Mr. Masson) would relate an incident to show the struggle which the President of the Council had had to obtain the position he occupies to-day. He met the Minister of Inland Revenue at St. Laurent and discussed the public questions, and in the presence of that Minister—and this showed the want of harmony in the present Government—the President of the Council was most disgracefully abused by a leading member of the Liberal party in the Province of Quebec. The President of the Council himself knew that on this occasion a young gentleman of talent and an ornament to his party, who was a member of the House a few years ago, said, in reply to the charge of inconsistency brought against the Liberal party by him (Mr. Masson) that it was mistake and a shame for the Liberal party to have accepted Mr. Cauchon, but he washed his hands of the affair.

Mr. LAFLAMME: Where was that?

Mr. MASSON: At St. Laurent.

Mr. LAFLAMME: I never heard

any such statement made by Mr. Fabre.

Mr. MASSON: It was made by Mr. Mercier.

Mr. LAFLAMME: Nor by Mr. Mercier.

Mr. MASSON said the statement was made in the presence of three thousand people, and had been repeated at every corner. There was now no doubt, whether the Liberals liked it or no, that the Government was the Mackenzie-Cauchon administration. It had been said in Quebec that they would soon see the President of the Council leaving his seat alongside of the Premier and Mr. Laflamme taking his place as the leader of the Liberal party of Quebec, but the President of the Council still occupied the front place on the Government side of the House, to which his ability and experience entitled him. He (Mr. Masson) did not know which to admire most, the stubborn persistence with which the Premier imposed upon the Liberal party of the Province of Quebec, leaders whom they disliked, or the meekness with which the party received the lash whenever it was applied. They knew that the Liberal party of that Province did not accept the present Postmaster-General; proof was afforded last session that he did not represent the feeling of either the English or French population. They knew, too, that the Minister of Inland Revenue had been imposed on the Liberal party of Quebec, that, notwithstanding his talents, he did not represent the ideas, principles, call them, if you please, prejudices of the French population of Lower Canada. They knew, moreover, that the nomination of the gentleman who sat in the other Chamber did not meet with the approval of the Liberal party of the Province of Quebec, and he (Mr. Masson) must admit that he could not understand why, unless it was because was the candidate of the President of the Council. He must disagree with the right hon. member for Kingston, who stated that the President of the Council could not obtain a Governorship, which he denied. That hon. gentleman had not been appointed to a Governorship, because the Liberal party required him as their leader; because they wanted

him to be the successor to Mr. Dorion. It was, indeed, a proud day for the President of the Council—the born enemy of the Grits—when he could tell those whom he formerly called the “Radicals of Ontario:” “Do what you choose; revile me as you choose—this is the Mackenzie-Cauchon Administration, and you must submit to it.” It was a proud day for the President of the Council when he could turn round to the Liberal party of Quebec, who had vilified and abused him in every corner, and tell them: “Say what you will, I am your leader to-day; Mr. Mackenzie has chosen me to sit on his right hand, and to be leader of the great Liberal party of Quebec.” But if it was a proud day for that hon. gentleman, what must it be for the Liberal party of Quebec? They had received in their ranks a man, a gentleman, whom they had considered among the Conservative party the one least worthy to sit in this House. They had taken from the Conservative ranks the person whom they most belittled while a member of it, and placed him at the head of the Liberal party of the Province of Quebec. The hon. the Premier, had taken a grave responsibility upon himself in admitting the President of the Council to divide the authority with him, as it would remain as a fact in the history of this country that the man who had been considered least worthy of all the Conservatives, had been deemed worthy of being made the leader of Quebec Liberals. It would prove a lesson to the people for future generations, even to the Liberals, who in past days had spoken of the corruption of the present President of the Council. The Conservatives were now able more than ever to reply that they had no right to preach political morality and pretend to uphold its standard. There was a rumour in the wind that before long the President of the Council would pass away and become Governor of Manitoba, or occupy some other position. But the deed was done for ever; whatever may be their future action, they could not get rid of the awkward situation in which they had placed themselves, and why should they get rid of

Mr. MASSON.

him. The Liberal party would never forget that he was the most able man among themselves; that he has sometimes been useful to them; that they got out of a scrape on the school question two years ago by his ability. The Conservative party could only congratulate themselves upon the action of the Liberal party of the Province of Quebec for having whitewashed them, as the latter had done. There was no accusation which the Liberals could now bring against them, since the former has taken from the Conservatives the one who, according to themselves, was the blackest among the Conservatives, but whom they had nevertheless thought worthy of being placed over them as their leader.

Mr. MACKENZIE said he had no doubt the Liberals of Quebec could manage their own affairs without the interference of his hon. friend. That hon. gentleman, however, had shown his extreme interest in something in the last words he had uttered. He had congratulated the Conservative party on certain events which had taken place, because he said that would whitewash his friends. They must be very black and in need of paint or whitewash when the hon. gentleman attempted to put it on that ground. He had no doubt that hon. gentlemen opposite required to be cleansed as much as possible, and if there were no means of doing it except by the application of the caustic lime, it must be done. If the hon. gentleman considered that anything the Government had done had contributed towards that end, he (Mr. Mackenzie) would be glad to accommodate him still further in facilitating so laudable a purpose. The hon. gentleman said he had been offered a position in the Cabinet, though he admitted not by him (Mr. Mackenzie). He was sure he never offered such a thing to the hon. gentleman, and never dreamed he had a desire for a position in a Liberal Cabinet. There were certainly many gentlemen in this House who would be more entitled to be offered a position by the leader of a Liberal Government than his hon. friend—not, perhaps, on the ground of ability, for he was a very able man, though, even in that

particular, they might be his equals. The hon. gentleman must deal with those who had been playing jokes upon him. He (Mr. Mackenzie) washed his hands of it.

Mr. HUNTINGTON said the hon. member for Terrebonne seemed to think that there was a better day coming for the Conservative party in the Province of Quebec that circumstances had occurred which led him and his friends to believe they would recover from the disasters which befell them three years ago. The hon. gentleman rejoiced that there was a chance that Reformers might be corrupt, and seemed to think that by-and-bye they would be able to travel the road which his party had trod; and in that direction only he seemed to see the dawn of light and hope. He hoped that by following the course of his party in corruption and inconsistency, the present Government might meet the fate their predecessors met, and so well deserved. He joined the hon. gentleman in the hope that when the Reform party in the Province of Quebec, or in the Dominion of Canada, or any party, commenced to follow the course which he had indicated, they would meet the fate which befell the hon. gentleman and his friends. The hon. gentleman and his friends had in the past been fond of laughing at the Liberal party of Quebec, which had been a small party at one time, but he could not now count the members of that party on his fingers. The Liberal party, so long unpopular and misunderstood in the Province of Quebec, to-day reckoned among its ranks able and liberal men. The tide of public opinion was nowhere so strengthening in favour of the Liberal party as in the Province of Quebec. As far as he (Mr. Huntington) was concerned, he represented at least an individual who had never been so fooled as to believe that his adversaries desired him to enter a Cabinet with them.

House adjourned at  
Ten minutes to  
Six o'clock.

## HOUSE OF COMMONS.

Tuesday, 13th Feb., 1877.

The Speaker took the chair at Three o'clock.

### BOUNTY ON COAL.

#### PETITION.

Mr. MACKAY (Cape Breton) presented the petition of Henry Mitchell, and others, coal owners, and others interested in the coal trade and shipping interests of the Dominion, praying that the duties imposed by the United States on Canadian coal, may be neutralized by an equal bounty on all coal sent to the United States; or that a duty of 50 cents per ton be imposed on all coal imported into the Dominion, —which was read.

#### REPORT.

Mr. HUNTINGTON laid before the House,—Report of the Postmaster General, for the year ended 30th June, 1876.

### OFFICIAL REPORTING OF THE DEBATES.

#### MOTION AND REPORT OF COMMITTEE.

Mr. ROSS (Middlesex), with leave of the House, moved:

“That the Select Committee appointed to consider what arrangements can be made for securing an Official Report of the Debates of this House during the present Session, have power to Report from time to time.”

*Motion agreed to.*

Mr. ROSS (Middlesex) presented the first Report of the said Committee, which was read.

### SELECT STANDING COMMITTEES.

#### REPORT OF COMMITTEE.

Mr. MACKENZIE presented the Report of the Special Committee appointed to prepare and report lists of members to compose the Select Standing Committees of this House,—which was read.

Mr. MACKENZIE moved concurrence in the said Report so far as relates to the Committee on Standing Orders.

*Motion agreed to and Report concurred in, so far as relates to the Committee on Standing Orders.*

## OFFICIAL REPORTING OF THE DEBATES.

### CONCURRENCE IN COMMITTEE'S REPORT.

Mr. ROSS (Middlesex) moved concurrence in the first Report of the Select Committee appointed to consider what arrangements can be made for securing an Official Report of the Debates of this House during the present Session.

Mr. HOLTON said he did not propose to object to the adoption of this Report on the point of form to-day, as he had felt justified in doing on the last day of last Session, because the benches were now full, and the obvious sense of the House was in favour of continuing a system of reports. Personally he was in favour of it also, and he had no doubt the discussions that had taken place would lead the Committee to remedy some of the more practical defects which were complained of last Session. Of course the motion was open precisely to the same objection which was taken last year if any hon. member chose to insist on it, and to the further objection that, as it involved an expenditure of money, it should originate in Committee of the Whole. He was, however, willing that the whole matter should be submitted to the Committee chosen yesterday by the House, in order that the system might be resumed at the earliest possible moment.

Motion *agreed to*, and report *concluded in*.

### MANAGEMENT OF THE LIBRARY.

#### COMMITTEE APPOINTED.

*Resolved*, That a Select Committee be appointed, to assist Mr. Speaker in the direction of the Library of Parliament so far as the interests of this House are concerned, and to act as Members of a Joint Committee of both Houses on the Library; composed of Messrs. Baby, Blanchet, Brouse, Cartwright, Cauchon, Delorme, Frechette, Higinbotham, Holton, Laurier, Sir John A. Macdonald, Masson, Mills, Tupper, Wright (Ottawa), and Young.

### ADJOURNMENT FOR ASH WEDNESDAY.

#### RESOLUTION.

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

Mr. MACKENZIE.

## MR. JUSTICE LORANGER.

### PRINTING OF PETITIONS ORDERED.

Mr. BLAKE said the House would have observed that his hon. friend from Iberville had a motion on the paper relating to a petition presented last Session relating to the administration of justice in the District of Richelieu. The hon. member for that District had also presented a petition from the learned Judge whose conduct came in question. He (Mr. Blake) thought it would be proper that the House should have the opportunity of reading the allegations before the motion of his hon. friend was disposed of. He therefore moved:—

“That the Petition of F. X. A. Biron and others, concerning the administration of justice in the District of Richelieu, and the Petition of Mr. Justice Loranger relating thereto, be printed in the Votes and Proceedings.”

Motion *agreed to*.

## REPEAL OR AMENDMENT OF THE INSOLVENT ACT.

### QUESTION.

Mr. ROSS (East Durham) asked if it was the intention of the Government to repeal the Insolvent Act or to amend the same during the present session, to make it more satisfactory to the country.

Mr. BLAKE: It is not the intention of the Government to propose any measure for the repeal of the Insolvency Act. The question whether any amendments should be proposed to the present measure is under consideration.

## PIERS AT BAY ST. PAUL, EBOULEMENTS AND MALBAIE.

### MOTION FOR RETURN.

Mr. LANGEVIN moved for a copy of Mr. Kingsford's report on the Piers at Bay St. Paul, Eboulements and Malbaie, in the summer of 1876.

Motion *agreed to*.

## REDUCTION OF PETROLEUM DUTIES.

### RESOLUTION PROPOSED.

Mr. COLBY moved:

"That in the opinion of this House, the interests of the country would be promoted by a reduction of the duties on refined petroleum."

Mr. CARTWRIGHT: The House will recollect that, on the occasion of the debate last Session, the Government promised to take this measure into consideration, and I therefore ask my hon. friend to withdraw his motion for the present, promising him, that, if, after the Budget is delivered, he finds reason to dissent from the views expressed by the Government, he shall have every opportunity of bringing the subject forward again.

Mr. COLBY: With the understanding intended to be conveyed by the hon. the Minister of Finance, more forcibly, perhaps, by implication than in words, I have no objection to allow the matter to stand for the present.

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

#### DAILY PRAYERS IN THE HOUSE.

##### COMMITTEE APPOINTED.

Order for resuming the adjourned debate on the proposed motion of Mr. Macdonald, (Toronto): "That it be an Order of the House, that each day and immediately after the Speaker shall have taken the Chair at three o'clock in the afternoon, the prayers now read daily in the Senate be read in this Chamber, by such Chaplain as the Speaker may appoint for that purpose, and in his absence by the Clerk of the House," *read*.

Mr. MACDONALD (Toronto) moved:—

"That Messrs. Macdonald (Toronto), McCraney, Gibbs (South Ontario), Wood, Blackburn, Goudge, Casgrain, Desjardins, McDonald (Cape Breton), Ryan, Carmichael, Platt and Wright (Ottawa County), be a Committee to bring before this House a form of prayer."

Mr. HOLTON said the hon. member for Centre Toronto did not appear to have the same idea as some other hon. members with regard to the understanding come to by the House yesterday, which was that the whole question of the expediency of introducing the practice he suggested, and also to submit to the House, if it were deemed expedient, what that hon. member proposed in his present motion. The real

point involved in yesterday's debate was the practicability of introducing the practice without doing violence to the feelings of a considerable number of hon. members. He therefore hoped the hon. member for Centre Toronto would so frame his motion as to meet what was the general understanding of the House, viz., to refer the subject-matter itself to a Committee to be reported upon.

Mr. DYMOND said there might be devotional exercises without any form of prayer being used. There was silent and individual prayer, which was the best of all prayer, and it was possible that the House might come to the conclusion to adopt that very simple form of devotional exercise instead of having a form of prayer read. As one who respected the motives of the hon. member for Centre Toronto, he hoped anything like an instruction to the Committee to recommend a form of prayer would be omitted from the motion.

Motion, with leave of the House, *withdrawn*, and Order *discharged*.

Mr. MACDONALD (Toronto) moved:—

"That a Special Committee be appointed to consider and report upon the desirability of using a form of prayer in this Chamber; to be composed of Messrs. Macdonald, (Toronto), McCraney, Gibbs, (South Ontario), Wood, Blackburn, Goudge, Casgrain, Desjardins, McDonald (Cape Breton), Ryan, Carmichael, Platt and Wright (Ottawa County)."

Mr. MITCHELL said he understood the adoption of that motion would not bind the House to have a form of prayer.

Mr. DECOSMOS said he was prepared to submit an amendment, that this House is of opinion that it is not desirable to have prayers. The Province of British Columbia had one of the best school systems on the continent, a non-sectarian school system, under which the Bible was not allowed to be read in the public schools, lest it should interfere with the prejudices of Catholics or Jews. There was no more necessity to have prayers in this House to do the legislation of the country than to have prayers in dry goods stores in Toronto to sell goods. He regretted to observe so much delicacy on the

part of hon. members in dealing with the question contained in the motion. Hon. members really desired to push the subject out of the House, while the hon. member for Centre Toronto wished to press it on the House, contrary to the wishes of its members.

Motion agreed to.

House adjourned at  
Five o'clock.

## HOUSE OF COMMONS.

Thursday, 15th Feb., 1877.

The Speaker took the chair at Three o'clock.

### PETITIONS INVOLVING EXPENDITURE.

#### SPEAKER'S RULINGS.

Motion being made, "That the petition of Henry Mitchell and others, coal owners, and others interested in the coal trade and shipping interests of the Dominion, praying that the duties imposed by the United States on Canadian coal may be neutralized by an equal bounty on all coal sent to the United States; or that a duty of 50 cents per ton be imposed on all coal imported into the Dominion, be now received";

Mr. SPEAKER decided: That as the prayer of this petition involves a public charge, it cannot be received.

Motion being made, "That the petition of R. M. Rolph, and others, ex-Staff Sergeants of the Provisional Battalion of Infantry, at Fort Osborne, Manitoba, setting forth certain grievances, and praying for six months' pay, and other compensation, be now received";

Mr. SPEAKER decided: That as the granting of the prayer of this petition would involve the expenditure of public money, it cannot be received.

### OFFICIAL REPORT OF THE DEBATES.

#### SECOND REPORT OF COMMITTEE.

Mr. ROSS (Middlesex) presented the second Report of the Select Committee appointed to consider what arrangements can be made for securing an

Mr. DeCosmos.

Official Report of the Debates of the House, which was read, together with the report of the sub-committee, there-to appended.

Mr. SPEAKER: When members desire the report of a sub-committee to be read, it should be incorporated in the report of the Committee and made a part of it. It is not desirable otherwise that reports of sub-committees should be read.

Mr. ROSS (Middlesex), with leave of the House, moved concurrence in the Report.

Motion agreed to and Report concurred in.

### BILLS INTRODUCED.

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

Bill (No. 3) respecting Procedure and Evidence in criminal cases. *Mr. Irving.*

Bill (No. 4) to repeal the Act 37 Victoria, Chapter 49, intituled: "An Act to authorize Corporations and institutions incorporated, without the limits of Canada, to lend and invest moneys therein." *Mr. Blain.*

Bill (No. 5) to amend the Act relating to Criminal Procedure, by allowing persons charged with crime, to give evidence as witnesses for the defence. *Mr. Dymond.*

### SELECT STANDING COMMITTEES.

#### LISTS CONCURRED IN.

Mr. MACKENZIE moved concurrence in the Report of the Select Committee to prepare and report lists of members to compose the Select Standing Committees of this House, in so far as it relates to the following Committees, viz.:—On Privileges and Elections; on Expiring Laws; on Railways, Canals, and Telegraph Lines; on Miscellaneous Private Bills; on Printing; on Public Accounts; on Banking and Commerce; and on Immigration and Colonization.

Motion agreed to and Report concurred in.

### JOINT COMMITTEE ON PRINTING.

#### MESSAGE SENT TO SENATE.

Mr. ROSS (Middlesex) moved:

"That a Message be sent to the Senate, requesting that they will unite with this House in the formation of a Joint Committee of both Houses on the subject of the printing of Parliament; and informing their Honours that the members of the Select Standing Committee on Printing, viz.:—Messrs. Bourassa, Bowell, Charlton, Church, Delorme, Desjardins, De Veber, Goudge, Lanthier, Ross (Middlesex), Ross (Prince Edward), Stephenson, Thompson, (Haldimaid), Trow, and Wallace (Norfolk), will act as members of the said Joint Committee on Printing."

Motion agreed to.

### PALMER'S POINT.

#### QUESTION.

Mr. DOMVILLE asked whether it was the intention of the Government to erect a lighthouse at Palmer's Point, on the St. John River, in the vicinity of the wharf.

Mr. SMITH (Westmoreland): I beg to inform my hon. friend that the Government have not decided to build a lighthouse at the place named.

### PRINCE EDWARD ISLAND.

#### QUESTION.

Mr. SINCLAIR asked whether the Government had taken any steps for finding out and establishing the most safe, speedy and practicable route for keeping up regular communication between Prince Edward Island and the mainland during winter, and if not, was it their intention to do so before the opening of navigation.

Mr. SMITH (Westmoreland): I beg to assure my hon. friend that the Government are getting information on this subject from day to day, having a steamer there at the present time. As to further steps the Government may take, I am not just now prepared to say, beyond mentioning the fact that we are endeavouring to ascertain the best practicable route.

### NATURALIZED ALIENS.

#### QUESTION.

Mr. TROW, in the absence of Mr. YOUNG, asked whether any further despatches had been received from the Imperial Government touching the recognition of naturalized aliens as British subjects in foreign countries, and if so, would they be laid before Parliament.

Mr. MACKENZIE: I believe that no further despatches on that subject are in the possession of the Government.

### GEORGIAN BAY BRANCH.

#### QUESTION.

Mr. WHITE (Renfrew) asked whether the Government had, since the sixth day of March last, entered into any contract or contracts for the construction of the Georgian Bay Branch of the Canadian Pacific Railway, and if so, whether such contract or contracts would be laid before Parliament during the present session.

Mr. MACKENZIE: No such contract has been entered into.

### THE RIVER SYDENHAM.

Mr. STEPHENSON asked whether it was the intention of the Government to place a sum in the Estimates for the improvement of the navigation of the River Sydenham, in the Counties of Kent and Lambton and the Electoral Division of Bothwell, to be expended during the present year.

Mr. MACKENZIE: The practice of asking what will be in the Estimates is, I think, both inconvenient and irregular. The Estimates, I hope, will be on the table within two days at the farthest, and then my hon. friend will see what is to be done.

### TELEGRAPH LINE ON VAN- COUVER ISLAND.

#### QUESTION.

Mr. DECOSMOS asked whether the Government proposed to grant a subsidy to aid in the construction of a telegraph line between Victoria and Nanaimo, if so, what was the amount of the proposed subsidy.

Mr. MACKENZIE: The Government has not considered that question.

### PACIFIC RAILWAY SURVEYS.

#### QUESTION.

Mr. DECOSMOS asked whether the Government proposed to lay before this House, during this session, a progress report of the surveys of the Canadian Pacific Railway up to December, 1876; if so, when.

Mr. MACKENZIE: That report has been before the House for five days.

#### BOUNDARY LINE OF ALASKA.

##### QUESTION.

Mr. DECOSMOS asked whether any arrangements had been made with the Government of the United States for defining the boundary line between Alaska and British Columbia; also whether any correspondence had passed, since last Session of Parliament, between the Government of the Dominion and that of the United States, respecting the said boundary.

Mr. MACKENZIE: Yes, a good deal of correspondence has passed; some of very recent date, but it is not in the public interest that the correspondence should be brought down at the present time. I can assure the hon. member that the subject has been attended to as closely as possible by the Government.

#### WELLAND CANAL WORKS.

##### QUESTION.

Mr. NORRIS asked whether it was the intention of the Government to draw the water out of the Welland Canal next winter for the purpose of completing some work on said canal, or if any method could be devised to do this work without drawing off the water.

Mr. MACKENZIE: It is the intention of the Government to draw off the water next winter, and we know of no plan that would obviate the inconvenience which some parties must more or less suffer.

#### TAMPERING WITH REGISTERED LETTERS.

##### QUESTION.

Mr. LITTLE asked whether the Postmaster-General intended making such arrangements as would further prevent registered letters being tampered with; and, if loss were sustained by the sender of such a letter, whether compensation would be allowed by the Post Office Department.

Mr. HUNTINGTON: The Department has no knowledge of more than

Mr. DECOSMOS.

one case which has occurred for which the Department is responsible in the manner indicated, and there is at present no intention to change the existing arrangements. The Department has no power in law to compensate any such party.

#### SALT INTERESTS.

##### QUESTION.

Mr. FARROW asked whether it was the intention of the Government, this Session, to give any relief to the struggling salt interests of this country by putting on small duty on salt (as was put on slate last year) coming from the United States into Canada.

Mr. CARTWRIGHT: The intention of the Government on this subject will, I hope, be announced in a few days in connection with similar subjects. The hon. gentleman is in error in supposing a duty was imposed on slate last year. It could not be done by the Government, and no alteration was made in the tariff last year.

#### MAILS ON THE CANADA SOUTHERN RAILWAY.

##### QUESTION.

Sir JOHN A. MACDONALD, in the absence of Mr. ORTON, asked whether it was the intention of the Government to place a mail on the Saint Clair Branch of the Canada Southern Railway, the coming spring; and if not, why not.

Mr. HUNTINGTON: The subject, which has been pressed on the attention of the Government by the hon. member for Elgin, is still under consideration.

#### SECRET SERVICE FUND.

##### EXPLANATIONS.

Sir JOHN A. MACDONALD: Before the Orders of the Day are called, I wish, Mr. Speaker, to make a few remarks on a matter personal to myself. I suppose most of the members in this House have read the Ottawa correspondence of the *Globe* of Tuesday last, referring to an entry in the Public Accounts by which it appears that \$25,579.04 were paid by me—refunded or repaid by me—into the Public Treas-

surely from the Secret Service Fund. I am not at all surprised that this entry should cause enquiry, and the tone of the enquiry I am sufficiently acquainted with politics not to care much for. The communication savoured rather of an attack upon myself, and made it appear rather as if I had taken so much out of the Treasury, instead of putting so much into it. The suggestion in the article apparently is that this sum of money had been for two years in my hands; that I had used it—God knows how!—none could know; and that under gentle pressure or the prick of my conscience, I had restored it to the Treasury. I have only to say, Mr. Speaker, in the first place, that not one farthing of that money was ever in my hands. A few years ago, in consequence of the troubles in the United States, which caused corresponding troubles on our frontier, the House placed at the disposal of the Government of the day a sum of money commonly called Secret Service money, to be used in the exigency of that time, and that grant was subsequently repeated. In the course to be adopted by the Government in a matter of that kind, requiring so much caution and secrecy in order to secure safety to the person from whom the Government wished to derive information, the delicacy of the matter was such that the practice of the Government, from the beginning to the end, was to appoint a committee of leading members of the Government to attend to it. Whenever this sub-committee asked for a sum for their purposes under requisition, the sum was carried to their credit, a special account was kept in the Bank of Montreal for that purpose, and the Council, as a whole, entrusted to that sub-committee the management of that fund. At the time the last vote was granted, the sub-committee consisted of Sir George Cartier, Mr. Alexander Morris, Sir Francis Hincks, and myself. By degrees, as the House is aware, I was left the survivor. Sir George Cartier died, Mr. Morris went to the North-West, and Sir Francis Hincks left the Government. At the time the late Government resigned, there was remaining of that fund the sum of \$32,179, lying at the credit of the sub-committee. It may be asked

why such a large sum of money was in charge of the sub-committee. The reason was simply this. There were large claims set up—some of them most preposterous claims—by parties who thought they had earned the money and had done the State great service in time of exigency, and it was not known exactly what these claims would amount to. The time was approaching when the sum of money in the Treasury would lapse; the Government did not desire to come to the House and ask for a new vote of Secret Service money; the amount of claims was very considerable but unascertained, and in order to prevent it lapsing, the balance was transferred to this committee which I have mentioned, and they settled the claims from time to time, as best they could. At last, at the time the Government resigned, I was the only remaining member of the sub-committee, and there was left a sum of \$32,179. The matter stood over for some time, as I expected to hear a good deal about the claims. I knew there was \$6,600 of claims that, beyond doubt, must be paid, because in one case one of my colleagues had paid the money out of his own pocket; and in another, my colleague had pledged his personal honour and his legal liability to pay the amount. These claims had not been adjusted, and were allowed to stand over until, in November, 1875, I was down here in Ottawa on private business, settling my own private affairs in this city, as I had gone to live in Toronto, and I thought I had better close this also. I was not up exactly to the correct mode of doing it, so I went to the Auditor-General, and asked the best mode of doing it. I said I should wish to retain \$6,600 to meet the two claims I have mentioned, which would leave \$25,579, the sum mentioned in the Estimates, which I wished to refund. I made up my mind that all other claims, all just claims, had been pretty well quit and settled, and that I could pay it over; and I had no doubt that if any other just claim came up, with the consent of the party, I could confidentially go to the present head of the Government and state it. I therefore thought the time had come when the money should

be paid over. This money lay in the Bank of Montreal as a special fund to be drawn upon by this sub-committee. It was never touched by me in any way whatever from the time we resigned until I gave two cheques drawing on the special account which stood there in my name as the surviving member of the Committee—one cheque in favour of the Receiver-General, and another to myself for the purpose of reimbursing my two colleagues. No portion of this money was ever in my hands, no portion was ever in my pocket. I paid it over in the manner I have mentioned, and that is the whole story. This communication in the *Globe*, among other things, alludes to the fact that I had, before the Public Accounts Committee, refused positively to give the names of the individuals receiving money from the fund. I did so before the Committee and also before the House. I stated that to give up the names of parties who had received money would destroy all the object for which the money was granted by Parliament. It was only to be used in cases of exigency. The parties who received it did not even give a receipt. It might be as much as their lives were worth to give a receipt which might be produced, and I hope my hon. friends opposite may never have the troubles we had, and that there may be no more border troubles. If there should, however, be border troubles hereafter—and we saw the other day the effect of the supposition that there was to be a war in the East—the hon. gentlemen may have to apply to Parliament, and they will be able to get no information unless the parties are quite confident that their names will not be given up. There was a resolution passed in the Committee on Public Accounts, stating that all future payments should be submitted to some confidential committee. I stated at the time that I had not the slightest objection for the future, but for the past obligations I could not, I would rather cut off my right hand than, betray who it was who had been employed at a time of great public exigency, and who might be in danger by such disclosure. But, in future, of course I had no objection. No payments, however, have been

Sir JOHN A. MACDONALD.

made of any kind by the Government, or by myself, except for old obligations which were incurred before that resolution was passed. In that same article, there is an allusion made to the sum of money which was claimed by the member for Selkirk. The answer to that, I see, has been given in the newspapers, that I did not think for one it was a sum which could properly be paid out of that fund. It was a sum of money which was advanced by the hon. member for Selkirk, at the suggestion of the Lieut.-Governor of Manitoba, without communication with the Government, at a time of great exigency and urgency, as they thought; and Mr. Archibald, the then Lieut.-Governor, stated that, if the Government repudiated it, he would pay one half, and the member for Selkirk would pay the other half out of their own pockets. I said, on behalf of the Government, I thought we ought not to repudiate an arrangement made in the public interest by a high officer like the Lieut.-Governor of Manitoba. The difficulty I had, was—out of what sum it should be paid. I did not think it should be paid out of this fund, and I was greatly embarrassed, as the House can understand, when they look back on the discussion which took place on all matters connected with the North-West. The embarrassment ceased by our going out. Then the hon. gentleman struck a special committee and I gave my testimony, giving my judgment that, in fairness and honesty, the engagements made by Mr. Archibald should be relieved and the sum paid, and I believe it was. That is all I have to state in reference to matters personal to myself. Other enquiries can be made in the regular way, but I wished to disabuse the minds of the House of any idea that any part of this sum was ever in my possession. It lay in the Bank of Montreal as a special deposit.

Mr. MACKENZIE: The House may, perhaps, reasonably expect a few words from me in reference to this matter, as the vote in the Public Accounts will show this money was deposited to the credit of the Government before the meeting of Parliament last Session. The hon. gentleman opposite will remember that I called his attention to it early in the Session, and informed

him of the view I took of the transaction; also, that I pointed out it would be desirable, as I felt, that the matter should be brought at once before the House. But various circumstances, including the hon. gentleman's illness and other matters, prevented our reaching it at a convenient period before the end of the Session. I pointed out to the hon. gentleman, the resolution adopted on the 29th May, 1872, which reads as follows:—

“That, inasmuch as such large sums of money as \$75,000 have been voted for Secret Service Money, of which there is no audit, as in the case of other expenditure, this committee is of opinion that an account of all sums hereafter spent for Secret Service should be kept, as in England, in a book specially prepared for the purpose, and that this book should annually be inspected by a confidential committee, of whom two shall be members of the Opposition of the day.”

I considered that this resolution debarred him, or any member of the late Administration, from touching one farthing of that money. I also said that the rule in England was, as I stated on a former occasion, that all such sums should be at once deposited at the end of the year in the same manner as other sums which had not been used for the purposes for which they had been voted. Todd upon this subject says:—

“There is yet another fund, that for ‘Secret Services,’ the disposal of which is in the hands of Government, although the greater part of the amount is annually voted in supply. The vote in supply for this service usually amounts to between thirty and forty thousand pounds. But this does not include the whole amount at the disposal of Government for secret services, on the contrary, the distinction has been uniformly maintained, that while it is proper to come to Parliament to make a general grant for such purposes, it is right that Government should have at their disposal a fixed amount, which is independent of an annual parliamentary vote. Accordingly, the Civil List Act, which is passed upon the accession of the sovereign to the throne, sets apart the sum of ten thousand pounds per annum, which is payable out of the Consolidated Fund for ‘Home Secret Service.’ The annual vote in supply is intended to supplement the deficiency of this grant. The Secretaries of State, and others who may draw upon this fund, are bound by oath not to use any of it for purposes which do not legitimately appertain to their several departments, and the names of all persons receiving Secret Service money, with the sums paid to them, must be entered

in a book, in order to be produced in either House of Parliament if required. It is not usual, however, to give information to Parliament in regard to the expenditure out of this fund.”

And hon. gentlemen who may refer to the volume will find the following remarks, with references to various pages of *Hansard* and other authorities. The mode in which the Secret Service Fund is audited, is described in the Report of the Commissioners of Public Accounts for 1865; and that mode I embodied in the resolution which was passed in the Public Accounts Committee.

“For the year ending March 31st, 1867, the vote was £32,000. This amount has not varied for several years past, but the money is only paid out as required by the Secretary of State. Secret Service expenditure is chiefly incurred by the Foreign office. The balance not required remains in the Treasury, and is surrendered to the Exchequer at the end of the year. Considerable sums have thus been surrendered from time to time.”

Now, Sir, the ground I take, as head of the Government, is the same that I took last year with regard to this matter, when it came before me, viz., that this money should have been paid back to the Receiver-General and Government as soon as the year had elapsed; and, further, that the moment the late Administration went out of office, they ceased to have any control over this or any other vote which Parliament had made; that disbursements of money came necessarily, naturally and constitutionally into the hands of those who succeeded them. I am aware that the hon. gentleman took a different view of it, and the following extract from a well-known speech of his, shows the way the hon. gentleman regarded the matter. He said, with reference to what I had stated regarding the Secret Service Fund:

“This was not the case. Either Mr. Mackenzie had been altogether misinformed, or had said what he knew to be untrue. There were two funds in England—a Special Service Fund and a Secret Service Fund. The expenditure of the Special Service Fund was disclosed to a Committee, but the Secret Service Fund expenditure was never told; and so closely were all the secrets kept in connection with that fund—so closely was it kept under the control of the Ministers, that if the Government were going out of office with £100,000 at their credit in the fund,

they would not leave it behind them, but take it with them for their own party purposes in opposition."

Now, Sir, I do not say that one dollar of this money was either kept or used improperly; but I do say that the hon. gentleman had no right, and that no member of his Administration had the right, to pay one dollar of that money after they left office. In accordance with the resolution passed on the 29th of May, 1872, the precise practice which had been followed in England should have been followed here. As the hon. gentleman declined to give me either the names of the persons who received, or inform me of the destination of, this money, I think that, at all events, these expenditures should be entered in a book kept for the purpose, and audited according to the intentions of Parliament, when it would appear in the report of the Public Accounts Committee; this I conceive to be the true course that should be taken. I make these explanations because the Public Accounts will show that the Government were cognizant of the circumstances attending the re-deposit of this money to the credit of the Government; and, if I did not mention the matter at all during last Session, it was simply because I desired to arrive at some understanding with the hon. gentlemen who had been members of the late Administration. I have consequently—and until Parliament met—kept the matter entirely in my own hands, as the hon. gentleman knows, and have not attempted to make any use of it, or of any of the documentary evidence, that has been in our hands with regard to it. It will be, of course, for this House, or its Committees, to adopt any course that it, or they, may see fit to take with relation to the disposal of this \$6,000 odd, retained for payment to some person or other, the destination of which, as I have said, the hon. gentleman did not see proper to communicate to his successors in the Government, the only parties who were properly and constitutionally entitled to have anything to do with the spending of such money, or of any portion of it.

Sir JOHN A. MACDONALD: I don't think the hon. gentleman entered into any long statement to myself.

Mr. MACKENZIE.

The chief conversation I had with my hon. friend was when, after the Session, I called upon him at his own office, and told him, so far as I thought I possibly could do so, what was done with this \$6,600. I told him \$600 had been actually paid by the hon. member for Cumberland for detective service. My hon. friend (Mr. Mackenzie) asked to know the names of the parties paid. As regards \$6,000 I told him Senator Campbell had made himself personally responsible to that extent, that he was liable for it, and would have to pay it. I said: "I do not want any after-claps about it." My hon. friend the leader of the Government will remember that.

Mr. MACKENZIE: Yes, quite well.

Sir JOHN A. MACDONALD: I said the amount was not yet paid, but Senator Campbell had made himself liable for it and would have to pay it out of his own pocket if it were not paid to him. I mentioned that to my hon. friend and so we parted. I take it that this matter will come before the Public Accounts Committee, when I shall have no objection to enter into any further details as far as is possible, without giving the names of individuals, which I am quite sure are not asked for in England. With regard to the speech which my hon. friend has quoted I stated the practice at that time as I understood it to be. The practice has varied considerably in England since. In England, if an expenditure of Secret Service money is made, for example, in the Home Office, a statement is given of the nature of the service to which it was devoted, but the names of the parties to whom it was paid are not stated. The same practice prevails in the Foreign Office, where expenditures are made for diplomatic purposes, in order to obtain information, often of great importance, and also in other departments. My object in rising was simply to make a distinct statement of the fact that no portion of the money in question was in my hands at all, that I never used it for any purpose, that it was lying on deposit in the Bank of Montreal on special account, until a cheque was given for its transfer to the Receiver-General.

Mr. MACKENZIE: Of course I quite agree in the correctness of the statement made by the hon. gentleman that Senator Campbell was responsible for the \$6,000, or that he had made engagements which would hold him for that amount. There is no dispute about that, nor do I contravert the statement, but I do deny that he can give any authority for the practice which he says exists in England. I have given my authority. We all recognize Mr. Todd as a high authority.

Sir JOHN A. MACDONALD: Yes.

Mr. MACKENZIE: There is no question about the facts. The only point of difference between us, at those interviews, was that I did not recognize the right of the hon. gentleman to pay the money at all. I did want, and I think I was entitled from my position, to know the very parties to whom the money was to be paid and the nature of the service for which it was paid. The hon. gentleman chose, though sitting on the Opposition side of the House, to use this money—which ought not to have been in his hands—for purposes of which he constituted himself the sole judge, instead of the constituted authorities of the country doing so.

## REPRESENTATION IN PARLIAMENT.

### MOTION DROPPED.

Notices of motion *called*.

Mr. HOLTON: Mr. Devlin has requested me to say, on his behalf, that owing to his absence, he would not ask hon. gentlemen to proceed with his motion for a Select Committee to consider the expediency of providing some system for securing a more equal and just representation of all electors. It must, of course, be dropped, under the order of the House; probably, however, to be renewed at a subsequent period of the Session.

## WEIGHTS AND MEASURES ACT.

### MOTION FOR INSPECTORS' INSTRUCTIONS.

Mr. FLYNN moved for instructions from the Department of Inland Revenue to Inspectors, in connection with the Weights and Measures Act. He

said: My object in making this motion is because I believe the instructions issued to Inspectors are not in accordance with the Act. Some time last autumn, the Inspector for the constituency which I represent, came to inspect the weights and measures. Many parties thought they had a right, under the statute, to use the Winchester bushel, but he refused to allow them to do so, unless they could show that a contract existed. I considered it then to be my duty to telegraph to the Department, asking if it were the intention of the Department to enforce the immediate use of the imperial gallon. I received a reply from Mr. Brunel, that the Department had no instructions to enforce the "imperial gallon." He added "the Act points out what is required, and circular 123 explains how that part of the law is to be administered." On looking at it I found that circular 123 said:

"Where you are satisfied that such specific contract is made, and that the parties thereto are desirous to submit the measure to be used in determining quantities under such agreement for verification."

In answer to my telegram as to whether the circular enforced the use of the imperial gallon, except in regard to contracts now existing, and stating that the Inspector refused to verify the old Winchester bushel and the wine gallon, it was stated that this was to be the case unless there was a special contract. Therefore the Government enforces the imperial measure immediately, which in my opinion is contrary to the Act. The Act itself does not interfere with the old Winchester bushel and the wine gallon until 1880. My contention is that the Department should not have issued any circular under this Act. The Inspector had a right, was bound in fact, to verify the old Winchester bushel and the wine gallon. I thought it my duty to bring the matter before the notice of the Department as the circular was contrary to the Act.

Mr. BLANCHET: I am very glad the matter has been brought up, as I have a notice of motion in regard to it. I want to have the names of the Inspectors and of the Sub-Inspectors given in the return. As the notices of motions are very numerous, the motion

of my hon. friend might be amended in such a way as to ascertain the names of the Inspectors and the Sub-Inspectors. To save time, I might say that the execution of that circular has caused a great deal of dissatisfaction in my part of the country. I cannot tell who issued the instructions, but they are very unpopular. As the Government announce that the measure will be amended, I hope my hon. friend the Minister of the Interior will amend it in such a way as to give satisfaction to the country.

Mr. POPE (Compton): I want to call the attention of my hon. friend opposite to the great noise the question has occasioned. The requirement is one to which the people ought not to be called upon to submit. It has failed from one end of the country to the other. It does seem to me that much of the difficulty would have been obviated had my hon. friend issued instructions that the country was to be divided into districts for the purpose of verification. As it is now, many parties in my county have to go thirty or forty miles to have their weights and measures verified.

Mr. LAFLAMME: There are districts arranged so as to give a radius of not more than five miles.

Mr. WORKMAN: I hope the Government will introduce an amendment to the measure, because the greatest difficulty has been experienced in carrying out the instructions. It is almost impossible to carry out the provisions of the Act in its present terms. I do not think there was ever any more unpopular measure than that as to the inspection of weights and measures. There was one universal howl against it throughout the country. I do hope that the amendments, as indicated by the Speech from the Throne, will obviate the existing difficulties. During some weeks after it was enforced, I was in constant communication with the heads of the Government and their officers, in reference to the measure, and I must admit that they met the just complaints of the people with the greatest attention, and showed every disposition to abrogate the obnoxious provisions, and announced the intention of the Administration to propose amendments to Parliament.

Mr. BLANCHET.

Mr. ROCHESTER: If the expenses of going thirty or forty miles in the country for verification are proportionate to the expenses of going half a mile in towns, they must be very heavy indeed. Although scales might be as correct as it was possible to make them, they must nevertheless be inspected and branded. They were sent to the Inspector, but all the good effected was the receiving of \$6 or \$8 by the Inspector. The law as a whole is not a bad law; it is the abuse of the law which is complained of. It is, however, one of the most fertile arrangements which has been prepared for many years, in the way of making positions. I am not speaking in a political sense. Parties in favour of the Government and those opposed to it are crying out against the abuses in connection with the inspection of scales. I prophesied that as soon as the regulations were placed in operation, a cry would be raised against them from one end of the country to the other, as is now the case.

Mr. ROSS (Prince Edward): I agree with the member for Montreal West. It is a very unpopular measure and should be either amended or repealed. The present Government is not altogether to blame, for the measure came originally from the other side of the House.

Mr. GIBBS (North Ontario): I can quite agree with those who say the Weights and Measures Act is not a popular measure, but I am not at all prepared to say that it is not required. It requires some alteration, however. The gentleman who acts as Inspector in my constituency is efficient, and is desirous to discharge his duty properly, but he feels that he is hampered by the Act. The great difficulty in my Riding is that the Inspector has not control of the officer who follows him to make the alterations. There is no scale of charges to guide the individual who performs this work, and it has been complained that the fees have been exceedingly excessive and have given a great deal of trouble. As I understand the Speech from the Throne, this Act will be amended, and I will take this opportunity of suggesting if it would not be well that the expense

of altering scales should be borne by the country, and not by those who use or own them. Those who use scales are desirous, for the sake of their own business, that they should be correct. They are not the only persons interested, but the whole country at large is interested. I think it is imposing a very unnecessary expense upon gentlemen in the trade, who are building and using scales, that the whole expense should fall upon them. It is reasonable that the expense of verifying scales should be borne wholly by the country, especially where they are found to be correct. When scales are found to be incorrect, then there might be some excuse for charging for rectifying them; but where scales have been formerly inspected and found to be correct, it seems to be a hardship for the user or owner to be obliged, from time to time, to incur such a large expense. The Inspectors should, moreover, have control of the men who alter the scales. I am satisfied the country demands some amendment in working the Act.

Mr. DAVIES: As yet, this measure is not applied to Prince Edward Island, but I believe it will be applied next year. I can only say it will be most unpopular. The people have been in the custom of using the wine measure, and I don't see any good reason why we should be compelled to use the imperial. We have a large trade with the United States and the West Indies, and there the wine measure is used. The imperial measure, it seems to me, is dying out, and why it should be introduced into the Dominion of Canada, I cannot see. The measure will be most unpopular in the Island, and I hope the Government will reconsider the matter.

Mr. WOOD: The objection I entertain to this Act is the want of uniformity in the action of the Inspectors. The largest scale manufacturers in the Dominion are in Hamilton. That firm has been put to the expense of altering all their patterns because the Inspector will not certify platform scales, the beams of which are marked into tenths instead of sixteenths, the Inspector stating that he has orders from the Commissioner not to certify them. In

Toronto, scales are passed which are not subjected to the same condition as those in Hamilton. I wish to convince the hon. Minister of Inland Revenue that the system is not carried out in accordance with the Act. The operation of the Act tends to make the Government unpopular.

Mr. PLUMB: I do not object to the law on the ground urged by the hon. member for Hamilton—that of making the Reform party unpopular. I am glad, however, that this discussion has taken place, as I have often thought of calling the attention of the Government to the matter, and I have often been requested to do so. As this has been done by other hon. gentlemen it is not necessary for me to say anything further, except that I have very great complaints from my part of the country as to the measure. I trust the Government will either amend it or give instructions whereby relief will be given to those who have been subjected to annoyance in connection with its working.

Mr. LAFLAMME: I am much obliged for the observations of hon. members on the law. I have received a number of suggestions in a private manner, and I should be obliged to any hon. member who would convey to me anything which would tend to improve the system.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That an Order of the House do issue to the proper officer, for copies of instructions from the Department of Inland Revenue to Inspectors, in connection with the Weight and Measures Act; together with the names and salaries of each Inspector and Sub-Inspector.

## BOUNTY ON COAL.

### MOTION TO RECEIVE PETITION.

Mr. MACKAY (Cape Breton): I wish, Mr. Speaker, to make a few remarks on a question of privilege. I consider every member of this House has a right to present a petition, so long as it is couched in proper and respectful language, and so long as it does not ask for any additional burdens on the public. I presented a petition from Henry Mitchell and others, asking that the coal trade of the Dominion of Canada should be taken into consider-

ation by this House, and I understand you have decided that it is not admissible, on the ground that it asks that additional burdens should be imposed on the people. On looking over the petition, I cannot see that it asks for any additional burden to be imposed. The petition is rather in the nature of a remonstrance of those who are interested in the coal trade, to the effect that the policy pursued by the people of the United States, in excluding our coal from their market, while their coal was admitted to our market, was disastrous to the coal trade of the Dominion, and it asked that this House should take the matter into consideration. Yet it does say, certainly, that it would be desirable that a bounty should be allowed on coals shipped from the Dominion; but it places the matter in the alternative, in that a duty might be placed on coals coming into the Dominion from the United States. There is nothing in the petition, in my opinion, which contravenes the regulations of this House. I perceive there are certain instances in which a petition is not received by the House of Commons. It is laid down by May that a petition to the Commons praying directly or indirectly for an advance of the public money, for compounding or relinquishing dues, or the remission of taxes, will only be received if recommended by the Crown. But it does not in any way state that a petition shall not be received which refers to a matter of trade, and which asks that a duty shall be placed upon a foreign article. At any rate, the petition is one which should receive the consideration of this House. I therefore move:

“That the petition of Henry Mitchell and others be received.”

Mr. SPEAKER: I judged of the character of the petition from the endorsement. The hon. gentleman says the duty may be neutralised by an equal bounty on all coal sent to the United States. I don't care to go beyond the hon. gentleman's own statement, and on that statement I rule that the petition should not be received on account of its asking that public moneys should be paid to certain private parties, which, as the hon. gentleman himself

Mr. MacKAY.

admits, would be inadmissible. He suggests that it is merely a remonstrance. This House does not receive remonstrances, but only petitions. But I find it does ask for something:

“We therefore ask, in the interest of free-trade, not of protection, that your hon. House will neutralize this hostile duty of seventy-five cents by giving an equal bounty on all coals sent to the United States.”

Under these circumstances, I cannot change my views with regard to the propriety of receiving this petition. And I doubt the propriety of the mode in which the hon. member seeks to set my decision aside. I think also if he is determined to take that course that it would be better for him to postpone it for a day, in order that I may consult the authorities.

Mr. MACKAY: Mr. Speaker, I bow to your decision. As regards the endorsement, it was not by myself but by officers of the House.

Mr. SPEAKER: The rules require that a petition should be endorsed by the hon. member himself.

Mr. MACKAY: It is endorsed, I think, but only to a certain extent. I will let the matter stand until tomorrow, in accordance with your desire.

#### RECOGNITION OF THE VOLUNTEERS OF 1837-38.

##### RESOLUTION.

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

“That some substantial recognition should be given to those loyal Volunteers who defended the British flag during the troubles of 1837 and 1838 in this country. And therefore it is the opinion of this House that an area of the wild lands of the Dominion should be granted them, not less equal in extent to that offered to the immigrant settler.”

He said: An eminent writer once said a wise statesman will legislate for the purpose of promoting loyalty among the subjects. I know no way in which this can be better accomplished than by giving some consideration to loyal acts in the past, in order to encourage the performance of others in the future. All nations are

full of precedents of this character, our own among the number. We find in 1775, when the rebellion of the United States was closed, and when the British flag was dishonoured and that of the United States was raised in its place, that some ten thousand men and women, loyal to the British Crown, settled on the banks of the St. Lawrence in our midst. It was felt that some recognition should be given to those loyal people, and a portion of the wild lands were given to them and to their descendants. When our country was invaded in 1812 by a foreign army, to each of the loyal volunteers who came forward and nobly repulsed the enemy, driving them completely from our territory, Parliament granted a portion of the wild lands. That legislation has been supplemented by the present Dominion Government, and no act of the Administration has given greater satisfaction to the people than their application for \$50,000 for grants to be given to the veterans of 1812 who so nobly came forward in the defence of their villages and their institutions. About forty years have elapsed since other demonstrations of loyalty were made in this country. I will not refer to the causes of the troubles of 1837-38; suffice it to say, that time and a forgiving public have effaced almost from history the causes of the troubles; but I cannot forget what is due to those loyal men who came forward in defence of their country and suppressed the rebellion. I can, indeed, speak of the incidents as an individual, for some of them occurred in the county which I represent. In the state of New York, not far from the boundary line of the St. Lawrence, a large body of troops were gathered in 1838 for the purpose of invading Canada. They were under the command of a distinguished American officer, and it was known they intended to make their attack in the vicinity of Brockville and Prescott. The vessels of the invaders were driven from the landing places and drifted down stream to Windmill Point, which is well known in connection with Canadian history. A landing was made there by the American troops, who were well armed and disciplined, and, who visited the country, not for a temporary visit,

but as invaders; and it was only by the determined loyalty of the people they were driven from the soil. Forty years have passed away, and no substantial recognition has been given to those men for their services. When a foreign flag was placed on Windmill Point, when the best of the dwellings were taken possession of by the invaders, then the loyalty of the people, especially of those on the banks of the St. Lawrence, was manifested. The by-ways were crowded with men, some with arms and some with inferior weapons, coming to repel the invaders. Many of those who came forward at that time to drive the invaders from the soil, came not to return again. Others returned maimed; and shall there be no recognition of their services when the country follows the precedent of having rewarded loyalty in the past? I ask hon. members if it is not the duty of this or any Government to follow the practice followed in the past, and to legislate with a view to promote the loyalty of the people. I am happy to say that in this country it may not be necessary to take such action, because it is only a few years since we had an illustration of the loyalty of the Canadian people. When the sentiment of the British public was declared to be that no person should be taken from the deck of a vessel carrying the British flag, the Canadian people were loyal to the old flag. This Government and preceding Governments have been exceedingly anxious to send emigrant agents to the old European countries to induce emigrants to come and settle in Canada. Those immigrants had not only portions of their passage money paid, but also their expenses, and when they arrived we were anxious to give them a portion of our wild lands for settlement. The object was to preserve the British flag in this country—half of a continent. Shall we be more anxious to reward strangers, to whom we allot a portion of our wild lands, than those who protected the British flag in this country in time of danger? We have in the North-west a vast area of wild lands, and I submit that a portion should be given to each of those loyal men, equal in extent to that offered to an

immigrant settler. I believe the grant of a portion of those lands would not impoverish the country, and it would reward the loyalty of those who, forty years ago, repelled an invasion of the country. Therefore, I ask the House to take the action contemplated in my motion, which I submit with a full belief that, if its provisions were carried out, it would be more effective than any other measure in settling the North-west.

Mr. SPEAKER: There is some doubt as to whether a resolution of this kind is strictly in order. True, its adoption would be a mere declaration of opinion on the part of the House, and my recollection of the authorities is that, in such cases, a great degree of latitude is allowed. It certainly would be out of the question that any Bill to give effect to this resolution could be introduced into the House without the assent of the Crown. I am not prepared to rule the motion out of order, but it is for the mover to consider whether he will press the matter further under the circumstances.

Mr. MACKENZIE: I will call the attention of my hon. friend to some facts in connection with the class he alludes to, to which he has not referred. In the first place, it was provided by the Legislature of the old Province of Canada that a pension, not exceeding \$30, should be paid to all those who were disabled in consequence of wounds or hardships encountered in the short but somewhat vigorous campaign upon our frontier at that time, and a very large number of pensions are granted under that authority. There was a Board of Physicians appointed, if I recollect aright, in each county, and if they reported that any person had served and was disabled in the service, he became entitled to a pension not exceeding \$80. It may, therefore, fairly be presumed that all those who have been disabled have been pensioned in this way. Another matter requires a little attention. That Rebellion was confined to the two Provinces of Upper and Lower Canada, lately the Province of Canada. The lands at the disposal of the Dominion Government are the property of the whole Dominion—the

new as well as the old Provinces—and it may be doubtful, therefore, whether we should be able to consider the resolution as my hon. friend has proposed it. But no one can doubt the expediency of doing everything that is just and fair and reasonable to encourage the class to whom he alludes. He first brought before the House the case of the old soldiers who had served in the war of 1812-14, and in consequence of his bringing the matter before the House, these old pensioners received a recognition at the hands of Parliament. Although the sum granted was small, it gave a good deal of pleasure, and, we hope, some profit to some. This matter has only been brought to the attention of the Government, for the first time, this morning, and we are not prepared to say anything definite with regard to it at present. I hope, therefore, my hon. friend will not ask for a Committee of the Whole now, but will defer the matter, content with having brought it under the notice of Parliament and the Government, and I promise him, on our part, that we shall consider it at as early a day as possible.

Mr. ROBINSON: I hope the House will not allow such an important question as this to escape their attention on a mere question of order. Representing a loyal population myself, I give the mover of the resolution great credit for introducing it. We are apt to think more highly of motions pertaining to one party or the other, than of one such as the present. It was not necessary to refer to the exertions of the volunteers in the campaigns of '76, 1812-14, and 1837-8, or in the Fenian Raid, to make those exertions palatable and agreeable to the House. It is well known what results attended upon the patriotism and the spirit of the volunteers, in reference to whom the Duke of Wellington, in his place in Parliament, at the time of the discussion of the Union Bill, in 1840, stated that the exertions of the militia of this country in 1812, when England's hands were tied behind her back, had not only saved this country to the Crown and people of Great Britain, but had raised a monument to their honour equal to that any country in the civilized world could boast of. We all know

Mr. BROUSE.

that in 1837-8 the Monroe doctrine was in force on this continent, and the Americans declared that they alone had the right to possess it, but, owing to the gallant exertions of the volunteers, the enemy's standard was kept out of Canada. But for their gallantry and devotion, we should not now be sitting here. Perhaps by wise legislation, we have sent our agents abroad to tell strangers that this country is well deserving of their immigration and that they would prosper here. I believe 7,000 or 8,000 Mennonites, from Russia, are settled where I hope they may prosper; but those men, from their peculiar religious belief, would not come forward to defend our flag if it was being trod in the dust. Probably the same applies to the Laplanders. Recollecting the services of the people who served in 1837-8, we cannot refuse them the same amount of land which we give to Laplanders and Mennonites. In Ontario, the Legislature frequently gives as much as 10,000 acres of land per mile to railways, but, though that is a good object, how much better is it to recognize the interests of these men by giving them an equal grant of land for their services. I suppose it is not so much for the sake of the value of the 100 acres of land that this is asked, as for the recognition it conveys of the patriotism of the men,—a sentiment which it would tend to sustain though it could not strengthen. It is often stated as a matter of pride, that people are descended from the United Empire Loyalists, and I think the Legislature would do an excellent thing if it would agree to this motion.

Mr. ROSS (Prince Edward): I hope the hon. mover of this resolution will be as successful as he was two years ago, and that the veterans of 1837-38 will receive recognition as well as the veterans of 1812. It is not for the value of the grant, but as a gracious act done by the Queen, through the Government of this country, that this is asked. I was present when the paltry sum of \$20 was handed to those veterans 80 and 90 years old, and I saw their cheeks wet with tears, not from the value of the gift, but from the sense that their Queen and country recognized their services. I am glad

to learn, from the expressions of the Premier, that he will consider this matter, and I have no doubt the hon. member for Kingston will acquiesce in a grant being made, and that no member on either side will oppose it. It would be much better to encourage our own people to settle the millions of acres in the North-West, than to import immigrants from the old country, and I think the Government might grant 200 acres instead of 100, and permit the sons of these people to take them if they do not go themselves. I suppose half the immigrants we get do not stay here, but go to the other side.

Sir JOHN A. MACDONALD: I can only say that, in this case, I cannot even vote, for I am one of the volunteers who served in 1837-8, and I hope I shall get a substantial recognition.

Mr. BROUSE: I have been very happy to hear the remarks of the Premier on this question, and, in consequence of the statement he made, and believing as I do, that, as we well know, the rebels of 1837-8 have already been paid—

Mr. DYMOND: No, no.

Mr. BROUSE: The hon. gentleman was not here at that time, but if he had been and had had friends who shed their blood in the struggle, he would not say, "No, no." I am glad to accept the Premier's statement, and I am prepared never to rest satisfied until these loyal men have received some recognition from their country.

Motion *withdrawn*.

## MERCHANT SHIPPING.

### MOTION FOR CORRESPONDENCE.

Mr. TUPPER, in the absence of Mr. MITCHELL, moved for copies of all correspondence between the Government of Canada and Her Majesty's Government in relation to legislation affecting Merchant Shipping; also, copies of instructions given to Mr. William Smith, Deputy of the Minister of Marine and Fisheries, on his recent mission to England in connection with the above subject, together with all correspondence relating thereto, had between the said Deputy and Her Majesty's Government, or any of the

officials thereof; also, all correspondence had in relation to such mission between the Minister of Marine and Fisheries and the said Deputy, with the report of the said Deputy in relation to such mission.

*Motion agreed to.*

## INTERCOLONIAL RAILWAY.

### MOTIONS FOR RETURNS.

Mr. DOMVILLE moved for a statement shewing the following particulars in regard to a main brick sewer constructed through the station yard of the Intercolonial Railway at Moncton during the past year:—

“1. The Parliamentary authority under which the expenditure was made;

“2. Plan shewing the locality, size and extent of the work, and the buildings served thereby;

“3. The cubic yards each, of earth and rock excavations; the days' labor and amount expended in making such excavations; the quantity each of stone, bricks, lime and cement used and the amount paid therefor at the place whence received; the amount paid or allowed and charged for transportation; the number of days' labour and amount expended in laying the bricks and stone work; the quantity of material used in covering, and the days' labour and expense expended in covering the sewer;

“4. The particulars of all other amounts charged as for such main sewer;

“5. The total cost of the sewer;

“6. The names of the persons from whom, and the places whence each lot of material was procured, and the amount paid to each person therefor, with the date of payment;

“7. The statement to show how the charges in connection with the sewer have been classified and entered in the Public Accounts.”

He said his object was to elicit information in regard to what must have been a very large expenditure in the vicinity of the public buildings at Moncton. They heard rumours as to how work was being done, and extravagance carried on, but they had no data on which to form a judgment until the papers were laid before the House. He had not been able to find the particulars he required in the Report of the Minister of Public Works, and hoped the necessity of finding the authority for this expenditure would be a justification for his asking for so many papers.

Mr. TUPPER.

Mr. MACKENZIE said it would be quite impossible to comply with the hon. gentleman's requisition. He had no means, nor could any possible means be found to count the bricks in that drain, or to obtain many other particulars which the hon. gentleman asked for. The motion might pass, and all the details which the accounts permitted would be furnished.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement showing:—

1. The original size and cost, exclusive of heating apparatus, of the brick building at Moncton known as the general offices of the Intercolonial Railway;

2. The size and cost of the additions to such building;

3. The original cost of the heating apparatus and of any additions made during the year 1876;

4. A plan of each of the four floors of said building as at present arranged, showing the purpose to which each of the rooms is appropriated;

5. The parliamentary authority for the various expenditures;

6. The names of all persons who may have been employed as Inspectors, Firemen, or Supervisors of such work, the time allowed to each and the wages paid them. In case any part of the work was done under contract, the statement to show the fact, the date and amount of the contract and the name of the contractor;

The statement to shew the items or particulars of cost, as well as the total amount expended in each case, and the manner in which the expenditures have been classified.

He said he submitted the motion for the purpose of eliciting information for the benefit of the public. As to the particulars with reference to the sewer, it would not be necessary, as the hon. the Premier seemed to intimate, to count the bricks, for the contracts and tenders still existing would certainly give the quantity bought, delivered, and paid for. It was openly stated, that this work was erected partly by contract, and partly by day's labour, that the material was brought from various places and credited to all branches of the railroad. Stories had been scattered broadcast over the country about the extravagance of the Government officials and General Superintendent; and it was in the interest of the Government that the public should have such information as it was justly entitled to, with regard to those expenditures.

Mr. MACKENZIE, said the Government would furnish the hon. gentleman with as close a statement as could be procured, but of course it will take some time, involving an examination of the books for many years back.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement from the proper Intercolonial Railway official showing the quantities, kinds and cost of rails, fish plates, bolts and nuts, spikes and sleepers, as follows:—

“On hand but not in use on 30th June, 1875—received during the year ending 30th June, 1876—used and otherwise disposed of during the same period—the balance on hand but not in use at that date—received during the six months ending 31st December, 1876—used and otherwise disposed of during the same period—and the balance on hand but not in use on the 31st December last.

“The statement to show the date when each lot was received, the quantity, the place whence received, parties from whom purchased, name of the vessel freighting rails, fish plates, &c., amount of freight paid, and also the names of all persons to whom any such material was sold, the quantities so disposed of and the prices received therefor.”

Mr. MACKENZIE said this statement must be necessarily confined to the period in which the stock was taken. This would take a much longer time than any other motion on the hon. gentleman's long list, and he must not be surprised if the information required could not be given before the House rose.

Mr. DOMVILLE said that would be satisfactory, but, as it was said that there was a peculiar style of book-keeping, which facilitated the harmonizing of figures, it became necessary that the statement should be brought down as far as possible in the way he had intimated, in order that they might get anything like a correct idea of the Public Accounts.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement showing the authority under which two dwelling-houses with stables and outbuildings were erected during the past summer at Moncton, for the use of the resident Engineer and Traffic Superintendent of the Intercolonial Railway; the amount authorized to be expended and the amount actually expended, the statement to be accom-

panied by statements showing, in detail, all charges made for such works, and the accounts to which such charges have been entered in the books of the railway; such statement to be so made up as to show the following particulars:—

1. The quantity, kind and cost of stone used in the cellars and foundations;
2. Labour and cost of procuring the same;
3. Cost of erecting foundations and cellars;
4. Cost of foundation not used and its subsequent removal;
5. Cost of labour and material used in constructing drains and of connecting same with main sewer;
6. Amount paid for water pipes and for laying the same, giving the size and length of such pipes, the cost of tanks, baths, pumps, sinks, closets and fixtures in connection therewith;
7. Cost, each, of chimneys, grates, stoves, woodwork, plastering, earth embankment and fencing;
8. Cost of Inspection.

The statement shall give the names of places from which the stones were procured, the number of days the trackmen were employed in procuring such stone and the amount charged to the buildings therefor, and the amount allowed or charged for freight on the same.

He said he could not find any appropriation for these buildings; and the public alleged that these railways had cost a very much larger sum of money than had been officially reported. If these buildings had been erected without proper authority, the question arose: In how many other instances this practice had been followed. It was openly reported, and he believed correctly, that the Superintendent promised to provide the men with a museum, or a reading room, and curiosity shop. He thought such buildings should not be put up without the consent of the Government, and the Minister of Marine and Fisheries should have something to say in the matter; for, although the hon. member for Westmoreland, of whom New Brunswick would always be proud, had been labouring in the interests of the country, Mr. Brydges took to himself the credit of what was done in this relation.

Mr. MACKENZIE said that, besides these two buildings, nineteen others, built during the Administration of the hon. gentlemen opposite, had been erected in consequence of the absolute

necessity for affording accommodation for the people there employed. All the occupants paid rent to the Government, and for the two houses to which the hon. gentleman had alluded the rent was \$500 per annum.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement showing the quantity of work done in enlarging the railway water-works at Moncton during the year 1876, with the particulars of all expenditures in connection therewith.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement giving full particulars of all expenditure made in constructing restaurant, enlarging the store-house, erecting freight-house, altering and improving the station-house, constructing sidings, erecting coal-sheds and trestle works, constructing platforms, ballasting tracks and grading the yard, and other such work done in the railway station-yard at Moncton during the year 1876.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement of copies of all correspondence which has taken place between the officer in charge of the Government railways and his subordinate officers, as well as with the Department of Public Works and the Canada Guarantee Company in reference to the defalcation of Alfred Brush, late cashier of the Intercolonial Railway.

Mr. MACKENZIE said he must request his hon. friend not to press this motion, as steps were to be taken to procure further information concerning this person, and it was not advisable, in the public interest, that the particulars should be disclosed.

Mr. DOMVILLE said he would withdraw it.

*Motion withdrawn.*

Mr. DOMVILLE moved for a statement giving a full account of all accidents which had occurred on the Intercolonial Railway since 1st July last, giving the locality and cause of each, the damage done, the cost of repairs to stock, indemnification to persons for goods damaged or injuries sustained, and the action taken in regard to any dereliction of duty which may have caused such accident.

Mr. MACKENZIE.

Mr. MACKENZIE said his hon. friend would find the information required in the Public Works Report. If, on examination, he considered further details necessary, the Government would be prepared to furnish them.

Mr. DOMVILLE said he had looked over the Report, and found that some of the accidents to which he hereafter proposed to refer were not mentioned, though this might not be within the knowledge of the Premier. One case concerned an elderly female who was run over and seriously injured. She was supplied with medical treatment, necessities and comforts under instructions from the Intercolonial Railway authorities, but, when the bill was sent in, payment was refused. He moved for the papers in order that he might hereafter bring up the matter in a more prominent shape.

*Motion agreed to.*

Mr. DOMVILLE moved for copies of any Orders in Council and of all correspondence which has taken place between the officer in charge of the Government Railways, or his Traffic Superintendent and the Minister of Customs, the Minister of Marine and Fisheries, and the Minister of Public Works in regard to the appointment of Mr. James McAlister to the position of Cashier of the Intercolonial Railway, the creation of the office of Dominion Auditor at Moncton, the transfer of Mr. McAlister thereto, the appointment of Mr. Charles D. Thompson to the position of Cashier, the subsequent removal of Mr. Thompson, the abolition of the office of Dominion Auditor and the re-appointment of Mr. James McAlister to the office of Cashier; also in regard to the subsequent provision made for Mr. Thompson.

Mr. MACKENZIE said he could not give copies of correspondence which had passed between Ministers, save of such as were strictly official, and concerned business matters.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement made up so as to show for each month of the two years ending 31st December, 1876, the following particulars in relation to the working and management of the Intercolonial Railway:--

1. The number of miles run by the engines in each service, as follows:—Ordinary passenger trains, special passenger trains, freight trains, mixed trains, construction trains, with the mileage made by each description of cars used in each service.

2. The gross working expenses, without deductions, made up in accordance with the general classification of the railway accounts.

3. The particulars of all charges made for the use of engines and cars, as well as for railway freight, debited to the various services and deducted from the working expenses of the railway. This statement 'o show the deductions as made from each subdivision of the expenses, and to what service such deductions were charged.

4. The average, in detail, before and after such deductions have been made.

5. A statement giving full and detailed information in relation to the special trains for the conveyance of passengers or officers of the railway, which were run from the 1st July, 1875, to the 31st December, 1876. The statement to show whence and where to each such train was run, and the date; the distance; the names of the conductors and engine-driver in charge, the reason for running it, the amount received for each service, and the expenses incidental thereto.

He said the motion required a good deal of information to be furnished; but it was necessary, in order to clear up some alleged difficulties.

Mr. MACKENZIE said these details could certainly be given, but to do so would necessitate the employment of a great many additional clerks for several months. As it would require an examination of the books of each station on the line, he submitted to the hon. gentleman, as well as to the House, whether such an expensive return should be asked for. It would be much better if the hon. gentleman would specify exactly what he wanted.

Mr. TUPPER said he did not know whether his hon. friend at the head of the Government had been advised respecting the answer he had given, but he would assume that was not the case. He did not believe it necessary, from his acquaintance with the mode in which books were kept in connection with the Railway Department, to visit a single station. The information in question could be furnished in a very short time by the head of the Department, from the records in it. The report of the Minister of Public Works, laid on the table of the House during the present Session, showed every mile that any train had run. Of course, if

the adoption of the motion did involve the appointment of a number of additional clerks and a large amount of extra labour, it would be a very grave reason why some hesitation should be shown by the Government regarding that matter, but his hon. friend, on referring to the books of his Department, would find that they would furnish all the information required, without involving much delay or expense.

Mr. MACKENZIE said he admitted the information could be supplied, but it would necessitate a good deal of expense and take up a good deal of time. The motions the hon. gentleman was submitting, ought not, strictly speaking, go on the Journals of the House in their present shape, as the Government were compelled to qualify so many of them. A portion could not possibly be granted and passed as they stood, for such a course might, in the future, cause some misunderstanding. He had permitted them to pass because he was desirous of affording all possible information.

Mr. HOLTON said he regarded the order of the House as a sacred thing, which was not to be trifled with, and, therefore, not with reference to this particular motion, but with respect to all such motions, he thought that the Premier, who would pardon him for saying so, ought either to accept them in their fullness, in their obvious sense, or amend or reject them.

Motion agreed to.

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

### After Recess.

Mr. DOMVILLE moved for a statement showing the expenditure incurred during the last two years ending January 31st, 1877, for carpets, curtains, dining and bedroom furniture, fixings, fittings and utensils, linen, crockery, china, cutlery, and silver ware; also for desks, tables, chairs, sofas, lounges, pictures and fittings for the General Offices of the Intercolonial Railway at Moncton. The statement to give the name and cost of each item and to include all articles furnished by any department or branch of the Railway Service.

Motion agreed to.

Mr. DOMVILLE moved for a statement giving copies of all correspondence which has taken place between the officer in charge of the Government Railways or any official in charge of a department of the Intercolonial Railway and the Phoenixville Iron Company, or any other person, from a company in the State of Pennsylvania, in relation to any offers for bridge superstructure, iron roofs, turn-tables, engines, cars, work, supplies or other matter or thing since 31st December, 1875, whether such correspondence has been in the form of tender or otherwise, stating upon the face of any offer if the same has been accepted.

Mr. MACKENZIE said it would be impossible to give all the items.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement giving a full account of all charges made and expenses incurred for changing the gauge of the Intercolonial Railway, and shewing how the expenditure is classified in the Railway Accounts.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement shewing the names, ages, denomination, date of appointment, occupation and salary of all persons, except ordinary mechanics and labourers, who were in the service of the Intercolonial Railway on the 31st March, 1876; also a separate statement giving similar information in regard to persons who were in the service of the Railway on the 31st December last; such return to include the names of all employés whether on the pay sheets or otherwise.

Mr. MACKENZIE said all the labourers were on the pay sheet as a matter of course.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement giving a full epitome of all offers or tenders made from the 30th June, 1875, to 31st December, 1876, to any authorized officer of the Intercolonial Railway, for each of the following: wheels, axles, springs, tubes, tools, stoves, iron, ironwork, iron roofs, bridge superstructure, cars, ploughs, oil, tallow, waste, fuel, rails, frogs, spikes, and other principal supplies,

Mr. DOMVILLE.

and also for buildings, snow sheds, or any description of work usually done by contract; the statement to include the names of the parties who made such offers, and the names of those whose offers were accepted, as well as the names of those who in any case were invited to submit offers, and the names of those, if any, whose contracts were cancelled, and giving the cause thereof.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement showing the names and address of all persons, firms or companies, who supplied materials or stores of any kind, during the two years ending 31st December, 1876, for the use of the Intercolonial Railway; such statement to show, opposite each name, the date, general character of the goods supplied, the amount of the purchase and the reference number of the receipt taken when the goods were paid for.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement giving a general description and cost of each of the works of the Intercolonial Railway, not chargeable to ordinary maintenances, which have been constructed during the two years ending 31st December, 1876; by day's labour or private arrangement, giving the name of the engineer and inspector under whose immediate supervision the work was done.

Mr. MACKENZIE said he thought all that was in the report. Nothing could be given but what the engineers had already disclosed.

Mr. DOMVILLE said he was informed, but was not prepared to say that his information was correct until the papers were brought down, that works had been awarded amounting to \$10,000 which ought to have been tendered for. He could not find anything in the reports which would show how these contracts were given.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement giving copies of any agreement, arrangement or correspondence in pursuance of which the officers of the Intercolonial Railway or any other Government officials, are insured with

the Guarantee Company of Canada, such statement to be accompanied by statement showing who of the officers of such railway have been so insured, the amount of such insurance, the premiums paid in each case, and the amount of insurance paid by the said Guarantee Company on any policy. He said the officials felt it was not right to have deductions made on the pay sheet without their consent; and, further, they did not know on what plan the insurance had been effected.

Mr. MACKENZIE said every officer in a responsible position was required to give personal or other security. The officer paid the security himself—the Government did not pay it.

Mr. TUPPER said he believed there was an insurance altogether different from the insurance for good behaviour. As he understood it, these deductions were made for the purpose of insuring their lives from death or personal accidents.

Mr. MACKENZIE said that was a different thing, covered by the next motion. He suggested that the words "or any other Government officials" should be struck out.

Motion, as amended, *agreed to*.

Mr. DOMVILLE moved for a statement showing—1st, the arrangement made for insuring the employés of the Intercolonial Railway against accidents; 2nd, the monthly deductions made from the wages or salaries of such employés, on account of said insurance from the time the Government undertook the risks up to 31st December last; and 3rd, the particulars of all amounts paid out of the Railway on account of such insurance.

Motion *agreed to*.

Mr. DOMVILLE moved for a statement showing the following particulars in regard to the traffic of the Intercolonial Railway for each of the six months preceding the 1st of January last:—

1. The number of tons of through freight forwarded to each Station of the Intercolonial from any Station on the Grand Trunk Railway; showing in each case the total freight charges thereon, the amount of such charges apportioned to each Railway, the whole number of tons carried per mile on

each line, the average receipts per ton per mile by each line, and the amount paid to the Grand Trunk Railway Company for the mileage of their cars used on the Intercolonial.

2. The like particulars respecting through freight forwarded to each Station on the Grand Trunk Railway from any Station on the Intercolonial.

3. The number of tons of local freight forwarded to each Station on the Intercolonial from each other Station, shewing the freight charges thereon, the whole number of tons carried per mile and the average receipts per ton per mile.

4. The number of local and through passengers carried, shewing the Intercolonial Railway proportion of the sums received therefor, the whole number carried per mile, and the average receipts, per passenger per mile.

5. The Revenue arising from each other source.

6. The total Revenue.

7. The number of tons of freight received at Halifax from any European steamer or vessel and transported over the Intercolonial on through Bills of Lading or otherwise, to points beyond River du Loup, and shewing the Intercolonial Railway's proportion of the freight charges thereon, and the average receipts per ton per mile.

He said there was a great injustice done to the residents of the Lower Provinces, and he believed he could show, when the papers came down, that the rates charged were not in accordance with justice. Flour was carried on the Intercolonial Railway to St. John or Sussex at \$45 to \$50 per car load, but return freights were charged \$65 to \$70. Freight was brought from Halifax at \$22.50 per car load, but from St. John to Halifax it was \$65 to \$70—nearly three times the rate. This system was injurious, not only to local trade, but also to steamers on the North Shore, such as the Gulf steamers, which were almost run off the line. He was informed that there had been fifteen different tariffs issued within the last twelve or eighteen months, and that from St. John to Shediac potatoes were carried less per barrel than by the car load, in proportion.

Mr. MACKENZIE said the labour of collecting the statement would take several months, but he was quite willing to give all the information he could.

Mr. MITCHELL said that the rates on the Intercolonial had practically

destroyed the capital invested in the steamboats trading from Montreal to Quebec, yet he had no fault to find with the management of the railway except in one particular. He had always advocated the construction of the railway and its location as it existed, and thought this was justified by the result which had sprung from it. The down freights were so very low that they had driven off private enterprise. He believed it to be the true interest, as well of the East as of the West, that that road should be built, even if at a large expense to the country, it being one of the great arteries which connected the eastern with the western portion of the country. It was in the true interest of Canada that the road should get the traffic at any sacrifice. He had suffered with others, but he did not complain of that. He complained, however, of a barrel of flour being carried at 28 cents to Halifax, when the return freight was 50 to 55 cents. It was unfair to discriminate to such an extent against the private enterprise of the steamship companies. He hoped the Premier would look into it, and he was satisfied he would apply a remedy. While, five years ago, probably one-half of the flour and cereals which were used in the Maritime Provinces came from the United States, now there were hardly any. But restrictions were placed upon the traffic from the east to the west. In the county from which he came, over 400 people were engaged in the fishing interests—taking fresh fish to the United States. If a proper tariff were established, they could go to New York by way of Montreal, and thus thousands of dollars would accrue to the Intercolonial. But, unless a whole car load was got up, special rates by that route could not be obtained, and the traffic was thus lost. It was true that the railway obtained a portion of its traffic by St. John to Boston by steamships, but if anything like the rates established on the western were placed on the eastern-going freights, it would get the whole of that traffic; and it would amount to a very considerable sum of money.

Mr. MACKENZIE said the Government was placed in the same position as a commercial company, and was

Mr. MITCHELL.

bound to obtain the largest amount of revenue for the outlay expended. The mileage by the Grand Trunk to the Lower Provinces was almost exactly the same by Portland as by Rivière du Loup, and if they did not carry flour by the intercolonial at as cheap a rate to Halifax and St. John as it could be carried *via* Portland, they would not get the business. It was a matter of indifference to the Grand Trunk over which route the traffic passed eastward from Montreal, the expense being the same by each. It was matter for regret that the working of the Intercolonial Railway had greatly injured the steamship companies trading between ports on the St. Lawrence. It would be much more gratifying to the Government if all the steamship lines were prosperous as well as the railroads, but that appeared to be impossible. The charge of \$28 a carload from Pictou to Halifax, a distance of 113 miles, was not excessive. When the question was before the Railway Committee, attention was called to the fact that the rate from Ottawa to Prescott, which was only half the distance, was greater.

Mr. MITCHELL: It is a monopoly.

Mr. MACKENZIE: It is a monopoly which does not pay any dividend.

Mr. MITCHELL: And never will under its management.

Mr. MACKENZIE said the Government were exceedingly anxious to arrange an equitable tariff. It was impossible to establish a *pro rata* tariff over the Intercolonial without reference to rates received by connecting companies. As to the statement of the hon. member for Northumberland in regard to fish traffic, a part of it was new to him. He was not aware that it was possible to send portions of carloads over the line and connect with New York; but thought it was necessary in order to carry fish, especially in the hot season, to provide refrigerator cars.

Mr. MITCHELL: I mean in winter.

Mr. MACKENZIE said the Government would give the matter attention, and, if any desirable change could be made, they would lose no time in having it carried out. He was obliged to the

hon. member for Northumberland for his suggestion.

Mr. TUPPER said he was glad the Government were growing wiser in their generation; there certainly was great room for it. Those members who had been for a number of years in the House would remember that constant attacks were made upon the late Government in regard to rates charged over the Government railways in Nova Scotia and New Brunswick. It was alleged that the Government were working the roads at a great loss to the country for the special convenience of the people in that section. In time, a change of *régime* was brought about, and hon. gentlemen opposite were charged with the duty of administering the Government railways. Almost immediately after their accession to power, it was proclaimed throughout the country that those railways were to be placed on a commercial basis, and that a tariff of rates was to be applied to passengers and freight which would render them self-supporting. He ventured to controvert the policy of the Government when it was announced to the House. He contended that if they could accomplish what they proposed, under the circumstances, it would be unjust, and he went further, and stated that, looking at the question from a purely commercial stand-point, the policy would result in the loss of a large amount of public revenue. The question was deferred until the item in the Estimates for the Intercolonial Railway came up, and then he was obliged to be absent from the House. He was prepared to show then, as he was prepared to show now, that the change made by the Government in the tariff on the Intercolonial Railway resulted in a loss of at least \$100,000 per annum to the country; that the addition of 20 per cent. to the tariff greatly injured the trade and business of the country, while it acted most oppressively and injuriously on individuals who had made contracts on the faith of the tariff remaining unaltered; it injured the traffic of the road to such an extent that it would take years to recover, and caused a large outlay of capital by farmers to obtain means less oppressive to get their goods to market. He was glad, however, to know that

the Government was not incapable of improvement, and their late experience had not been lost upon them. Having tried half a dozen tariffs, the Government had returned to substantially the tariff in force under the late Government. He congratulated the Government on having thus gained wisdom by experience—experience bitter to those sections which suffered from the injudicious and injurious changes—and on being able to report that the present state of affairs was more satisfactory.

Mr. MACKENZIE: It takes time to place in order what was left in such disorder.

Motion agreed to.

Mr. DOMVILLE moved for a statement showing:

1, The names, occupation and salary of all persons appointed to any office or place except that of labourer in connection with the construction and management of the Intercolonial Railway during the year ending 31st December, 1876; 2, the amount of any increase made in the salary of any general officer, superintendent, engineer, clerk, inspector or other officer of the Intercolonial Railway during the same period; 3, the names of all persons upon whose recommendation, or at whose instance such appointments were made or increased salary was granted. The statement to show also the names, occupation and remuneration of all persons who have served in the capacity of clerk in any office during the year, but who have not been regularly or permanently appointed to positions in the railway service.

Mr. MACKENZIE said he must decline to give the names of persons through whose recommendation appointments were made.

Mr. TUPPER said there was good reason why those names should be given. It would be remembered that the Report of the Superintendent of Railways laid on the table announced a new policy in regard thereto. It went into an elaborate statement to show the injurious character of political influences being brought to bear on appointments in connection with railways, and the necessity of relieving railway appointments from all political influences. It would be interesting to know how far the Government had been able to carry out the suggestion made in the report. There would be no difficulty in showing that the Government had been subject to the same

kind of mundane influences and pressure on the part of political friends as were their predecessors.

Mr. MACKENZIE said the hon. member for Cumberland was mistaken. The Government had not been subjected to political pressure of that character. Mr. Carvell had stated that he was directly informed while the late Government was in power that members of a particular society, which was a political organization, were to have a preference. The management of railways, however, must be conducted on the best mode to secure efficiency, and the conductors, engineers and employes, upon whom the regularity and safety of trains depended, should not be chosen because they happened to have a political friend. Such were not chosen officials by the present Government. It might occur that political friends recommended parties who were thoroughly capable, in which case he would give them the preference. That any pressure had been brought on the Government in regard to such appointments, he utterly denied. The hon. member for Cumberland had been sufficiently long in public life to know that to include in a return letters written in confidence to a Minister, would be quite improper. If a questionable appointment had been made, and the hon. member desired to take objection to it, the Government were responsible for it, and would have to bear the consequences of the act; but other parties could not be held responsible.

Mr. TUPPER said he would remind the House that the gentleman who was appointed by the present Government to inspect the Intercolonial Railway reported that everything was in admirable order, that the offices were filled with men thoroughly qualified to perform their duties, and that he was gratified in being able to state that the appointments had been made without going outside of the railway department. Such afforded ample proof that political influence had not been abused by the late Government. In reply to the assurance of the Premier that no political influence or pressure had been brought to bear on the Government in regard to Intercol-

Mr. TUPPER.

onial Railway appointments, he undertook to say, that if the Government submitted the correspondence relating to the appointment of Mr. McAlister, it would reveal the most scandalous developments with regard to political pressure ever known. It would then be found that, when an important position became vacant to which an officer, who had been for years in the department, was fairly entitled, one of the least creditable controversies took place between a subordinate officer and the Government; that the Government of the day, for the purpose at the same time of maintaining the appointment and recommendation of the Superintendent of the railway and of meeting political pressure, to which they were compelled to bow, created an office and appointed a person, pressed on them by political influence, and, though he had no experience, gave him a large salary.

Mr. LANGEVIN said he desired, as head of the Public Works Department under the late Administration, to distinctly state that he never gave any such instructions to Mr. Carvell as had been referred to, and did not cause any such instructions to be given; nor were any such given by the Government so far as he was aware.

Mr. MACKENZIE: It is so stated in Mr. Carvell's report.

Mr. DOMVILLE said political considerations had largely entered into the appointment of certain officers of the Railway. At an important station a man was appointed station-master on account of political considerations, although he was unacquainted with the duties. One of the leading railway officials was sent through the constituency of Kings to work against him during an election contest.

Motion amended by the omission of the third clause, and *agreed to*.

Mr. DOMVILLE moved for a statement shewing the several amounts paid to each of the newspaper proprietors in Canada for advertising done in connection with the Intercolonial Railway during the year ending 31st December, 1876; also, showing the particulars of the several amounts paid to any person, firm or company for placards, posters, show-bills, illuminated

cards, railroad maps, show-frames, time tables or other means of advertising; also, the several amounts paid to newspaper proprietors during each month of the year, for printing of all kinds, and stating whether done under contract or otherwise.

Motion amended so as to include a statement of amount paid to each newspaper during the year, and *agreed to*.

Mr. DOMVILLE moved for a statement shewing the monthly sales of season, also of commutation tickets, at each Station of the Intercolonial Railway for a period of eighteen months preceding the 31st December last.

Motion *agreed to*.

Mr. DOMVILLE moved for a statement giving full information in relation to the arrangement made between the Government or their representative and the Pullman Palace Car Company, in pursuance of which their cars are run on the Intercolonial Railway, such statement to be accompanied by a copy of the agreement and a statement giving a detailed account of all expenses incurred by the Government for transporting the cars, and for cleaning, painting, repairing and lighting them since they were put upon the line to 31st December last.

Motion amended by adding the words "as far as practicable," and *agreed to*.

Mr. DOMVILLE moved for a statement giving copies of any arrangement made between the Government Railways and the Grand Trunk Railway Company, for the interchange of cars and transportation of passengers and freight.

Motion *agreed to*.

Mr. DOMVILLE moved for a statement shewing the various tariffs for the carriage of freight on the Intercolonial Railway, which have been in operation since 1st January, 1875, together with the changes made therein; the return to be accompanied by a statement shewing all special rates granted from time to time since 1st January, 1876, to persons and companies or particular stations, and also showing the Parliamentary authority under which these several tariffs have been issued. He said he had been un-

der the impression that those tariffs were never published, and he had experienced great difficulty in procuring a copy of the tariff, though he had applied personally and by letter. There had been a small movement in a certain class of goods the other day, and Montreal people came down to buy. On being informed as to the Grand Trunk rate, the Government said they would take the goods for less. The Grand Trunk then reduced their price to the Government figure, and then the Government employé stated, that they would carry the freight for a still less sum. If this could be done on one occasion, why could it not be done on another? and he, as a merchant, through not having driven as close a bargain as a competitor in business, might thereby be placed at a disadvantage. The Government should not permit touters to go about and pick up freight, offering very low rates as an inducement. The tariff should be published in the *Canada Gazette*, in order to prevent the infliction of a grave injustice. As to Protection and Free Trade, how could a factory situated along the line flourish if it were obliged to pay twice and three times as much for the carriage of freight as was paid for the moving of goods brought from England. They should have at least fair competition.

Sir JOHN A. MACDONALD: What is the practice with respect to tariffs? Are they not published in the *Canada Gazette*?

Mr. MACKENZIE: I think they are. I am not sure that they have been always published, but I believe the present one was. It was adopted by an Order in Council in the usual way.

Sir JOHN A. MACDONALD: With respect to Canals, I think the tariffs were published by Order in Council, and the same reason certainly applies to railways. It was always done by the late Government.

Mr. MACKENZIE: Not always.

Mr. LANGEVIN: When the railways were under our control I know that the tariffs were published in the official *Gazette*. I think that some of them have been published since, but not all.

Motion *agreed to*.

Mr. DOMVILLE moved for a statement showing the particulars of all amounts in addition to salary paid to any general or departmental officer of the Intercolonial Railway during the year 1876.

Mr. MACKENZIE said he was not aware of any such additions; but the motion might pass.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement showing which of the bridges and culverts of the Intercolonial Railway between Pictou and Halifax received extensive repairs and alterations or were renewed in part or in whole during the seasons of 1875 and 1876; also a statement giving the quantity and cost of each kind of material procured therefor, the persons from whom and the place whence it was obtained, the cost of transportation, the amount and cost of labour expended, and generally full particulars in regard to the work in each case.

*Motion agreed to.*

Mr. DOMVILLE moved for a statement shewing all claims made against the Intercolonial Railway for damages or loss of any kind sustained by private individuals during the year 1876, also showing what was paid thereon and how disposed of.

Motion amended to read:—A statement showing all claims made against the Intercolonial Railway, for damages or loss of any kind, sustained by private individuals from the working of the railway during 1876, and *agreed to.*

Mr. DOMVILLE moved for all papers, correspondence and telegrams relating to property on the Marsh Road in the County of St. John, New Brunswick, damaged by fire from locomotives on the Intercolonial Railway.

Mr. MACKENZIE: The motion, if adopted, will simply result in nothing, for I do not admit that any property was damaged by fire from the locomotives. It should be changed to read,—“alleged to have been so damaged.”

Mr. DOMVILLE: The word “alleged” will throw a doubt on it.

Mr. MACKENZIE: I do not intend, by a vote of Parliament, to declare that fires were so caused.

Motion amended accordingly and *agreed to.*

Mr. LANGEVIN.

Mr. DOMVILLE, on the motion for copies of all papers and correspondence in connection with the investigation and dismissal of one Davis, an engine driver on the Intercolonial Railway, said, that as he had learned yesterday that Davis had been re-instated, he was willing to withdraw the motion.

Mr. MACKENZIE said he was very glad this was the case, because it would not be right to allow the publication of correspondence regarding the dealings of the Government with their employés, who either had, or had been alleged to have, misconducted themselves. This would be very inconvenient unless some charge was brought against the Government.

Mr. DOMVILLE said his object was not so much to get the papers as to show the negligent way in which the trains were run on certain occasions, and the careless manner in which human life was regarded, for which parties in authority were much to blame.

*Motion withdrawn.*

#### SESSIONAL PAPER No. 96.

##### MOTION TO PRINT.

Mr. LANGEVIN moved that Sessional Paper No. 96, of last Session, be printed for the use of Members.

Mr. MACKENZIE said, if the hon. gentleman would accept an invitation to call upon him, he (Mr. Mackenzie) would willingly ascertain what he desired in that relation. He could not understand how the paper was wanted for the use of members, and he was quite unwilling to consent to the expense of printing it unless the reasons were alleged.

Mr. LANGEVIN said he would communicate to the Chairman and members of the Committee the portions of the paper he thought might meet the object he had in view.

*Motion withdrawn.*

#### QUEBEC MARINE HOSPITAL.

##### MOTION FOR REPORT.

Mr. LANGEVIN moved for a copy of Mr. Langmuir's report on the Marine Hospital, Quebec.

*Motion agreed to.*

## MANITOBA RAILWAY RESERVE.

## MOTION FOR CORRESPONDENCE.

Mr. SCHULTZ moved for copies of all correspondence between the Minister of the Interior or the Surveyor-General and the Dominion Lands Agent at Winnipeg, relative to the railway reserves within the Province of Manitoba. He said he had called the attention of the House to this matter last session, and had done so in consequence of the large reservations which had been made in various parts of the Province. The difficulty, which then existed still existed, and the fact was to-day that so much land had been taken up by reservations for Mennonites, Icelanders, French Canadians and the half-breed and railway reserves that there was scarcely a desirable homestead left, and it was a common occurrence last summer for emigrants from Ontario to land at Winnipeg, and, in looking over the Provincial map in the Land Office, only to find that this quarter-section was in a Mennonite reserve, that one was either in the railway or some other reserve, and to go back disgusted from that Province where, having been taxed for the purchase of this prairie country, he naturally felt that he was entitled to a homestead, and at least should be as well treated as a Mennonite or an Icelander. The attention of the Government was drawn to this matter last Session by himself and others, and doubtless information derived from this and other sources determined the then Minister of the Interior on bringing in a Bill which would relieve the situation in point. On page 1,001 of *Hansard* for 1876, it was stated that "Mr. Laird introduced a Bill respecting Dominion lands on the Canada Pacific Railway," explaining that its object was to enable settlers to go on the land reserved on each side of the line, 80 acres to be given as a homestead, and 80 acres by purchase at a rate to be afterwards based on the arrangements made with the Railway contractor. This Bill certainly relieved the situation in part, and, although he and his friends urged a more liberal one, yet, on the principle that half a loaf is better than no bread, it was accepted gratefully. This Bill passed through its second and third readings,

and then, without any explanations, it was withdrawn during the closing days of the session. He believed that, by this action, the Government was committed to the principle that Bill contained. If there was a necessity then, there was a greater necessity now for the opening up of these railway reserves. Pushed away from the navigable streams and main highways of their Province, Ontario immigrants had still managed to commence the thriving settlements of Rockwood, Greenwood, Victoria, Springfield and others, but just as they were fairly started on a long line of townships, they were shut in effectually by this railway reserve, with no chance for development, no chance for combined action in the matter of churches, schools, or roads, no chance to welcome friends or relatives to adjacent lands. It was a hardship to the Province as it was an injustice to the immigration interests generally, that land, unused for the purpose for which it was reserved, should be locked up from the actual settler, and he trusted the present Minister of the Interior would either re-introduce the Bill of last session, or one with more liberal clauses still.

Mr. MILLS said the subject was under the consideration of the Government.

*Motion agreed to.*

## ACCIDENTS ON THE INTER-COLONIAL RAILWAY.

## MOTION FOR RETURN.

Mr. MITCHELL moved for a statement of accidents which have occurred on the Intercolonial Railway in the County of Northumberland; the number of cattle which have been killed by locomotives on said Railway; with a statement of the causes of such accidents, and whether the same have arisen from want of fencing along the line of said road or otherwise; with a list of claims made by proprietors of cattle killed or injured; amounts paid on such claims; with a statement of claims rejected, and the reason of such rejection; also a statement as to whether it is the intention of the Government to erect a fence on the said

line of Railway, where none now exists in the vicinity of the town of Newcastle, the non-existence of which has caused several accidents. He said it had been stated, and the statement had been endorsed by a petition from respectable people residing near the town of Newcastle, that a portion of the road was unfenced, and, as that was near a snow-shed, from a sixteenth to an eighth of a mile long, cattle would in the summer get into the snow-shed to protect themselves from the flies, would sleep there, and so cause several accidents to occur. Several had, it was stated, already occurred through the want of fencing, and, if that were so, the state of things ought to be remedied. He desired to know who was to blame, the railway officials or some one else.

Mr. MACKENZIE suggested that the words "the non-existence of which has caused several accidents" should be expunged, as they asserted a matter which, he thought, the House should not take for granted.

Mr. MITCHELL consented to the alteration.

*Motion, as amended, agreed to.*

## IRON RAILS LOANED TO RAILWAYS.

### MOTION FOR RETURN.

Mr. BOWELL moved for a return showing the quantity of iron rails removed from the Government railways; railway companies to which they have been loaned; the date of such loans; the counties and districts through which said railways run; the quantity loaned to each railway company; the terms upon which such loans have been made; the nature of the security given by each railway company to secure the return of said iron rails; the names of the directors of the companies respectively to which iron rails have been loaned, together with all correspondence between the Government and any company or individual making application for such loans.

*Motion agreed to.*

Mr. MITCHELL.

## DISALLOWANCE OF PROVINCIAL ACTS.

### MOTIONS FOR CORRESPONDENCE.

Mr. LAURIER moved for copies of all correspondence between the Imperial and Canadian Governments not already laid before the House, concerning the mode of exercising the power of disallowance of Provincial Acts.

*Motion agreed to.*

Mr. LAURIER moved for copies of all correspondence between the Federal and any of the Provincial Governments since the establishment of Confederation, concerning the disallowance of Provincial Acts or the action on Provincial Bills reserved.

Mr. BLAKE said that, although considerable portions of the papers on this subject had been already laid before the House, he concurred in the view that the series should be brought down complete, and he ventured to hope that, when they were brought down, the Printing Committee would consider favourably the view that they should be printed, so that one volume might contain the whole series. Those who had to discharge the duties of Minister of Justice would, he was sure, have their duties much lightened if the Local Legislatures were aware of the general current of correspondence, and it would be brought more directly to their attention if the series of papers were printed in one volume.

*Motion agreed to.*

## LIVE STOCK.

### MOTION FOR RETURN.

Mr. McDougall (Renfrew) in the absence of Mr. CASEY, moved for a classified return of imports and exports of live stock, showing origin and destination of stock for each quarter, from March 1st, 1875, to January 1st, 1877, and further month of January, 1877.

*Motion agreed to.*

## IMPORTATION OF SUGAR.

### MOTION FOR RETURN.

Mr. DESJARDINS moved for a return from the 1st January, 1875, to the 1st January, 1877, shewing the quantities of different grades of sugar im-

ported from Europe, British and Foreign West Indies and the United States; also the value of each such importation and the duties paid thereon. He said that, last year, when he had occasion to move for a resolution relating to the interest of the sugar trade, he had stated that the question could not be regarded as a private one affecting merely the refiners. That question equally involved the interest of our international trade, the establishment of markets for our home produce and the development of our navigation, because the whole of the consumers, that was, the whole of the public, were interested in it. In this view he was gratified to be sustained by influential members on both sides of the House, but he was opposed, he was sorry to say, specially by two members whose position he respected very much, but who were not, he considered, altogether authorised to decide completely on that question. He referred to the hon. member for South Waterloo, and the then chairman of the Committee, now the Minister of the Interior. The hon. member for Waterloo had assumed a position some weeks previous in reference to this matter which ought to have made him an apostle of the view he (Mr. Desjardins) entertained. He had said, speaking of the causes of the unsatisfactory state of the trade with the British and the West Indies, that one of them was to be found in the fact that,—

“The causes are not difficult to discover. One, possibly, is that we are not alive to bringing cargoes in our vessels from the West Indies. In other words, they take more largely of our articles than we take of theirs in return. It is possible that some legislation might take place that would have the effect of increasing this valuable trade.

If they looked at the correspondence on the subject of free trade with the West Indies that was published during the last month, they would see that the only produce which could be imported into this country with some advantage was sugar. This specially appeared in a letter published by Mr. Mason, who had taken the initiative in creating, if possible, some more extensive relations with the West Indies. In describing the imports and exports of those countries he mentioned the following:—

“Jamaica.—The principal exports are sugar, molasses, &c. Imports of last year £1,331,185 sterling; exports, £1,283,000.

“Honduras.—Sugar is becoming one of the most important articles of exportation.

“Antigua.—Value of imports, £164,178 sterling; of exports, £234,011 sterling. The Island produces large quantities of sugar, molasses, &c.”

In fact, it had been admitted by all, that, if it was possible to create some relations with those countries, it was only to be accomplished by creating here a market for their raw producers. This, however, was objected to by the hon. the Chairman of the Select Committee on Depression. While other members admitted that the principal cause of the difficulties we had to encounter in the way of creating that trade lay in the discriminating duties between raw and refined sugar, and in consequence of the creation of a drawback by the United States, so as to cover a bounty in favour of refiners, the Chairman of the Committee, in his speech on that question, boldly asserted that no such bounty existed. He went further and committed the whole Committee to his view. He said:

“As to the other statement of Mr. Drummond that the United States refiner receives by the drawback allowed upon sugar exported a sum sufficiently large to give him a bounty of 55 cents per 100 pounds, the Committee think this greatly exaggerated, if not wholly unfounded.”

He would not attempt to prove the contrary by these unhappy refiners, who were considered as criminals because they dared to come and ask justice at the hands of the Government, and were examined by the Chairman of the Committee as if they had been guilty of some great crime, but he would apply to authorities that he expected would not be contradicted by the free-traders and Liberals on the other side of the House. He would quote from the *Sugar Cane* of Manchester, a free-trade paper, which said:—

“The proof that the drawback on ‘hard sugar’ gives a bounty of 50 cents per 100 lbs., as stated very clearly by the *New York Commercial Chronicle*, is based entirely on the figures given by the ‘American experts,’ as the Canadian report styles them; in other words, by the United States refiners themselves; for it is a curious fact that the materials for calculating the drawback were furnished to the United States Treasury Com-

mittee by those most interested in the maintenance of a bounty, without any steps being taken to verify them."

But we had more than that, we had the testimony of the American refiners themselves, and he would read the following from the *New York Bulletin* :—

"The table here presented is a striking exhibit of the enormous increase in our export of refined sugar which has resulted from the augmented rates of drawback established about two years ago. The increase in the trade with Canada has been especially remarkable. The exports in that direction of a few years ago, when the Dominion had its own refineries, were comparatively trifling, but, when our Government granted the present liberal drawback to our refiners, the Canadian refiners succumbed, and there are no sugar refineries in the Dominion now in operation. It will be observed by the statistics, that the exports to Canada in 1876 were over 100 per cent. larger than in 1875, though there was a marked falling off in the shipments to other countries; still as compared with 1873 and 1874, as will be seen, there was a very decided increase, and it is by no means improbable that there will be an improvement this year. There can be no doubt but that the decrease in the exports to Europe in 1876 was entirely due to the high price that ruled during the last half of the year, when there was a sudden and very marked falling off in the shipments. This large increase in the trade with Canada alone prevented a very decided decrease in the aggregate exports as compared with 1875."

Mr. HOLTON: Will my hon. friend allow me to ask if he has any idea who wrote the article in that *Manchester* paper which he quotes?

Mr. DESJARDINS: I have no idea of the writer, but I suppose the paper is responsible.

Mr. HOLTON: I think I could inform my hon. friend who wrote the article, and I thought perhaps he would inform the House if he knew.

Mr. DESJARDINS said he believed the hon. member for Chateauguay was well enough acquainted with the laws of journalism to know that no paper of any value would commit itself to any statement of facts or opinion which would not be surveyed and endorsed by the editor or staff of that paper. There was another home authority that he expected the hon. member for Chateauguay would not contradict, namely, Mr. Patterson, the Secretary of the Board of Trade, and, if he was well informed, a friend of the

Mr. DESJARDINS.

Administration. Before quoting Mr. Patterson, however, he would give some figures taken from the *Herald* of Montreal. He did not know if the hon. member for Chateauguay would show him that some indiscreet stranger had put his hand to the editorial pen of the *Herald*. From a table showing the exports of sugar from the United States in 1875 and 1876, published in that paper, it appeared that in 1875 the United States exported to other countries 41,305,166 lb. against 7,208,894 lb. exported to Canada; and that, while in 1876 the quantity exported to other countries was depressed to 29,587,926 lb., Canada compensated for the loss, as the quantity of refined sugar she imported from the United States rose to 15,757,525 lb. He presumed these figures spoke eloquently by themselves. Mr. Patterson, in reference to the bounty, the existence of which was denied by the hon. the Chairman of the Committee, said:

"The bounty system enjoyed by the United States refiners is the cause of much of the difficulty before which Canadian refiners have, one after another, succumbed; with these additional obstacles, that the Dominion Parliament have not only not attempted to save them by countervailing legislation, but that the tariff is alleged to discriminate to some extent against the importation of certain kinds of raw sugar. There can be no doubt but that the United States Government believe their refineries to be, as they undoubtedly are, the key to an immense and varied foreign trade, and hence every facility and advantage are afforded them in the shape of what are denominated 'drawbacks.'"

As to the discriminating duties, he valued them at from 8 to 10 per cent. in favour of refined sugars against raw material. The great objection of the hon. members had regard to the interest of the country. They said, if the refineries were allowed to exist, we were threatened with having to pay a higher price for our sugar than if we were left altogether to the good-will of our American neighbours. He had received a letter from a man who, he thought, would not be suspected of having any share or interest whatever in the refineries of the Dominion, Mr. McGibbon, who wrote as follows:—

"During 1875, yellow sugars were supplied by Redpath from 7c to 8c a pound, and white sugars from 8c to 8½c a pound. These

prices ruled pretty evenly up until the refinery closed in April, 1876. Prices for yellow and white sugar commenced then gradually to go up, until, in July, whites had got up to 10c (1½¢ advance from April). Raw sugars, in the meantime, had not advanced, so it was clear that the closing of the refinery had put competition out of the way, and the public made to pay 1½¢ to 2¢ dearer for their sugar, by not having the refinery going on as formerly. Towards autumn, prices still advanced, especially for Scotch yellows and American whites, until they reached as high as 10½¢ to 11c for yellow, and 11c to 12c for white. Raw sugar, in the meantime, had advanced also, but nothing like the yellows and whites, showing still stronger the importance of our refinery, and the great loss to the consumer, by having to depend on the American and Scotch refiners, the difference being fully 3c more in 1876, without a refinery, than prices were in 1875, with a refinery. Raw sugar never advanced more than ½¢ or ¾¢ during this time, so that the public of Canada have had to pay, and are now paying, fully 2c to 2½c a pound more for their refined sugar than they would do if Redpath was still in operation. All this extra price goes into the pockets of the American and Scotch refiners."

Even the quality of the sugars had produced great complaints. He again quoted the letter of Mr. McGibbon:

"Scotch and English yellow sugars I maintain are not equal to that produced by Redpath, because in Great Britain great quantities of beet root sugar are used, and to get a brightness of colour, chemicals are brought into requisition, which causes some of the sugar to give a bad colour and taste to whatever is done with it; and some of the white sugar when boiled will turn as black as coal, and if melted in water will turn pink or the colour of ink. The American yellows are also adulterated, and in some cases so full of gum as to require a pick-axe to remove it from the barrels. Their white sugar is more or less adulterated, and the quality is becoming worse every day, so much so that very little sweetening is to be got out of it, and consequently the complaints of bad sugar are now very frequent."

Taking the propositions as laid down by a paper which was considered as the principal organ of the Ministry in Ontario, the *Globe*, he thought they could arrive at some favourable conclusion. The *Globe*, in an editorial on that question said: "It was desirable by all proper means to encourage every class of manufactures, and a direct trade with the West Indies would prove a great benefit to the country." He contended that it was not by closing one's arms and leaving the fate of our

industries in the hands of ambitious and unscrupulous foreign competitors, that the first difficulty could be met, as was attempted by the Government last year, but by judicious and well-timed measures of protection and encouragement. As to the establishment of direct trade with the West Indies, he asked if it could be obtained by the monopoly of some subsidized line only. Evidently not; but, as he had said before, by the creation in Canada of a market for the raw products, the principal article of export of those countries. As to the nature and value of the products we could exchange in return, he would mention the following now furnished to the trade of those Islands by the United States; boots and shoes, brushes, brooms, paper, soap, furniture, organs, vinegar, lumber, sashes, doors, agricultural implements, leather belts, rubber goods, safes, nails, scales, spirits, pianos, axes, wooden ware, sewing machines, watches, coal oil, butter, pork, hams, flour, peas, cheese and other articles. Seeing the experience they had had he did not think they ought to allow these industries to remain in operation on the same basis as during the last twelve months. They had lost already the labour of many hundreds of working men who were obliged to go to another country to find the employment they could not obtain here. He knew that property had considerably lessened in value around where the Montreal refinery had formerly been in operation. Whilst we had spent large sums of money to aid in bringing out immigrants, we had been losing some most valuable hands, because they could not find here the labour which they had a right to expect. The *Globe* further said, in the editorial he had before referred to:

"While it may not be a violation of political economy for the Government of one country to resist, by counteraction, the granting of bonuses by a foreign Government, such action, as well as any changes in the fiscal policy relating to sugar, generally should only be taken after the necessity has been clearly and absolutely demonstrated."

The facts and figures he had quoted could not, he thought, leave room for a doubt as to the existence of such bonuses as those awarded by the United

States to their refiners. But the *Sugar Cane* said:

"We look to Canada to take the lead in stopping so flagrant a breach of free-trade principles, and we see a Canadian committee appointed to examine the question, torturing its witnesses with an unintelligible confusion of figures, taking New York statements for gospel, though they require only to be read to be refuted, refusing to believe the statements of men who have been actually driven out of their business by the facts they state, and then calmly reporting that they have ascertained that it is impossible for American refiners to have a bounty, and that there is no way in which they can have any advantage in the Canadian markets. These gentlemen may be able politicians, but they are evidently unfitted for the very simple arithmetical task undertaken by the Committee."

He was satisfied to leave it to the Minister of Finance and to the majority of the House to reduce into practice the propositions laid down by the Ministerial organ, and to say in what way the disasters of last year could be repaired and these great industries could recover and resume their operations.

Mr. CARTWRIGHT: There can be no objection to giving my hon. friend such information as the Customs returns will permit us to furnish. I have not his motion before me, but as far as I have gathered his meaning, I think we can supply all he requires. The discussion of the main question may probably be more fitly reserved until these papers come down; then if my hon. friend or any other hon. gentleman wishes to discuss the question *in extenso*, we shall be happy to afford him an opportunity of doing so. I would call attention to the fact that when any hon. gentleman talks of the price of sugar being materially affected by the closing of the refinery in Montreal, he would do well to remember that the total consumption of sugar in Canada is only some 50,000 tons, or something like one per cent. of the total production of sugar throughout the world; and, if there has been any very material change, it is infinitely more likely to be owing to the failure of the beet crop in France and other countries, which supplied hundreds of thousands of tons, than to have resulted from the closing of a refinery in Montreal or elsewhere. It is in our power to lay down sugar in this country from

Mr. DESJARDINS.

Great Britain at a cost of  $\frac{1}{4}$  cent per pound at the outside, and, as Great Britain is a country in which sugar is produced under perfectly free conditions, I do not think there can be any very material difference between the price of sugar here and in England, any more, at any rate, than the difference between freight and ordinary commission. The question whether it is or is not for the benefit of the people of Canada to artificially encourage the refining of sugar here is open to argument, but, according to the best information I can obtain, I am confident the people of Canada must make up their minds to lose \$600,000 or \$800,000 of revenue, or to pay that to the sugar refiners, without putting one cent into the Treasury, just for the purpose of establishing this refinery.

Motion *agreed to*.

#### SUPERANNUATED AND RETIRED OFFICIALS.

##### MOTION FOR RETURNS.

Mr. CARON moved for a statement showing the names of all persons superannuated or placed on the retired list from 1st January, 1876, to this date.

Mr. CARTWRIGHT said the information was contained in the returns laid upon the table to-day.

Motion *withdrawn*.

#### MAIL SERVICE BETWEEN VICTORIA AND SAN FRANCISCO.

##### MOTION FOR CORRESPONDENCE.

Mr. DECOSMOS moved for copies of all correspondence that has passed between the Postal Department at Ottawa and Post Office Inspector of British Columbia in 1876 and 1877, respecting the Ocean Mail service between Victoria and San Francisco; also a copy of all correspondence between the contractors for such service and the Postal Department within the said period.

Motion *agreed to*.

ADMINISTRATION OF JUSTICE  
IN THE DISTRICT OF RICH-  
ELIEU.

MOTION FOR A SPECIAL COMMITTEE.

Mr. BECHARD moved :

“That the entry in the Journals of this House of the 3rd April, 1876, relating to the petition of F. X. A. Biron, Notary, and others, of the District of Richelieu, complaining of the conduct of Mr. Justice Loranger, be now read.”

Motion *agreed to*.

Entry in the Journals *read*.

Mr. BECHARD moved :

“That a Special Committee, consisting of Messrs. Bechard, Holton, MacDonnell (Inverness), Appleby, Kirkpatrick, Irving, Masson, Desjardins, Brooks, Baby, Jetté, Taschereau, and Laurier, be appointed to inquire into the administration of justice in the District of Richelieu, in the Province of Quebec; and that the petition of F. X. A. Biron, Notary and others, of the said District of Richelieu, complaining of the conduct of the Honourable Thomas Jean Jacques Loranger, Judge of the Superior Court of the said Province of Quebec, and petition of the Hon. Mr. Justice Loranger be referred to the said Committee, and that the said Committee have power to send for persons, papers and records, and to report from time to time.”

He said he hoped the motion would be allowed to pass. He had endeavoured to prepare a Committee which would be acceptable to both sides of the House, and he had shown the names to the right hon. member for Kingston and the member for Terrebonne. In submitting the motion he was actuated by no personal feelings against the learned Judge, with whom he had had no relations, and no acquaintance. Charges having been made against the learned Judge, it was the duty of the House to inquire and ascertain whether they were well-founded. If they were proved to be without foundation, the learned Judge would be vindicated, but if the contrary were the case, then it would devolve upon the House to apply what remedy it deemed proper.

Sir JOHN A. MACDONALD said it was true that the hon. member had shown him the names of the proposed committee; but he expressed no opinion beyond saying it was a fair Committee. He did not wish to appear as desirous of determining the Committee or as being a party to the arrangement.

Mr. MASSON said the only remark he made to the hon. member for Iberville on the subject was a suggestion that his (Mr. Masson's) name should be omitted from the Committee.

Mr. BABY said a counter-petition had been presented by the learned Judge, which should be referred to the Committee.

Mr. BARTHE: I understand there are two other petitions relating to the same subject. I understand one of the petitions is dated 5th June, 1874, presented by a gentleman of the name of Latour and others, and another petition was presented in February, 1876. I beg to submit, as one of the representatives of the district in which the hon. Judge administers, that the two other petitions be referred to the same Committee as that now proposed to be appointed. This will be in the interest of the Judge as well as in the interest of the people of the district. Though I have not given notice of motion, I ask leave to propose that these two petitions be referred to the Committee proposed by the hon. member for Iberville.

Mr. BLAKE: Perhaps I may be permitted to say that, if I rightly apprehend my hon. friend's motion, it refers to the petitions which have been presented to His Excellency in connection with this matter.

Mr. SPEAKER: This, I think, must be the case.

Mr. BLAKE: These petitions are not yet before the House, and are not susceptible of reference. If, under the circumstances, it would be proper to put them before the Committee, I think it right to say one or two words to the House on the subject. Of course, a motion of this character is one which must be approached with gravity and deliberation. The right hon. gentleman opposite, when acting as leader of the Government and Minister of Justice, had occasion to consider a similar motion, respecting which a Committee was struck; and, upon another occasion, when another specific charge was made, we had an expression from him, stronger perhaps than I could echo. But there can be no doubt whatever,

both upon reason and upon authority, that we should not lightly proceed upon an enquiry of this description; and there can also be no doubt, I think, that before we enter into such an enquiry, the charges should be of a grave and serious character,—such as, if established, ought to lead to an address for the removal of the Judge. Anything short of direct and specific accusations is hardly fit for action in Parliament, although it may be subject of observation within these walls, and such a discussion may operate upon public opinion. The charges, although in not very technical form, are laid in such a way as to give the Judge an opportunity of answering them. It seems to me that they are of such a nature that their contradiction may be established by a statement made on the part of the Judge, on hearing the motion. That course ought to be open to him; and there may be cases—and perhaps this is one—in which it would be manifestly impossible for the Judge to enter satisfactorily into such a refutation and explanation of the circumstances as would dispose of the case. Therefore, if there is to be an answer at all, I believe it must be by enquiry. I also agree with my hon. friend who has moved this motion that the mode in which he has selected the Committee is convenient, and these two courses have been proceeded with before by other deliberative bodies. With our short Sessions, the large amount of business before us and the little time we have at our disposal, I think it is very obvious that the enquiry should be made by Committee as suggested. This was also the course which was taken with reference to Judge Lafontaine. I might also suggest that this Committee ought to proceed with all the solemnity possible under such circumstances; and, although, as the House is aware, I am not one of those who are disposed to attach very great importance to our system of taking evidence under oath, yet I think that, while that system prevails in other judicial proceedings, a case of this description is one regarding which advantage should be taken of the Act passed during last session, and my hon. friend ought to follow up this motion—if the House receive it

favourably—by moving that the evidence should be taken under oath. The Committee appointed in the case of Judge Lafontaine, at an early meeting, considered the procedure they ought to adopt, and they then determined that the Judge should receive notification, and have opportunity of either attending their sessions in person, or of being represented by counsel. As some of the charges did not appear to be sufficiently specific, and capable of a proper defence being made, they further desired that more specific accusations should be laid against the Judge. The application of the general rule as to the character of the charges and the degree and precision which has attended the allegation might lead to some embarrassment as to our action, were it not for the fact that the learned Judge presented a counter petition, in which he himself earnestly desires that the House should dispose of the matter by reference to a Committee. I am, therefore, sure that the House will see the wisdom of the Committee taking the counter petition into their consideration when they sit. I venture to suggest that it is expedient that the hon. gentleman who made the motion should be very careful in the selection of the members of the Committee. I have looked over the names which he has submitted to the House, and I trust that they will be generally acceptable to the House, and the course which my hon. friend has taken in ascertaining the opinion of some of the leading men on the other side of the House was judicious. A considerable time ago, a petition was presented to the Executive, and I am not sure but that a petition was presented at a more recent time. I apprehend that the petitions referred to are these. I am not quite certain whether one is not a petition presented to the House, but determined not to be in order; of course, that petition could not be referred. Those petitions together with any proceedings which have been taken upon them up to this time, I conceive, under present circumstances, although the proceedings are not complete, are in a fit state to be brought before the House if any member should move for them, and, being so placed in the possession

of the House, the petitions and correspondence under them might then be referred to this Committee if the House should think fit. It is proper I should say in regard to these petitions that while they contained certain general charges against the learned Judge—charges so general, that, even if no difficulty intervened, it was thought not fit that the Executive should take any action whatever on them—one of them contained a charge with regard to the demand and receipt of public money for more days, as it was alleged, than the days on which he sat, and for courts at which it was alleged he did not at all sit. Upon that particular branch of the petition addressed to the Executive, inasmuch as there was, although not full information, a considerable degree of information, and inasmuch as it concerned the receipt of public money, which the learned Judge was alleged improperly to have obtained, and the fact that Executive action had proceeded on a somewhat similar case formerly, with a view to the restoration of the money which it was supposed had been obtained through a misapprehension or impropriety, it was thought not improper to tell the petitioners that, if they formulated that particular charge in a more precise shape, the Government would consider whether they would take action on it. They did formulate the charge with great precision and detail. I considered that the Public Accounts and other material would enable me to determine whether I would ask the learned Judge anything whatever about the allegations, and the investigation was proceeding in my office when the steps were taken in the House last Session. Almost contemporaneously with those steps, a notice was placed on the paper for the production before the House of the records of those proceedings which had been going on under the petition to His Excellency. A person approached me on behalf of the learned Judge, and represented that, as he had not had an opportunity of answering those petitions which, it was presumed, contained charges against him, it would not be proper to bring them down in the manner proposed. I quite agreed in that

view. It was subsequently thought proper not further to delay the matter, and the complaint was transmitted to the learned Judge. From ill-health and other causes he delayed his answer until very recently; indeed, until within a few days from the opening of the Session. The answer was in very considerable detail, and the petitioners had been allowed to make observations upon it. I have not had time or opportunity to verify the allegations of the answer, but I think it due to the learned Judge to say that, assuming his statement to be in the main correct, it dissipates the allegations of that particular article of the charge. Under these circumstances, it would be quite proper for the hon. member for Richelieu to move, with the consent of the House, or at an early day, for the production of all those papers, with a view to have them submitted to the Committee, if it should be appointed, whose labours would be facilitated by what has already been done in the direction of charge and counter-charge. I have indicated the reasons why I think the House should agree to the motion of the hon. member. I do not think, however, the House is bound, in agreeing to this motion, which the House will observe is in the same words as the former reference in the case of Judge Lafontaine, to consider itself called upon to investigate into all the matters of the charges. I conceive it would be the duty of the Committee, with reference to the various matters of charge contained in the petition to consider which of them are of that degree of gravity to be deserving of enquiry, and that such as were thought of a trivial character, the result of which, if proved, would not amount to a case for censure or the removal of the Judge, should not be proceeded with. That was the course pursued in the case of Judge Lafontaine, who thought himself entitled to demand further and more precise allegations, and it was considered whether upon those charges the learned Judge should be called upon to answer. I agree that the reference should be made, particularly when it is desired by the Judge himself, and the fact of the reference in itself does not cast any reflection on the

learned Judge. It is the hope and the belief of every hon. member that the enquiry into this matter will result in the refutation of every charge which may tend to affect the honour, the integrity, and the standing of the learned Judge and the administration of justice in the district. I trust the enquiry will be conducted with all diligence consistent with a proper opportunity being afforded to both sides to marshal facts and obtain witnesses, so that this matter, which has been since 1874 more or less before the public, may be thoroughly, yet speedily, investigated and set at rest for ever.

Mr. BARTHE: I do not refer to the petition which was the object of the last motion; I refer to the petitions presented before the petition now before the House. There are two such petitions, and I observe, from the petition of the Judge himself, that he seeks an investigation not only on the petition now before the House, but on the petitions which have been lying before the Minister of Justice for several years. I beg to submit to the House that it is in the interest of the people of the district of Richelieu, as well as the public generally, and the Judge himself, that an enquiry should proceed on every one of these petitions. My only object in submitting the motion was to seize the House of all the matters relative to the Judge.

Mr. SPEAKER: The hon. member for Richelieu does not understand the point raised by the Minister of Justice. It is the opinion of the Minister that the petitions named in the hon. member's motion are not petitions in the possession of this House, but petitions sent to His Excellency the Governor General. I am satisfied myself, looking at the motion, that this must be the case, and, therefore, it would be entirely out of the question for these petitions, not being in the possession of the House, to be referred to a committee of the House. They must first be brought before the House, and the Minister of Justice has suggested a mode by which this can be done.

Mr. MOUSSEAU: I rise to a point of order, which must imply a constitutional question, and I venture to sub-

Mr. BLAKE.

mit it to the Minister of Justice. Every hon. member of this House must be glad of the utterances of the Minister of Justice of the respectful hesitancy with which he approached the subject. A good Bench is the best safeguard and bulwark to liberty. The charges brought against the learned Judge are of two kinds: some are specific, others are general and vague. There is no charge relative to the administration of criminal justice. The charge is confined to civil suits. The motion, however, is that a Committee of the House should have the power to investigate into the administration of civil justice in the District of Richelieu. I submit that the administration of justice, in regard to civil matters, pertains exclusively to Local Legislatures, and this Parliament has no power or right to inquire into the administration of justice, civil side, either in Quebec or any other Province. I may, perhaps, be met by the precedent afforded in Judge Lafontaine's case. It may be said that the charges are general, and imply the administration of criminal justice, but the gist of the motion related exclusively to civil matters. Nothing whatever is said against the learned Judge with respect to his administration in criminal courts. The charges, as formulated, related, first, to public money to which, it is alleged, he is not entitled; and, secondly, to what had been done in civil cases, which point is repeatedly mentioned in the petitions. Under these circumstances, I do not understand how a Committee could enquire into the administration of civil justice, and I respectfully submit my doubts to the Minister of Justice for his consideration.

Mr. BLAKE: My hon. friend the member for Bagot will observe that his objection applies equally to the administration of criminal justice, because it must be founded on the provision of the Confederation Act which gives the administration of justice, not civil any more than criminal justice, to the Local Legislatures. If this were a motion to deal with the administration of justice without reference to some specific petition or complaint having for its object the removal of the Judge, it would be of an entirely different

character, and it is therefore unnecessary to discuss the precise extent of the powers of the Dominion Parliament in regard to such a reference. But it is obvious that, following the language used in a former case, the Committee should not deem itself called upon to enquire into any points respecting the administration of justice other than those in the petition, or with any other object than that which induced them to consider the question whether the Judge has done anything which ought to lead to his resignation.

*Motion agreed to.*

Mr. BLAKE moved :

“ That it is desirable that any witness to be examined by the said Committee, be examined on oath.”

*Motion agreed to.*

Mr. BARTHE moved for copies of the petitions of T. D. Latour and others, dated the 5th June, 1874, and the 2nd November, 1875, presented to the Government, concerning the Hon. Mr. Justice Loranger, and of all correspondence relating thereto.

*Motion agreed to.*

## NORTHERN RAILWAY COMMISSION.

### QUESTION AND REPORT.

Mr. MACKENZIE moved the adjournment of the House.

Mr. BOWELL enquired whether the report of the Northern Railway Commission, would be laid before the House at an early day.

Mr. MACKENZIE: I present it now.

Mr. MACKENZIE delivered a Message from His Excellency the Governor-General.

Mr. SPEAKER read the Message, which is as follows :---

“ DUFFERIN.

“ The Governor General transmits to the House of Commons the Report of a Commission appointed by Order in Council of 22nd July, 1876, to enquire into the affairs of the Northern Railway Company of Canada.

“ Government House,

“ Ottawa, 15th February, 1877.”

Mr. BOWELL said it had been a matter of complaint in various journals in the Dominion that these reports, by

some means or other, had been placed in the hands of certain newspapers before they had been laid on the table, and that this favouritism had been extended to the Ministerial journals only. He had just learned that portions of this report were passing over the telegraph wires to certain newspapers in the West. This was not only improper and unfair with regard to the House, but also unfair to the press generally.

House adjourned at  
Fifteen minutes to  
Eleven o'clock.

## HOUSE OF COMMONS.

*Friday, 16th Feb., 1877.*

The Speaker took the chair at Three o'clock.

### COAL OWNERS' PETITION.

#### SPEAKER'S RULING.

Mr. SPEAKER: In respect to the petition of Henry Mitchell and others, interested in the coal trade and shipping interests of the Dominion, which was not received yesterday, I have to state to the House that I have since considered the question carefully. The objection to the asking of bounties will, I think, only apply to cases where an individual or individuals personally interested ask for such bounty as will be profitable to themselves. Where the petition is of a general character, and is signed by persons other than those immediately interested, and, in fact, asks for a modification or change of the financial or fiscal policy of the Dominion, on the ground that such change will be beneficial to the country at large, then such a petition stands precisely in the same position as one asking for an imposition of taxes for general purposes. On examination of this petition, I may state that I see no reason to conclude that it is signed exclusively by persons immediately and directly interested, and I am therefore of opinion that it can be properly received.

## RECEPTION OF PRIVATE BILLS.

## MOTION TO EXTEND TIME.

Mr. RYMAL moved that the reception of petitions for private bills be extended ten days from Monday next. He said that the time for their reception, according to the revised rules at present in force, expired on Monday next. He understood that some sixty notices of application for such bills had been made, though only ten petitions had been presented. Another rule, however, he believed, precluded him from making the motion without reference to the Standing Committees. No Standing Committee had as yet been organized, and he was at a loss with regard to what course he should pursue. This he would leave to the House to decide.

Mr. MACKENZIE said the proper mode was to have the Private Bills, and some other Standing Committee organized the day following, when the two Committees could join in the recommendation, and report on Monday.

Mr. SPEAKER directed attention to the 69th Rule.

Mr. BLAKE said he supposed that, under the 69th Rule, it was not within the capacity of the Chairman of the Committee to make a motion which might be now dealt with by the House. It stated that no motion should be maintained until after reference was made. The motion must, therefore, be made, and could only be disposed of by being referred by the House to the Committee.

Mr. HOLTON: Very much of the value of the new rules will be destroyed, I fear, if we return to the old practice of suspending rules. I do not wish to oppose the motion of my hon. friend, but these rules have been very carefully considered, and their object was to secure the earliest presentation of Private Bills, in order to avoid the hustling of them through without proper consideration, towards the close of the Session. The sense of the Committee was that rules could be suspended only when a strong case was made out, and it was felt to be better that parties who are remiss in present-

Mr. SPEAKER.

ing their petitions and Bills in due time, should pay the penalty of negligence and want of diligence, thus preventing the consequences of which we have had reason to complain. While I do not object to the motion to refer to the proper Committee the question of suspension, yet, when the reports of these Committees are before us on Monday, I think the House should pause before entering on the old practice of suspending these rules indefinitely.

Mr. SPEAKER: I think it but right to inform the House that the subject of giving due information to all parties concerned in Private Bills, as to the changes made in the rules, occupied the attention of myself and the proper officer of the House for some time last fall, and an order was given as the result of our deliberations that, in every case where parties gave notice of their intention to introduce Private Bills, a copy of the new rules relating to the manner in which Private Bills must be introduced should be sent them, so that there is scarcely any excuse to be made on the score of ignorance as to what our rules require.

Mr. RYMAL moved that the question of the extension of the time for the reception of petitions touching Private Bills, be referred to the Standing Committees on Private Bills and Standing Orders.

Motion agreed to.

## BILL INTRODUCED.

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

To incorporate the Maitland Marine Insurance Company. Bill No. 6. (Mr. Goudge.)

## AMENDMENT AND CONSOLIDATION OF THE INSURANCE ACTS.

## CONSIDERED IN COMMITTEE.

Mr. CARTWRIGHT moved:

“That this House do forthwith go in Committee of the Whole, to consider the expediency of amending and consolidating, as amended, the several Acts respecting Insurance, repealing for that purpose the unrepealed portions of the Acts of Canada, 31 Victoria, Chapter 48; 34 Victoria, Chap-

ter 9; 37 Victoria, Chapter 48; 38 Victoria, Chapter 21; part of the 23rd Section of 38 Victoria, Chapter 20; and Chapter 52 of the Consolidated Statutes for Upper Canada."

*Motion agreed to.*

(In the Committee.)

Sir JOHN A. MACDONALD asked for explanations.

Mr. CARTWRIGHT: The Act, which it is proposed to introduce, founded on these resolutions, is in most respects a copy of the Act which was under consideration by this House, and by the Banking and Commerce Committee during last Session. The chief alteration which will be introduced is one calculated to meet the objections preferred last year by the British and other companies. They complained, and I felt that there was some force in their objections, that it would be a hardship to extend the law retrospectively in regard to their business. That objection I have considered, and I think it will meet their views to introduce a clause exempting their former business from the proposed legislation. I will do so the more readily because I am informed by the Superintendent of Insurance that the deposit in the hands of the Government, which is liable to application to the benefit of Canadian policy-holders, is in many cases quite sufficient for reinsurance purposes; and it will be obvious to the House that these companies, the English ones particularly, are in the main very strong, and, of course, every company, by the natural operation of time, will fall into line, and be precisely harmonized, as to position, with our Canadian companies. This is the only amendment of importance. The bill I propose to introduce shall, as on the former occasion, after being considered and after having passed a second reading here, go to the Committee on Banking and Commerce, where the details can be settled, and any objections, if any be made, may be heard. I might add, that I understand from the officers who have special charge of these matters, that the companies interested express themselves as well satisfied with the bill as they could be expected to be.

Mr. TUPPER: I am very sorry to learn from the statement made by the hon. Minister of Finance, that the result of the attention of the Government being drawn during the last few Sessions, and for some considerable time previous, to the question of life insurance, has not been the adoption of a more comprehensive view, as to the duties of the Government with relation to this very important question. The question of life insurance is one of the greatest possible moment to the whole country. It is the means by which provision is made for a great number of families who otherwise would be left in a very destitute condition. It is a question that has been considered worthy of the attention of all Governments and of all statesmen who have at heart the interests of the great masses of the community, and the events of the past year—the events which have taken place since this Legislature adjourned—have been of a character, I think, to draw the attention of the Government to the great importance of this question more than anything that has previously occurred. The efforts which have been made to obtain the greatest security for the mass of the people depending upon life insurance, by Government inspection, have proved, in some very important instances, to be quite abortive. No doubt the system of inspection taken up by the present Administration is of very great importance. We were inclined to hope that it would be so successful as to secure to a large extent the public confidence in those institutions; but the circumstances which have taken place in the State of New York in connection with some of the largest and most important life insurance companies doing business on this continent, and in Canada, have shown how utterly hopeless it is to expect to obtain security for the public through the agency of Government inspection. Institutions supposed to be the most reliable, supposed to be the most deserving of public confidence, have crumbled away, and left vast numbers of people, who have paid enormous sums of their private means to those companies, without the hope of securing the comfort to their families, when

they are obliged to leave them behind, that they expected to do. Those institutions have crumbled into dust and caused widespread misery and misfortune throughout the country. I think the time has arrived when it becomes the duty of the Government seriously to entertain the question of giving some more direct, some more absolute certainty, to persons investing their money in life insurance. It is most desirable, from every point of view, that the policy of insuring lives should be encouraged. It is of the greatest possible moment that such absolute security should be given to persons thus investing their money that the practice, which is not only a wholesome one, but one essential to the general prosperity of the country, should be extended still more widely than heretofore. I believe that if life insurance could be rendered absolutely safe, if it could be removed from the dangers found to attend it under the best management that can be obtained, it would be not only widespread but universal, and the result would be most beneficial to the country. We stand in a peculiar condition in Canada in relation to this matter. We stand on the borders of a great country, a good many of whose companies do business here, and it becomes peculiarly necessary that our people should be protected against any want of security on the part of companies outside the Dominion. It is a fact that over \$2,000,000 belonging to the people of this country goes out of Canada annually, and becomes a foreign investment. That fact, I think, is one deserving of the most careful and attentive consideration on the part of the Government. We have every reason to believe, further, that this amount of money will never return; that the companies in which it is invested will become unable to return it, not altogether perhaps on account of mismanagement or fraudulent management in connection with the administration of their affairs, but in connection with the great change in value and profits. This state of things ought to induce the Government to consider the question whether it might not be found practicable to give absolute certainty to parties making investments

of this important character and, at the same time, to retain our own money in our own country. I do not say at this moment that it can be done; but I think, if the subject were carefully considered, it might be found entirely practicable to adopt a system of Government security in connection with life insurance that would not only render absolutely secure the money of parties investing, but make the practice of insuring so widespread and universal as to be attended with the greatest possible benefit to the people of Canada. We are continually going abroad to borrow money. If we could adopt a system by which the security of the Government could be given to parties investing in life insurance, the result would be that we would not be obliged to cross the water and go to England or anywhere else to ask for foreign loans. The \$2,000,000 per annum now going out of Canada would remain and find investment in this country. I may be met at once with the remark that the difficulty is that life insurance is especially a business which it would be extremely inconvenient for the Government to undertake; that the Government would be exposed to temptation and pressure, which would be calculated to disqualify them from dealing with this important measure in the same way that a private company can. I believe a happy medium can be found to secure to the Government as well as to the country itself absolute security in relation to this matter, without the difficulties which have been suggested. I think that private companies which have shown evidences of their financial soundness and resources, might be allowed to do this business, to stand between the assured and the Government in relation to the examination as to who are proper subjects for insurance and who are not; the money being invested in the funds of the Government, and such security given to the Government as would relieve it of any danger of loss in regard to the matter, while giving absolute surety to the insured. Provision could also be made against any change with regard to the holders of the stock in the company without the consent of the Government, which

would give perfect protection against loss or injury at any time. In France there is a system of Government insurance in operation. Precautions have been taken against the insurance of parties who ought not to be insured by providing that no policy shall be paid unless it has been in existence two years. That provision is an almost perfect guarantee against the insurance of lives not entitled to the benefit of life insurance. It might, however, be found impracticable to introduce that system here. My object in speaking was to draw the attention of the hon. the Minister of Finance, and the other gentlemen who are dealing with this question, to the additional distrust in the public mind in consequence of the gigantic failures which have occurred, and the significance of the fact that those companies which were regarded as the strongest on the continent have been found most insecure. Under the circumstances, I think it is the duty of the Government to take the question up and see if it is not possible to give the people some assurance more absolute and perfect than Government inspection, however vigorously or carefully carried on, can accomplish.

Mr. HOLTON: The question brought up by my hon. friend the member for Cumberland is one of very great importance, and one deserving of the attention and careful consideration of the hon. the Minister of Finance and the House. But I am sure the hon. member will agree with me that the matter is hardly yet ripe for legislative treatment. We have not the information necessary to enable us to proceed to legislate upon the subject, which is an important one, and ought to receive the consideration which he invites the Minister of Finance to bestow upon it, and which, at a future day, I have no doubt, the hon. gentleman, if not the Minister of Finance, will invite the House to bestow upon it. The amendments which my hon. friend the the Minister of Finance proposes to the law as it stands are substantially, I understand, those embodied in the Bill of last year, and such as the immediate exigencies of our position call for; and I hardly think we can ask him to stay his hand in inviting the House to enact

this necessary legislation in order to consider the perhaps more important subject brought to the notice of the House by the hon. member for Cumberland. My attention has been called to this matter for a year or two past. I cannot say that I have studied it thoroughly, but I have given it some desultory attention, and in the course of the last Session I privately had some conferences with my hon. friend the Minister of Finance in relation to it. I found that he was quite open to suggestions, as I am sure he will be to-day; and it may be a question whether, by means of a Select Committee during the course of the present Session, he would not lay the foundation of some future definite action on the subject. I merely make these remarks in response to the timely and well-poised speech of the hon. member for Cumberland. Of course this is a subject in which we all have a common interest—as much on one side of the House as on the other; and I therefore suggest to the hon. the Minister of Finance, that after giving this matter the preliminary consideration that its importance demands, he might agree to the appointment of a Select Committee to take evidence on, and consider, the subject and submit some tangible scheme for dealing with it to the House.

Mr. WOOD asked the Minister of Finance if the repeal of these various Acts would affect fire insurance offices.

Mr. CARTWRIGHT said it was not the intention of the Government to deal with anything but life insurance.

Mr. WOOD said he had a motion respecting life insurance on the paper, but the hon. member for Cumberland had, to a certain extent, forestalled what he had to say. He therefore did not think it necessary to move for the Select Committee of which he had given notice.

Sir JOHN A. MACDONALD said he hoped if the Minister of Finance accepted the suggestion of his hon. friend from Chateauguay, he would consent to take charge of the Committee.

Mr. CARTWRIGHT: It is so very rarely that I am able to agree with the remarks of my hon. friend from Cum-

berland that I feel the greatest amount of pleasure in rising to say that, to a very great extent, if not altogether, I do concur with him in reference to the great question now under consideration. I hold that, in dealing with any question of this magnitude, it is of the greatest importance that the Government should not enter into any hasty or not well-considered legislation. It should have the very fullest information and the whole question should be most carefully dealt with. It has not escaped our observation that some very considerable irregularities have occurred in companies which, although doing business on this continent, do not reside here, but have their headquarters in the United States. It has not escaped my attention either that a very considerable class of people who, I have always thought, it was most important should avail themselves of the benefit of life assurance—I refer more particularly to artizans, farmers, and small tradesmen, whose families suffer very great hardships when the breadwinner dies—hardly ever receive any of the benefits of life insurance. I am much inclined to think that, until this class is able to avail themselves of the security afforded by Government and by Government alone, or at any rate of the security which in their minds would be associated with the Government, they will never avail themselves of insurance, except to a very limited extent. Government life insurance in England has failed, in a measure, from reasons which I will not now venture to discuss. In the colony of New Zealand, however, I believe that the project of Governmental life insurance has been tried with marked success. There are some other countries in which it has been attempted, but I am not sufficiently advised to lay the results before the House. However, I may say that the subject has engaged, and will continue to engage, our attention, but I do not at all mean to pledge the Government to legislative action upon it, at any rate for some time to come; and I have some doubts whether, in such distress as exists at present, it is desirable to make such an experiment. Those who have studied the subject agree that the depression has had a most unfortunate

Mr. CARTWRIGHT.

effect on insurance, in consequence of the large number of policies which have lapsed. I do not think it wise that a totally new scheme should be proposed now. Moreover, there are practical difficulties which will easily present themselves to hon. gentlemen, with the experience of the hon. gentleman opposite, in the way of the Government working the scheme. As to the other suggestion by the hon. member for Cumberland that it could be worked through private companies, I would not like to express an opinion at present. I shall certainly be open to receive any suggestions on the subject, and am glad that this is a measure in regard to which the Government, if it introduce it, can fairly count upon receiving the support of all sides and parties in this House. Any suggestions which the hon. gentlemen opposite choose to make will be carefully considered, although I must entirely refrain from committing the Government, at present, to any definite line of action.

Mr. WOOD said there was really no Government insurance in England—only a system of Post Office insurance; and the reason for its not being more successful was the mixing up of a practice of selling annuities with life insurance—two things that should be kept perfectly apart.

*Resolution agreed to, as follows:*

*Resolved,* That it is expedient to amend and consolidate, as amended, the several Acts respecting Life Insurance, repealing for that purpose the unrepealed portions of the Acts of Canada 31 Victoria, chapter 48--34 Victoria, chapter 9; 37 Victoria, chapter 48; 38 Victoria, chapter 21; part of the 23rd section of 38 Victoria, chapter 20; and chapter 52 of the Consolidated Statutes of Upper Canada.

*Resolution ordered to be reported.*

*House resumed.*

*Resolution reported.*

Mr. MASSON called the attention of the Government to this fact,—that in the correspondence which had been furnished in reference to the Jesuits' Barracks, Quebec, the most important part had been left out, viz., the correspondence which was going on at the moment the motion was made last Session.

Mr. BLAKE said he observed the papers brought down were incomplete. He presumed the officer who prepared the Return had followed the ordinary rule of making it complete only to the date of the motion. He had no doubt, however, that the rest of the correspondence could be brought down without another motion being necessary.

#### INSOLVENT ACTS REPEAL BILL.

[BILL No. 2.]

(Mr. Barthe.)

#### SECOND READING PROPOSED.

Order for second reading of Bill (No. 2) "To repeal the Insolvent Acts now in force in the Dominion of Canada," read.

Mr. BLAKE: Before my hon. friend rises, I would ask him not to proceed with the second reading of the bill today. As I said in answer to my hon. friend from East Durham, the Government has under consideration some proposed amendments to the Insolvency Act. If it happened that the amendments regarded minor matters of detail, such as those to which the attention of the House last Session was invited, they, of course, would not materially affect the important question which the hon. gentleman's bill raises; but if they involve more important matters, it might not be unreasonable for the House to have before it the alternative propositions—that of the Government and that of the hon. gentleman,—if such were made by the Government before the disposal of the hon. gentleman's Bill. I think the convenience of that course will be obvious. I would ask the hon. gentleman to consent to a postponement of the second reading for a week, at any rate.

Mr. BARTHE: I should be very happy to comply with the wishes of the hon. the Minister of Justice, but for personal reasons I have made up my mind to press this Bill. I am quite willing to postpone the Bill until Monday, if it suits the Government.

Mr. BLAKE: Say Monday week.

Sir JOHN A. MACDONALD: I hope my hon. friend from Richelieu will consent to the suggestion of the Minister of Justice to postpone this

second reading until Monday week. Then we can have the whole subject discussed.

Mr. BARTHE: As it is the desire of the House, I will comply, provided it be understood that it be the first order on Monday week.

Mr. BLAKE: I do not wish that there should be any misunderstanding. I have every hope that the propositions of the Government may be matured by that time, and therefore I name it. But circumstances may arise under which we would have to ask the indulgence of the House for a further postponement.

Order *discharged*, to stand the first order for Monday week.

#### THE "NORTHERN LIGHT" STEAMER.

#### MOTION FOR RETURN.

Mr. PERRY moved for a copy of the contract with Mr. Sewell for building the steamer "Northern Light," report of Inspector and Agent, telegrams, and all other documents connected with the same; also, correspondence between the Department and the Agent at Charlottetown, Prince Edward Island, and the number of trips up to date. He said he desired to give the Government an opportunity of showing whether the steamer, the "Northern Light," was substantially built and suitable for the purpose or not. He saw it stated in some of the papers that the Government did not intend to carry out the present scheme of communication between Prince Edward Island and the mainland. It was necessary that the papers should be brought down to ascertain whether the Government had acted honestly or not. The communication had been a great boon to the people of the island, as it brought them into relations with the people of the other Provinces, and enabled goods to be carried backward and forward. So far as he could see the steamer was not a humbug. It had made trips in three and a half hours, and that in ice running from eighteen to twenty inches in thickness. The people he represented were satisfied the Government had acted sincerely. He thought a Commission of three persons ought to be

appointed to see which was the best place for a ferry. It was for the interest of the island that there should be only one ferry for the Government steamer.

Mr. POPE (Queen's, P. E. I.) said he agreed with the remarks of the hon. member with regard to the two points between which the steamer should run in winter. He did not look upon this vessel as a great success. At the same time he had no desire to find fault with the Administration on this account, as he believed they allowed the Maritime Province members to settle it pretty much their own way. He did not wish at the present time to say much against the "Northern Light," but, in his opinion, she was not capable of doing her work in the solid or fixed ice, although he thought she might answer very well for working her way through drift or floating ice. When Charlottetown River was fast frozen over last autumn, she made an attempt to tow one or two schooners loaded with potatoes out through about four inches of soft ice, but could not manage it. She succeeded with difficulty in getting out herself some two miles beyond the harbour's mouth, bound to Pictou, but returned, being unable to proceed further. She made a second and a third attempt and returned. The last time, she broke the ice up to the railway wharf, for the purpose of coaling, when it took her more than an hour to break sufficient ice, then about seven inches thick, to enable her to turn round. After about a week, during half of which time she was drifting up and down the Gulf in the ice, she succeeded in reaching Georgetown, where Mr. Sewell afterwards joined her. The Newfoundlanders had a great deal of experience in ice-breaking vessels, and all theirs were built with over-hanging stems, which facilitated their being forced up on the ice. Besides this, the main breadth of their vessels was near the bow, and, when they broke the ice down, the rest of the vessel passed through easily; whereas the "Northern Light" was much the shape of a wedge, and when she broke through she wedged herself in nearly her whole length, and could not go further without first backing out and running full speed at it again. Another great

Mr. PERRY.

objection to the "Northern Light" was her great draught of water, which was over 17 feet, whereas she should not exceed 12 feet. On this account she could not enter many of the harbours. Murray Harbour was about 10 or 12 miles nearer Pictou than Georgetown. It was open all the year round, and if a steamer must run to Pictou in winter, this was the port on the island side which she should run to; but there were only 12 or 13 feet of water at the entrance to the harbour, and the "Northern Light," of course, could not go in. Again, should this vessel be caught out in a gale of wind with extremely cold weather, bound to Pictou, she would be unable to extricate herself from the ice, and would probably be carried on some of the reefs or ledges of rock between Pictou Island and Cariboo and be lost altogether. He hoped the Government would accept the suggestions made, and place her in the most suitable locality, where the whole mail service could be concentrated, and where, during very cold weather when she would be unable to run, the mails could be carried regularly in the ice boats, for it must be borne in mind that, in all time to come, the mails would and must be carried *via* Cape Traverse. The adoption of this route would necessitate the construction of a railroad from the main line on the Island, to Cape Traverse—a distance of 10 or 12 miles, and in New Brunswick from Aulac to Cape Tormentine—a distance of about 30 miles. Should this be accomplished, the water communication in summer, as well as in winter, would be reduced to a mere ferry of 8 or 9 miles between New Brunswick and the Island, and the travel would all be this way. The expectations of the hon. the Minister of Marine and Fisheries' constituents, who had been promised something, would thus be realized. He must again express a hope that the Government would adopt this route and make the necessary arrangements to carry it into effect.

Mr. DAVIES said he thought it would have been better had the delegations that had come up to make arrangements for Confederation negotiated for the construction of two short railway branches, one between Cape

Tormentine and Aulac, about 33 miles in length, and the other between Cape Traverse and the Island system, about 10 miles in length. With regard to the provisions for winter steam communication some little delay had occurred. In the first instance, sufficient time had not been allowed for the building of the boat, for which it was found that two years were required. The steamer had been stationed where the boats crossed, in a narrow passage; and it had been thought desirable to place her where the Straits of Northumberland opened below Pictou, a large basin perhaps forty miles in diameter. There were no dangerous reefs in that locality, and as early crossing from Cape Tormentine was very difficult, until the ice became firm, this was considered the proper position. This, he believed, however, lay between Georgetown and Pictou. The performance of this steamer had, in his opinion, completely solved the question of the winter navigation of the St. Lawrence. He was not prepared to estimate its value, but the steamer had crossed during the last four weeks the most difficult part of the Gulf, into which the ice was blown, owing to the western winds. As the channel was comparatively narrow, of course passage was rendered more difficult for the steamers than would be the case in the large open parts of the Gulf, which were at least half covered with unfrozen water. What the hon. member from Queen's had said with respect to the performance of the steamer in the harbour ice was, in the main, correct. He believed that the steamer had not succeeded in breaking through the harbour ice, which was more than eight or nine inches thick, but as far as hummocky, field and floe ice was concerned, she had proved to be admirably adapted for the purpose, even far surpassing their expectations. As he had previously stated, the western winds had driven the ice down, a greater quantity having accumulated than during the last five winters, which were all severe. The pressure of the ice did not at all affect the steamer as, under such circumstances, she rose beyond the reach of danger. It would be difficult, he thought, to build a

steamer better adapted for both harbour and channel winter navigation. On the whole, the venture had been a success. It was questionable whether it would not be better to remove the steamer from the narrow passage at Cape Tormentine. It was possible that she might be able to do her work there, but it would be much more dangerous. On each side of the Straits was stationed fixed ice, termed port ice, fastened to the shore, for an extent of a mile or a mile and a half, remaining there throughout the winter. By cutting docks in the ice, the steamer could run from side to side, taking advantage of these openings. At Cape Tormentine was, however, situated a very dangerous reef of rocks, and with a rapid current of five or six knots; the steamer, if carried on the rocks, would inevitably be lost, and no such peril existed where she was at present stationed. Mr. Sewell, who, no doubt, was a very good judge regarding these matters, considered navigation between Cape Tormentine and Cape Traverse quite practicable for the steamer, but as to this he was not prepared to give any decided opinion. If nothing else had been done it had been demonstrated that winter navigation was practicable and easy, and the steamer had done good service for the money she had cost.

Mr. McINTYRE remarked that this subject was a matter of very great interest to the inhabitants of the Maritime Provinces, and of Prince Edward Island particularly. The failure of the steamer to do her work, in the harbour of Charlottetown last fall, was due, in his opinion, principally to the inexperience of the persons placed in charge, a fact which, of course, was not surprising under the circumstances, the enterprize being new and unusual, and one to which all were strangers at the time. However, since Mr. Sewell had superintended operations, the steamer had made perfectly regular trips. He was on board the boat on the third of this month, and had been greatly surprised at the facility with which she worked her way through the ice. The first night they were out, the ice closed around the boat—in the language of the ice,

she "got nipped,"—but the effect was to raise her nearly out of the ice, and, if this had not occurred, he believed that she would have been crushed to pieces like an egg shell. Such would certainly occur if she were of any other construction than she was. Georgetown was one of the best positions, if not the best, on the island. Pictou harbour was subject to being blocked up with ice, when the wind came from the North-East. Cape George, where there was an excellent breakwater and an abundance of water, offered more favourable inducements; and a small branch, to connect with the Eastern Extension Railway now under contract, he considered should be built, and the steamer should run between Georgetown and Cape George. He thought a passage between Cape Tormentine and Cape Traverse would never answer, because the channel, being narrow, was, during the greater part of the season, choked up with ice. As regarded the docks which had been mentioned, he thought they would easily fill with ice; and, with reference to the building of piers at Capes Tormentine and Traverse, the bottom being sandy would render their permanence doubtful, while the action of the ice and the sea would carry them away. Besides, the expense of building a line of railway from Cape Tormentine to Aulac station, and a line of about the same extent on the island, in all over sixty miles, would cost, with the piers, not less than half a million of dollars. He was sure that no one wished to see a repetition of what had occurred in the harbour of Charlottetown last fall, and he believed that this would be the result if the steamer were taken off her present route.

Mr. McISAAC said that, although he did not represent any portion of Prince Edward Island, he felt he had a right to express an opinion on the subject before the House. The steam communication under consideration, as forming one of the articles of Union, was a matter in which every member of this House, especially every member from the Maritime Provinces, should feel an interest. From the very contradictory accounts just given of the success of the "Northern Light," by

Mr. McINTYRE.

the gentlemen representing the Island, he found it delicate to be obliged to say that they all did not give a correct statement of facts. He was far, however, from insinuating that any hon. gentleman had told this House what he did not believe to be true. The "Northern Light" had been said by some to be a success, by others to be the reverse; but, from what had been heard to-night, and what had been published in the papers for several weeks past, his opinion was that it was impossible for any person here to see how far she had been able to accomplish her undertaking. Under the terms of Union, the Dominion was bound to maintain a steam communication for carrying mails and passengers between the Island and the mainland. So far, Pictou was the only point on the mainland she had been struggling to reach. Important as Pictou had a right to be considered, he was of opinion that the boat should be allowed, or rather, should be made to test other termini on the mainland before the country was in a position to say how far she was able to fulfil her engagements. When she first began her work, Charlottetown was her Island terminus. As had been stated, the ice proved too thick for her, but when the enterprising builder, Mr. Sewell, appeared and took charge, she soon, in his hands, overcame what some people were willing to regard as a proof of her unfitness. With him she leaped out of her difficulties and demonstrated the fault was not hers. Afterwards, Georgetown was made the terminus, and since then she had been plying between that point and Pictou with considerable success—a success sufficient to prove the feasibility of winter communication between the Island and the rest of the Dominion. To test what she could do, he maintained that she should be made to try other termini on the mainland. One place especially should be tried, namely, Cape George, which had already a large pier built by the Dominion. The distance between this point and Georgetown was not greater than that between the latter place and Pictou. And, besides, in a direct course between these two points, the ice, owing to its proximity to the Strait of Canso and the entrance be-

tween Prince Edward Island and the Island of Cape Breton, never packed so solidly as it did farther west in the Strait of Northumberland. To show that Cape George should be tried, if not adopted as a mainland terminus, he stated that three or four winters ago the Prince Edward Island mails were landed there when Pictou could not be approached. Some might have an interest in stating that land travelling from Cape George was difficult. His answer was that the pier was about fifteen miles from a railroad at present under contract, and connecting with the Truro and Pictou Railroad. In view of these facts he suggested that the hon. the Minister of Marine and Fisheries should give instructions that this terminus should be tested in order to give the country a full opportunity of seeing how far the present arrangement to effect a winter communication between the Island and the mainland would be successful.

Mr. SINCLAIR said he thought the Government would soon find that they would have to change the route of the boat, because no business man would be contented with irregular business communication if it could be avoided. The present available route, in his opinion, lay between Capes Tormentine and Traverse, and, if this were selected and piers provided for shelter for the commencement of winter, he believed that after winter set in, the boat could make provision for herself. For mails and passengers, the route by the Capes was much more certain, for, when the steamer could not cross, the ice-boats could, and the same crew could work both. The route by the Capes also had a great advantage as a speedy route, for it struck the Intercolonial Railroad at a point very favourable for travellers or mails going east or west. The matter should be so arranged that winter communication could be carried out fully and pretty regularly. The Government should appoint a disinterested Commission to examine the Straits of Northumberland while full of ice, and, if it considered that the steamer could run between the Capes mentioned as well as where she at present was running, he thought it

would come to the conclusion that the former was the proper route. The Government spared no pains or expense in building a strong and efficient boat, and, in fact, she had done more than the most enlightened residents about the Straits ever considered probable. The winter navigation of the Straits, in his opinion, was now accomplished. Some considered that a steamer propelling through the ice would require a screw so deep that it would not be interfered with by floe ice, but he was informed that in Newfoundland the screws of steamers passing through the ice were protected by a strong web of iron, and it might be better if this one was so, and drew less water. The steamer had done well, and Mr. Sewell deserved, in consequence, great credit. It was yet but an experiment, and no doubt would be greatly improved.

Mr. SMITH (Westmoreland) said he was very glad that his hon. friend had made this motion, as it had created a discussion which had certainly been very complimentary with regard to the Government, and peculiarly pleasing to himself, inasmuch as the enterprise was immediately connected with his Department. He was gratified also with the moderate tone of the hon. member from Queen's, who bore testimony to the efficiency of this boat, which, when it first arrived at Prince Edward Island, was said to be an utter failure and totally unfit for the service. Many severe criticisms were passed respecting her, but time had shown their injustice, and now the testimony establishing the success of the enterprise had really become extraordinary. As to where the point of communication on the Island side would be, he was not at present in a position to state, but of course he had a very strong conviction on the subject, as he always had, but further enquiry was necessary before the Government could come to a conclusion regarding this matter. The papers would soon be laid before the House, and he thought they would fully bear out all that had been said in favour of the Government touching this subject. Everything that was possible had been done to make the enterprise a success, for neither pains nor money, so far as

was consistent with economy, had been spared in this connection. He was very much gratified to learn that the members from Prince Edward Island were so much in favour of the course taken by the Government. The crew was taken from the Island, because the Government felt that the inhabitants of Prince Edward Island were more interested than any others in the Dominion in the success of the enterprise. Many of them had enjoyed a very wide experience touching winter navigation, and Mr. Sewell had certainly shown surprising skill and judgment respecting this matter.

*Motion agreed to.*

## GOVERNMENT LIFE INSURANCE

### MOTION WITHDRAWN.

Mr. WOOD, with reference to his notice of motion for a Select Committee to take into consideration the question of life insurance, observed that, in consequence of the action of the Finance Minister respecting this question, it was quite unnecessary for him to move for a Select Committee. During the past three or four years, he had given considerable attention to the question, and he was very glad to see that a strong feeling in favour of such a system had grown up in the country. A number of the members of the House had also paid a great deal of attention to the question, and he hoped that, at a very early day, the Government would feel called upon in the interests of the public and policyholders to adopt the system in question, as it would create unbounded confidence among intending insurers. Before the close of the Session, he would, possibly, have an opportunity of addressing the House regarding this matter, if the Government again brought it up; but, in the mean time, he would ask that his notice of motion be dropped.

*Motion withdrawn.*

## DISMISSALS FROM OFFICE.

### MOTION FOR RETURNS.

Mr. CAMPBELL moved for returns of all tenders and contracts for the construction of a harbour at Ingonish, Nova Scotia, the names of the parties to whom the contract was awarded;

Mr. SMITH.

showing if it was awarded to the lowest tender; the names of the parties to whom the contract was subsequently transferred, and of their securities since the commencement of the work; the dates of such transfers; the amount of the original contract; and if the contract has been completed in accordance with the original plans and specification; if not, the reason why; also, if the contract has been taken off the hands of the contractors, and if so, when; also, what portion of the original plans and specifications have not been finished or completed, and what further sums are to be paid to the contractors for what work they have performed, and if it is the intention to finish the works in accordance with the original plans and specifications; also the amount paid for superintendence of contract and to whom paid; also copies of correspondence between the Government and the contractor relative to relieving him of the contract in order that he might contest the County of Victoria for the vacant seat. His object in making this motion, he explained, was to clear up a good deal of mystery connected with these transactions. The disclosures of the secret arrangements which had been made could not be expected, but something wrong existed in relation to the contract in question, and the contractor, who was a supporter of the present Administration. He thought it only just to his hon. friend the Minister of Militia that he should notice the subject in his presence, in order to give him an opportunity of setting himself right before the country. He had had only the kindest regards for the hon. gentleman during several years past, and he felt sorry that the hon. gentleman's conduct respecting this matter had to be placed before the country. It was only right that the hon. gentleman should explain the character of the arrangements made with these contractors. By certain parties, the report of the Minister of Public Works, touching the harbor of Ingonish, was regarded as being very indefinite, and the hon. Minister informed them that vessels entered this harbour, but he did not state what was the size of those vessels. Perhaps they were only of three

or four tons burden. He (Mr. Campbell) desired to secure the papers, and to obtain fuller information on the subject. It was wrong for members of the Government to go down into a county, and intrigue with their own subordinates to induce them to attempt to enter the House; and he considered that this was unpardonable conduct on the part of Ministers of the Dominion. If they were to have free institutions and the enjoyment of liberty in this country, Ministers of the Crown should act constitutionally; or else what was to prevent the Government of the day, armed with all the money and influence which was at its disposal, from tyrannizing over the people. In this manner they might recruit their ranks. He had had no intention of contesting the election, as it did not suit his purposes, until he discovered that the Government of the day was resorting to corrupt practices, of which he complained. He supposed that this had been done to satisfy the feelings of revenge the Government entertained in his regard, in consequence of insubordination on his part—because he did not approve wholly of the policy of the present Administration. This he considered tyrannizing. He had frequently expressed his sentiments, and had suggested the needs of the country, but the Government would not listen to him. The facts connected with these matters had converted him into a bitter and avowed opponent of the present Administration. His opponent during the contest had been relieved from the obligations of his contract, which concerned the amount of \$58,000; and, from what he could understand from the report of the Minister of Public Works, the reports in this relation had been fixed. The House should strongly condemn such transactions, because if they permitted the Government to use the means at their disposal in order to corrupt constituencies, the country would be placed entirely at the mercy of the Administration of the day.

Mr. MACKENZIE: There is no objection at all to the production of the papers the hon. gentleman calls for. With regard to the former part of the motion, the contract was let early in

1873, and the papers, therefore, go back some years. With regard to the latter portion of it, Mr. Ross, on the 9th September, applied for permission to retire from the contract. That application was submitted to Mr. Perley, the Engineer of the Department, with the simple query, "Is this work nearly completed? Do you see any objection to this?" On the 25th September, Mr. Perley stated in reply that there was no objection to Mr. Ross being relieved from his share of the responsibility. Mr. Ross was then applied to in the usual form to procure the consent of the sureties to his retirement, without which he could not be permitted to retire, in order that the Government might retain hold of the contracting form. On the 29th October, Mr. Ross, for some reason or other, withdrew his application to retire from the contract, and that is the last paper in our possession. The papers will be brought down, I presume, on Monday or Tuesday.

*Motion agreed to.*

#### DISMISSALS FROM OFFICE.

##### MOTION FOR CORRESPONDENCE.

Mr. CAMPBELL moved for a return of correspondence with John Baine, Angus Morrison and Charles L. Campbell regarding their dismissal from office as seizing and landing officers at Great Bras d'Or, and the reasons for said dismissals. He said the hon. the Premier had announced that no officials should be removed, except for reasons assigned. The dismissal of these men, however, was scarcely in pursuance of that policy. The men did not know on what grounds they were removed. The persons who succeeded them were receiving 50 per cent. more salary, which was scarcely in accord with the professions of economy and retrenchment made by hon. gentlemen opposite. He did not approve of the hon. the Premier announcing one policy and acting upon another. The real reason of those dismissals was a bargain made by the Minister of Militia with the contractor, that all subordinates who did not vote for the Government should be discharged.

Mr. BURPEE said one of the men referred to was 68 years old, and

another 74 or 75. Whatever action was taken in the matter was on the recommendation of the Inspector. The Department knew nothing about politics. One of the officials referred to only received \$60 a year, which was not enough for any one to make a complaint about. If the hon. gentleman had examined the matter more closely, he would have perceived that, instead of there being an increase of salaries at that port, there was a considerable reduction. Mr. Campbell's dismissal was recommended by the Inspector and consented to by the gentleman himself, who considered that his services at his business were worth a great deal more to him than his salary as an official of the country.

Mr. TUPPER: I think the House will listen with great surprise to the explanation just offered by the hon. the Minister of Customs. As my hon. friend the member for Victoria has stated, the hon. the leader of the Government said in his place in this House that the settled policy of this Administration was to permit the displacement of no official from office except for reasons assigned, and that apart for any political consideration. Now, the hon. member for Victoria says: "I came here as your supporter a year or two ago, and I gave you an independent support on every question on which it was in my power to do so. Where I conscientiously differed from you, where I considered your views and principles and policy contrary to the interests of the country, I was reluctantly compelled, as an independent member of the House, to refuse my support. For that reason I am made to suffer the penalty. My son, holding a small subordinate position, has been displaced and dishonoured—as far as the Government can do it— not because he failed in any duty to his country, but because I would not become the tool and instrument and slave of a corrupt Administration." That is the declaration, that is the charge, which my hon. friend has made against the Ministry in this House. He says: "My friends who supported me, my son, who gave me his vote, are deprived of small offices held at the hands of the Government—driven out of public office and other

men put in their place. With a view of saving money? No. My friends, who gave me an independent support are deprived of office, and three supporters of this Administration are put in their places at a largely increased cost to the country." Those men were driven out of office without a charge assigned. All the disgrace, all the obloquy, all the punishment that the Government can inflict upon them is inflicted; and when the hon. member asks for an explanation, the Minister of Customs tells us that it was on the report of an inspector. Is the character of a public servant in this country come to this? Are the reputations of the public servants come to this—that they are to be struck down and deprived of office and driven out of office, after having exercised their free and independent franchise, on the report of a pliant inspector? I say that is not the spirit of the public service of this country. I rejoice to know that both the great parties of this country have been compelled by an independent public sentiment to refuse to accept or acknowledge such a doctrine; and I believe, wherever it is attempted to be practised by anybody, it will be visited, as it ought to be, in the interest of the people of this country, by the universal condemnation of men of all parties. My hon. friend says that a Minister of the Crown went down and made a bargain with a public contractor, relieving him of his contract; and then the press supported the Government and came out with their challenges to the opposition to "Come on!" There was the Government candidate, the man who yesterday was a public contractor, who was outspoken as a denunciator of the Government. He is interviewed by a Minister, and is relieved of his contract. The hon. gentlemen on the other side have sometimes taunted me by saying that I stood alone and unsupported in this House; and yet, when they felt called upon to fill a judicial appointment, did the Minister of Justice select a man prominent for his legal talents and qualifications? Let them ask their supporter, the hon. member for Cape Breton, if the selection was made on that account. Why, Sir, the paper which the hon. gentle-

man is supposed to inspire and edit proclaimed to the people of this country that the judicial office was filled not on account of the attainments of the person who filled it. What happened in the matter under discussion? My hon. friend, who formerly represented the county, on going down to the city of Halifax in connection with his business, was asked to come forward; but he declined. He said his business would not permit him, and knowing that the county was safe to exercise a free and independent opinion, he refused. The hon. gentleman who was returned by a large majority came here as an independent representative; but it was stated on the hustings, as it was on the floor of this House, that his opponent was not a free man. Is it any wonder that the hon. gentleman tells the Administration it was beneath them to carry down this feeling of revenge to matters so small and unworthy? He expressed a sentiment that will be re-echoed from one end of the country to the other. I tell the Administration it is by acts of that character, undeserving the support of anybody, that this overwhelming change in public sentiment all over the country, wherever the free and independent voice of the people gets an opportunity of being heard, is accounted for.

Mr. MACKENZIE: The characteristic reply or speech of the hon. gentleman will surprise none of those who are used to hearing him. The hon. gentleman assumes, as a matter of fact, that these men were dismissed for political reasons, when he was told that they were not. The hon. gentleman bases his whole speech upon this false assumption. If the hon. gentleman were honest and fair in his expression of opinion, he would say that this Government have shown the utmost possible forbearance to the people whom he, a month before he went out of office, appointed to positions in his own Province. Every person knows that he replaced the inspector a few days before he left office; now he chooses to affect ignorance of him. It is a fact that this Government did not dismiss a single individual, from one end of the country to the other, for political reasons,

strongly as we were pressed by the scandalous conduct of the Ministry who preceded us to do something of that kind. Yet the hon. gentleman has rewarded us by this coarse abuse in which he from time to time indulges in the House. We have endeavoured to act upon the principle that no person should be dismissed for political reasons, unless he was charged with something else that would afford a proper reason rather than an excuse for his dismissal. I have known, under the old Government, a public officer occupying a high position taking the course on a public platform of advocating the cause of the Government of which he was a servant. Has any one known of any such scandalous abuse of office under this Administration? The hon. gentleman says that the hon. the Minister of Militia did not rise and explain the matter and contradict the charges. The proper and regular steps were taken at the time in the matter. If the gentleman who was a candidate had been elected without giving up his contract, he would have been disqualified. When the hon. gentleman from Cumberland chooses to say that this Administration has lost the confidence of the country, he will find, notwithstanding the extreme depression which has prevailed, notwithstanding the difficulty which the Government have had to contend with, that the Administration and the supporters of it, possess the full confidence of this country, and that the other members of this House are quite as capable of appreciating the value of the public opinion of this country as the hon. gentleman himself.

Mr. SMITH (Westmoreland): The hon. member for Cumberland speaks of political influence being used by or against public officials. I gave direct instructions, immediately on my taking office, that not one of the officials, from the highest to the lowest, was to be interfered with on account of his politics. I do not now know anything about the political opinions of the employés in my department.

Mr. VAIL: As my name has been brought prominently forward, it may be necessary for me to make a few observations in order that the House should understand how far I am responsible

for the charges made against me. The hon. member for Victoria, I believe, on the hustings at Baddeck, took advantage of the opportunity, in presence of the then candidate, Mr. Ross, to state that an improper bargain had been made by the Dominion Government, whereby Mr. Ross was to receive \$50,000 for extras on the Ingonish Breakwater contract, provided he would come forward as the Government candidate. And, notwithstanding that Mr. Ross gave this a prompt denial, the hon. member for Victoria has continued to repeat it up to the present time. When the hon. member for Victoria addressed the House, the matter seemed to be of so little importance that I thought it hardly necessary to occupy the time of the House by a reply; but, as the hon. member for Cumberland has thought proper to refer to it, I may be pardoned for expressing a little surprise that the hon. member should so suddenly work himself up to a fever heat, and accept the statement of the hon. member for Victoria as a fact, and charge the Minister of Militia with having gone down to the county and made a corrupt bargain with Mr. Ross to get him to become a candidate. I say I am amazed and astonished beyond measure, that the hon. gentleman, with all his experience in public life, and well knowing how little reliance is to be placed on rumours circulated at the time of an election, would dare to get up in the presence of the members of this House, and endorse the statement that I had made a corrupt bargain with a Government contractor. As I have already said, the grievance of the hon. member for Victoria seemed so insignificant and frivolous that I determined to make no reply, but, as the hon. member for Cumberland has taken the case up, continued silence on my part might be misinterpreted by my opponents and misunderstood by my friends, and it is therefore quite proper that I should state a few facts in connection with this matter. There was a rumour, before I left Ottawa for Nova Scotia, that Mr. Ross intended to run for the county in the Government interest. When I mentioned it to my hon. friend the Premier, he at once said: "He cannot be a candidate;

Mr. VAIL.

he is a contractor, and consequently ineligible." I then thought it incumbent on me to explain to Mr. Ross that, unless his contract was completed, he could not be a candidate, and I so stated it to Mr. Ross when I saw him at Truro; since which time I have had no correspondence with him in reference to the contract. If, after that statement, the hon. member for Cumberland will get up and repeat his allegation, I think we may very properly conclude that his capability for stating things that have very little foundation in fact has not been over-rated. My hon. friend has referred to another matter in connection with the dismissal of customs officials in the county of Victoria. This I know nothing about, but I think he is the last member in this House who should condemn it, after the Minister of Customs had stated that, to the best of his recollection, they were removed on the report of Mr. Kerr, who, it is well known, was appointed by the hon. gentleman himself only a few days before he left office, and who, I am informed, is a brother-in-law of the hon. member.

Mr. TUPPER: The gentleman is no connection of mine whatever.

Mr. VAIL: This may be true, but at all events this gentleman was removed from the office of Collector of Customs at Amherst, and made Inspector, in order to make place for the hon. gentleman's brother as collector at that port; so, if this be true, and we all know it is, the hon. member for Cumberland should not find fault with the Government for adopting Mr. Kerr's recommendation. The hon. member for Cumberland, when charging me with making a corrupt bargain with a public contractor, thought proper to denounce the Government in very strong language for using the power they had over the officials and servants for political purposes; but the hon. member need not expect that, with his public record in regard to public officials, the present Government need be afraid of anything he may say seriously affecting them in the country, for it is proverbial in Nova Scotia that no election took place there during the reign of the late Government, either for the

Dominion or Local elections when the Dominion officials were not marshalled in full force in favour of the Dominion Government and against the Local Government of Nova Scotia. In fact, it is well known that a letter was written by the Minister of Customs to the Customs' officials at Halifax, requesting them to go and vote for the Government, and yet the hon. member for Cumberland would have us believe that the present is the most corrupt Government that ever existed. In conclusion, let me tell the House there was nothing in connection with the Victoria election from the beginning to the end that I would object to writing out and laying on the table to be read by every member of the House.

Mr. MACKENZIE suggested that it was scarcely worth while for the House to meet again after six.

Sir JOHN A. MACDONALD: In that case, I will move the adjournment of the debate.

Motion to adjourn Debate *agreed to.*

#### MESSAGE FROM HIS EXCELLENCY.

##### THE ESTIMATES.

Mr. CARTWRIGHT delivered a Message from His Excellency.

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

“DUFFERIN:

“The Governor General transmits to the House of Commons estimates of sums required for the service of the Dominion for the year ending 30th June, 1878, and, in accordance with the provisions of the British North American Act of 1867, he recommends these estimates to the House of Commons.

“GOVERNMENT HOUSE, Ottawa.

“16th February, 1877.”

House adjourned at  
Six o'clock.

#### HOUSE OF COMMONS.

*Monday, 19th Feb., 1877.*

The Speaker took the chair at Three o'clock.

#### PETITIONS FROM UNITED STATES CITIZENS.

##### SPEAKER'S RULING.

Motion being made, “That the petitions of the several Boards of Trade,

of the City of Detroit, U. S., of the City of Chicago, U. S., of the City of Oswego, U. S., of the City of Toledo, U. S., of the City of Cleveland, U. S., and of the Chamber of Commerce of the City of Milwaukee, U. S., severally praying for some mitigation of the evils attendant upon the detention of steamers and vessels with passengers, crews, and cargoes upon the canals from Saturday night until Monday morning, be now received,”

Mr. SPEAKER said: These are the petitions to which I drew the attention of hon. members on both sides of the House when they were laid on the table. They are petitions from citizens of the United States, asking us to make certain changes or alterations in our internal arrangements. My impression is that citizens of the United States or other aliens have no right whatever to petition this House, and that this House ought not to receive petitions from the citizens of a foreign country who are not living in this country at the time of presentation. The case brought before the English House of Commons to which I referred will be found in a paper now lying on the table, and I would ask the senior members of both sides of the House to direct their attention to this matter, so that we may lay down some fixed rule for the future guidance of Parliament. No doubt petitions of this character will come Session after Session, and it is one of those matters which ought to be dealt with. My own opinion, and it is a very strong one, is that the petitions ought not to be received.

Mr. HOLTON: What is the prayer of the petitions?

Mr. SPEAKER: The prayer is that certain alterations be made in relation to the regulation of our canals. Steamers have to be stopped on Sundays and it is prayed that this be changed,—something to that effect. If hon. members have no objection or suggestion to make, I shall rule that these petitions ought not to be received. That is the distinct ruling in the Boulogne case in the English House of Commons.

Mr. HOLTON: In that case, although the Committee did not give reasons for the conclusions they arrived at, they gave the evidence leading

up to the conclusion---that such petitions ought not to be received. I think the House will sustain you, Sir, in the decision.

Mr. SPEAKER decided: That these petitions can not be received, on the ground that aliens, not resident in this country, have no right to petition this Parliament, and that this House can not receive any petitions from such persons.

### PRAYERS IN THE HOUSE.

#### REPORT OF COMMITTEE CONCURRED IN.

Mr. MACDONALD (Toronto) presented the Report of the Special Committee appointed to consider and report the desirability of using a form of prayer in this chamber, which was read.

Mr. MACDONALD (Toronto) moved concurrence in the said report. Motion *agreed to*.

Mr. SPEAKER said he thought there should be a distinct understanding as to when the prayers should be read—whether before the doors were opened or afterwards.

Mr. HOLTON said it was the practice in the Senate to have the prayers before the doors were opened.

Mr. DYMOND said that was also the practice in the English Parliament.

Mr. SPEAKER said he thought some hon. gentlemen might desire the occupants of the galleries to be present.

Mr. HOLTON said the reason for reading prayers before the doors were opened was obvious. They had matters of domestic concern to consider before the galleries were opened, and necessarily the time for prayers should be at the first stage of the proceedings.

Mr. CURRIER said it should also be understood whether the prayers were to be read in both languages or only in English. He thought they should be read in both languages.

Mr. SPEAKER: That is for the House to determine.

Mr. MASSON said he thought the French members should understand that the prayers should be read in English only, when the Speaker used

that language. Some parties desired that they should be read by the Clerk of the House, but, speaking for himself, as a Catholic member, he thought the First Commoner should perform the duty. He did not care about the prayers being read in French if the Speaker could not read that language.

Mr. LANGEVIN said he objected to French members waiving their right, and would insist upon the prayers being read in French.

Mr. MASSON said he did not wish to waive any right, but he did not consider the prayers as an ordinary proceeding. It was not a question of translation, but of prayer.

Mr. LAURIER said he concurred with the hon. member for Terrebonne. No rights were involved in the question; it was simply a matter of reverence and decorum. The Divinity could be invoked as well in the English language as in the French.

Mr. SPEAKER said the matter was not introduced in order to raise an unpleasant discussion; he simply thought there should be a clear understanding on all points involved. If he could read French acceptably to the hon. members he would have no hesitation in doing so.

Several HON. MEMBERS: Try.

Mr. SPEAKER: No, I shall not make any attempt; it would be ludicrous.

Mr. FARROW said he thought all members should observe the same custom, as, if some sat down and others knelt, it would appear unseemly. He thought it an important matter.

Sir JOHN A. MACDONALD said he would suggest that, under the circumstances, the subject should be deferred until the members speaking the French language could come to some conclusion on the matter.

Mr. MILLS said, as the prayer was addressed to the Almighty and not to the House, he did not see why any difficulty should arise.

Mr. DESJARDINS said he did not think any language should be imposed upon hon. members. For his part, as a member of the Committee and as a Catholic and French Canadian member

of the House, he did not abandon his rights as to the use of his own language, but, nevertheless, his desire was that the question should be amicably settled.

Mr. HOLTON suggested a solution of this somewhat delicate matter. Both languages were on a footing of perfect equality in all their proceedings. As his hon. friend the Minister of the Interior had just said, it was not a question of legislative proceedings. The language of the present Speaker was English, and it would be very indelicate to insist on the rendering of the prayers into French by him. In the ordinary course of things, the Speaker's chair would yet be filled by a gentleman whose native tongue was French, and, when that time came it would be but natural and proper to have the prayers read in French. He thought that the French Canadian members would acquiesce in the propriety of this arrangement.

Mr. CAUCHON said he considered that the objection raised by the hon. member from Terrebonne showed the difficulty of the position. If the hon. member did not want a translation, and if the Speaker could not read French, how was the difficulty to be settled?—then they would have no prayer at all. Of course, he felt that they could do without it; still he would submit to the decision of the majority. No objection could be raised to the reading of the Lord's Prayer. The versions were all translations, and the only course to be taken was to make them as accurate as they could. For his part, he would prefer the reading of the prayers by the Speaker, who, if French, should read them in French, the Clerk reading the English version, and *vice versa*; unless the Speaker was familiar with both languages.

Mr. MASSON said that it was not a question of translation. The real difficulty lay in the propriety of the Clerk, an employé, reading the prayer. A translation by the Clerk would be as good as one by the Speaker, but a prayer should not be treated like an ordinary document.

Mr. BLAKE read from the Rules of the House an extract to the effect that either language could be used in the

debates, and that both languages should be employed in the respective Records and Journals of the House, both being obligatory in the latter sense. The Clerk, when the Speaker was not familiar with both tongues, read in one or the other language, as the case might be. He quite agreed with the hon. member for Terrebonne that it would be degrading the prayers to the level of a document or journal or something to be translated for the information of members, if they were to be read in one language by the Clerk. The Speaker could use the language with which he was most familiar, and, in that with which he was least familiar, they should assist him as best they could.

Mr. CARON said that several members on his side of the House did not understand English, and of course the matter of addressing a prayer to the Almighty was a matter of such importance that these members should at least understand what they were doing.

Mr. ROBINSON said he would infinitely prefer the course he understood his hon. friend from North York to suggest—quiet, individual, unseen, and unheard prayer. He feared, from what he had heard, that the reading of prayers would degenerate into mere lip service.

Mr. MACKENZIE said that it might be well that copies of the prayers printed in both English and French, should be laid on the desk of each member, in order that hon. gentlemen might follow them when read by the Speaker. This might meet the difficulty.

Mr. SPEAKER said it had occurred to him during the debate that a translation of the prayers should be prepared under the careful supervision of members of the House, who were competent to judge of its accuracy. This might be printed in the Votes and Proceedings on the first day of each Session, and thus hon. gentlemen, if they chose, could be furnished with a copy. The Speaker should also read the prayers in the language with which he was most familiar. If they were read first in English, and afterwards in French, he was afraid that, owing to the length of this proceeding,

the practice either of avoiding prayers, or of paying little attention to them in one or other of these languages, would in the course of time begin to prevail, creating a scandal among members and the public.

Report *ordered* to be amended according to Mr. Speaker's suggestions.

Motion *agreed to*, and Report, as amended, *concurred in*.

#### BILLS INTRODUCED.

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

Bill (No. 7) To amend the Act respecting Weights and Measures.—(Mr. *Bolduc*.)

Bill (No. 8) Respecting the St. Francis and Megantic International Railway Company.—(Mr. *Brooks*.)

Bill (No. 9) Respecting the Canada Southern Bridge Company.—(Mr. *Casey*.)

Bill (No. 10) To amend the Act incorporating the London and Canada Bank.—(Mr. *Burk*.)

Bill (No. 11) To amend the Insolvent Act of 1875, with reference to liabilities between traders and non-traders.—(Mr. *Landerkin*.)

Bill (No. 12) To grant additional powers to the Springhill and Parrsborough Coal and Railway Company (Limited).—(Mr. *Domville*.)

#### THE ESTIMATES.

Mr. CARTWRIGHT moved :

"That the message of His Excellency the Governor General presented to the House on Friday last, and the Estimates accompanying the same, be referred to the Committee of Supply."

Motion *agreed to*.

#### RECEPTION OF PRIVATE BILLS.

##### MOTION TO EXTEND TIME.

Mr. RYMAL moved :

"That the time for the reception of Private Bills and Reports thereon be extended for a period of ten days."

Mr. BLAKE said it might be as well publicly to state that the feeling of the House in favour of this exten-

sion existed only because this was the first Session succeeding the adoption of the new rules, the real benefit and advantage of which would be almost entirely lost if the system of extending the period in question should prevail. Although he did not really see the grounds of excuse on this occasion, if the special precautions of which the Speaker had spoken on a former occasion in this relation had been observed, yet, as the Bills received were so few in number, there was room for the supposition that some misapprehension was entertained on the subject. He hoped, however, that this would be the last time such an indulgence would be granted.

Sir JOHN A. MACDONALD said that, on this point, he quite agreed with his hon. friend the Minister of Justice.

Mr. BLANCHET said the Committee on Standing Orders had only been organized on Friday last, and the two Committees on Private Bills and on Railways on Saturday last, and, if the time for presenting Bills expired next Thursday, the Committee on Standing Orders would have to examine between fifty and sixty petitions between this date and Thursday. He consequently hoped that his hon. friend the Premier, who was so remarkable for his diligence, would see that the rules were observed next year, and that the Committees were organized at an earlier period.

Mr. MACKENZIE said he quite concurred in the observations of the hon. member for Bellechasse. He remembered that on Tuesday, the fourth day of the Session, he had moved that the Committee on Standing Orders should at once be approved of, not waiting even until the names were printed. This Committee might, therefore, have been organized on that evening or on Thursday morning last. It was perhaps his duty to see that the organization had taken place; but, of course, the Committee could report on any number of petitions each day, as they were able to attend to them. He really thought, however, that no time had been lost in consequence of non-organization.

Motion *agreed to*.

Mr. SPEAKER.

## SUPPLY.

## III.—CIVIL GOVERNMENT.

House resolved itself into Committee of Supply.

(In the Committee.)

2. The Governor General's Secretary's Office..... \$7,950

House resumed.

## IMMIGRATION AND COLONIZATION COMMITTEE.

## EXPLANATION.

Mr. TROW said he rose to a question of privilege. On the organization of the Committee on Immigration and Colonization, of which he had the honour of being Chairman, he had made a few remarks regarding subjects which possibly would be worthy of consideration during the Session. Inadvertently, however, the sense of his statements had been misconstrued in the reports of the *Ottawa Free Press*. He was reported to have said that he did not desire to encourage immigration, but what he did say was that it was desirable that immigration should be encouraged by the Government, and that this country possessed a large tract of land suitable for colonization. He was further reported to have said that he did not desire to encourage the immigration of tenant farmers from Ireland, but in reality he had stated the exact contrary. Centralization was the order of the day in Ireland, and tenants were in consequence obliged to abandon holdings and leave that country, and the settlement of this class amongst us was very desirable. He was, in addition, reported to have said that on visiting Prince Edward Island recently he had found a large field open there for immigration, and that the Government of Prince Edward Island were offering free grants of land to settlers. What he really did say was that the land of this Island was arable and fertile, and that there was an opening in the Province for a small immigration, and that land was to be obtained there from the Government at a very cheap and reasonable figure. He only wished to place himself right before the country regarding this matter.

## THE JESUITS' BARRACKS.

## QUESTION AND REMARKS.

Mr. MASSON, with reference to the correspondence relating to the Jesuits' Barracks, said it would be remembered that he had asked for it towards the end of last Session. The Premier then stated it was quite impossible to bring it down, as the correspondence was not closed. He was informed that a portion of it was dated the 5th of April, but he now saw in the return submitted that no part of it was dated the 5th of April, 1876. He now asked whether the correspondence had been in progress on that date, as the Premier had represented. If it had not been going on at that time, as was his opinion, he was sure that the Premier had not intentionally deceived him, but that he had himself been deceived by someone.

Mr. MACKENZIE said he thought the hon. member should have spoken to him privately regarding this subject. The fact was that correspondence had been in progress about two buildings in Quebec, the Chateau St. Louis, and the Jesuits' Barracks; and he had mistaken one for the other. He had brought with him papers relating to both subjects.

Mr. MASSON said he supposed that the correspondence of the 5th of April related to the Chateau St. Louis.

Mr. MACKENZIE said he had not said so. The hon. gentleman had not given notice of his intention to bring the matter up, and had not observed the courtesy usual between gentlemen sitting on either side of the House, in calling attention to the discrepancy, which it was quite impossible to correct on the spur of the moment.

Mr. MASSON said he had shown no discourtesy. He had alluded to the matter publicly two days ago, and it was now too late to say that he had not observed the rules of courtesy.

Mr. MACKENZIE said the hon. gentleman had not explained the matter to him. The hon. gentleman had only stated that the papers were not complete. He might have made a mistake through having been incorrectly informed. If the hon. gentleman had

come to him privately, he would have given him an explanation. As it was, he could only afford the hon. gentleman the explanation that all the papers had been brought down.

Mr. MASSON said he would not remain under the imputation of not having informed the hon. gentleman of his intentions. He had previously told the hon. gentleman that he desired to obtain the correspondence which he had been led to understand had passed on the 5th of April. The hon. gentleman might have misunderstood him, but he had certainly made such a statement.

#### MAITLAND INSURANCE COMPANY INCORPORATION BILL.

[BILL No. 6.]

(*Mr. Goudge.*)

SECOND READING.

Bill (No. 6) to incorporate the Maitland Marine Insurance Company, *read the second time.*

#### MAIL TO WEST INDIES.

QUESTION.

Mr. FORBES asked whether any arrangement had been made to afford more frequent mail communication between the Dominion and the British and foreign West Indies in the future than there was at present.

Mr. HUNTINGTON: No such arrangement has been made.

#### BAYFIELD HARBOUR, LAKE HURON.

QUESTION.

Mr. GREENWAY asked whether it was the intention of the Government to place in the Estimates a sum sufficient to protect work already done and further improve Bayfield Harbour, on Lake Huron.

Mr. MACKENZIE: The hon. gentleman will observe by the Estimates that no appropriation is being asked for that purpose.

Mr. MACKENZIE.

#### STEAMERS BETWEEN ONTARIO AND CAPE BRETON.

QUESTION.

Mr. McDONALD (Cape Breton) asked whether it was the intention of the Government to subsidize a line of steamers to run between ports in the Province of Ontario and ports in the Island of Cape Breton, the coming summer.

Mr. MACKENZIE: It has not been under the consideration of the Government at all.

#### NORTH-WESTERN BOUNDARY OF ONTARIO.

QUESTION.

Mr. MASSON asked what progress had been made towards the settlement of the question of the North-Western boundary of the Province of Ontario.

Mr. BLAKE said that, as the hon. gentleman was already aware, Arbitrators had been appointed—Judge Wilmot by the Dominion Government, and the Chief Justice of Ontario by the Government of Ontario. Upon the latter gentleman assuming a position in the Supreme Court, he resigned, and the Government of Ontario appointed the present Chief Justice of Ontario in his place. An understanding had been reached between the two Governments, by which Sir Edward Thornton, the British Minister at Washington, would probably act as the third Commissioner or Arbitrator. Considerable progress had been made, and this Government had been for some time investigating the case and mastering the details, which necessitated many papers being searched. Communication had been going on for some time past with the Government Agent in England, and other authorities, to complete, as far as possible, the information on that subject, and it was probable that the question might be disposed of in the ensuing summer or fall.

#### TÊTE-DE-BRULE INDIANS.

QUESTION.

Mr. GILL asked whether it was to the knowledge of the Government

that there was to be found on the upper part of the River St. Maurice, in the Province of Quebec, a tribe of Indians called Tête-de-Brule, numbering about 200 souls; that their hunting grounds had been overrun by lumbermen without any compensation; that they had never received anything from the Crown; and whether it was the intention of the Government to grant them any assistance in their poverty, and to give them the same protection as was given to all other Indians.

Mr. MILLS said it was within the knowledge of the Government that there was such a tribe of Indians as the Tête-de-Brule tribe of the number stated. It was not within their knowledge that their hunting grounds had been overrun by lumbermen. These Indians had a Reserve or a hunting ground of 14,000 square miles, at the head of the River St. Maurice. The Government had been informed sometime in October that they were suffering from want of food, and aid had been given by them through the Hudson Bay Company. They did not know whether the Company had been making any depredations upon the reserve, or whether the property reserved was the property of the Indians, or whether it was land upon which the Indian title was not extinct.

## COUNTY COURT JUDGE OF LEEDS AND GRENVILLE.

### QUESTION.

Sir JOHN A. MACDONALD asked when the office of Judge of the County Court for the counties of Leeds and Grenville became vacant, and whether it was the intention of the Government to appoint a successor, and if so, when?

Mr. BLAKE said he was not in the Government at the time of the decease of the late Judge of the County Court for the counties of Leeds and Grenville, but he understood from the papers that he died on the 11th January, 1875. He was informed that, two or three months after his decease, the First Minister received a letter from the junior Judge informing him that a settlement had been arrived at by which the duties of the district could be discharged. He did not think it in the public interest

at that time, without further complaint of the inefficiency of the administration of the law, to appoint another Judge. Since that time, no such representation had been made to him from any quarter.

## REPLY TO THE ADDRESS.

### MESSAGE FROM HIS EXCELLENCY.

Mr. MACKENZIE delivered a Message from His Excellency.

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

“DUFFERIN.

“*Gentlemen of the House of Commons:—*

“I thank you for your loyal Address, and for the assurance it conveys that the measures to be submitted to you will receive your earnest attention.

“GOVERNMENT HOUSE,

“OTTAWA, 17th February, 1877.”

## THE HOUR OF ADJOURNMENT.

### RESOLUTION.

Mr. BLAIN moved:

“That it be an Order of the House that if at the hour of 10 o'clock p.m., the business of the day be not concluded, Mr. Speaker shall leave the chair and the House shall stand adjourned until its next regular meeting unless it be otherwise resolved by a majority of the members present at that hour, and in case any desire to continue in session, Mr. Speaker shall, on being requested by not less than five members, put the question without debate.”

He said that last Session, when the rules of the House were under consideration, he had to draw attention to this subject. He thought it was generally the feeling at that time—and as far as he could ascertain it was the same now—that some change should be made in the sittings of the House. He had thought that probably they might have made some change in the hour when the House met, and he had intended to include that in his motion; but when he came to examine it he found he was not able to do it. He was afraid that a private member might not be able to bring up that motion properly before the House, as the concurrence of the Government would have to be obtained, as it seemed to him that some change in the constitution of the Standing Committees would be required. It occurred to him that, if

the number of members of the Committees were reduced to one-half, one-fourth or one-sixth the number arranged at present, they would be altogether more efficient than they were. There were nine Standing Committees, and he was prepared to say that more business would be accomplished if they were divided up into thirty. It had been his experience that large Committees were rather a hindrance to business than an assistance to it. If he had had an opportunity of consulting the Government before he put his notice on the paper, he might have asked them to consider that branch of the case, and parcel out the business by referring different portions to various sub-divisions of Committees. But, as he was not able to do that, and as the matter must necessarily rest with the Government, all that he could do was to bring up the motion in the form it was, and to ask the Government and the House whether it was not desirable that a time for adjournment should be fixed, without interfering in any way with the rule they now had of commencing at three o'clock in the afternoon. He did not desire to dictate to the House the hour when it should adjourn. It was necessary in his notice of motion to mention some hour in order that a discussion might be raised; but he had no intention of fixing, arbitrarily, the hour. He desired merely to elicit an opinion as to a suitable hour for retiring. He found, on looking at the rules of some other deliberative bodies, what might have been expected, that there was no fixed hour in any of them. The House must necessarily have the power of meeting and adjourning when it pleased; the majority had the matter at its disposal, and it was one of custom rather than a settled rule. The rule in England was that, after a certain hour, no business which would cause opposition was taken up. But this limited the kind of business and it did not deal with the general question of the sittings of the House. It seemed to be the custom in the United States Congress to meet sometimes at two, sometimes at half-past two, and sometimes at three o'clock in the afternoon: and they seemed to retire early—

Mr. BLAIN.

the House adjourning apparently before six o'clock as a rule. He believed, however, that Congress sat considerably later, if the business required it. The French system seemed somewhat similar. There was no rule, but the custom of the Assembly seemed to be to that effect. In England, the custom was to sit late at night, and he thought in this House they had followed out that custom last Session to its full extent. He did not think it necessary to mention that nearly all the members were more or less injured by the late sittings of the House. They knew that there were some of their most valuable members absent from their seats that day whose decease, if not brought on, was quickened materially by the badly ventilated condition of the House. He thought he might safely say that after eleven o'clock the business of the House was not properly attended to. He thought they would accomplish as much in pushing forward business if they adjourned at eleven o'clock as if they adjourned at twelve. His recollection was that, last session, there were few members who remained until the House adjourned, and very frequently the most active members of the Committees had to leave before the end of the sitting.

Mr. MACKENZIE said he believed there was a general desire that the House should adjourn at an earlier hour than it did last Session. Although, for the first two weeks, they might adjourn at ten and eleven o'clock, it might be very inconvenient to make it a rule to adjourn at so early an hour as ten o'clock. Important debates might be going on, and it would be unwise to interrupt them, and public business might suffer. Then hon. gentlemen might, as they did last Session, enter into a struggle with himself as to who could sit longest, in which case he thought he was able to meet them at any time. He would suggest that the hon. gentleman should amend his motion by changing "ten o'clock" to "eleven o'clock."

Sir JOHN A. MACDONALD: I don't think my hon. friend can alter the motion in that way.

Mr. MACKENZIE suggested that the motion be amended so as to read "That it be an Order of the House that if, at the hour of eleven o'clock p.m., the business of the day be not concluded, Mr. Speaker shall announce his intention of leaving the chair, and, in case five members object, shall put the question without debate." If any Order of the House was adopted, it must have a little more elasticity than the motion the hon. gentleman had proposed. It might be desirable that it should be understood that the House should adjourn earlier than it had been in the habit of doing for some Sessions back. This, it seemed to him, might be reached without placing any Order upon the Minutes. He would be glad to hear what hon. gentlemen opposite had to say upon the matter.

Sir JOHN A. MACDONALD said at his age he would be as ready to adjourn early as any member of the House, but he thought the motion was destructive of the independence of Parliament, and of the independence of the Opposition in particular. Propositions of this kind had been made again and again in the British Parliament, and they generally looked there for precedents instead of to the United States Congress or the Chamber of Deputies in France. But the attempt to fix an hour for adjournment was resisted by every Government, no matter of what political complexion it might be. The system now in force in England, and there could be no objection to such an arrangement, was that no contested measure should be taken up after twelve o'clock. But this resolution was simply adopting the French system of *cloture*. The Government of the day in France, when it thought it convenient to stop the debate, and wished to press its advantage of a majority, could have the vote taken at once. The same use of this power was made in Washington, and in many of the individual States the debate was stopped and the previous question was put at once. The proposition of his hon. friend would lead to this, that, if the Government brought up a matter for discussion, and ten o'clock arrived, it could still, by the will of the majority, be continued; but if, on

the contrary, the motion was in the hands of one of the Opposition, and ten o'clock arrived, as a matter of course the Opposition would have no power against the majority, who might insist upon Mr. Speaker leaving the chair. The House could now adjourn when it liked, and he appealed to his hon. friend opposite that the question of adjournment should be a debateable one. They had a free Parliament, a free House and free discussion, and the rights of the minority were protected. His hon. friend, although strong in his majority now, would have felt very much aggrieved if a discussion had been cut off by the late Government when the hour of ten or eleven had arrived. His hon. friend opposite would see that it was very unsafe to depart from the precedents already laid down. Occasionally, if the Opposition were factious, they might discuss the question of the adjournment perhaps to the inconvenience of the majority of the House. But that would happen seldom—very seldom, he hoped. At all events, it was one of the protections of the minority from which they should be loath to depart. He was sure that the leader of the Government and the Minister of Justice, when considering the question in that light, would agree with him that the question had better be an open one, even though an understanding were arrived at that the House would adjourn as early as possible.

Mr. BLAKE said he did not think there was any analogy between the proposition now made and the French system. The latter was that the debate was closed without the minority being consulted at all, and the vote was put at once. But the present motion simply proposed that the House should adjourn at a certain hour, as a rule; but then the debate also would be adjourned. This was very different from the system of *cloture*. He, like his hon. friend beside him, was very much in favour of early adjournments when possible, without reference to any motion. He would like to arrive at a general understanding that, except under circumstances of urgency, the House should adjourn at eleven o'clock. It could be left as part of the unwritten law, and no doubt the object of his hon. friend from West

York would be accomplished. But he ventured to say that, were the motion carried, guarded as his hon. friend proposed, the rights of the Opposition would be preserved. The motion would simply prevent a discussion on the motion for adjournment—which he considered a great abuse of privilege in general, when a certain hour arrived. It was only under circumstances of extreme urgency that there should be any serious discussion on the motion for adjournment.

Sir JOHN A. MACDONALD said that when he compared the proposition to the system of *cloture* he meant that its effect would be the same, as it would throw over the debate to a future day, and his hon. friend knew very well that when the paper got full it would practically prevent the motion, in many cases, from coming up. He was gratified at the spirit in which the remarks he had made had been received by the Premier and the Minister of Justice, and he thought it would be agreeable on all sides that, as a general rule, except in cases of urgency, the House should adjourn at an early hour—say at eleven o'clock—and that a discussion on the motion for adjournment should not take place.

Mr. MACKENZIE said the better course to adopt would be to arrive at a general understanding that the adjournment should take place about the hour named. If, after a little experience of the practice, any difficulty should arise, the hon. member might bring the subject again before the House.

Mr. BLAIN said he had already expressed the opinion that the question could be better determined by arriving at an understanding as to the future practice than by adopting an Order of the House. He had no intention of injuring the position of the Opposition. As a motion for adjournment was always in order and the Government had a majority in the House, they could adjourn the House at any time. The right to have a discussion on a motion for adjournment had been much abused in all legislatures, and had been used sometimes for party purposes. The object of submitting the motion was, however,

Mr. BLAKE

to expedite the substantial business of the House, and not to form a rule or order which would place the Opposition in a worse position. He had no objection to accept the suggestion of the Premier, that it should be well understood that the House should adjourn at eleven o'clock unless the position of business was such that an adjournment would be inconvenient.

Mr. MACKENZIE said he hoped that an understanding having been arrived at, the motion would be withdrawn.

Sir JOHN A. MACDONALD said he understood the arrangement to be that the House would adjourn at eleven o'clock, unless matters of such importance were under consideration that the House should decide to proceed.

Mr. MACKENZIE: Yes.

Motion *withdrawn*.

## ACCIDENTS CAUSED BY RAILWAY FROGS.

### MOTION FOR RETURN.

Mr. FLEMING moved for a return of the number of accidents to persons caught in railway frogs; the points where the accidents occurred, and the particulars connected therewith for the five years ending the 31st December last. He said he submitted the motion because he believed that quite a number of accidents had occurred to railway employes in several parts of the Dominion from the use of open frogs. On Tuesday last an accident occurred at St. Thomas: a switchman in the service of the Canada Southern Railway, while in the performance of his duties, was caught in one of these frogs and run over by a train, receiving such serious injuries as to necessitate the amputation of a leg. Another case of a similar nature occurred on 16th December at St. Mary's, when a brakeman on the Grand Trunk Railway was caught in one of these frogs, and was unable to extricate himself before some trucks passed over him. The man was dreadfully lacerated when found, and died after two hours of severe suffering. While the newspapers reported such accidents from time to time, there were no ordinary means of learning the extent to which these cases occurred, and it

was desirable that some such motion as he proposed should be submitted in order to ascertain whether it was necessary in the interests of humanity that some legislation should be had on that subject.

Mr. MACKENZIE said hon. members were aware that there was a provision in the general Railway Act, requiring Railway Companies under the control of Parliament to make certain returns. Among these returns was one relating to accidents, but he was afraid they were not made in such particular form as to provide the information sought to be obtained in the present motion. They would embody simply a statement in each case that a certain person had met his death on a certain date, on a certain road, at a certain place. A number of the railways, moreover, were under the control of the Local Legislatures, and, therefore the Government had not the power to furnish the information from the ordinary returns. The Government, would, however, endeavour to procure the information by making applications to the respective Railway Companies. He was quite aware of the danger of accident occurring from the use of the frogs. On one day last year, four deaths occurred from that particular cause. He had called the attention of the engineers on the Government railways to the necessity of avoiding, if possible, the form of frog which was at present in use, as being the most prolific source of danger connected with the roads.

Motion *agreed to*.

#### EXTENSION OF JURISDICTION OF VICE-ADMIRALTY COURTS.

##### MOTION FOR CORRESPONDENCE.

Mr. BOWELL, in the absence of Mr. KIRKPATRICK, moved for all correspondence between the Government of Canada and the Imperial Government, and all Orders in Council, and other papers touching the extension of the jurisdiction of the Court of Vice Admiralty to the inland waters of Canada.

Mr. BLAKE said the return would be made more complete if the motion was amended by introducing the words

“The Government of the Dominion and late Province of Canada,” instead of the Government of Canada, some of the correspondence having taken place before Confederation.

Motion, as amended, *agreed to*.

#### TELEGRAPHIC LINES IN BRITISH COLUMBIA.

##### MOTIONS FOR RETURNS.

Mr. LANGEVIN moved for copies of all correspondence which may have passed between the Government of Canada or any of its officers and F. J. Bernard, Esq., contractor for the telegraph lines in British Columbia, since the 26th May, 1875, also all Departmental Orders or Orders in Council since the same date in relation to the construction or maintenance of the said telegraph lines; or in relation to the claims made by the said F. J. Bernard, in consequence of the orders given him on the 9th April, 1875, to stop work on the said telegraph lines in British Columbia.

Motion *agreed to*.

Mr. LANGEVIN moved for a statement shewing each sum of money paid to F. J. Bernard, Esq., contractor for the telegraph line in British Columbia, since the 10th February, 1875, also stating why each sum of money was so paid, and giving the estimates, vouchers, reports and orders in virtue of which each sum was so paid.

Motion *agreed to*.

#### COAL SHIPMENTS ON THE INTERCOLONIAL RAILWAY.

##### MOTION FOR RETURNS.

Mr. DOMVILLE moved:—

“That inasmuch as large quantities of coal belonging to private persons or Corporations, while in course of transit over the Intercolonial Railway during the past year, were detained, forfeited or misappropriated for the use of the said Railway, an Order of the House be issued for all papers, correspondence or telegrams relating to or in connection with coal so detained, forfeited or misappropriated, and showing by whose authority such coal was detained, forfeited, or misappropriated, and whether such action has been ratified and approved by the Inspector of Government Railways or by the Government.”

He said his object in submitting the

motion was to afford private parties an opportunity to ventilate their grievances. In Mr. Brydges' report for 1874 he said—

“The rule is that all freight shall be paid for as it is taken away, and there is a cashier at the station, Mr. Mack, whose duty it is to receive the money and transmit it to the cashier at Moncton.” Also “that the rule should be imperatively carried out; that no property is delivered until it is paid for, and the payment should be made to the cashier.”

If the acts complained of had been committed by private individuals, they would have been liable to prosecution for misdemeanour. Law makers should not be law breakers, and the property of individuals was not to be confiscated even to please the Government itself; but, if it was done, some redress should be given. The seizure of a quantity of coal while it was being carried over a railroad was liable to throw the factory for which it was ordered out of work, and involve the loss of much business for several years, which loss would not be recouped by an apology from the General Superintendent, or by payment of the cost price of the coal. The matter had probably not been reported to the Minister of Public Works. It was time the people of New Brunswick should know whether they were to be run over by an upstart—the General Superintendent of the Government Railroads—from whom it was impossible to obtain a civil or straightforward answer, but who, when applied to for information, gave an evasive reply.

Mr. MACKENZIE said he presumed, from what he had heard, that some car loads of coal going to the factory of the hon. member were sent by some mistake in some other direction. The papers which would be brought down would show the facts of the case, and he must ask the hon. member to omit from his motion the reference to large quantities of coal having been misappropriated.

Mr. DOMVILLE said the coal was not taken by mistake, but had been appropriated during a term of nearly twelve months at different intervals, and that not because of a pressure caused by a snow blockade. The coal did not belong to his factory, but to an establishment in which he was merely a

shareholder. There were, moreover, other cases in which coal had been misappropriated. If it proved necessary to take the coal of private parties to run a railroad, it was due to neglect and want of forethought in the management.

Motion, as amended, *agreed to*, as follows:

*Resolved*, That an Order of the House do issue to the proper officer, for copies of all papers, correspondence or telegrams relating to, or in connection with coal alleged to be detained, forfeited or misappropriated, and showing by whose authority such coal was detained, forfeited or misappropriated; and whether such action has been ratified and approved by the Inspector of Government Railways, or by the Government.

## REVENUE PAID BY PROVINCES.

### MOTION FOR RETURN.

Mr. ARCHIBALD, in the absence of Mr. YOUNG, moved for a return, setting forth, as nearly as the officers of the Government can do so, the amount of the revenue paid by each Province of the Dominion, and the expenditures made therein on Dominion account during the past five years—namely, 1872, '73, '74, '75 and '76 respectively; the return to show, further, the contributions and receipts *per capita* in each Province to and from the Public Exchequer.

Mr. CARTWRIGHT said the information demanded, if it could be accurately obtained, would be of very considerable value. It was right to call the attention of the House, however, to the fact that the Customs returns of trade between the Provinces of Ontario and Quebec would not in the smallest degree show the amount of revenue paid by each of these Provinces, it being well known that an extremely large proportion of the imports entered at Quebec and Montreal were for the benefit of, and consumed in, the Province of Ontario. The Government would do its best to comply with the request, but, looking at the length of time the motion covered, he doubted whether the information in their hands would enable them to give such accurate returns as ought to be made for more than one year. They would bring down the returns and endeavour

Mr. DOMVILLE.

to give with tolerable accuracy the information asked for.

Mr. MITCHELL said a considerable proportion of the goods consumed in the Maritime Provinces were re-importations from Montreal, Quebec, and Toronto. The hon. the Minister of Finance should take into consideration, in this connection, that Nova Scotia, New Brunswick, and Prince Edward Island bought a quantity of goods for which the consumer paid duty through the Provinces of Quebec and Ontario.

Mr. CARTWRIGHT said they could only try to arrive at an accurate statement; absolute accuracy could not be promised.

*Motion agreed to.*

## HARBOUR IMPROVEMENT.

### MOTION FOR PAPERS.

Mr. TUPPER moved for all correspondence or papers in the possession of the Government relating to the improvement of the harbour at the mouth of Partridge Island River; also, all papers or correspondence, relating to the repair and protection of the pier at Partridge Island. He said he believed an engineer had been sent to report upon the condition of the works with a view to making such provision as the case might require. In looking over the Report of the Public Works Department he did not find that either of these matters had engaged the attention of the Government. The harbour at the mouth of the Partridge Island River was one of the principal ports on the Basin of Minas. It was one of the best harbours of refuge to be found there, and it was exceedingly important that such improvements should be made in the harbour as would render it still more valuable in that respect. There was a railway under construction, which had received a large subsidy from the Government of Nova Scotia, to connect the coal mines at Springhill with the Basin of Minas. That would place the principal coal mines of Nova Scotia in connection with the Atlantic ports, and would be the only connection during the winter season that could be had. The harbour was open ten months out of

twelve, and there was no doubt that a large amount of provincial as well as foreign shipping would be drawn to it at all seasons of the year. He hoped the Government would make such provision for the improvement of the harbour as the case required. The pier at Partridge Harbour was built under a resolution of the Nova Scotia Legislature as a point of communication with the railway system at Windsor. It was an essentially provincial work, and had been maintained and all repairs done by the Department of Public Service of the Province. He was advised that for the want of a small outlay this work was likely to be very seriously damaged, if not altogether destroyed.

Mr. MACKAY (Cape Breton) said if Partridge Harbour was open ten months of the year, the harbour of Louisburg, which was almost in the vicinity of the coal mines of Cape Breton, was open during the whole year. The statement that the former port was the only one from which coal could be shipped in the winter season was not literally correct. If the hon. member had given as much attention to the geography of eastern Nova Scotia as he had to the Springhill Mines he would not have fallen into the blunder he had.

Mr. MACKENZIE said the hon. member for Cumberland was right in supposing that the Government Engineer had made an examination of the works, but that official was not impressed with their importance for the protection of shipping. In other words, there were many places of far greater importance than this in the nature of a harbour. The pier might be much in need of repairs, but a mere wharf was often confounded with a pier with relation to harbour improvements. The object of the Dominion Government was always to afford shelter to shipping, and if accommodation could be afforded for landing purposes at the same time, it was so much the better. All he could say at present was that he would look at the papers and plan again, and would perhaps call the hon. gentleman's attention to the matter some evening before further action was taken.

Mr. TUPPER said he supposed he must be satisfied with the very slight comfort presented by the remarks of the hon. Minister of Public Works. He trusted, however, that further examination of the question would lead him to the opinion that these works were entitled to the consideration of the Government. He did not wish to be understood as saying that there was no other port in that Province so accessible to the coal mines as Partridge Harbour. The harbour of Louisburg was undoubtedly open at all seasons of the year, and coal might be shipped from that point, but as far as shipments to the Atlantic ports, which afforded a market for the coal of Nova Scotia, were concerned, the harbour at the mouth of Partridge Island River was preferable on account of the distance.

*Motion agreed to.*

#### THE LOAN OF 1875.

##### MOTION FOR RETURN.

Mr. TUPPER moved for a return of Prospectus issued by the hon. the Minister of Finance in London for the last loan, a statement of the time allowed for the reception of tenders and the period when the reception of tenders was closed, with the several amounts offered by parties tendering, and the names of those whose tenders were accepted, and the amounts allotted to them respectively. He said he had no intention of anticipating the explanations the hon. the Finance Minister had prepared to offer to the House tomorrow. He had placed this notice on the paper in order that the House might have before it the means of dealing with that branch of the question when the Budget was delivered.

Mr. CARTWRIGHT said it was impossible to grant all the information asked. The names of the tenderers were in the hands of the London brokers, and could not be produced. On a former occasion they were asked for and the reply was that it was not customary for the trade in London to give such information inasmuch as a great many of those tendering did so through brokers. The rest of the information could be got, but, with regard to some

Mr. MACKENZIE.

of it, he would have to trust to his memory.

Mr. TUPPER said he must accept such information as the hon. the Finance Minister would give. For himself, he did not see what objection there could be to giving this information.

Mr. CARTWRIGHT said the hon. member for Chateauguay had asked precisely the same information of a former Finance Minister, and it was refused for the same reason he had given.

Mr. TUPPER asked if the hon. gentleman had any objection to give the names of the brokers.

Mr. CARTWRIGHT said he did not think he could furnish that information.

Mr. HOLTON said he had pressed Mr. Rose very strongly for similar information, and had been refused it. He supposed that the hon. the Minister of Finance had found out from his own experience that Mr. Rose's reasons at that time were valid. They had not the same opportunities of judging on this matter when they sat on the benches which the hon. member for Cumberland now occupied, and which he hoped he would long adorn.

Motion amended by striking out the words: "And the names of those whose tenders were accepted," and *agreed to.*

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

#### After Recess.

##### GREAT BRAS D'OR POSTMASTERSHIP.

##### MOTION FOR CORRESPONDENCE.

Mr. CAMPBELL moved for copies of correspondence regarding the Postmaster at Great Bras d'Or, and the reason why McLeod did not get the office after he was appointed and had given sufficient bonds to the Department; also the name of the present Postmaster and the names of the securities. He said it was disagreeable for him to be continually finding fault with the members of the Government, and particularly because the Ministers were changed so frequently that they had

scarcely become sufficiently acquainted with the duties of their position before they were removed to some other Department. Two years ago, Mr. Fraser, who had been acting as Postmaster at Great Bras d'Or, resigned, having been elected member of the Local Assembly, and another person, Mr. McLeod, who lived at a more suitable place at the ferry, was appointed. The latter sent in bonds and security to the Department, but nevertheless, as yet, had received neither the books nor emoluments of his office. Besides, Mr. McLeod had not been returned his bonds. Mr. Fraser continued a member of the Legislature, and could not at the same time lawfully act as Postmaster.

Mr. HUNTINGTON said he had understood sufficient of the hon. gentleman's remarks to discover that the hon. gentleman, like one of the distinguished ancients, seemed to be in search of an honest man, and he hoped that the excellent conduct of the Government would remove the impression from the hon. gentleman's mind that this was at all difficult in the present instance. He trusted that the papers, when brought down, would disabuse the hon. gentleman of the feeling which had induced him to make this motion. The hon. member would find, if his memory served him well, that the person to whom he alluded could neither read nor write.

Mr. McDONALD (Cape Breton) said he hoped the hon. member for Victoria would obtain the papers for which the motion was made, and in this respect be more successful than he (Mr. McDonald) had been under similar circumstances last year.

Mr. HUNTINGTON said he trusted that the hon. member for Cape Breton would not lead the House to suppose that papers for which he had moved had been withheld. If any such papers had not been brought down, this would immediately be done. He was very sorry if any error had been committed.

Mr. McDONALD said he did not doubt that the Postmaster-General stated what was quite correct; nevertheless his motion last year was based

upon a complaint lodged against a postmaster in his county, and this complaint had not been brought down with the other papers. Consequently, the entire return was worthless. Regarding the statement that Mr. McLeod could neither read nor write, he did not believe the Postmaster General or the Government had any right to refuse to make the appointment on that ground, when other men, equally incapable, received appointments in other parts of the country. Several persons so circumstanced had secured very important situations in his constituency. If he was not very much mistaken, the Minister of Marine and Fisheries had the names of those persons in his office; some of them he, however, believed had been removed. When the Government lost a constituency, officials were dismissed—at least that was the case in his county—amongst others, a person who had filled an office for fourteen years, fulfilling his duties to the satisfaction of all who knew him, had been dismissed last fall, for political reasons. The papers in that case were moved for, and it was then stated that the arrangement made was one only of a temporary nature; but it was plain that the Government had violated the principles they had held in the past.

Mr. HUNTINGTON said he must advise the hon. gentleman to give notice of his intention to make such complaints, in order that he might have an opportunity of looking into the cases. He was, however, quite certain that, in no single instance, had men been removed from positions in the hon. gentleman's county, or in the county of Victoria, for political opinions. He would guarantee that the cases of persons who could read or write would be duly considered by the Government.

Mr. MACKAY (Cape Breton) said, if reference was made to changes which took place in the offices in his county some years ago, it would be found that those matters had been previously brought before the House and investigated.

Mr. CAMPBELL said he did not consider the reply of the Postmaster-General satisfactory. He had corresponded with Mr. McLeod, and he had

taken it for granted that he could read and write. If that was not the case, and if this was sufficient to condemn the appointment, of course the bonds should have been returned, and the reasons therefor given, in order that Mr. McLeod might contradict them if they were not true. At all events, he had never heard the objection which had been mentioned. He knew, however, that the man was most respectable, and that he could give any security that might be required.

Mr. HUNTINGTON said he was sorry that he had been obliged to give such a reply. He intended to furnish explanations to the hon. gentleman in the most courteous manner possible. According to his recollection, the answer he had given was true, and for any disgrace that might be attached to it he was not responsible.

Mr. TUPPER said the reply of the Postmaster-General was eminently unsatisfactory. He understood the hon. gentleman from Victoria to say that, two years ago, the present Government appointed a gentleman to the position of postmaster, and that then the latter forwarded bonds for acceptance in order that he might receive his commission; and still the man was left without his commission, while the bonds had not been returned. At the same time a party who occupied the position of a member of the Local Legislature discharged the duties of postmaster, or got them to be discharged. The whole public, in consequence of this state of things, were inconvenienced. An answer had been flippantly thrown across the floor of the House that McLeod could not be appointed postmaster because he could neither read nor write; but he had never been dismissed, and no intimation had been given of the objection entertained to the appointment. The Postmaster-General, in the absence of distinct information, should not make statements calculated to degrade a man in the estimation of the House, and of the country. If the hon. gentleman knew positively that what he had mentioned was true, he had failed in his duty. It was then due to the public service that the appointment

should have been cancelled, and explanations furnished.

Mr. HUNTINGTON said he did not think the hon. gentleman should have made a scene regarding this matter. He had stated his only reason, and had said nothing about a dismissal. He presumed that Mr. McLeod was a very excellent and respectable man. The officers in his Department had informed him that the postal service at the place in question had been well performed. The hon. gentleman must have noticed that the hon. member for Victoria had not risen simply for the purpose of obtaining an explanation, but to make an attack on the Government and himself personally. There was only one explanation to be made, and that he had supplied. Without doubt, when the papers came down, the hon. gentleman would find that there was nothing in the whole matter.

*Motion agreed to.*

## CONVICTIONS FOR CAPITAL OFFENCES.

### MOTION FOR RETURN.

Mr. DYMOND, in moving for a return of all convictions for capital offences, including date of conviction, name of convict, locality in which the crime was committed, and action of the Government in each case, for the three years ending December 31st, 1877, said that, with permission of the House, he desired slightly to amend his motion. He had made a similar motion three years ago, and the Minister of Justice had informed him that the return he then obtained contained certain inaccuracies. With the permission of the House, therefore, he would ask for a return covering the whole period under consideration, from the 1st of July, 1867, until the 31st of December, 1876. The law of this country was certainly not at the present time in a satisfactory state as related to capital offences. We were behind the British law in that respect. For some 17 years, the crime of murder had alone been punishable with death in Great Britain, with the exception, of course, of the highest political crimes. In Canada, there still remained upon the statute-book a number of offences for which the

Mr. CAMPBELL.

penalty of death was never inflicted, and he had hoped, when some reference was made to questions of this kind last Session, that the Minister of Justice by this time might have been able to bring down some measure which would have placed the law in a more satisfactory state, limiting the death penalty, at all events, to the crime of murder, and, possibly, endeavouring so to classify offences coming under the general denomination of murder that a larger amount of discretion might be left to the courts, and a smaller amount of responsibility thrown on the Executive. The duties of every Minister of Justice, and of all concerned in the administration of the law, was, at the present time, an extremely painful one. It must be distressing to refuse an appeal for mercy; and it was obvious on various grounds that the fewer applications the state of the law rendered necessary the better it would be for all parties concerned, the better for the dignity of justice, and the better for the Minister, who was charged with sitting virtually as a Court of Appeal, where the exercise of the prerogative was given him. He was quite aware, however, that since the House met last year, the Minister of Justice had been forced to consider many important and weighty matters, not only in Canada, but on the other side of the Atlantic; and he was not at all surprised to learn from the Speech from the Throne—as far as that might be said to indicate the policy of the Government for the Session—that no measure would be brought down during the present Session. When such a measure was before the House, he might, perhaps, for a few moments, discuss the question of capital punishment,—one which he believed neither this House nor the country was prepared to take action upon at the present time.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That an Order of the House do issue to the proper officer for a return of all convictions for capital offences between the 1st of July, 1867, and the 31st December, 1876; showing the name of the convicts, the nature of the crime, the action of the Executive, and the date of such action.

## HALF-BREED LANDS IN MANITOBA.

### MOTION FOR CORRESPONDENCE.

Mr. RYAN moved for copies of all papers and correspondence relating to the distribution of half-breed lands in the Province of Manitoba. He said that before the North-West Territories were admitted to the Union, an Act of this Legislature was passed appropriating 1,400,000 acres of land for distribution among the half-breed children. The object of that distribution was to extinguish the Indian title to lands in Manitoba and in the North-West Territories, and its justice had never been questioned. In 1872, the half-breeds throughout the various parishes of Manitoba met, and chose such portions of the public lands as they desired to have reserved in order to meet the appropriation. In the great majority of cases the lands they asked for were reserved for them; and it was a very fair conclusion that the half-breeds, being born in the country, and knowing every acre of land within the limits of the Province, chose the best land; and, as a matter of fact, the half-breeds had reserved for them a very large proportion of the very finest agricultural land in the Province. From the time the reserves were established in 1872 nothing was done about the matter until 1875, although occasionally a good deal was said. During the latter Session he called the attention of the House and the Government to the fact that these reserves were blocking the path of Provincial progress. The Hon. Mr. Laird, at that time Minister of the Interior, in reply to a question asked by him, stated that the delay in settling the matter had arisen from conflicting claims, called staked claims. At the same time, the hon. gentleman took occasion to assure him that a decision had been arrived at upon the question of staked claims, and that the Government were prepared at once to proceed to the distribution. He (Mr. Ryan) knew fully at the time, as he knew now, that the answer was neither full nor satisfactory, as in many reserves, amongst others the reserves for the half-breeds of White Mud River, Portage la Prairie, High Bluff and Poplar Point, in the county of West

Marquette, not a single case of staked claims had arisen, and, therefore, there was no reason for the delay in these parishes. Nevertheless, he accepted the assurance of the hon. gentleman that something would be done in the matter. The year passed away, and again, during the course of last Session he felt it to be his duty to remind the Minister of the Interior that his promise respecting the distribution of the Reserves had not been fulfilled. Again he had received his assurance that the Government was going to abate the nuisance at once and to distribute the reserves. Another twelve months having expired, he found his half-breed constituents, and the Province of Manitoba precisely in the same position which they had occupied during the last five years. He was well aware that a partial allotment had been made in two or three of the parishes, and therefore it might seem to those not acquainted with the circumstances, that something had been done towards the distribution. He had witnessed three allotments, and from two of these nothing had resulted, and they had no guarantee that anything substantial would result from the third. The consequences had been most prejudicial, indeed disastrous. The city of Winnipeg was situated at the confluence of the Assiniboine and the Red Rivers, almost in the centre of the Province, and it was surrounded by some of the best land in the Province. It was only natural to suppose that settlement would commence around the capital and proceed gradually towards the extremities of the Province; but a great deal of land had been taken up by the reserves in the neighborhood of Winnipeg, and the result was that settlement, instead of proceeding naturally, was scattered broadcast throughout the Province. Hence, the already depleted treasury of Manitoba was drawn upon to pay for many miles of roads and many bridges that would not have been necessary were it not for the reserves. For the same reason, the administration of civil and criminal justice cost the Province more than it otherwise would, and settlers in the different settlements, with the

reserves lying like barriers between them, were deprived of that facility for establishing and supporting schools and churches which they would otherwise have enjoyed. But the most injurious result of all was that the Province had by these reserves lost many settlers. He had himself known several parties from Ontario who had, during the past season, come up to Manitoba, to settle, who would have been a valuable acquisition to the Province, but who, on account of the Reserves, had left without locating. In order to prove that he was not stating the matter too strongly, he had procured a map of the Province upon which the parts colored red represented the different reserves. Members could judge at a glance for themselves and would readily conclude that it was an imperative duty—the duty of the hour as far as Manitoba was concerned—to throw open some of those reserves. He would ask the Minister of the Interior if, in the public interest, he should find it necessary to make any future reserves, to locate them in some parts of the public lands not likely to be required for settlement. The hon. gentleman would certainly agree with him that when our own countrymen went out to Manitoba, paying their own way, it seemed hard to them to be compelled to pass lands upon which they would willingly settle, but which were being kept for some one who was still in Europe, and who perhaps might never come to this country. The greatest possible care was required in granting a reserve, because evil results were sure to follow, whereas the good was uncertain. Out of all the reserves established for colonization purposes, only two or three were likely to produce a sufficient amount of immigration to justify their establishment. The others were unmitigated evils and had not in some instances introduced a single immigrant. He had never believed in the principle of provincial representation in the Dominion Cabinet. He thought the House and the country had a right to expect that the different portfolios would be given to the ablest men in the ranks of the Ministerial party, irrespective of the Provinces from which they came. But, if anything could shake his opinions

on the subject and lead him to believe that there was more in the principle of provincial representation than he had been inclined to admit, it was the manner in which Manitoba matters had been neglected. Had one of the Manitoba members held office in either of the Administrations during the last five years, in his own interests he would have been obliged to insist on something being done on that and other important matters, otherwise a Province, proverbially cool as was Manitoba, would have been too hot to hold him. Although the present Minister of the Interior was not from Manitoba, it was only fair to say that the news of his acceptance of office had been received there with very general satisfaction. It was thought that his eminent abilities and services rendered not less to his party than to the country, entitled him to the position. He hoped the new Minister would apply his great abilities to the different Manitoba questions, and would not only realize the expectations entertained of him, but would exceed them and increase his already extensive reputation.

Mr. MILLS said there was no objection to the motion, but there was very little correspondence to furnish on the subject. On assuming office his attention was almost immediately directed to the subject. The hon. member for Marquette was of course aware that provision was made for the allotment of the land into half-breed settlements, and that, before any action was taken, claims were put forward on behalf of private parties to particular tracts of land within the district. On investigation, it was found that there were several hundred of these claims. All possible information was obtained in order that the claims might be disposed of at the earliest practicable day; and he trusted that this would be very soon. The Government were fully aware of the mischief which had resulted to Manitoba from no action being taken in allotting the land, and they had considered the injury occasioned by locking up lands by merely changing the form of reservation. They had considered whether it was not possible to bring these lands into the market and at the same time respect the rights of

the half-breeds; but it was impossible for him to say if that could be effected; but, if it could, there would be no delay in the issue of patents.

Mr. RYAN said he was extremely pleased to learn that the attention of the new Minister had been directed to the matter; but from the tenour of the hon. gentleman's remarks he should judge that the Government had re-opened or re-considered the question of staked claims. In 1875—as the hon. gentleman would find if he consulted the *Hansard*,—the Hon. Mr. Laird informed him (Mr. Ryan) that the question of staked claims had been disposed of; and he trusted that the Government were not now going to re-open it, because he saw no possible escape out of difficulty if it were revived. The land would be locked up for a year or two to come, and the injury to the Province would be beyond measure.

Mr. SCHULTZ said he probably would not have been tempted to say anything on the subject, his hon. friend having placed it so clearly before the House, were it not for two or three points touched upon by the hon. Minister of the Interior. The grievance brought before the House, as he understood it, was this, that a large section of the best lands of Manitoba had been virtually given to a class of the people who were helpless because minors; but none of the obligations had been fulfilled. Year after year excuses were made and reasons were given for their nonfulfilment, and from the policy of the present Government, as foreshadowed by the hon. the Minister of the Interior, it was to be feared that there would be a repetition of that course for three or four years more.

Mr. BANNATYNE said he had, with great pleasure, listened to the remarks of the hon. members for Marquette and Lisgar with regard to the very great dissatisfaction of the people of the Province of Manitoba, in consequence of not having all the land questions and other promises settled long ere this. If the patents for the reserves of the natives of that Province were issued, they would have no complaints that emigrants, after having come there, were obliged to

leave and settle in the United States, as had been done. These reserves, when first set apart, in many quarters were well wooded. No protection had been given by the Government, and now the wood was nearly all gone, and the value of the Reserves was so much less. As soon as the reserves were drawn, and the lots of each party known, they should be published, and the parties to whom they belonged, on coming of age, would have the right to protect them and dispose of them as they thought proper. With regard to the stake claims, he must differ from his hon. friends, for he was aware, from the fact that many of his constituents had such claims, and came to him to go to the land office with them to look into their claims, that the Government had only done justly in looking into them, as justice should be done to all parties. It was true that by this delay these people had 240 acres in one place, instead of 190 as at first supposed. However, they believed that, from what they had seen since the hon. member for Bothwell had been appointed Minister of the Interior, matters were much improved, that they had the right man in the right place, and that without any delay all these matters would be settled. Let all the land questions be settled, and the Railway reserves thrown open, but only to actual *bona fide* settlers, and Manitoba would not be the least of the Provinces of the Dominion.

Mr. MILLS said the delay had been unavoidable. There were more half-breed children in the Province than had been supposed, and, when a settlement was about being arrived at, these stake claims began to come in.

*Motion agreed to.*

#### VICTORIA BREAKWATER, WOOD ISLANDS, PRINCE EDWARD ISLAND.

##### MOTION FOR REPORTS.

Mr. POPE (Queens, P.E.I.) moved for copies of all reports in possession of the Department of Public Works, in connection with the Victoria Breakwater, Wood Islands, Prince Edward Island; also all correspondence relating to the same, received from the

Mr. BANNATYNE.

Government of Prince Edward Island, or any members of the Local Legislatures there.

*Motion agreed to.*

#### MAIL SERVICE ON LAKES HURON AND SUPERIOR.

##### MOTION FOR ADVERTISEMENT FOR TENDERS.

Mr. McCARTHY moved for a copy of the advertisement or notice issued, calling for tenders for the performance of the mail service for the season of 1876, on Lakes Huron and Superior, between the ports on Lake Huron and the Georgian Bay and Prince Arthur's Landing, Duluth, &c., the tender or tenders received in response, any correspondence in relation thereto, the Order or Orders in Council (if any) passed as to the matter, and the contract entered into for such service.

*Motion agreed to.*

#### STEEL RAILS FOR THE PACIFIC RAILWAY.

##### MOTION FOR RETURN.

Mr. BOWELL moved for a Return, giving a statement of all amounts paid to this date in connection with the purchase of 50,000 tons of steel rails, fastenings, &c., for the Pacific Railway, with the dates of such payments, and to whom paid, including all charges and commissions upon the same prior to their delivery in Canada, and all sums still remaining unpaid on account of such purchase.

*Motion agreed to.*

#### POST OFFICE PRINTING.

##### MOTION FOR RETURN.

Mr. BOWELL moved for a return showing the amounts paid for printing and stationery for the Post Office Department during the years 1875 and 1876 respectively, other than to the Parliamentary Printer and Contractor at Ottawa—said return to specify the Province in which said work was done, the nature of the work done, the name or names of the person or persons who performed such work, whether by contract or otherwise, and the name or names of the party or parties who

received payment and gave receipts therefor. He said: I have been induced to make this motion, after having examined the Public Accounts and other reports, by my inability to find out the information which I and the country desire to obtain from these reports. On referring to the Public Accounts of 1875 and 1876, I find the amount paid for Post Office printing—a general statement in which no particulars are given—to have been \$65,527.93. However, upon reference to the Post Office Reports of these years, I find that two establishments, —one in the city of Halifax, called the *Citizen* publishing Co., and one at St. John, New Brunswick, called the *Freeman*—received \$42,658.98 of the \$65,527.93, leaving to the balance of the Dominion \$22,868.95. This \$42,658.98 I find to have been divided somewhat in this way: In 1875, the *Citizen* Publishing Company printing for the Post Office Department, whether for the Province of Nova Scotia alone or not, is not stated, \$9,140.99; Money Order Office, Halifax, \$1,033.75; advertising mails, \$25,—making a total of \$10,199.74. In 1876, that is, the year ending the 30th June last, the same *Citizen* Publishing Company received for Post Office printing, Halifax, \$13,258.11; Money Order Office, \$940.25; advertising mails, \$79.60—total \$14,277.96. This latter sum, I suppose, was given to the establishment since the debate on this question took place last year. In these two years, the total amount paid that establishment was \$24,477.70. In addition to this, I find the amount paid for advertising Post Office notices, in the city of Halifax, to have been, in 1875, \$125.04, and in 1876, \$318.81, making a total of \$443.85. How much the *Citizen* Publishing Company received of this amount, which is part and parcel of the total, I am unable to say, because, in this particular, the names of the persons and the journals to whom it was paid are not given, as they are in similar expenditures for the Militia Department and some others. So far as the report applies to the expenditure in New Brunswick, it appears that a newspaper called the *St. John Freeman* received, in 1875, for printing,

\$7,194.31; Money Order Office, \$471; Post Office at Fredericton, \$14; Post Office at St. John, \$300; advertising for mail tenders, \$145; total, \$8,126.31. The work at this establishment increased in the same proportion as that of the other favoured office at Halifax in 1876. The items are for 1876:—For printing, \$8,984.70; Money Order Office, \$538; Post Office, St. John, \$680.24; advertising mails, \$61; total, \$10,263.94. For advertising, or some other printing not named, in 1875, at St. John, there is an amount of \$1,787.56 debited, and another of \$660.58 in 1876, footing up to \$2,448.58. Whether the *St. John Freeman* received any portion of this amount, I am unable to say, and the Public Accounts do not inform me. Now, Sir, I have called the attention of the House to these different items, and I desire to have this return brought down, in order that the country may know to whom this money was awarded. We have read a great deal in the newspapers in reference to these matters. Whether the statements made are correct or not we shall be able to decide when the names have been laid before the House, and the receipts, signed by the parties who have received the money, put in our possession. It has also been stated—I know not how true the statement is, but as far as the Halifax Publishing Company was concerned it was not denied in the discussion of last year—that one of the Ministers and a prominent member of this House were interested in the establishment, and, consequently, if any dividend was declared for the business of those years, they would receive a proportion of these profits.

Mr. JONES (Halifax): Hear, hear.

Mr. BOWELL: Whether I am to understand from that that the hon. member for Halifax received any dividend, or not, I do not know. He smiles, and I presume I may take it for granted that he has profited by this \$24,000 which has gone into the pockets of the stockholders of this Company.

Mr. JONES (Halifax): Do you want some stock?

Mr. BOWELL: I don't know that I do, considering the parties who have

in the past been connected with that paper, and more especially, if it be true that the establishment has been sold to an avowed Annexationist, I do not want one cent of its stock. It has been publicly stated that the St. John Freeman has no job office in which this work could be done. That is a matter which, I presume, will be discovered when we are put in possession of the receipts and other papers moved for; but I can hardly suppose that any Government would inaugurate a system of middlemen in this country who, you know, Mr. Speaker, stand in your country between the landlord and the unfortunate men who pay the rent; and who have been designated the leeches which have sucked the life blood from the labourers, and by that means kept them in poverty. Whether that be the case or not, I cannot say, but I trust we will be able to ferret out the truth in connection with this business. Why two establishments, one in Halifax and the other in St. John, New Brunswick, should have allotted to them \$42,868.95 in two years for printing for one department alone, out of a total of \$65,527.93, it will be for this House to determine when the papers come down. No doubt the country will appreciate the motives that have induced the Postmaster-General, whether the present occupant of the office or his predecessor, to act as he has done in this particular.

*Motion agreed to.*

#### EXPENSES OF ADVERTISING.

##### MOTION FOR STATEMENT.

Mr. BOWELL moved for a detailed statement of the expenses during the years 1874, 1875 and 1876, in advertising on behalf of the Government or any public service, in the public journals of the Dominion, the amount paid each journal respectively, and the purpose for which such money was paid; also the amount paid in subscriptions, for what papers paid, and whether such papers were ordered for the use of the Public Departments, for circulation in Europe, or otherwise. He said that in 1873 they had a similar return brought down. The one asked for would complete it up to date.

*Motion agreed to.*

Mr. BOWELL.

#### LE CRÉDIT FONCIER DU BAS CANADA.

Mr. BÉCHARD moved for a clear and complete statement of the property and business (assets, liabilities) of a Company bearing the name of "Le Crédit Foncier du Bas Canada," incorporated under Chapter 102 of the Statutes of Canada, 36 Vic., (1873), and in particular:—

1. The amount of the subscribed capital ;
2. The amount of this capital paid in ;
3. The amount of bonds in circulation ;
4. The amount invested and secured by hypothecs ;
5. The value of the real property hypothe- cated ;
6. The amount of capital held as deposits from the time when the Company commene- ed business up to the 1st January last (1877).

The said statement not to include the assets, debts, rights, actions, privileges, and hypothecs which the said Crédit Foncier du Bas Canada may have acquired from any Building Society or Societies established under Chapter 69 of the Consolidated Statutes of Lower Canada, or resulting from any union or amalgamation between the said Cr-édit Foncier du Bas Canada and any Company or Companies established under the last cited Act.

A separate and distinct, clear and complete statement of the property and business (assets and liabilities) of any such Company or Companies, so acquired and possessed by the said Crédit Foncier, to be made in like manner, in the form and manner first above mentioned up to the 1st January last (1877).

Further, copies of the various statements duly made and certified by the said Crédit Foncier du Bas Canada since it commenced business, up to the 1st January last.

Mr. BLAKE said the Company was required by law to send half-yearly to the Finance Minister a statement of its assets and liabilities. He did not know whether all the particulars asked for by the hon. gentleman could be obtained. In permitting the address to pass, it should be understood that the Finance Minister would consider what further particulars ought to be asked in this case, and, if those required by the hon. member could be furnished, the Government would furnish them.

*Motion agreed to.*

## AGRICULTURAL COMMITTEE'S REPORT.

### MOTION TO PRINT.

Mr. ORTON moved :

“ That the evidence obtained by the Agricultural Committee, and reported to this House last Session, oral as well written, be printed in blue book form, in the same manner as the Report of the Committee on Depression of Trade.”

Mr. BLAKE said the statement referred to by the hon. member had not been submitted to the House. It should be presented to the House before it went into the hands of the Printing Committee.

Mr. SPEAKER said a great deal of this matter could only come to the House through a report of the Committee. The “ oral evidence ” asked for was not in the possession of any members of the Government or any other public body that might be called upon for it. He presumed that evidence had been received since last Session.

Mr. ORTON said a large amount of the evidence submitted to the House was not printed by the Committee, and the object of the motion was simply to have the evidence referred to printed in the usual bluebook form. That was the only way of getting the evidence before hon. members.

Mr. BOWELL said, if he remembered correctly, the Report of the Committee on Agriculture was referred to the Printing Committee, who thought there was altogether too much of it, and that it was not worth printing. It was usual, when a document was referred, for the Committee to accept that as an indication that the House desired it to be printed. Of course, it was a different matter when the document was sent with instructions to consider whether it should be printed or not.

Mr. BLAKE said he disagreed with the view of the hon. gentleman as to the powers of the Committee. In referring a matter to the Committee, the House did not divest itself of all authority over it. If every reference was to be taken as a statement of the House that the document should be

printed, they should give up that form and order the printing directly.

Mr. BOWELL said he did not refer to general documents that were sent to the Committee as a matter of course; he spoke simply of special cases.

Mr. BLAKE said the rule of the House, as he understood it, did not debar them from their privileges for the purpose of giving the Printing Committee the absolute authority to pass on the question, whether it was proper and convenient that a document should be printed or not. If that was the understanding, he would certainly object to this or any other document going to the Committee.

Mr. TUPPER said the House distinctly divested itself of all powers in ordering papers to be printed. The Committee dealt with this matter, and, if the House disagreed with them on any matter, it did not adopt the report. The Committee reported that certain papers should not be printed, and the House took no action whatever.

Mr. BLAKE said the rule was as follows:—

“ On motion for printing any paper being offered, the same shall be first submitted to the Joint Committee on Printing for report before the question is put thereon.”

The Committee reported, and the question was put whether the report should be adopted.

Mr. TUPPER: The matter in question has already been reported.

Mr. BLAKE said he knew nothing about that. If it was the case, and if the hon. gentleman's proposal was to reverse the decision the Committee arrived at last year, he did not see how the hon. member's motion affected the matter. They were not dealing with the merits of the case now. He was quite willing to have the matter referred again, but it should be distinctly understood that the doctrine of the hon. member for North Hastings was not to prevail—that the reference of the motion was to be taken as the sense of the House that it should be printed.

Mr. TUPPER said he would like to have Mr. Speaker's decision as to the practice he had referred to.

Mr. SPEAKER: As the rule stands, the mere motion of a member that a certain document be printed, if it find a seconder, carries the paper to the Printing Committee. I am not at liberty to put the question on it. The rule reads:

"On motion for printing any paper being offered, the same shall be first submitted to the Joint Committee on Printing for report, before the question is put thereon."

There is, therefore, no position taken or recommendation whatever made by the House. The hon. member, on his own responsibility, moves that a certain paper be printed, he finds a seconder, the motion is put into my hands, and I merely read it and pass it to the Clerk; the sense of the House is not taken thereon. Hon. members have probably fallen into the error from the fact, which frequently occurs, that some hon. member has been able to bring to the notice of the House some paper, the importance of which has not been perceived, and has tried to get an expression of opinion that it was of such importance as to require printing. The Printing Committee have accepted such expression, I presume, as sufficient reason to reverse the practice. There is another point on which I was myself mistaken a day or two ago, when I was thoughtlessly going to put the question on a motion for printing a paper which was before the Committee last year and which they refused to print. On considering the matter afterwards, I came to the conclusion—and I am sustained by the opinions of the officers whom I consulted upon it—that the transactions of each Session are entirely complete in themselves. At the Prorogation everything is finished, and, when a matter comes up again, it is entirely *de novo*. It is for the Printing Committee to decide whether the reasons for the printing of a document are sufficient or insufficient. The House passes no opinion whatever on the reference. If it passed an opinion, a vote might be taken, and that would be an expression that the paper should be printed. I find there is a seconder to this motion and I must pass it to the Clerk.

Mr. MACKENZIE said he desired to call the attention of the House to

Mr. TUPPER.

the fact that the motion of the hon. member for Centre Wellington was materially changed from that on the notice paper. The motion, of which notice was given, read:

"That all the evidence obtained by the Special Committee on Agriculture of last Session be printed, including any evidence obtained by Committee after reporting."

The motion, now made, was as follows:

"That the evidence obtained by the Agricultural Committee, and reported to this House last Session, oral as well as written, be printed in blue book form, in the same manner as the Report of the Committee on Depression of Trade."

There were absolutely not two consecutive words the same as in the notice the hon. member had given. Anything more irregular could hardly be conceived, and the motion could not possibly be allowed to be put in any such shape at all. The original motion gave entirely different grounds, was couched in entirely different language, and, in fact, had no resemblance to that which was now produced. He (Mr. Mackenzie) differed entirely from the interpretation of the duties and practice of the Committee given by the hon. member for Cumberland. He served on the Committee for some years, and it was certainly the practice then to examine all documents before them and report what portion thereof should be printed. It was occasionally the practice of the Chairman to call the attention of movers to what he proposed to print. If it could be effected, those gentlemen were invited to appear before the Committee to state their views on this point. There could be no question that the intention was to make the Committee practically a sub-committee of the House to examine in detail the manuscripts before them in order to give an opinion as to what it would be useful to publish.

Mr. ORTON said he would give some reasons why this evidence should be printed. The Select Committee on Agriculture had a great deal of discussion in reference to the report and finally a compromise was effected. A Sub-Committee had been appointed to draft a synopsis of the evidence and put it in a form which could be cheaply printed. A majority of the Committee,

however, concluded that they would rather not have any of the written evidence reported to the House, and urged him very strongly that only the oral evidence should be presented. Finally, it was agreed that, if the majority would submit the whole evidence, the minority would accept the oral evidence along with it. It was not for him to say that any understanding was come to, but he thought the hon. member for North York might be able to cast some light on the question. In order to save expense, circulars were sent to representative farmers throughout the country, and a large amount of evidence was thereby obtained regarding the entries of productions of the United States into Canada. An attempt was apparently made to report the whole evidence, but, as this was not done, he was obliged to obtain a record of a portion of the evidence in a manner which was perhaps irregular. He was still of opinion that the latter section of the testimony should be printed.

Mr. SPEAKER said there was virtually no motion in his hands and the course pursued was entirely irregular. The hon. member could not refer to the Committee on Printing any document not in the possession of the House. In drawing up the motion, the hon. gentleman should be very careful to insert nothing even casting a doubt on the fact that the documents were in possession of the House. If this was not the case, the first step was to place them in its possession, and then move reference to the Printing Committee.

Mr. TUPPER said he thought the hon. gentleman might conclude his statement, and the motion might then be withdrawn.

Mr. DYMOND said the hon. gentleman had made a charge against him which he considered it would be well for him to contradict.

Mr. SPEAKER said that he did not understand that any such charge had been made.

Mr. DYMOND said the hon. gentleman had invited enlightenment from him, but he knew nothing whatever regarding the action of the hon. gentleman's Sub-Committee. As re-

garded enlightenment, he had for a long time abandoned the hope that the hon. gentleman could be enlightened by anyone.

Mr. TUPPER said that, if the hon. gentleman was deprived of the opportunity of amending his motion, he thought this would be the first time he had ever seen such a course taken.

Mr. ORTON renewed his motion.

Mr. SPEAKER: Why does the hon. gentleman use the word "oral" as well as the word "written"?

Mr. MASSON: The motion refers to evidence, oral or written, that has been reported to the House.

Mr. CAUCHON: The hon. gentleman must bring, by motion, the evidence before the House, in order that it may be read. Then it may be referred.

Mr. SPEAKER: There is a great deal of force in the observation made by the President of the Council. Papers which came before us last Session are not, properly speaking, before us this Session. We only know of their existence by reference to the Journals.

Mr. MACKENZIE said he thought there were a number of precedents of members having moved that a certain entry in the Journals be read for the purpose of placing it before the House.

Mr. SPEAKER: We have fallen into this mode irregularly. We have passed resolutions similar to this, but I think quite irregularly.

Mr. ROSS (Middlesex) said the Printing Committee had seen fit to order the printing of the oral evidence, but the evidence which had been received in reply to circulars, when laid before the Committee, was rejected. The Committee was supposed to exercise its own judgment regarding the matter.

Mr. SPEAKER: This motion for printing goes to the Committee. In the future, hon. members must understand that they must proceed in the regular way.

Mr. SINCLAIR said the Printing Committee had found many of the questions sent throughout the country answered in such an erroneous manner

that they could not order them to be printed. He thought that it would be better to leave the matter as it was.

Mr. BLAKE said the hon. gentleman should make his explanations before the Printing Committee.

Mr. TUPPER said his hon. friend would have an opportunity, when the Printing Committee made its Report, of presenting his case to the House.

## RETURNING OFFICER AT THE DORCHESTER ELECTION.

### MOTION FOR CORRESPONDENCE.

Mr. ROULEAU moved for copies of all letters, correspondence, telegrams, &c., asking or having reference to the appointment of Thomas Jacques Taschereau, Esquire, as Returning Officer for the Electoral Division of Dorchester, at the election held in the month of December, 1875. He said he did not charge any dereliction of duty against the Returning Officer on the occasion in question. He simply desired to know what had induced the Government to select a person outside the Electoral Division of Dorchester, to act as such Returning Officer. The Registrar of the Division had so acted during the local elections in the Province of Quebec, and he saw no reason why the Registrar could not also have so acted in December, 1875. It was true that the law permitted the Government to choose either the Sheriff or Registrar, but, as the former lived at a considerable distance from the Division, he thought that he ought not to have been preferred to the Registrar, who was a resident of the Division, and who would naturally take a greater interest in its affairs than a stranger, whose interests would naturally be somewhat antagonistic to those of the electors in question. As the nomination of a non-resident of the constituency as Returning Officer occasioned great inconvenience, he hoped that, if this step was again taken by the Government, some member more influential than himself would move an amendment to the law, requiring that a Returning Officer, under such circumstances, should appoint a

resident of the constituency as his secretary, with full power to act as such officer, or that the Returning Officer should reside in the constituency, at all events, during the period between the day of nomination and the day of election.

Mr. BLAKE said he understood the hon. member to ask for this supposed correspondence not because he argued that Mr. Taschereau, the Sheriff of the Judicial District of Beauce, within which the constituency of Dorchester was situated, was a person illegally appointed, or because he was not fit, by reason of character and attainments, to be the Returning Officer, but because Mr. Taschereau, although such Sheriff, did not reside within the limits of the Electoral Division of Dorchester, and because another officer was named in the Election Act,—the Registrar, and the hon. gentleman thought that the public convenience would have been better served by the selection of the latter official. Now, the law authorized the Government to appoint as Returning Officer either the Sheriff of the District, or the Registrar of the District. The fact that the Registrar resided within the Electoral Division was, in the hon. gentleman's opinion, a preponderating reason why he should have been chosen for such purpose; that, in such a case, the election would in all likelihood have been more fairly conducted, and the convenience of the public interested would have been better cared for. These were the hon. gentleman's views. He (Mr. Blake) had no reason to doubt that the Registrar was an extremely respectable man. He had reason to believe that this was the case, and, moreover, the Registrar had a very good name—the name of Rouleau. Further, if he was rightly informed, the Registrar was the hon. gentleman's brother. If this was so, he thought the Government might fairly choose, of the two officers entitled to be appointed Returning Officer, the Sheriff, Mr. Taschereau, who did not happen to be the candidate's brother.

Mr. ROULEAU: I suppose the hon. Minister thought I had some personal interest in having my brother appointed.

Mr. BLAKE: No, no. However, there is no correspondence, and I would suggest that the motion be withdrawn.  
Motion *withdrawn*.

## THE CIVIL SERVICE.

### MOTION FOR RETURN.

Mr. COSTIGAN moved for a return of the names, offices, salaries, present residences, dates of appointments, and national origin of all officers appointed to the Civil Service of the Dominion since November, 1873.

Mr. CASEY suggested that the motion should be altered so as to secure the return being continuous from the return which was brought down dated May, 1872.

Mr. COSTIGAN agreed to alter the date to January, 1872.

Motion, as amended, *agreed to*.

## MANITOBA LAND CLAIMS.

### MOTION FOR RETURN.

Mr. RYAN moved for a return showing the number of cases tried and disposed of under the provisions of the 38 Vict., cap. 53, entitled "An Act respecting conflicting claims to lands of occupants in Manitoba." He said his object was to show another very forcible example of the extremely leisurely manner, to use no stronger term, in which Manitoba affairs had been dealt with. By the 32nd section of the Manitoba Act and amendments thereto, parties in possession of lands at the time of the transfer of the Province to the Dominion were declared to be entitled to the patents. As was natural, there were very many conflicting claims under this section, perhaps 200 or 300; and, as the ordinary courts of Manitoba had no jurisdiction to try these cases, it was found advisable in May, 1873, to pass the 36 Vict., cap. 6, creating a special tribunal to try them. Under this Act nothing was done; it remained a dead letter on the Statute Books for a couple of years, and, in 1875, its machinery having been considered too cumbersome and expensive, it was repealed by "An Act respecting conflicting claims to lands of occupants in Manitoba." The latter Act was probably an improvement on

the former, but an Act having been passed that would work, it was supplemented by the appointment of a Commissioner who could not work—the Hon. Alex. Morris. The Lieutenant-Governor of Manitoba had so much to attend to—so much public business and so much private business,—so many official appointments to make, and so many Indian treaties to negotiate, that he had no time to devote to the discharge of the duties of Commissioner. The consequence was that not a single case had been tried or disposed of. It was extremely unfair to keep the whole Province in hot water for so long a time—nearly seven years. It embittered social and business intercourse; it kept several thousands of acres of land unimproved, because no one would venture to improve disputed lands. It would have been the natural and better course for the Government to have appointed some one of their friends in Manitoba the Commissioner, and, if they had no friend of sufficient ability and character to justify his appointment, then they should have appointed the Judges of the Court of Queen's Bench in the Province, Commissioners. Such a course would have been most satisfactory to the Province. So far as expense was concerned, it did not matter whether one Commissioner took six months, or three Commissioners took two months, and the sooner the question was disposed of the better for all parties. Mr. Justice Betournay could take the French parishes, and Chief Justice Wood and Mr. Justice McKeagney the English parishes. It was not at all probable that Mr. Morris would have any spare time to devote to the duties of Commissioner before the expiry of his term of Lieutenant-Governor next summer, and the country could not afford to wait so long. It was an imperative necessity that something should be done at once. He would request the Minister of the Interior to give his attention to the subject, and in the interest of the Province appoint some one who could give his time to the settlement of the disputed claims.

Mr. SCHULTZ said he had very little to say, except to corroborate what had been said by the hon. member for Marquette. These disputed

claims, like all disputed claims, were vexatious, and doubly so from the lapse of time since they should have been adjusted. He thought under the late Government an assurance was given that there should be an adjustment of these difficulties almost at once. Since then, every year, either in the House, or by the head of the Department, this assurance has been renewed. Nevertheless, not a single one of the disputed claims—and he believed they were more than the number just stated—had been adjusted. Not only was this the case, but no general report had been made by the person appointed, and no general principles had been laid down by which the claims were to be adjusted. This was a serious matter to those concerned. Much of the property had increased greatly from its original value; but in many of these cases the lands had largely depreciated from the fact that the title was in dispute. It was possible for the Minister of the Interior to at once correct this matter, as there was no such difficulty existing as he had felt in the matter of the stake claims. He trusted that a proper commission would at once be appointed. It was not the function of the Lieut.-Governor to enter into such matters. The Lieut.-Governor was said to be largely interested in speculative matters himself, and it might be possible that he might be called upon to adjust some claims in which he had a direct interest. That was not a position, surely, in which His Honour would like to be placed, neither would the Minister of the Interior like him to be placed in this position. He (Mr. Schultz) hoped that the result of the motion would be to draw the attention of the Minister of the Interior to the necessities of the case, and that he would appoint a commission of several of the resident Judges, or such other persons as would satisfactorily perform the duty.

Mr. MACKENZIE: The hon. gentleman who has just sat down has made a distinctive charge against the hon. gentleman who has been appointed Lieutenant-Governor of Manitoba, namely, that he is himself largely interested in these lands.

Mr. SCHULTZ: I said that it was

Mr. SCHULTZ.

generally believed that the Lieutenant-Governor had bought land for speculative purposes. I did not say he was interested in the claims in dispute. I simply said he might be interested in claims coming before him.

Mr. MACKENZIE: That is different from what I understood. I can only say that we have no reason to believe that Governor Morris is interested in any kind of speculation that would at all affect his position in relation to these lands. There were such charges made, but I have the very best authority for stating that they are entirely incorrect. At all events, we have no correspondence, and, therefore, it cannot be brought down.

Mr. RYAN: There being no correspondence, of course I withdraw my motion.

Mr. MILLS: I had a letter a few days ago from Governor Morris stating that he was ready to go on with the Commission. I, at once, without a day's delay, issued the necessary instructions, and submitted for his decision 150 cases. There are, perhaps, as many more to be disposed of. There has been no decision, and therefore there is no report to make.

*Motion withdrawn.*

## NOVA SCOTIA INDIAN COMMISSIONERS.

### MOTION FOR RETURN.

Mr. FORBES moved for a return of the number of Commissioners for Indian Grants in Nova Scotia, the counties over which each presides, the amount annually placed in the hands of each District Commissioner in the Province of Nova Scotia, the amount distributed in each county, also the names of Commissioners who have made returns to the Government. He said he made this motion in the interest of the tribe of Indians which inhabited Nova Scotia. Some years ago the Indians were placed in the hands of a Commission, which had charge of three or four counties. Since then the supervision must have been very lax indeed. The county which he came from and the next county were in the hands of one Commissioner. The Com-

missioner had never been in the county of Queen's or of Shelburne. There had been nothing but one continual complaint by the Indians, they having received nothing from him. He lived in another county, and the Indians there received all his attention. Last year was one of great distress amongst the Indians. They came to the white people who had almost entirely to support them. This attracted the attention of the parish priest—the Indians being all Catholics—and the priest came to him and stated that he could get no communication established with the Commissioner in charge. Such being the case, he (Mr. Forbes) put himself into communication with the Department. The change in its head, however, prevented the active steps being taken which otherwise would have been. If the returns were obtained, it would be seen how much money had been expended by each of the Commissioners since they took charge of the Indians. He believed in every part of the Province the same thing was heard; and he supposed there must be some truth in the complaints, or these charges would not be so general as they were. Nobody knew what amounts were distributed or anything about the matter. It was said the Indians were paid in kind. In spring, seed might be handed out in the county in which the Commissioner of whom he spoke lived, but it was said that nothing was done elsewhere in his district. Whether the Commissioners had the power to buy blankets or not, was not known. His own house had been pestered with the Indians coming for clothes, food and medicine; and he therefore spoke feelingly upon the subject. Did the Commissioners make any returns? Did they explain what had been done with the money, were they responsible for it, or did they use the money as they pleased? He believed there was money enough given for the Indians to keep them comfortably. If the money was merely handed to the Commissioners, and they were not called upon to make any returns, it was time, he thought, that the system was changed and a new one adopted. He hoped that, under the energetic management of the new Minister of the Interior, this sort of

thing would be altered. His own impression was that each county should have its own separate Commissioner; and, as it could be found out how many Indians each county had, there would be no difficulty in so arranging it that each county would get its *quota* of money according to the number of Indians. While the gentlemen who acted as Commissioners were perfectly honourable, and no doubt could account for every farthing of the money handed to them, yet, not being business men, they were not fitted to make out the returns to the Department. He would suggest that the Commission be placed in the hands of real business men, who would understand making out returns, and thus enable a check to be kept upon them. There was some sort of check under the old Government, but under the present *régime* there was none at all. He hoped the new Minister of the Interior would see his way clear to introduce a change in this important matter.

Mr. MILLS said there was no objection to furnish the information asked, so far as it was in the possession of the Department.

Motion agreed to.

House adjourned at  
Eleven o'clock.

## HOUSE OF COMMONS.

Tuesday, 20th Feb., 1877.

The Speaker took the chair at Three o'clock.

### APPOINTMENT OF MR. TREMAIN TO A JUDGESHIP.

#### EXPLANATION.

Mr. CAMPBELL (Victoria) rose to a question of privilege. He said he found himself reported in the *Globe* of yesterday as having accused the Government of improperly appointing Mr. Tremain to a judgeship. He denied having ever used his name on the floor of this House, or having said anything at all against his appointment.

## BILLS INTRODUCED.

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

Bill (No. 13) To incorporate the Dominion of Canada Civil Service Mutual Benefit Association.—(Mr. Wood.)

Bill (No. 14) To amend the several Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. Baby.)

Bill (No. 15) To amend the Insolvent Act of 1875; and to make the said Act operative within the temporary Judicial District of Nipissing.—(Mr. White, Renfrew.)

Bill (No. 16) Respecting the Beaver and Toronto Mutual Fire Insurance Company.—(Mr. Bowell.)

Bill (No. 17) To extend the provisions of section 56 of the Act 34 Victoria, chapter 5, intitled: "An Act relating to Banks and Banking," to the Bank of British North America.—(Mr. Frazer.)

Bill (No. 18) To make better provision respecting the Geological and Natural History Survey of Canada, and for the maintenance of the Museum in connection therewith.—(Mr. Mills.)

## BANKING AND COMMERCE COMMITTEE.

## MOTION TO ADD NAMES.

Mr. MACKENZIE moved:

"That the names of Messrs. Ouimet and Sinclair be added to the Select Standing Committee on Banking and Commerce."

Motion agreed to.

## ST. FRANCIS AND MEGANTIC RAILWAY BILL.—[Bill No. 8.]

(Mr. Brooks.)

## ORDER DISCHARGED.

Mr. BROOKS moved:

"That the Order for the Second Reading of the Bill respecting the St. Francis and Megantic International Railway Company be discharged."

Motion agreed to.

Order discharged and Bill withdrawn.

## REPORT.

Mr. VAIL laid before the House—  
Report of the Minister of Militia for the year ended December 31st, 1876.

Mr. CAMPBELL.

## MAILS BETWEEN SYDNEY AND COW BAY.

## EXPLANATION.

Mr. MACKAY (Cape Breton) rose to a question of privilege. He said that in the proceedings of the Senate placed on the table of the House on the 15th inst., it appeared that a motion had been made in the Senate by certain hon. members, praying for copies of all contracts entered into in 1876 for the conveyance of mails from Sydney to Cow Bay. In one of the papers published in this city a certain hon. gentleman was reported to have said, respecting the granting of the contract to the present holder, that it was a "corrupt political job and that the recipient was a political friend of the representative of that district, a supporter of the Government, and that it was done at the expense of an opponent." The master stood thus: The Government decided on granting a daily mail between Sydney and Cow Bay instead of the then tri-weekly mail; that he had made enquiries and discovered that the new contractor was doing the work for a lesser sum than the other contractors over part of the line had offered to do it for. He disclaimed and repudiated the statement that it was a corrupt political job, and stated that there were rumours of corrupt influences at work outside of Cape Breton county. It did not do for an honourable gentleman to impute corrupt motives to others, who, in December, 1874, in Halifax, at a public meeting, said, with respect to Confederation, "that he would never allow the walls of the Legislature to stand between the question and the people;" who two years afterwards voted for it, and shortly afterwards was promoted to a high position in the State.

An HON. MEMBER: Order.

Mr. SPEAKER said he could not understand what the hon. gentleman desired to imply.

Sir JOHN A. MACDONALD: This is an abuse of the rights and privileges of this House. The hon. member rises to a question of privilege, and proceeds to abuse some one or other. I say this is an abuse of the privileges

of the House, and the hon. gentleman has presented himself to the House under false pretences.

Mr. MACKAY (Cape Breton): I disclaim anything of the kind. I say I have been misrepresented by the newspapers of the day.

Mr. SPEAKER: I doubt very much the propriety of hon. members replying to newspaper articles. If, in a newspaper report, a mistake should occur, and should put members in a false position, I think they are quite in order to explain that they had not made the statements attributed to them. Of course, if the hon. gentleman had a charge to make against a newspaper proprietor he could do so; but it seems to me that a reply would not be in order.

### SUPPLY.

#### RESOLUTION REPORTED.

Resolution (February 19th) *reported, read the second time and agreed to.*

### STATEMENT OF RECEIPTS AND EXPENDITURE.

Mr. CARTWRIGHT laid before the House a statements of receipts and payments on account of the Consolidated Fund, from 1st July, 1876, to 10th February, 1877.

### WAYS AND MEANS—THE BUDGET.

Order for the House to go into Committee of the Whole to consider of the Ways and Means for raising the Supply to be granted to Her Majesty, *read.*

Mr. CARTWRIGHT: Whatever difference of opinion, Mr. Speaker, may exist between hon. members of this House as to the policy which the Government has pursued in the past, or as to the policy which it may be the duty of the Government to pursue in the future, I think that hon. members of all sides and parties in this House will agree with me in the statement that the financial year which closed on the 1st July, 1876, was one of an exceedingly critical character, and one which will be long remembered in our financial history. Indeed, in some important points it may be said to mark

the turning point therein. Now, Sir, I fear that the questions with which the House will have to deal to-day will prove to be of a somewhat complicated character, and I must beg the indulgence of the House if I should appear to be somewhat unduly tedious in my treatment thereof. During the year to which I have referred, our expenditure has touched the maximum point which, as far as we can judge, it is likely to touch for a considerable time to come; and, on the other hand, as not unfrequently happens under such circumstances, our income (partly from extraordinary and accidental causes, partly from the extreme depression of trade), has been reduced to a very low point—I would fain hope to the lowest point that it is ever likely to reach. However that may be, the net result is this: that whereas our expenditure during the year amounted to no less than \$24,488,000 in round numbers, our total receipts fell to about \$22,587,000—being a total deficit of no less than \$1,901,000. Now, Mr. Speaker, I would be the very last man in the House to made light of this fact. View it as we may, account for it as we may, the existence of a deficit at all, much more of a deficit of this magnitude, is a circumstance of a very serious and formidable character, none the less because it is the first avowed deficit, though not the first that has really existed, since the period of Confederation. And, Sir, if I believed that this large deficit was about to become chronic, then there could be but one question before us, and but one course for the Government to pursue. In such case it would undoubtedly be necessary to adopt very vigorous measures for the purpose of restoring the desired equilibrium between income and expenditure. But, if it should appear otherwise, if a fair and impartial consideration of the items of which this deficit is composed should show to the House that there is good ground for believing that by far the greater part is due to extraordinary and abnormal expenditures, not likely in the nature of things to occur again, then, of course, the advice which ought to be given to the House might be materially modified. Now, if hon. gentle-

men, having the Public Accounts in their hands, will do me the favour to refer to the various items making up this deficit, they will find that a very large proportion of this \$1,901,000 is composed of items precisely of the character to which I have alluded. In the first place, some \$134,000 are charged on account of the expenses of the boundary surveys between ourselves and the United States, which expenditure was actually incurred prior to the close of the year 1873-74, and which, perhaps, as a matter of book-keeping even, ought to have been charged to the expenditure of that particular year. They will find also that no less than \$210,000 is charged for special services for the Philadelphia Exhibition, for the loan to the Mennonite settlers, and for the relief granted to the distressed settlers in Manitoba, all of which are clearly extraordinary and exceptional charges. Now, the House will recollect, with respect to another large entry in the Public Accounts, that the policy of the present Government has always been to close, at as early a period as possible, the great expenditure which was going on upon what are generally known as minor public works—*i. e.* buildings and improvements of various kinds in different parts of the country; and they will also remember that this expenditure was largely in excess of the amount which, in our judgment, ought to be properly set apart for this service, at least, under the present circumstances of the country, and that of the total sum so charged, \$1,980,000, in round numbers, \$980,000 may be fairly treated as exceptional and extraordinary expenditure, incurred for extraordinary purposes, the accounts for which are closed and which need not recur again. There remains only one item more to which I shall call attention, and that is the charge of \$250,000, or thereabouts, made for the change of gauge, and also for the substitution of steel rails for iron on those portions of the Intercolonial Railway which belonged to the old Nova Scotia and New Brunswick railroad systems. These I also hold to be exceptional charges, and charges which in a very short time will disappear altogether from our books.

Mr. CARTWRIGHT.

Therefore, the House, if it will add these sums together, will see that I am justified in saying that \$1,574,000 of the total deficit is really and fairly due to exceptional causes, and that this deficit may, therefore, to a very considerable extent, be looked upon, as I have said, as one of an abnormal character. But, Sir, this is not all. I have a further proof, and I am happy to say a much more satisfactory proof of the general correctness of that view. I find, on examining the records of my Department, that the total expenditure to the first day of January, 1877, amounted to about \$10,100,000, whereas the total expenditure for the same services during the like period of the year ending the 1st January, 1876, was no less than \$10,900,000. In other words, the reductions which the Government have effected have amounted to no less than \$800,000 in that period alone, a process which if it can be continued during the next half year, would of itself almost entirely remove the deficit. I ought, perhaps, to add that the current receipts to that date from all sources have almost exactly equalled the current receipts to the same period for the year 1876, and that I feel justified in now stating to the House and to the country that, had we been favoured with even a barely average harvest—had there not been an unusual and extraordinary deficiency in the harvest throughout many portions of the country—the calculations on which the Government proceeded last year would have been very completely verified; and that not only would the deficit have been greatly reduced, but I have no manner of doubt that I would have been able to state to the House that it would have been absolutely extinguished by the end of the current financial year without further exertion on our part. And here, Sir, I would pause to correct an impression which may possibly have been made on the minds of some hon. gentlemen, unless they have considered with some little attention the note which I have caused to be appended to the statement of receipts and expenditure laid on the table. The half year ending on the first of January in any year, as hon. gentlemen

opposite probably know, is usually a much more convenient point of comparison than any later period, for this obvious reason, that a great many of the payments which are made after the first of January are made after the irregular intervals, as has been notably the case in the present instance. In point of fact, in the payments up to the date of the 10th February, 1877, \$1,250,000 in round numbers, has been charged on account of interest and of the sinking fund investments in excess of the amounts charged for those purposes at the same date of 1876. Now, I need hardly point out to hon. gentlemen that it is a matter of no importance whatever, in calculating our ultimate expenditure, whether these sums are charged ten or twenty days sooner or later in the months of February or March; but I am especially desirous of calling their attention to the fact—because the statement itself otherwise might be completely misleading, not only to them, but to other parties here and elsewhere; and I might also add that even the statements of receipts are scarcely to be relied upon, because we had clear evidence last year that a very unusual quantity of money was paid into the Public Treasury about this time in anticipation of a change in the tariff—a circumstance which has not affected our receipts to any appreciable extent during the present period. There remains, Mr. Speaker, however, another and a graver question to consider, and that is the question—not how these receipts compare with each other, but what are our prospects for the future? Is the revenue, already so reduced, likely to fall, or is it likely to increase? Now, Sir, with respect to this, it is not in my power, it is probably not in the power of any human being in Canada, to say with absolute certainty what the final result may be. I can merely give the House the best approximate estimate I can make, with the facts and inferences I draw therefrom, and to leave it to the House to say how far I am warranted in the conclusions I have arrived at. I may, however, note this fact, that, large and unusual as the expenditures for the past year undoubtedly were, they are, nevertheless, well within the actual receipts for the year ending on the 1st

July, 1875—the actual receipts for that year having amounted to about \$24,650,000, whereas the total disbursements of last year amounted to \$24,488,500, showing (which is worth noticing) that, compared with the actual receipts for the year 1874-75, our gross expenditure, large as it is, is still within the mark then attained. That is a point of some little importance, because, as I had reason to show on a former occasion, our receipts for that year were very considerably diminished by the operation of a variety of causes, to which I need not now refer; and, besides, the year itself was not one by any means of remarkable prosperity, as compared with those which preceded it. It may, also, be observed that the great loss in our revenue has arisen almost entirely from a falling off in one source alone. A great number of the important items which go to make up our revenue receipts remain fairly constant. One, that of Excise, has considerably increased, as compared with the preceding year. The great falling off, as everybody knows, occurred in the item of Customs. The reduction was simply enormous. The Customs have fallen off from a total of \$15,351,000 in the preceding year to a total of \$12,823,000, being a reduction at the rate of about \$2,500,000—a sum larger than our entire deficit. I might also observe that there can be no doubt that, had we enjoyed an importation equal to that of 1872-73 and 1873-74, the receipts, large as they were, would have been very much increased; and, therefore, that the real reduction in Customs is very considerably larger than even the heavy sum which appears in our Public Accounts. I think I am justified, under these circumstances, in saying—not indeed that the Government were able to foresee exactly what would happen, but—that the policy and expectations of the Government were reasonably and fairly accurate. We did not base our policy on the expectation of a steady advance, we did not base our policy even on the supposition that we could maintain the great importations which had existed up to that time. We made our preparations not only for a stationary period, but for one of very considerable retro-

gression. The only thing we were not fully prepared for was the enormous and almost unprecedented retrogression in imports, which took place between 1874 and the close of 1876. In order that the House may fairly understand how enormous that depression has been, I would like, with their permission, to make a short comparison with our position now, and in 1867, which is the first year with which we can make any accurate comparison. Now, as I have excellent reason to remember, and as many hon. gentlemen in this House no doubt have excellent reason to remember, the first year of Confederation could by no possibility be defined as a speculative or even a fairly prosperous year. On the contrary, it was a year in which almost every merchant or importer felt himself bound to pursue an extremely cautious and conservative policy. There were many special causes which conduced to this. That year was the last of a period of very great depression. We had just lost the advantage of the Reciprocity Treaty with the United States, and two of the oldest and largest banks in the old Province of Canada had been obliged to suspend, resulting, in one case, in total loss, in the other, in a heavy loss to the shareholders. There were also, as the House knows, very serious political complications, regarding which it was not possible for any man then to see the end. In one word, the whole commercial policy of the country at the time was, as it ought to have been, characterized by extreme caution. Now, there is very good reason for believing that our total population, in the year to which I have alluded, could not have exceeded three millions and a quarter—I am speaking of course of the four Provinces which originally formed this Confederation—and it has even been doubted by some persons who are well able to form a correct estimate on this point, whether it was even three millions and a quarter. Since then, matters have considerably changed. The five or six years which have elapsed since we last took the census, with the great exception of the last, have been years of prosperity. There has been a good deal of immigration into the country, and the total loss

from emigration has been comparatively very small. I am therefore disposed to put the present population of these four Provinces at four millions, and, if that point be granted—though I do not think it of very great importance to the correctness of my argument,—then we have this somewhat remarkable result: That, whereas in 1867-68, the first year of Confederation, we had a total importation of seventy-three and a half millions, with a population of three and a half millions, yet, in the year just passed, with a population of four millions we imported only eighty-seven millions, Manitoba, British Columbia and Prince Edward Island being deducted. In other words, not only had we gone back to the point we occupied in 1867-68, but if you take a *per capita* estimate, our importations were positively three millions less, relatively speaking, in the year which has just passed than they were at the commencement of Confederation; and, even if you choose to take the goods entered for consumption in place of those actually imported, you will have an importation *per capita* at the present time barely equal to that in 1867. Now, Sir, the House knows I have not been usually chargeable with the reproach of over-extravagance in estimating our resources; but I have always seen clearly that, since the culmination of Confederation, there has been a very great and marked increase in the wealth of this country, and that many indications show that this has been far greater in proportion than the augmentation of our population, and, therefore, whatever be the correctness of my calculations regarding the mere matter of population at these respective periods, if I can show, as I think I can, that we have advanced very greatly in relative wealth since that time, I am justified in saying to the House that there is good reason for supposing that we have seen probably the worst of the present depression. I do not attach any great value to such indications of prosperity as are to be found in the number of banks established in this country, but these banks do, undoubtedly, afford us certain standards by which we may estimate with tolerable precision the increased volume of business throughout Canada; and I

find that the general increase in various matters which are usually considered reliable signs of the advance of the population in wealth have been very marked during that period. For instance, it is well known that the amount of the circulation of a country, at different periods, affords a very tolerable indication of the volume of business done therein; and I find that, whereas, on the 1st January, 1868, our total circulation amounted to barely \$14,000,000, at the same period of the year 1877, that circulation (deducting in each case the Government notes held by the banks) had increased to, as nearly as possible, \$26,000,000, an increase of nearly 100 per cent. Similarly, within the same period, the bank deposits in the Provinces of Ontario and Quebec, for which alone we have returns, have increased from \$29,689,000, to a no less sum than \$70,450,000, the absolute increase in that case being 130 per cent.; and the deposits in Government Savings Banks from \$1,686,000, to \$7,178,000, an increase of fully 400 per cent., which is specially valuable as showing the growth of habits of thrift and frugality among our population; while the quantity of shipping owned and registered in this Dominion has grown from 776,000 tons in 1867, to 1,204,000 tons in 1877, being a total increase of 65 per cent.—deducting from this estimate the outlying Provinces since this added to the Dominion; and, although the gross volume of exports do not show equal additions, yet the exports of our own products from the four original Provinces have grown from \$45,000,000 in 1867 to \$65,000,000 in 1877, exhibiting an increase in this direction of 45 per cent. But, Sir, great as that increase is, an examination of the items of which it is composed will go even farther than the statement of the gross business transacted in showing the accuracy of the statement I make that the absolute wealth of Canada has increased far more than in proportion to its population within the past decade. In the first named year, Mr. Speaker, the total produce of the Fisheries amounted in value to \$3,357,000, whereas, during the last named year, the exports from that source amounted to about \$5,250,000. The exports of articles

from the forest amounted to about \$19,750,000 in 1876, as against \$18,250,000 in the first named year, this increase being very small, while the exports of animals and their products have risen from \$6,893,000 in 1868 to no less than \$12,305,000 in 1875. The exports of agricultural products during the same time advanced in value from \$12,871,000 to \$20,469,000; deducting in all these cases the exports of the Provinces recently added to the Dominion from the calculations. There was also an equal proportionate increase in the department of manufactures; and there are some other increases which go incidentally to prove the truth of my statement. For instance, the total importation of sugar has risen from fifty-seven millions of pounds in 1868 to no less than one hundred and ten millions during the year just closed; and, although I have not accurate statistics on the subject of life insurance, I believe I am correct in saying that within the past five or six years the gross amount of policies of life insurance outstanding in Canada has increased from about \$35,000,000 to about \$85,000,000. Moreover, new and valuable branches of trade, as the House knows, have been developed; a large additional area of land has been taken under cultivation, and the land which is under culture is, as I can testify concerning certain portions of the country, and as, no doubt, other hon. gentlemen could testify respecting other sections of the country, very much better cultivated than ever before; our stock has increased in number and greatly improved in quality; our railway communication is better and more extensive than it was, as compared with the previous period; and, although a large portion of the railway expenditure incurred within that period was of little practical utility—much money being spent wastefully, and much prematurely—and although I fear that no inconsiderable part of the inflation and extravagance from the effects of which the country is now suffering has resulted from the improvident engagements which were entered into in that direction, whether by English shareholders or Canadian municipalities; still, notwithstanding all these draw-

backs, it is clear that much valuable work has been done, and that we are justified in believing that considerable profit will accrue to the country at large therefrom, however misdirected may have been the efforts of many of the parties originally engaged in these enterprises. I may add that the Customs Returns up to the present time afford very tolerable evidence that an improvement has already commenced. Not only have the receipts maintained themselves fairly, as compared with the corresponding period of last year, but I also note with pleasure that there has been a decided increase in that great item of the  $17\frac{1}{2}$  per cent. list, on which, during last year, we sustained our heaviest loss. I am sorry to say, Mr. Speaker, that I cannot give an equally good report of the condition of the Excise Department. Though the receipts in this branch have been as large as they were during the year 1874-75, there has been a decided loss as compared with 1875-76, partly perhaps attributable to the exertions of our temperance friends, partly, no doubt, to diminished consumption from ordinary causes, and partly to illicit distillation, which the low price of barley and hard times combined have contributed to develop in certain portions of the country. Other branches of revenue have not only maintained themselves well, but have even increased somewhat compared with the corresponding period of last year. I may also observe that our railway receipts, which are necessarily just now at their lowest ebb, may, I think, be reasonably expected to go on increasing and improving, as new traffic develops, as ought, and probably will be the case along the lines recently opened. Turning to the Estimates I have recently had the honour of presenting to the House, you will perceive that the total sum demanded for the service of the year varies a little from the sum demanded for the past year, amounting to \$23,167,000 as against \$23,031,000, an augmentation of about \$136,000. Now, with reference to the augmentation, I may observe that it is almost purely nominal, being composed in part of an item of about \$45,000, which appears on both sides of the account (in one

case as an addition to the Sinking Fund, and in another as investment of the interest of the Sinking Fund), and in part of \$60,000 or thereabouts, composed of interest on money which we are about to pay off, and for which funds are lodged and actually bearing interest at this moment. The Estimates are therefore substantially almost identical in amount with those submitted during the preceding year, although, as the House will see by reference to them, we have been obliged, in consequence of the contraction of the recent loan in London, to increase the annual charge on the public debt by nearly \$500,000. These Estimates in a general way will speak for themselves. There are, however, two or three items to which I would desire to call attention. A certain increase is necessarily demanded for the efficient performance of the Lighthouse and Coast service, which is partly due to the natural increase of the cost of this service, and partly for repairing injuries caused by violent storms on some portions of our coast. The increase, however, to which most interest and probably most importance should attach, is the large item of \$86,000, required for the services for Indians, to which I shall presently allude. Before doing so, however, it is a matter of some importance that the House, in looking at these Estimates, should bear in mind how very large a proportion is occupied by charges over which we can hardly be said to have any control. If the House will apply to these Estimates the same division introduced in the abstract in the Public Accounts, they will find that the total charge for "ordinary expenditure" during the years 1877-78 is no more than \$6,503,343 being a reduction of very nearly two millions on the actual charges which were incurred for these services in either the year 1873-74 or 1875-76; and that, too, although as the House will perceive, the expenditure for Indians, to which I have already alluded, has increased enormously, and although there is a much heavier charge on account of the Mounted Police in the North-West than in 1873-74. Now, Sir, these charges for Mounted Police, for Indian treaties,

and, indeed, for the whole Government of the North-West, are, I think, in a certain sense and to a certain degree, to be fairly regarded as charges on capital. Not that I at all propose so to treat them or remove them from the Consolidated Fund; but it is evident to every hon. gentleman that, when we undertook the government of that great region, we undertook a task in performing which we must make very large present sacrifices for the sake of the future gain which we hope may accrue therefrom. And I desire to call the special attention of my hon. friends from British Columbia who, on former occasions, have made it a charge against the Government to which I belong, that we were utterly callous and indifferent to the prosecution of the Pacific Railway, to the fact that the present Government has expended from 1st July, 1874, to 1st January, 1877, no less than \$6,000,000 on the work of the Pacific Railway and the survey thereof; and that the present outlay for Mounted Police and for Indian Treaties, and the Government of the North-West,—all of which are absolutely indispensable preliminaries to any successful attempt to colonize that region or construct a railway through it, whether it be done with our own funds or by agreement with contractors or other parties, will entail an addition to our ordinary annual charges of no less than \$800,000. Now, if that sum were to be capitalized, it would represent, at 4½ per cent., no less than \$18,000,000. I think, therefore, whatever other charge the Government may be liable to, that of indifference to the prosecution of this railway, or reluctance to do everything which we could reasonably and fairly be expected to do for that purpose is certainly not one.

Mr. TUPPER: Do I understand the hon. gentleman that the expenditure since 1874 on the Pacific Railway has amounted to \$6,000,000?

Mr. CARTWRIGHT: From 1st July, 1874, to 1st January, 1877, the amount of \$6,000,000, as nearly as may be, has been expended on the railroad works and the surveys—the survey of course absorbing a considerable portion of that sum. Before pro-

ceeding to discuss other matters, it may be as well that I should give the House details of the loan which I contracted recently in London, and the reasons which induced me to issue it in the manner I did. As the House is aware, in last November I had occasion to issue a loan for £2,500,000 sterling in London, at the fixed price of £91 per cent. That loan was made with the usual allowances customary in such cases; and the usual commission of one per cent. and no more was paid to the agents entrusted with the negotiation thereof. I may add that that loan fetched the highest price ever obtained on our own unaided credit, and I may further add—and it is a good illustration of the correctness of the judgment of the Government in deciding to issue a four per cent. instead of a five per cent. loan—that that loan fetched absolutely a higher price at wholesale than the highest retail price obtainable for our five per cents., payable in 1903, the actual value of that loan at 91 being as nearly as possible equivalent to five per cents. at 108, whereas the current selling price of those five per cents. was barely from 105 to 106½, deducting accrued interest. Now, Mr. Speaker, the bare statement of these two facts might, and, under ordinary circumstances, would probably have been sufficient; nor should I have felt it necessary to weary the House with a prolonged explanation of the reasons which induced me to issue this loan at 91, or to adopt the mode of issuing it at a fixed price instead of by way of tender, save for one consideration. I am aware that the propriety of the course I adopted had been called in question; and (which is of much more importance) I foresee that it is necessary to disabuse the mind of the public of some gross misconceptions on this point, if we would avoid serious difficulty and danger in future negotiations; and I shall, therefore, be compelled to speak at some considerable length as to the exact position in which Canadian loans have stood for some years past, and my grounds for the steps I took. And, in the first instance, I must beg the indulgence of the House while I glance at the general position of Canada in the London money market. It must be

remembered that the late loan was only one of a series,—that two other loans had been issued, and that it was known that other loans must follow within a very short period. Now, I do not at all wish to arrogate to myself any particular wisdom in the negotiation of these matters, but I must say this,—that no Canadian Minister of Finance has ever had such a task before him, or has ever had to discharge it under circumstances similar to those under which it has fallen to my lot to issue a series of loans in London. The House must bear in mind that the change of security from a 5 to 4 per cent stock, was necessarily an experiment, and a difficult and delicate experiment, and that there was a great deal of tacit but very decided resistance to such an issue. It was perfectly understood on the Stock Exchange and elsewhere that, if Canada succeeded in establishing 4 per cent. as the rate at which she could borrow, all the other colonies of good standing would follow her example, and possibly other foreign countries; and therefore, not unnaturally, considerable difficulties were thrown in our way; nor was it a very easy matter to place Canadian 4 per cents. on the market as a favourite and popular security. Indeed, for some time, it was very doubtful if we could establish them at all. It was matter of notoriety in London that a large amount of our loan of 1874 remained for a long time unabsorbed in the hands of the capitalists who had taken it, and perhaps it is not so well known as it ought to be that this loan was for a time at a discount in the London market, which would have been enhanced but for the precautions taken by large holders of the loan to sustain it. Under the circumstances in which I found myself placed, I think the House will agree that the Finance Minister had a double duty to discharge. It was not enough for me to negotiate a single loan on good terms. I was bound to obtain the best reasonable prices for our securities; but I was also bound to take all possible precautions to guard against the risk of failure. I need scarcely say that there can be no man in the country more anxious than the Minister of Finance, whoever he may be, to obtain

as good a price as he can for the securities of Canada, but I may add that there is necessarily no other man in Canada who is or who ought to be so keenly alive to the possible consequences of failure, or who, if he is fit for his position, is so well able to judge of the mischief which may ensue therefrom, as the Minister of Finance; and, therefore, I say that any man who goes to London charged with such a duty has the right to expect that he will receive from his colleagues and from the country a reasonable amount of confidence, and full plenary power to do as he may judge best in the interest of the country. I do not object to any fair criticism of my conduct, but I desire to point out that I had two things to consider,—not only how to get the best immediate price, but the possible consequence of failure in negotiating this loan, which I do not hesitate to say would have been of the most serious moment to Canada. I do not wish to cast the least reflection upon any hon. gentleman opposite; but I have felt on more than one occasion that it was a personal misfortune to myself and to the Government that there is no hon. gentleman on the Opposition benches who has at any time filled the position of Minister of Finance. I felt that, if any of those distinguished gentlemen who filled the office before me, if Sir Alexander Galt, Sir Francis Hincks, or Sir John Rose were sitting beside the hon. member for Kingston, it would be unnecessary for me to enter into these lengthened explanations, as they would understand that the Finance Minister had only taken the precautions which they themselves never failed to practice, and that they would be the first to declare that a Finance Minister who neglected to take these precautions, for the sake of a little temporary popularity or a little doubtful gain, would deserve the severest censure of the intelligent portion of his countrymen. Nor would they have made the vulgar blunder, to which a great deal of all this misconception is owing, of catching at some stray quotations in some odd English newspapers, and disregarding the steady current of quotations for months together. To judge of the price which can be obtained for any loan at whole-

sale by mere accidental retail quotations shows a very partial acquaintance with the real state of the case. If quotations are continued for a long time, and are genuine *bonâ fide* quotations of fair amount, they do, it is true, afford a guide which may be relied on to a great extent, though it often happens that a market which would be well sustained, with a small quantity of stock to dispose of, would droop exceedingly if any large amount should be suddenly thrown upon it. As is well known in London, and, as I should imagine, ought to be equally well known in Canada, there are many stocks in which a peremptory order to buy or sell even the small amount of £50,000 or £100,000 sterling would have sent the stock up or down, from 1 to 2 per cent., as the case might be. Moreover, the fact seems to have escaped observation that the quotations usually referred to are those of the old loan of 1874, a loan which, having run 2½ years, is necessarily more valuable and likely to attract the attention of large investing companies in preference to a similar loan which has thirty years to run. I am not, however, disposed to confine the case to mere general arguments. I have here a statement carefully prepared from journals of high financial repute—from the *London Economist* and the *Investors' Monthly Manual*—showing the actual quotations, after deducting accrued interest, (another matter which has been entirely overlooked) of the old loan, which, as I have shown, was preferable to the new. Now, Sir, on the 1st July the *Economist* quotation, (which I think hon. gentlemen will admit to be as high an authority as can be produced) showed that the actual retail price of our four per cents. varied from £90 6s. 8d. to £91 1s. 8d.—a quotation which was not disturbed during the entire month of July. In August it had risen to £90 11s. 9d., varying towards the close of the month from 90¾ to 91¾. The same state of things prevailed not only through September, but through the greater part of October, and only towards the close of October, through legitimate but accidental and temporary causes, did it range as high as 92½. The quotations from the *Investors' Manual*, deducting accrued interest,

and based on actual business done, show that the quotations varied from 90½ during two of these months to 90¾ in September, and reached the maximum of 92 in the month of October. This is all the more important because, in each case, these figures represent the actual latest business done; and, though I am quite aware that one or two stray quotations may have ranged a point higher, I had very excellent reason to know that this advance was purely temporary and could not possibly have been maintained. Now, Sir, while I am on this matter, I ought to state to the House the fact that, so far from those gentlemen who engaged in this transaction having the opportunity of making a large sum of money at the expense of Canada, the actual fact was that, the moment the new loan was issued, the price of the old loan, (which, as I said before, is a preferable security) appears to have fallen to 91½, a rate at which, I need not remark, no possible profit would accrue to anybody who held the new issue; and it appears during the whole month of November never to have touched as high a rate as 92, (deducting accrued interest,) while during the month of December it varied from £90 18s. to £91 5s., these quotations being taken from the official markings on the Stock Exchange from the 10th or 12th November to the 31st December, 1876. To those who understand the meaning of these quotations, it will be apparent that it would be perfectly impossible for anybody to gain any wide profit out of our loan by purchasing into the new issue at a fixed price of 91, even deducting the allowances to which I have alluded; and, if any hon. gentlemen are desirous of maintaining that it is possible for any man—I do not care who he may be—I do not care what security he may be dealing in—to obtain anything like as high a price at wholesale for a loan of several millions sterling thrown suddenly on the London market, as he can for the same securities by retail, I would desire to call their attention to the circumstances under which a variety of loans were issued by other Governments doing business in the same market.

Country.	Date.	Amount of Loan.	Fixed at	Rate of Interest.	Quotations of previous issues of similar character.
Brazil .....	1871	£3,000,000	89	5 p. c.	97 to 99.
do .....	1875	5,301,000	96½	5 “	100 to 101.
Chilian .....	1873	2,276,500	94	5 “	97.
do .....	1875	1,000,000	88½	5 “	91 to 92.
Belgian .....	1874	1,440,000	75½	3 “	No quot'n. in England.
French .....	1871	88,000,000	82½	5 “	No previous issue.
do .....	1872	140,000,000	84½	5 “	84.85 frs. to 87.85.
Hungarian .....	1873	7,500,000	89	6 “	} 1st issue.
do .....	1874	7,500,000	91½	6 “	
Italian Tobacco loan ...	1868	9,404,762	81	6 “	No previous issue.
do .....	1869	5,200,000	73	5 “	84.
Russian .....	1873	15,000,000	93	5 “	96½.
do .....	1875	15,000,000	92	4½ “	96 to 98.
Swedish .....	1868	1,150,000	90	5 “	1st issue in England.
do .....	1876	2,000,000	96½	4½ “	97 to 99.
Norwegian .....	1876	1,320,000	96½	4½ “	1st issue.

Taking all the loans of any note whatever, which have been made during the period from 1868 or 1869 up to the present time, we find these results:—Brazil in 1871 issued a loan of £3,000,000 at 89—the market price at that time being no less than 97 for similar securities. These were, however, to expire in a fixed period of no great length, and, therefore, that quotation does not quite fully represent the actual state of things; but in 1875 that country issued an important loan for a larger amount at 96½; the then market quotations being from 100 to 101. The Republic of Chili about the same time issued a loan at 94, the current market price thereof being 97. It afterwards issued a loan at 88½, the detailed quotation being 91 to 92. Apparently the loan issued by the French in 1872 was placed at about 80. In the case of the Italian loan, which was issued at about 69, the difference was also very great. For that, I presume, there are special causes. In the case of Russia, in 1873, there was also a great difference. In the case of Sweden, in 1876, one or two loans were issued at 96½, the retail quotation being 97 and 99. The same remark applies to the Norwegian loan, made at nearly the same period as mine. The fact of the matter is this, Sir,—and it is thoroughly well understood elsewhere, and is, I may say, apparent on the face of it—

MR. CARTWRIGHT.

that it is quite impossible to obtain the same price at wholesale for any sum you may place on the market, by at least one or two per cent., as you can obtain in the small retail transactions on which these quotations are usually based. But, if my hon. friends ask for further proof, I think I might fairly refer them to the circumstances under which Mr. Tilley negotiated a loan in 1873. Now, it must be borne in mind that Mr. Tilley was able to present to the English market a security having very great advantages. Our four per cents., bearing the Imperial guarantee, are, to say the least of it, as good as any security which exists in London or any other part of the world. I desire to say, in the first place, that I am not in the slightest degree censuring Mr. Tilley for anything which has been done: I am merely calling attention to the circumstances under which he acted, and to the utter impossibility of obtaining as high rates for a wholesale transaction as for a retail operation, however good the security may be. Although it bore the Imperial guarantee, he was unable to obtain as much for it, within five per cent., as Sir John Rose obtained for the mixed loan issued by him in 1868-9, allowing for the discount on our five per cents at that date. The actual result was that Mr. Tilley netted about 102½, the retail price of guaranteed fours at that

moment, as any hon. gentleman can see by reference to the *Economist*, being from 104½ to 106, while I, who netted 90½ on quotations ranging from 92 to 93 at retail, got quite as close to the maximum price with my decidedly inferior security as Mr. Tilley was able to do with the loan he issued. I may mention another curious fact bearing on a point to which I heretofore called the attention of the House, and that is this:—that, whereas the real intrinsic value of Mr. Tilley's fours, when issued, was no less than £114, as contrasted with the then price of consols, which were 92, Mr. Tilley was unable, as the House will see, to obtain within twelve per cent. of the sum which he ought to have got, if we merely regard the actuarial value of the two securities,—the fact being that it is a matter of considerable difficulty in England to negotiate any loan at a premium, and such is the effect of long custom or of prejudice in the London market, that any new security, no matter how good the guarantee may be, is always very much cheaper than the old and better established ones. Now, I have already alluded to the fact that the loan of 1874 was a loan from which almost all the parties, who took an interest in it, derived very little or no profit. The House is probably not aware, but the returns of the Stock Exchange and other official documents will show that all through 1875, and the greater portion of 1876, our loan (deducting accrued interest) was positively at a discount—in one or two instances going to as low a figure as 86½. I am not disposed to inflict on the House another long list of those quotations, but I shall be happy to verify the statement either with the hon. member for Cumberland or any other gentleman who desires at his leisure to investigate it. As to the question of employing middlemen—in other words, as to the possibility of dispensing with agents and other intermediaries in London, in negotiating our loans,—I beg the House to remember that any country going to London to borrow money must, more or less, conform to the customs of that market. The London market is, to a very great extent, under the control of a corporation,

(I might almost say of a close corporation,) consisting partly of a number of very powerful capitalists, and partly of brokers and agents; and the position which the outside English investing public occupy in relation to Canada can be only described as one of great indifference, of which a substantial proof may be found in the fact that many English papers of large circulation do not insert Canadian, or indeed any colonial, securities among their daily quotations of transactions on the Stock Exchange. This, no doubt, is a matter to be regretted, and it is one which I hope to see remedied by-and-by; meantime, I think I would have been very much to blame if, under such circumstances, I had failed to avail myself of the ordinary means of placing our loans in the market. If I had done so, I would have run the risk of making a total shipwreck of the transaction. In fact, the whole question of employing middlemen and agents in London resolves itself, to a great extent, into a question of insurance. No doubt, under a peculiar combination of favourable contingencies, you can float a loan without the intervention of these agencies; but, in so doing, you are very much in the position of a merchant who sends a ship on a dangerous voyage with a most valuable cargo uninsured, and I did not feel it in the interest of Canada to run any risk at that moment, which I could fairly and honestly avoid. As to the other question, whether, even admitting all that I have said, it was a prudent act to issue the loan at a fixed price or by tender, I frankly admit that this is a fair question for argument, as is also the question of the employment of agents, but I repeat it is necessary in all such cases to pay some regard to the temper and preferences of the market in which you are dealing. Now, Sir, the same remarks that I made with respect to the question of issuing loans at wholesale prices, one or two per cent. below ordinary retail quotations, applies, and applies with even greater force, to this question of issuing at a fixed price and not by tender. Let us take the list already referred to, which is in fact a list of all the countries which have issued any loans of magni-

tude — that is, all the countries of good standing — for the last eight years. Brazil, in 1871, issued a loan of £3,000,000 *stg.*, at a fixed price; in 1875, one of £5,500,000 at a fixed price; Chili, as I before remarked, did the same; the Belgian Government issued one of £1,400,000 at a fixed price; France issued her two large loans at a fixed price; Hungary issued its large loans in the same way; Italy did the same; Russia did the same; Sweden issued its loans, each of similar amount, at a fixed price; and, lastly, the Norwegian Government, almost at the same time that we issued ours, issued its (at a much cheaper rate to the investor than mine,) also at a fixed price. These loans exhibited every variety of difference in the rate of interest and in other particulars, but they presented one common point — that they were all issued at a fixed price and not by tender. I find that they were issued by houses of the highest reputation, by the Rothschilds, Baring Bros., Stern Bros., and others, and I put this question to the House:— Are we to suppose that all these countries and all these well-known houses are entirely mistaken in their judgment of what is desirable and wise, in dealing with the London market? Or are we to believe that these houses so well and honourably known in every exchange in the world, conspired together to defraud those who put trust in them? I repeat, Sir, that, although these loans differ in almost every imaginable particular, the House will find them all alike in reference to the important points,—that in each and every case the wholesale price is less than the retail price, and that in each case they were issued at a fixed price and not by tender. I need not say this was a point long and earnestly discussed by the agents and myself. I was aware of the prejudice that existed here on this question; and, if I could have done so with a due regard to the interests of Canada, I would have humoured the prejudice—groundless as I believe it to be. But I think that it will be found, on due examination, that there are only two cases in which parties may safely venture on issuing by tender. First, where, as in the case of a bond bearing the

Imperial guarantee, they have security so good that they are masters of the situation; or in cases where time or immediate success of the negotiation is a matter of indifference. As an appropriate illustration of the correctness of this view, I may state that one of the most important Australian colonies had occasion some time ago to negotiate a loan of £1,500,000. That loan was offered to the market by tender, with a sealed minimum. The tenders at or above the minimum only amounted to some £300,000. The minimum was then disclosed and tenders again invited, but only £300,000 or £400,000 could be obtained. After many efforts to float it, the loan was finally withdrawn, and the balance was taken up by the Australian banks, on private arrangements best known to themselves. I need not say that our case was directly opposite to this. Time was of vital importance, and any failure in the negotiation would have been attended with serious consequences to the credit of this country. As it was, we just escaped meeting with unpleasant reverses. Although no time was lost, although our prospectus appeared in the London papers the very moment that the armistice was agreed to between Turkey and Servia, yet, within twenty-four hours of the closing of the loan, the whole market was completely deranged by the speech made by Lord Beaconsfield, at the Mansion House, and replied to by the Czar of Russia next day; and I have the best possible reason for saying that it would have then been impossible to negotiate a loan on anything like the advantageous terms that Canada actually obtained. While on this question, I may repeat that the London Stock Exchange have taken the strongest possible ground against the issue of loans by tender at sealed minimums, and that I much doubt if it would be prudent to adopt that method of floating a loan, except perhaps in the case of Imperial guaranteed bonds. It is well known that, in the case of an open minimum, there is not much chance of getting more than a few shillings above the price named, and that there was but a very doubtful advantage to be gained in running the risk, as we certainly would have done, of

losing a great many valuable subscribers,—men whose names I desired for various reasons to see recorded on the list of subscribers to the Canadian loan. Unhappily, there seems to exist a rather serious delusion as to the readiness with which we can borrow money in the London Market. Doubtless, our securities are gradually creeping into a good position there; but, unhappily, the mere fact that money is plenty in London does not by any means insure success to a Colonial Minister of Finance in negotiating a loan there. Money is plenty in a great many cases simply because credit is scarce, and it by no means follows that it is therefore always easy to induce investors to put their money in a comparatively unknown security. I may add that there were certain special features in our case which I was bound to consider, and which this House was bound to consider. It is perfectly well known that Canada is not looked upon with a friendly eye by persons having great influence with the London press. More than once, during the progress of negotiations of previous loans, hostile articles have appeared in London journals of widely extended circulation; and I had good reason to know that, if there was much delay, we might be exposed to the same adverse criticism, to the very serious detriment of the operation. It must be borne in mind that it is as well known in London as it is here—at least by those interested in such matters—that a very considerable deficit in the revenue of the past year was inevitable; in fact, they had only to refer to my Budget speech to see as much. The depression which existed in Canada and all over North America was perfectly notorious, and would necessarily exercise an unfavourable influence upon this class of securities. The fact that we had heavy engagements to meet for various public works, and that we had a serious difficulty with British Columbia in regard to the Pacific Railway was equally well known; and, furthermore, we were weighted down by the circumstance that a very large amount of English capital, amounting in all to a sum very nearly equal to the whole of the national debt of Canada, is unhappily locked up in railway invest-

ments from which very little return is at present looked for. I need scarcely add that it was likewise known to many on the Stock Exchange that large masses of Canadian indebtedness were maturing within one or two years, and that other loans must be contracted for the purpose of paying them off. Now, Sir, bearing in mind the facts I have stated, and bearing in mind that, for months before and for months after the issue of this loan, the retail price barely ranged from 90 to 92 at the very outside, with perhaps the exception of one or two stray unimportant quotations, I must say it did but small credit to the good sense and patriotism of my critics to find that, without waiting for those explanations which I alone had the power to give, there were persons found indiscreet enough to attack not only my conduct in negotiating the loan—which they were perfectly welcome to do—but the personal honour of the distinguished houses which had been employed by me, as they were for many years by my predecessors, in conducting the financial affairs of Canada. Those attacks were dastardly, dishonourable and thoroughly to be deprecated; I trust before this debate closes there will be a universal expression of disgust at them from both sides of the House; and I desire to say, with reference to the houses of Baring and Glynns that, on both occasions, in 1874 and in 1876, every penny of our stocks which they took was taken up especially at my request, and at my earnest desire. They asked for none and wanted none. It was I who took the responsibility of inducing them to subscribe, for reasons which would induce me, under similar circumstances, to repeat the request. And I have to add that the special means which these firms have of ascertaining the true value of the stock, and the fact of their being very large subscribers, had a great deal to do with the success which attended this loan. That success was remarkable, and was attributable to two causes. First, to the precautions taken; and, secondly, to our good fortune in the choice of the moment of issue. I need not say that, in the present state of Europe, and in the state in which it was when I last

made my appearance in London, no man could say how soon the market might have been thrown into utter confusion, or when the present complications might have resulted in universal war, or how that contingency might have affected our chance of borrowing money at all. I hold that it is the very keystone of a sound financial policy for a country in our present condition with such large responsibilities, accruing and accrued, to be always well in advance, and never to allow ourselves to wait for the last moment for obtaining a loan,—more especially as it really costs this country very little, as I am always able to obtain nearly, if not altogether, as good a rate for whatever amount I have in hand as I have to pay to the lender. Moreover, Sir, another advantage of this loan was that it left no less a sum than £2,100,000 stg., Imperial guarantee, still in reserve, which may prove exceedingly valuable to this country, inasmuch as it is a security which I can always succeed in floating, no matter what difficulties or embarrassments may attend the negotiation of ordinary securities in the English markets or elsewhere. However, my main object is to correct two false impressions which I found prevailing on this side of the Atlantic. In the first place, I desire to correct the absurd idea that it is possible, under any circumstances, to obtain as much for a large sum at wholesale as at retail prices; and I desire to call attention to the falsification or misconception of the quotations which actually exist in the London market. Let hon. gentlemen take any recognized authority they will—whether the *Economist* or the *Investors' Manual* or the official markings of the Stock Exchange, and they will find that, with the possible exception of a few stray transactions, the whole current of the quotations of our loans is precisely as I have described. Now, Sir, any attacks made upon me can do me little harm, and I am perfectly able to defend myself here or elsewhere; and any attacks which may be made on the personal honour and integrity of the agents of Canada will do them very little harm. But I cannot but feel that they may do this country

very considerable harm; and it is on that account that I have deemed it my duty to indulge in this somewhat long and tedious explanation, in order that every hon. gentleman may satisfy himself that the advice given by our agents was fair and sound, and based on the true condition of the market. And I repeat that, before this debate closes, I hope that the right hon. member for Kingston, who, as the First Minister of the previous Government, must have been intimately acquainted with the whole of the transactions between Canada and these two great houses for a considerable time, will take occasion to disown the attacks which have been made upon the integrity of those gentlemen. If he does not, I am afraid even his silence may be construed into an endorsement of this most unfortunate attack on men who, both in former times and now, have done and are doing all in their power to maintain the good name and the credit of Canada. Perhaps, before finally disposing of this question, I may as well embrace this opportunity of explaining to the House the application which has been made of the large sums of money which have, at various times, been borrowed by this Government. We have borrowed in all—on three separate occasions—the nominal sum of £9,000,000 sterling, realizing an actual net result of \$41,000,000 or \$42,000,000. I find, on examining the Public Accounts, and those of my Department not yet produced, that it is accounted for as follows:—From the first July, 1874, to the first January, 1877, we have expended in all on the Intercolonial Railway the sum of \$4,173,000. We have expended on capital account for the Nova Scotia and New Brunswick Railways a further sum of \$922,000. For the completion of the Prince Edward Island Railway we have expended some \$1,018,000. On the Pacific Railway survey we have expended \$1,652,000; and on the works of construction therewith connected we have expended \$4,356,000, making a gross expenditure, on what I may call railroad account, of \$12,121,000. With respect to other public works, chargeable to capital, we have expended on

Mr. CARTWRIGHT.

the Lachine Canal, \$1,457,000; Welland Canal, \$4,296,000; and, on other canals, about \$1,238,000; on the completion of these buildings (the Parliament Buildings), \$629,000: and on what are known as improvements of the River St. Lawrence, conducted under the Montreal Commission, \$564,000,—making the total for other purposes \$8,184,000; or total expended in these two years and a half, \$20,305,000 on capital account. We have, besides, now in hand a sufficient sum of money to expend between \$6,000,000 and \$7,000,000 on the various works mentioned in our Estimates. And I have also made provision for the redemption of something like a couple of million of dollars which fall due within the next nine or ten months. We have, moreover, paid off debts or made advances to the various Provinces amounting to between \$16,000,000 and \$17,000,000, with this satisfactory result, that, whereas we have increased the charge for interest by about \$1,750,000 on the one hand, we have reduced it on the other by about \$930,000. In other words, the \$27,000,000 (composed of the sums now in hand, which we are about to spend, together with the expenditures which I have just enumerated), will cost this country very nearly three per cent per annum, which is not a very bad financial operation,—always admitting the necessity of constructing these works at all. Now, it is perfectly well known that I myself have never approved of the construction of all these works at one time; and, although I do not wish at this present moment to enter on anything like a political discussion, I must observe that I believe there is not a single one of the works to which I have alluded for which, or for the inception of which, the present Government can in any way be held responsible, with the exception of a certain part of the expenditure for the construction of the Pacific Railway. And now, Mr. Speaker, having shown to the best of my abilities the results of the general financial policy of the Government, and having given such explanations as I think the House can fairly demand at my hands, of the reasons which induced me to select the particular mode and price of issue of the loan recently effected, I ought per-

haps to add that, for obvious reasons, I have not hitherto stated to the House certain circumstances which came to my knowledge as to the difficulties with which we met in establishing our four per cents in the English markets. I would now repeat my assurance that these difficulties were neither few nor slight, and that we required not months but years of patient negotiation to overcome some of the most formidable of them. The only other point on which much further explanation is needed is with reference to the future position which we are likely to occupy, as regards both our ordinary annual expenditure and our capital outlay on those other great works which we are obliged to undertake or proceed with. It is extremely necessary in estimating the present position of this country, and in judging correctly of the policy which the Government are about to advise the House to pursue that we should bear accurately in mind the liabilities now existing, (or which will exist when the funds at present in hand are expended) as compared with those which we found impending at the time we assumed office. In 1874, counting from the 1st July of that year, I find that our liabilities up to 1880 were computed by me pretty nearly as follows:—I expected to be obliged to spend, on the completion of the Intercolonial Railway, a sum varying from \$6,000,000 to \$7,000,000, which I may say, is almost exactly the amount that has been or will be spent for this purpose, if the Estimates for 1877-78 are fully expended. I also expected that the task of completely repairing the Nova Scotia and New Brunswick Railways, as contradistinguished from the original Intercolonial Railroad, would require a total of about \$2,000,000, which I proposed to expend and have expended, partly from capital and partly from income. For the Prince Edward Island Railway, I estimated \$1,000,000, which has been slightly, though not much, exceeded, and their land grant would, I knew, require \$800,000 if they chose to apply for it. I estimated the expenditure for a great variety of minor public works then in hand, including the completion of the Ottawa Buildings, at something like \$4,000,000—and I fear that this ex-

penditure has rather over-run than under-run my estimate. I estimated that the cost of completing the Welland Canal, as from that date, would involve the expenditure of about \$10,000,000, and the Lachine Canal, of \$6,000,000 or \$7,000,000. For the Ottawa Canals, even without prosecuting them to their full extent, as was at one time contemplated, I knew fully \$2,000,000 would be required, and, for the St. Lawrence improvements and similar objects, I set down the sum of \$1,500,000. For the Pacific Railway, I was obliged to make merely approximate estimates, and these I placed at something like \$10,000,000. The advances to the Provinces on old engagements represented about \$1,000,000. I knew that we had a mass of debts maturing to the amount of no less than \$35,000,000, and I expected that the St. Lawrence Canals would consume a further amount of from \$6,000,000 to \$9,000,000. In other words, I knew that, between 1874 and 1880, the country would be called upon to contract loans either for the purpose of redeeming outstanding debt or for carrying on the public works then actually commenced, which would amount absolutely to \$81,300,000; or, if you include the last named items, to no less a sum than \$90,000,000. I knew also that the expenditure which might be incurred in the North-West Territory for the purpose of properly organizing and managing that great country—although then unknown—would certainly be very large; and that the mere expenditure for some years to come in running the Intercolonial and other railways would likewise consume a very considerable portion of the public revenue. Now, comparing the estimate as made in 1874 with the estimate I have before me of the probable expenditure from the year 1878 to 1880, I am able to congratulate the House and the country on the enormous reduction which is being made in this great mass of liabilities. I have every reason to believe that the total capital expenditure on the Intercolonial Railway proper will be entirely closed by that date (1878), though possibly a small balance may remain to be provided in the case of the Nova Scotia and New Brunswick

Mr. CARTWRIGHT.

Railways. The Prince Edward Island Railway, as well as the Prince Edward Island grant, has, as the House knows, been finally closed. Expenditure on minor public works, including the Ottawa buildings, will, I hope, be also closed before that time; and, as to the Welland Canal, the estimates which have been brought down, together with a small supplementary estimate, will come so near defraying the cost of the final completion of that great work that I am informed the sum of \$2,250,000, at the outside, will be all that will remain to be expended for that purpose, while the sum of \$2,500,000 will, it is expected, suffice for everything really required in the case of the Lachine Canal. The outlay on the Ottawa Canals and the St. Lawrence Improvement Fund will likewise by that date be closed, and, although I am unable to fix any absolute limit to the expenditure on the Pacific Railway, yet, bearing in mind the facts stated as to the large sum already expended, I think it a fair estimate to say that \$4,000,000 will represent the probable outlay from 1878 to 1880. Now, even allowing \$2,000,000 or \$3,000,000 for general miscellaneous purposes, I think that this result will follow:—That, as against absolute engagements in 1874 of \$46,300,000, we can say that, after 1878, we have provided for all save about \$11,600,000 against which I hold, intact and unbroken, £2,100,000 sterling of Imperial guarantee; and, as against the mass of debt of \$35,000,000, we only have thirteen millions of dollars remaining to refund, after deducting the sums for which I have made provision. With respect to the St. Lawrence Canals, I am of opinion, as is also my hon. friend beside me, after full consideration, that the expenditure on those works can fairly and reasonably be delayed for a short time without the least prejudice to the public interests. The general result of all this is, therefore, that, whereas, when this Government came into office, it was confronted with total liabilities amounting to fully \$90,000,000 (according to the programme laid down by the hon. gentlemen opposite), without taking into account the enormous ob-

ligations incurred if the Pacific Railway contract was to be carried out in its entirety, we have now a total amount of liabilities to be provided for rather under than over \$24,000,000, an amount which, if we only succeed in floating another small loan on anything like as advantageous terms as the last, is not likely to give us any considerable trouble. I might properly add,—because this is a very material point in estimating our present position—that we have every reason to believe that the estimate for the cost of governing the North-West has now attained its maximum, and that we will not be obliged to come down to the House, and demand any large addition for this service, unless some entirely unforeseen accident should occur. So, in the case of the Intercolonial Railway, it will be manifest, I think, to every hon. gentleman that there is reasonable ground for believing that that expenditure has attained its maximum, and that the receipts may be expected to increase from time to time, which amounts substantially, of course, to the same thing, so far as reducing the deficit for that service is concerned. Nor, Mr. Speaker, is this all. It will be observed, as I have said, that we have demanded a total vote of about \$23,170,000 for 1877-78, although, as I have explained, at least \$100,000, is merely a cross entry. The House may very fairly say: Suppose that you do expend, as on your own showing you expect to expend, this additional \$11,000,000, will you not be compelled to incur fresh outlay in providing for the interest thereon? Sir, for that also, I think I shall be able to satisfy the House sufficient provision has been made. If, as I said, I succeed in effecting another loan on the same terms as the last—of which there is a reasonable probability,—the reduction in the rate of interest on thirteen millions, coupled with the charge on certain sums now about to be discharged, will give a total reduction on that item amounting to no less than \$250,000. Then, as I have said, there is every reason to believe, that the losses incurred in running the Intercolonial Railway, (which, I may observe, now includes the whole system of the Nova Scotia and New Brunswick Railroads),

will be diminished in one way or another by a sum of at least \$250,000. The House will bear in mind that in making this statement I am not depending on increased receipts; I am merely calling attention to the fact that the sum of about \$250,000 is now charged as extraordinary expenditure, for changing the gauge and replacing the iron by steel rails,—an expenditure which, in the nature of the case, must very soon cease altogether, nor will it require to be renewed for a great many years to come.

Mr. TUPPER: What do you estimate the cost of working the railways above receipts?

Mr. CARTWRIGHT: The present dead loss to us is, as nearly as I can recollect, about \$550,000, including the cost of running the Prince Edward Island Railway, which will amount to above \$100,000.

Mr. TUPPER: You expect to reduce that by \$250,000?

Mr. CARTWRIGHT: By about that, owing to the fact that a large portion of the extra charge is caused by replacing iron by steel rails. My hon. friend, the Minister of Public Works, maintains that the estimated life of the steel rail very greatly exceeds that of the iron,—the former of which he places at from fifteen to twenty years as against six or eight in the case of the latter. That, of course, is a matter on which I am not in a position to give much information to the House. But the point to which I wish to call attention is that we have, in these two items alone, reasonably well-ascertained means of meeting the increased interest for the increased expenditure on capital account, to which I have alluded, without further charge to the people, while, if the expectations entertained (no less by hon. gentlemen opposite than by myself,) as to the increased commerce which may fairly be expected to flow through the Welland Canal when opened on an enlarged scale, are even approximately correct, I am warranted in expecting that some addition may come to the public exchequer from that source. The lowest estimate at which that is placed is \$250,000; and, looking at the fact that the canal pays

a considerable net revenue even now, when it is able to admit only vessels not exceeding 400 or 500 tons, there is really fair ground for believing that a considerable augmentation of the public revenue may be looked for from that source. But, that being an uncertainty and a matter yet remaining to be proved, I have not felt it wise on the present occasion to do more than call the attention of the House to it as a probable source of increased revenue; for which reason, likewise, I do not calculate on the additional revenue we may expect to derive from the increased receipts of the Intercolonial Railway. The House will therefore see that there are certain very important points which may be regarded as reasonably fixed in considering our present position. They will see that our total expenditure has, at last, attained a position which it is not likely to exceed for some time to come, always excepting such casual cross-entries as are caused by accumulating interest on Sinking Fund, which amounts to \$130,000, if not more, since 1874. With such exceptions, we are in a position to assure the House that an expenditure of about twenty-three millions and a few hundred thousands, more or less, either way, ought to meet the working expenses of Government. We have also so greatly reduced our absolute engagements, and so greatly reduced the amount of debt we are positively obliged to pay off, that I do not anticipate anything like the same difficulty in dealing with that question which I dreaded in the past. I think we have gauged with tolerable accuracy the extent of the depression up to the present time; although I must admit it is, unfortunately, yet a matter of some uncertainty as to whether the future depression may not even exceed the point which has now been attained. It is a question of some considerable interest whether the taxes which were imposed in 1874 did or did not diminish the importations to such an extent as materially to reduce the benefit accruing therefrom. I may say that, after giving the subject much consideration, I am inclined to think they did not; and I base that opinion on several grounds. In the first place, as the House knows, the

imposition of the additional two and a half per cent. *ad valorem* was neutralized, or nearly so, by the very great fall in the average value of the articles on which it was imposed; or, to put the matter in another shape, had the duty been specific instead of *ad valorem*, the country, without any nominal increase, would have obtained a very much larger revenue than it now does. The fact was that the diminution in values has cost us much more revenue in proportion than we got from the increase of two and a half per cent. duty. Moreover, I have caused special inquiry on this matter to be made by gentlemen of known authority, and, although they differ on minor points, all agree in believing that no serious diminution in importations has taken place from the imposition of that additional tax. I might add that we had pretty strong evidence on that point in the demand for the imposition for further duties for purposes of protection, which has been advanced by my hon. friend from Montreal West, and others, on the very ground that no diminution of imports had taken place, and to a certain extent in the testimony which was given by the hon. member for Cumberland on the occasion of the debate in 1875, in which the hon. gentleman admitted that such were the resources of the country that no hardship whatever had resulted from the imposition of the additional duty. Moreover, on examining the free list and the articles on which no alteration in duties was made, it will be seen that a corresponding reduction took place in importations, and that even to a greater extent in many cases. For these reasons I am strongly inclined to believe that no diminution in the total volume of our imports resulted from the steps taken by the Government in 1874, for the purpose of providing additional revenue.

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

### After Recess.

Mr. CARTWRIGHT resumed. He said: Mr. Speaker, before the recess, I had taken the opportunity of explaining to the House my views on the

general position of the country at the present moment. I had stated to them certain reasons, which appeared to me valid, for supposing that we had probably seen the extreme point of depression, or, at least, very nearly the extreme point that is likely to be reached, and that we had a fair ground for hoping that we would not have any serious reduction on the revenue received last year (1875-76). I had also stated that, but for the unfortunate deficiency in the harvest which occurred last year, I had no doubt whatever that the expectations of the Government would have been fully realized, and that it would have been easy for us to have paid our way without having recourse to the disagreeable necessity of imposing any further burdens upon the people. Unhappily, as the House knows, the last year's harvest, so far from being a fair average, was decidedly deficient; and that calamity, coming on the top of an unprecedented depression in trade, did undoubtedly upset all reasonable calculations, and will, in all likelihood, inflict upon us a deficit, though a small one, in the operations of the current year. I think, on the whole, that it is expedient, taking all things into consideration, that we should take steps to supply that deficiency. The House knows that, no matter how it may be explained, no matter under what circumstances it may have arisen, a repetition of these deficits in the revenue would seriously affect our credit; and, for many reasons, it is obviously desirable that the credit of Canada should be maintained at as high a point as possible. Now, there are two things which it especially becomes us to consider at a time like this. I have always held that the Government of this country was not justified in imposing any duties whatever that the necessities of the revenue did not fairly demand. That principle I had occasion to expound at great length last year, and I shall do no more than briefly allude to it on the present occasion. It is obvious, also, that at a time of depression, it is desirable not in any way to increase the already serious burdens of the people of this country; and, in the proposals I am about to

submit to the House, we have endeavoured as far as possible to keep in view the necessity of meeting a deficiency in the revenue, and also of so re-adjusting the tariff that the net result shall either not inflict any loss at all, or at all events as small a loss as possible on the pockets of the general public. Now, Mr. Speaker, in conformity with my pledge to the House last year, it becomes my duty to consider in the first instance, the proposal of the hon. member for Stanstead, affecting the present duties on petroleum or coal oil. As to this, I may say, in the first instance, that it was a duty which I never liked, and would never have imposed myself, and which always appeared to me decidedly objectionable, though I did not consider that the general circumstances last year warranted me in opening up the tariff, and, perhaps, provoking a series of long and awkward discussions for the sake of a single article. Moreover, I felt then, as I feel now, that there was something to be said on the side of the refiners also. I felt that their complaints were not wholly unreasonable, and especially that their complaints as to the vexatious restrictions which necessarily attended the collection of any Excise duty deserved the attention of the Government. Sir, it is very well known to this House that it is impossible to collect an Excise duty without so interfering with the manufacture as, in many cases, to prevent valuable improvements and experiments from being carried out; and in fact it is laid down almost as a fundamental rule that every Excise duty is proportionately more oppressive to the manufacturer than a corresponding Customs duty of equal amount. As respects the amount of duty involved, I find, as nearly as I can calculate, that the total consumption of coal oil throughout Canada may be estimated at about 8,000,000 of wine gallons, that being the measure on which the duty is imposed. Of this total of 8,000,000, about 5,500,000 are manufactured in Canada, about 800,000 are imported, paying duty, and, according to the calculations of my hon. friend from Stanstead (which do not differ very widely from those of the officers of the Customs Department), probably double

that quantity has been imported into Canada without paying duty—

An HON. MEMBER: Smuggled.

Mr. CARTWRIGHT: As my hon. friend remarks,—speaking briefly—has been smuggled. I agree to a great extent with the hon. member for Stanstead that the loss to the country by this duty is decidedly greater than the amount of the duty itself. It is known that, in the case of duties bearing so high a proportion to the value of the article as the present duty on coal oil, you must add a considerable percentage for the additional loss inflicted on the consumer before it ultimately reaches its destination; and, therefore, assuming a consumption of 8,000,000 gallons, I am very much inclined to say that the position taken by the hon. member for Stanstead, that a loss varying from \$1,100,000 to \$1,200,000 was inflicted on the public, is not very much out of the way. My own opinion is that it is not quite so great, but that, nevertheless, a very serious loss is inflicted on the public. The Government, therefore, have carefully considered this whole question with a desire to reduce the burdens of the people as much as they could, and yet not utterly to wipe out of existence a Canadian industry which had grown up under the protection of the law as enacted by hon. gentlemen opposite. The conclusion we have come to is this:—We propose to abolish the Excise duty altogether, and to reduce the duty on imported petroleum from 15 cents per gallon, as it is at present, to 6 cents; and by this operation, I believe the people of Canada will be the gainers by the full 9 cents, and more, on every gallon of the 8,000,000 at present consumed. If we adopt my hon. friend's calculations, the saving to the people would amount to \$1,200,000. In my opinion, the people of Canada would be the gainers by at least \$750,000, and, as far as I can see, the loss to the revenue—because I believe the entire amount now smuggled would be brought in paying duty—would be only a little in excess of \$200,000. It is necessary for us, under existing circumstances, to take back an equivalent for that amount; and we desire to do that with the minimum of disturbance

to existing interests, and in such a way that, if better times come, it may be removed as easily as possible. So, therefore, as we are giving the country the benefit of a reduction of duty varying from \$750,000 to \$1,200,000, according to one or other of the calculations which I have submitted, we think we may fairly ask the country to recoup us by paying an additional duty of one penny sterling, or two cents per lb. on tea imported into the country. That would make us tolerably square, and restore the desired equilibrium, as far as it goes. But there is a certain deficit which it is highly desirable we should make good; so we have to propound for the acceptance of this House certain other changes, which, I venture to say, will disturb the current of trade as little as any alterations which would bring the required amount of revenue. The main change is one affecting the article of malt, and beer brewed therefrom. I impose that tax with some reluctance and can quite understand the objection of all English-speaking men to pay a further tax on beer; but, on the whole, we believe that our proposal will be in the interest of the country. We propose to put a tax of one cent per pound on malt, and three cents (or a trifle more,) per gallon on beer, if brewed from other articles than malt. That constitutes the main change to which we shall ask the House to consent; but there are certain other alterations, suggested by my hon. friend the Minister of Customs, which it is desirable to make; and these are mainly in the direction of a readjustment of the revenue, and, with one exception, cannot, I think be said to involve any serious additional charge on the consumer. It has been found, in collecting the revenue, that, under the tariff as at present worded, very considerable discrepancies exist in the duties collected on various articles. One man is found paying one duty at one port, while another pays a different duty at another port, and so great hardship is suffered by the honest importer; and in various ways there is a considerable loss to the revenue. Some of these anomalies we propose to remove, and in the following way:—We find, for example, in

Mr. CARTWRIGHT.

the article of cotton and linen thread, that the language employed in the Customs Act renders it, in practice, nearly impossible for Collectors to discriminate between those particular kinds subject to 10 per cent. and those subject to 17½ per cent. (and it is very doubtful whether it will be possible to arrange the Act so as to avoid these discrepancies), from which cause the revenue is suffering considerable loss. For the purpose of avoiding this injustice and this loss to the revenue, we propose to place all these in the same list of unenumerated articles—that is, to remove them from the 10 to the 17½ list; and I cannot understand very clearly why the distinction was originally made. Then there is a question which may touch some of my hon. friends more nearly. The Customs authorities have been subjected to considerable difficulty in dealing with the duty on cigarettes, and they think that, as the law stands, they should pay duty as cigars; but we intend to remove all doubt by expressly including them under the head of cigars. We propose—as many objections were raised at the time the tariff of 1874 was introduced, against the apparent injustice of taxing a low grade of cigars at the same rate as a high grade,—to subject all cigars to a specific duty of 50 cents per pound, and an *ad valorem* duty of twenty per cent., which will allow the low grades to be imported at precisely the same duty as at present, and, at the same time allow us to secure a little more revenue. On the article of perfume, which is now paying several rates of duty, we propose to place a uniform rate of 25 per cent. *ad valorem*; and, as this is very clearly an article of luxury, I do not suppose hon. gentlemen will raise any very serious objection to this alteration. We propose also to remove the article known as tubing from the free list. The presence of this item on the list has caused considerable inconvenience, and considerable loss to the revenue. It is, in practice, almost impossible to discriminate between the various classes of tubing, and, therefore, we propose to make the duty on the whole of these articles 17½ per cent. I am also informed that some considerable difficulty

in respect to the duty to be levied on certain parts of locomotives and tubular boilers has occurred from the same cause. I never could understand why this was placed on the free list, and I do not know any reason why it should not pay 17½ per cent., as well as other unenumerated articles and other kinds of tubing. We have found, also, that very considerable fraud has existed in connection with the importations of wine, and that all sorts of charges, such as bottling, cartages, labelling, packing and things of that kind are placed in invoices, in such a way as to reduce the wine below the standard to which it properly belongs. We therefore propose to amend the tariff in that respect, so as to prevent these frauds occurring in the future. We propose to introduce an alteration in the law regarding packages, under which (not to delay the House by reading the clause, which is somewhat long), in certain cases therein provided, packages, when they contain goods subject to specific duty, shall be required to pay 17½ per cent., and, when they contain goods subject to *ad valorem* duty, shall be included in the fair market value of such articles. These matters, however, may be more fairly and advantageously discussed in Committee, when these resolutions are in the hands of hon. gentlemen. I should say that, on imported malt, 2½ cents per lb. is to be placed. The alteration in respect to packages has reference to the frauds that are at present committed in connection therewith. Perhaps I had better read the resolution.

Mr. WOOD: How are you going to manage in the case of the free goods? Will free goods make the packages free?

Mr. CARTWRIGHT: I am inclined to think that my hon. friend is correct—they do so. It has also been found expedient to alter the duty on ale, beer and porter imported from other countries. This we propose to make specific, in place of the present mixed specific and *ad valorem* duty, and we will put the duty at 18 cents per imperial gallon in the case of ales and porters imported in bottle, and 12 cents per imperial gallon in the case of ale, beer and porter, imported in wood.

There was one article that I omitted in the free list, cotton thread in hanks, coloured and unfinished, No. 6 ply, which we propose to remove from the free list to the 10 per cent. list. The duty on ales and porters is in fact a redistribution, a slight increase having been made in consequence of the duty we propose to impose on malt and on beer when manufactured in the country itself. Now, to put the matter briefly, the net result is this, that while the revenue will certainly gain a considerable sum—probably between \$400,000 and \$500,000, (a sum which I think will be sufficient to make good any deficiency that is likely to arise next year, even should our imports remain at their present low figure) we will, at the same time, put an end to the mischievous practice of smuggling, which is beginning to prevail, and, although we do take \$400,000 or \$500,000 out of the pockets of the people in one way under the operation of the increased tariff, which I propose to impose, they will nevertheless gain \$800,000 by the remission of duties on petroleum. So that the net result to the people of Canada will not be an addition, but a direct and considerable diminution of the burdens under which they are at present labouring. As regards our expectation of future revenue from these various sources, we estimate the Customs duty likely to be received during the year of 1877-78 at something like \$13,600,000; our Excise duties, which of course are diminished by the loss of the duty on petroleum, at about \$5,300,000; and our other receipts substantially as in the year before—that is to say: Stamps, about \$250,000; Post Office, \$1,100,000; Public Works, \$1,750,000; and Miscellaneous, from various sources, about \$1,400,000—making a total estimated income of \$23,400,000 for the year 1877-78. It will be seen, therefore, Mr. Speaker, that the Government has adhered strictly and rigidly to the policy they have heretofore laid down; that they are not disposed to add to the burdens of the people in any way or shape, unless the necessities of the revenue really require it at their hands. And, when we consider the depression which prevails elsewhere,

which prevails almost all over the civilized world, and notably in the neighbouring States, I think I have reasonable ground for saying to the House that, after all, severe as the depression has been, much as we have suffered, we certainly have not suffered more than—it is a question whether we have suffered as much as—the neighbouring people. Sir, as the United States has been held up to us as a model and example of fiscal policy, I would desire to call the attention of the House to the practical results of the policy which has been in force in that country for a considerable number of years past. In the first place, as there has been an extraordinary and unprecedented diminution in the imports to this country during the last few years, it may be as well to see how the United States have fared during a similar period. In 1873, the gross imports into the United States, as given in the quarterly report of the Chief of the Bureau of Statistics, amounted to \$663,000,000, falling in the succeeding year to \$595,000,000, in 1875 to \$553,000,000, and in 1876, to \$476,000,000. In other words, the imports into the United States have fallen off in three years nearly one-third,—in all, about \$200,000,000. And I regret to say that that diminution still continues, for I find that the gross importations into the United States during the three months ending September, 1876, only amounted to about \$102,000,000, as compared with \$127,000,000 in the corresponding three months of 1875. Now, Sir, it will be seen, from that brief statement, that, whatever misfortune may have overtaken this country, we, at any rate, are not one atom worse off than our neighbours on the other side of the line, who have enjoyed the benefits of a fiscal policy, which, according to some hon. members, is a panacea for all the commercial evils that can possibly overtake any country. I may add, that, if I were disposed to pursue that analysis further,—that, if we were to deduct from those imports to which I alluded the importations of such articles as tea, sugar and coffee, and of bullion, and make a corresponding reduction from the imports into our own country, we would

find that the reductions in American imports were even more marked in proportion than they are in the statement that I have submitted. And it may be as well, before I finally pass from this subject, to call attention to the fact that even the United States exports in 1875-76—of which we have also heard a great deal—do not compare at all disadvantageously for us with the exports from Canada during the same period. I find that the total exports from the United States during 1876 amounted to \$644,000,000, reported in mixed values as their custom is, of which about \$525,000,000 in gold were reported as the produce of the United States. Now, out of this \$525,000,000, I find that no less than \$493,000,000 (representing a gold value of about \$440,000,000) were made up of the following raw materials: bread-stuffs, \$132,000,000; cotton (raw), \$193,000,000; provisions of various kinds, about \$90,000,000; oil and oil cake, \$38,000,000; tobacco, something like \$23,000,000, and about \$12,000,000 of products of the forest,—while miscellaneous articles such as leather, quick-silver, tallow, coal, live cattle, etc., make up a sum of \$40,000,000 more. The net result is that the total exportation of manufactures from the United States, reduced to gold value, is very little more than \$53,000,000 or \$54,000,000, which, in proportion to our population, is rather less than the exportation of manufactures from Canada, which amounted to about \$5,320,000 of the same kinds of articles. If there is any advantage at all, it has been on the side of Canada, which is exporting quite as many manufactures in proportion to population and area as the people of the United States, notwithstanding the fostering protection they have so long enjoyed. And, Sir, if, deducting the article of coin and bullion, you compare our gross exports during that year with the exports of the United States you arrive at this result:—That our gross exports, making the requisite reductions, are about \$72,500,000, against theirs of about \$575,000,000, gold value,—in other words, the exports of Canada *per capita* are fully one-third larger than the total exports of the United States.

Indeed, I am not certain that the percentage may not be properly placed very considerably higher. It must be borne in mind that the reduction of the imports into the United States has taken place on a vastly smaller importation *per capita* than that into Canada, and that, at this moment, whereas the United States, with all their great advantages, are not exporting much more than \$11 or \$12 *per capita*, we in Canada are exporting at least \$18; and whereas they only import \$10 or \$11 *per capita*, we in Canada, even in a season of great depression, are importing about \$22 *per capita*. In other words, Mr. Speaker, our general trade is fully twice as great as that of the United States, and not only do we both buy more and sell more than they do in proportion to our population, but we sell and buy on better terms for ourselves, because the much talked of balance of trade in favour of the United States, although it may mean their slow recovery, may, and probably does mean, that they are paying a great deal more for the articles they are importing than they are worth, and may also mean, and probably does mean—as is freely alleged to be the case in regard to the exportation of certain manufactured articles—that they are encouraging an artificial commerce at the expense of the American taxpayer. Now, comparing the result of our fiscal policy with the result of the American fiscal policy, I say boldly that so far as these figures show, and so far as the facts are known to us, they show we have no cause to dread a comparison. As for their home market, I have said before, and I now repeat, that the number of persons employed in manufactures in the United States is not greater relatively to population than, if indeed as great as, the number so employed in Canada. And not only do they not employ more men, but they do not, at present, at any rate, pay them one whit more. Indeed, I doubt much whether the purchasing power of wages in the United States is at all as great as that of similar wages in Canada; while, as to the condition of the general labour market, it must be a matter of common notoriety to every hon. gentleman in this

House, that, if there is (as unfortunately there is) depression in Canada, there is still greater depression in the United States; and if there are, unfortunately, men now unemployed in our large cities, in New York alone, on the other hand, it is reported that something like one-fifth or one-sixth of the entire male adult population is unemployed, and clamouring for employment at the popular expense. Now, I have never doubted in my own mind that a people so intelligent, so enterprising and so industrious as the inhabitants of the United States, and possessing almost unexampled natural resources of every imaginable description must naturally become a very important manufacturing people. But I doubt whether, in some important respects, they are taking the right way to secure their speedy acquiring this position. I believe, myself, they would have made greater progress in their whole trade, export and import, whether as regards manufactured articles or ordinary raw material, if they had adopted a system more closely analagous to the system we now possess. Taking into consideration the extraordinary severity of the strain to which Canada has been subjected, I am inclined to think we have not unreasonable ground for congratulation, when we remember that we have had to contend with a most extraordinary general depression, affecting our best customers as well as ourselves, and exasperated by an unusually indifferent harvest, at the very moment we have had to defray special expenditures on our public works and to provide for a great mass of debts maturing. I think the country may be congratulated that so dangerous a crisis in our affairs has passed without our sustaining any very serious loss. I hold that equilibrium is now being restored. Our credit has been sustained, and, more than sustained, and despite our deficit and the difficulties with which we have been loaded, our securities have obtained a better price than ever before, and, unless another such misfortune as the last overtake us in the present summer, we will be able without very much difficulty to weather the storm. If we are disappointed, the Government knows its

Mr. CARTWRIGHT.

duty and is prepared to do it. Canada has yet ample resources untouched to enable it to meet its engagements; and, although I trust I will not be compelled to again add to the public burden, still, if the public service demand it, I am sure the people of Canada will not allow their credit to be impaired. And, Mr. Speaker, allow me to say this, that had it been possible for us in 1874 to have foreseen the situation as now developed, could we have foreseen that within two years we would have had to contend simultaneously with a loss on importations amounting to about \$35,000,000 on a total of \$127,000,000, with a bad harvest, with four consecutive years of depression in the United States, and that, during such a crisis I should have been obliged to appear in the London markets on three successive occasions to negotiate loans to the extent of \$45,000,000, I would have said it was utterly impossible we could have escaped one quarter as easily as we have. Doubtless much caution is still needed—that given, I do not fear the result. I count, as I think I have a right to count, with some confidence, on a steady though gradual improvement in a young country like ours. That is almost a condition of our national existence, and has never disappointed reasonable calculations. My position is that the inflation which culminated in 1872-73 and 1873-74, and the reaction which has succeeded it were both excessive, and that it would be as impolitic to believe that we will long remain in our present condition as it was impolitic to assume that great inflation as a sound basis for entering into those enormous engagements which I, to-night, have endeavoured to depict. If the country is content, as I believe it is, to atone for past extravagance and folly by the simple recipe of thrift and hard work, there need be no ground for apprehension, and the Government will endeavour to set the example of a reasonable and prudent economy. I admit that all these calculations are based on the average probabilities on which calculations, as to ordinary human affairs, are constantly based. I do not pretend to say, Mr. Speaker, that I can guarantee this country against the consequences of

another bad harvest or misfortunes of the like character. We may have a bad harvest, the depression in the United States may be prolonged, or hon. gentlemen opposite might return to power. Misfortunes never come singly, and one great misfortune might be followed by a still greater; but, otherwise, Sir, I believe that we are drawing moderately close to clear water, and, if it is not possible,—as undoubtedly it is not possible,—for us to escape from the position in which we found ourselves, without some loss or peril, the damage we have sustained is, all things being considered, very much less than might have been expected; and I hope, with some degree of confidence, that, on the next occasion on which I may be called to address this House, I may be able to congratulate it on seeing the deficit which now exists entirely extinguished, and our Treasury once more restored to the state in which for some years back it was happily maintained. Sir, I have the honour to move that you do leave the Chair, and that the House resolve itself into a Committee of Ways and Means.

Mr. TUPPER: Mr. Speaker, I am sure the House will concur in the statement of the Finance Minister when he opened this discussion to-night, that every member sitting either to the right or to the left must feel alike the deepest regret at the condition of public affairs which he has been obliged to pourtray; and, Sir, I think I can say that, in this House and out of it, many will be found who will feel more than great regret—who feel no little mortification—that the time has arrived in the history of Canada when it becomes necessary on the part of the Minister of Finance to make the statement as to the condition we occupy that the hon. gentleman has been compelled to make here to-night. I may say, Sir, that, at this decennial period of our existence—at the close of ten years of national life—we have lessons that I think it may not be unwise on the part of hon. gentlemen charged with the important duty of legislating for their country to calmly consider. We have a period of seven years of our national existence of unexampled prosperity, and no country in the world

presents a more brilliant example of what a country may achieve and what a country did achieve in such a short period as seven years. This has been followed by three years of adversity. But, Sir, we have these two periods, a period of unexampled prosperity and that which the hon. gentleman rightly characterised, a few evenings ago in this Parliament, as one of deep distress. Now, Sir, we not only have these two periods, but we have them separated by a sharp line of demarcation, and that line marks the change in the Government of this country, and a change of infinitely greater importance in the policy of this country. I want to ask the indulgence of this House while I draw their attention to the lesson which I think is taught us by a careful and candid examination of the different policies followed in the past and the present. At the close of seven years, Sir, the late Government were able to show that we had not only been able to carry on the service of the Government with the utmost efficiency, but we had also met every demand on the public service with the utmost liberality, so great, indeed, that hon. gentlemen on the other side of the House have not unfrequently characterized it as extravagance—I shall by-and-by come to the consideration of that question—and at a time when public demands were neither few nor far between, we were able to take from the current revenue a no less sum during that period than thirteen millions to apply to the reduction of our debt. Not only was this the case, but I must add to it, as precisely of the same character, the sums of money applied to the Sinking Fund, which is a direct reduction of the National Debt, and something like three millions is to be added on that account. Thus, at the termination of seven years, we could show to the people of this country that we had provided liberally for the public service, and that, while the wants and necessities of the public had been met on every occasion, the debt of Canada was lessened by some sixteen millions out of the current surplus revenue. Is it not worth while to examine for a few moments, the policy that led to that state of things? We had, it is true, only a 15 per cent. tariff,

but we had the highest tariff required in order to provide most amply for the public service, and it must not be lost sight of that this tariff represented a greater protection to the manufacturing interests of Canada than one of 20 per cent. would to-day. No person who knows anything of the condition of labour and public affairs in the great country alongside of us, which had just emerged from a serious war, can fail to appreciate the fact that the relative price of labour in Canada and the United States was then such as to give to a 15 per cent. tariff a much higher protection than 20 per cent. would afford in the present changed condition of things. And, when I refer to the protection afforded to the artisans and manufacturing interests of Canada, I must not forget, that part of our policy was that, while we imposed such duties on articles coming from abroad into competition with our manufacturing interests, we added largely to this protection by placing on the free list the raw materials our manufacturers were obliged to use. Further, where machinery that could not be manufactured in Canada was required by our manufacturers, we allowed it to enter free. So, Sir, it was the policy of the late Government to give all possible protection to the great manufacturing interests of Canada. Then, Sir, when we found that we had more revenue than we required, and the duty of lightening the burdens of the people was consequently imposed, how did we meet that emergency? By reducing the scale of protection? No. But we lessened the burden of the people by a step eminently calculated to foster our manufacturing industries, by removing the duty from tea and coffee, and these amounted to \$1,200,000 a year; this was a step in the interest of the employés of our manufacturers. Now, Sir, not only was this the case, but I will take the article of shipping—one of the great manufacturing industries of the Maritime Provinces, and one that has been referred to by the hon. Minister of Finance to-night, in such terms as will carry conviction of its importance to the mind of every member of this House. When the hon. gentleman told the House, as he did, and that correctly, that in ten

years the shipping of Canada had increased 65 per cent., he gave to the House some little inkling of the wisdom of the late Administration, when they adopted the policy of making everything which entered into the manufacture of our ships free, and thus fostering and protecting that industry in a manner attended with results of which the hon. gentleman is now enabled to boast. Then, Sir, having done all that was possible to be done in relation to our trade under the circumstances, and under the necessities of the case, and having found the result such as I have detailed to the House, the question of opening a free market for our fish came under our consideration, and by the Washington Treaty the tax which was imposed on the fisheries of Canada was remitted, and the markets of the United States were thrown open to the free ingress of one of the great staples of the Maritime Provinces—a staple which, taken in connection with the shipping interests of the country, the obtaining of a valuable mercantile marine, and the extending of the trade of the country, is scarcely to be over-rated. It is true that the terms of that treaty have not been observed, that we have not derived the advantages which the treaty promised to the people of Canada; but I shall have something to say about that by-and-bye. But, having adopted that policy, the millstone which had hung about the neck of that industry was removed by the late Administration, and the great markets alongside us were opened to the fishermen of Canada. Well, Sir, the policy of the late Government was not only to do what I have stated, but the fiscal policy on the other side of the line caused the adoption of a similar principle, and we made a successful struggle for the imposition of a duty upon articles imported into Canada from the United States, which, when imported from Canada into that country, were met by an almost prohibitory tariff. The result of that was that we were able to impose a duty on coal, and flour, and upon the grains that came into competition with the agricultural interests of our own country, and salt that came into competition with Canadian interests:

MR. TUPPER.

and what was the result? In the one short year that that policy was given to the people of this country, it was instrumental, I think, in teaching two important lessons and settling two important questions. When the late Government proposed that policy, they were met with the statement that is always in the mouths of hon. gentlemen opposite, that we dared not, and that Canada could not afford to protect her own interests against the United States. We were met with the threat that the United States would retaliate upon us, and so the interests of Canada would be injured. But, Sir, notwithstanding that, we were enabled to put it on the Statute-book, and instead of those predictions being realized, that one short year of its continuance was sufficient to enable parties interested in the development of the great coal mining industries of this country, to point triumphantly to the fact that no such injurious results followed, but that the American duties on coal were immediately reduced from \$1.25 to 75c., the duty on potatoes, of which there was a considerable export from the Maritime Provinces, was largely reduced, and so was that on lumber and other articles, and, instead of the policy resulting, as predicted by hon. gentlemen opposite, as an injury to the revenue, the result proved to be entirely the reverse, and, while Canada derived \$800,000 of revenue upon those articles sent by the United States into this country, we saw an immediate amelioration of the tariff which existed then, in favour of Canadian industries. Now, Sir, we also adopted the policy of vigorously pressing the construction of public works. The hon. gentleman opposite, in his statement to-night—and I was sorry to hear him do so—has spoken in terms of disparagement of the railway undertakings of this country. The hon. gentleman intimated that people who invested their money in promoting the railway enterprises of Canada would lose it. I say it was an unpatriotic statement for the hon. gentleman to make.

Mr. CARTWRIGHT: They have lost it.

Mr. TUPPER: The hon. gentleman says they have lost it. It may be true that, in some ill-advised and badly

managed undertakings, money has been lost, but I say, where would Canada be to-day but for the money which has been brought into the country for its development and for the construction of its railways? I tell the hon. gentleman that a large advantage has accrued to the people of Canada from the prosecution of its public works, and in consequence of the expenditure of British capital; and he would be in a worse position even than he is if it were not for the fact that foreign capital has been introduced into this country. We felt, as we feel now, that these public enterprises should be engaged in, and I think, before I sit down, that I shall be able to show the hon. gentleman that he has gone back upon himself, and that the day is not so far back when he found it convenient to state, in a most authentic manner, to capitalists of Great Britain, the great advantage that accrued to the people of Canada from the construction of public works. The House knows very well that one of the engagements entered into on the Confederation of these Provinces was that, so soon as the position of the country would permit it, we should enlarge our canal system and open up the North-West. The hon. gentleman has now come down with a speech, and he is responsible for it, which indicates that the Government of this country is to shut down on its half-completed policy, and not to keep good faith with its people, as the Parliament of this country provided. There was another feature of our policy, and it was intimately and closely connected with the portion to which I have alluded—I allude to the policy of immigration. I can point with pleasure to the fact that under the hon. gentleman who sits near me, (Mr. Pope) and his policy, this country obtained most valuable results. I can point to the fact that his policy was attended with results much more beneficial than that of the Administration of the hon. gentleman opposite. Our policy was to bring people into our country, and to furnish employment for them when here. And that is the only policy by which Canada can hope to attain to any position of importance in the world. If we are

left to the ordinary natural increase of population, we must go on slowly, but the only conceivable means by which Canada can take the position that nature evidently intended she should occupy is by a large and extended immigration, and by giving work to people when they come here. There are the fertile millions of acres in the North-West, which are at present untrodden and unused, for them to occupy. I say the Government of Canada forgets its duty to the people if it does not give to the question of immigration the prominence which it deserves. Now, sir, what has been the policy of the Reformers, as they call themselves? They have reformed all this.

Sir JOHN A. MACDONALD: Deformed.

Mr. TUPPER: My hon. friend to my right says they have deformed it. Those who look at the accurate picture I have drawn of the country, when hon. gentlemen opposite came into power, and at the picture portrayed by the hand of the Finance Minister to-night, must feel that the change is one of which this country has no reason to be proud. What is their policy now? Their policy did not require to be developed when they took their places on the Treasury benches, for, previous to that, they almost to a man had combined to defeat a small measure of protection obtained on products coming from the United States. At the very hour at which my right hon. friend beside me was engaged as a Commissioner of Her Majesty, endeavouring to obtain reciprocity for Canada, which was of the greatest importance to us, they combined as a party, with every gentleman they could obtain from this side of the House, to strike down his arm, to paralyse it, at the very moment he was most likely to obtain reciprocal trade to a large extent for the people of Canada. That was the first fatal development of the policy they have followed up from that hour. When we had done what I have described in advancing the interests of the people of Canada, when this country was united from sea to sea in one harmonious whole, we felt it was incumbent on us to endeavour to accomplish the construction of easy

Mr. TUPPER.

and rapid means of communication from one end of the country to the other. We therefore took up the Pacific Railway as a means by which we could extend and continue a policy having for its object the prosecution of public works, which has been found to be so successful in our country, and a scheme was propounded by means of which a hundred millions of foreign capital would have been drawn into Canada, and hundreds of thousands of immigrants would have been annually brought into the country, which would have developed its trade and business as nothing else would develop it. How were we met? Those gentlemen then sat on this side of the House, and every member in the House now here and who was in it then, knows there was no obstruction they could throw in the way to thwart that policy that was not resorted to. They went to the country at the general election in 1872, denouncing the late Government for attempting to carry out the construction of the Canada Pacific Railway, although it had been definitely fixed that the work must be performed by a company, and the payment was placed at thirty millions of money and fifty million acres of land. Is there a man in Canada—there is not one in this House—who will not say that one of the greatest possible boons would have been conferred on the country by the construction of the Canadian Pacific Railway on the terms proposed, whereby we would have made emigration agents of thousands of people on the other side of the water, who would have become interested in the construction of that road by having invested money in it. There is not a man in this House who does not feel that a Government which would have accomplished such a boon, or to-day could accomplish such a boon, would be worthy of the regard of its country as having contributed in the highest degree to its advancement. These hon. gentlemen, I say, opposed and obstructed us in every possible way, both in the House and out of it, and that successfully. When the project was likely to be floated, when leading capitalists and engineers had undertaken to obtain money for the work and engage in its prosecution, a hue and cry

was raised throughout the country, and means were adopted to throw such discredit on the whole enterprise as to break it down and render its accomplishment for the time impossible. That was another step in the policy which the hon. gentlemen opposite adopted, and which has resulted in placing Canada in the disastrous position they are obliged to confess she occupies to-day. What was the next step? The hon. the Minister of Finance had said to-night that the unpleasant duty of proclaiming a deficit had devolved on him for the first time. This is not the first time he has announced a deficit. When Canada was prosperous, when there was no reason for doubt as to the confidence which commercial men entertained as to the condition of the country, the hon. gentleman anticipated the duty which he has honestly performed to-night, of proclaiming a deficit which never had an existence except in his own fertile imagination. The hon. the Minister of Finance regretted that there was no gentleman of equal eminence to whom he could address himself. He seemed to regret there was no gentleman on the Opposition side of the House who had occupied the high and distinguished position of Minister of Finance, to whom he could address the able argument he was offering for the consideration of the House. I sympathize with the hon. gentleman, especially when addressing his argument to this House in regard to the loan he had attempted to justify, but which it would require a Minister of Finance in order to feel that the hon. gentleman had extricated himself and satisfied the House that he had acted wisely in the matter. But there are those in the House who are able to instruct a Finance Minister. The hon. gentleman has himself told the country that the hon. member for Stanstead brought forward a proposal to save some \$1,200,000 per annum to the people, and he rejected it; that he mustered his supporters, and voted down that proposal to which, in another year, he was compelled to submit. I need not adduce any argument on that question; he has himself admitted it. I read, moreover, in the hon. gentleman's speech in another Session, that his declaration of a deficit of three

millions, made on the 1st of July, was a mistake. His own statement in the Budget speech of two years ago set forth that the three millions of additional taxation were imposed not so much to meet any deficit that then existed, but to meet further obligations. So, also, the Minister of Justice at Walkerton, I think, or at all events in one of those orations with which he favoured the country, and which he would give a good deal to-day if he were able to recall—

Mr. BLAKE: No.

Mr. TUPPER: He does not require to be reminded of the old saying, "O that mine adversary had written a book!" The uppermost sentiment in the heart of the Minister of Justice must be, "O that I had not been so much my own enemy as to make a speech!" But he did make a speech; he said: What reason had the people of British Columbia to complain? Had we not added one-sixth to the whole taxation of the people of Canada for the purpose of constructing the Pacific Railway? The whole case was given up by the hon. gentleman, for he admitted that instead of additional taxes of three millions being levied to meet a deficit that existed, it was levied for the purpose of constructing a Canadian Pacific Railway. If any further evidence was required, it would be obtained in the deficit now admitted. What did I tell the Hon. Minister of Finance a year ago? I showed him what sort of a deficit he would have to face if his contentions in 1874 had been sound. I showed him that during the last three months of the year the revenue and expenditure about balanced each other; I showed him that we had a surplus at the end of nine months of 1873-74 of \$126,000, and that he would have had that amount, if not more, at the end of the year, just as now he had no greater deficit on the 1st of July than existed when he brought down the Budget on the 1st of February. I need not occupy the attention of the House with this matter; but the hon. gentleman gave a rude shock to the confidence which commercial men had felt in regard to trade matters, and one which did much to bring about the disasters which

have followed. The hon. gentleman has ventured to say that I expressed qualified approval of the tariff he brought down in 1874. Everyone knows that I am not often guilty of expressing approval of the hon. gentleman's acts, and I tell the hon. gentleman that, before I admitted that those \$3,000,000 of additional taxation had been drawn from the people without a great deal of distress and injury, I must remind him that the House had taken the liberty of modifying, changing and altering the tariff proposed by him in about thirty particulars, and it was no more like the crude and indefensible proposal he submitted than day is like night. But the hon. gentleman followed that futile policy, to which he now blindly adheres, in the face of all these facts, instead of attempting to meet the changed and altered condition in which our manufacturing industries were placed by the altered position of affairs in the United States. He was compelled to give the people  $2\frac{1}{2}$  per cent. additional to the tariff, instead of  $1\frac{1}{2}$  per cent. which he proposed. The hon. the Minister of Finance has spoken to-night in glowing terms of the magnificent shipping interest of the Dominion, of which every Canadian is justly proud. But what was one of the hon. gentleman's first acts at that time—just at the time when that great and important industry, especially to the Maritime Provinces, was feeling a certain amount of difficulty and embarrassment? He submitted a policy to impose a duty of no less than one dollar per ton on every ton of shipping built in the country. Fortunately, the good sense of the House was sufficient to defeat him, and to reduce the duty to some 20 cents per ton, but we have not the Finance Minister to thank for that modification, but the greater wisdom of hon. members who compelled him to admit that, though they had not occupied the position of Finance Minister, yet they were able to teach the hon. gentleman something in relation to his own Department. Then, in regard to machinery, which had been admitted free to foster the manufacturing interests of the country, at the very time when trade was beginning to become embarrassed on account of the changed

condition of labour, the hon. gentleman's Government imposed a tax upon machinery which had been previously brought into the country without the payment of duty. As if further to prostrate and bring down that which had been giving the greatest possible benefit to the people in connection with the trade of this country, the hon. gentleman took the raw materials, which they had been previously allowed to bring in free, in order to manufacture their fabrics and other articles, and imposed a duty on them. I call the attention of the House to this matter because I believe that if the hon. gentlemen on that side of the House will give that careful consideration to these questions which I believe they deserve, the result will be that the fatal policy which has already brought about most disastrous consequences to the people of this country will be arrested and changed. Then, when the hon. gentleman required more revenue; when the necessities of the country required, according to his own showing, that he should obtain an additional \$3,000,000 by the increased taxation which he had determined to impose and did impose upon the people of this country, he could have done it and at the same time could have expanded and continued the fostering consideration for the interests of the people of Canada which they required at his hand, and which, if given to them, would have resulted in the greatest advantage; but he taxed the articles of tea and coffee, which had up to that time been free; and thus increased the cost of labour, because he increased the cost of living to every employé in every manufacturing institution in Canada. If he had so adjusted the tariff as to give the fitting protection demanded by the resolution of my right hon. friend last Session, he would have avoided the disastrous effects which have followed, to a very great extent; but instead of that, a tariff was framed in such a way as to impose every conceivable burden and depress every industry. Though it was improved and amended to a large extent, it still had defects of a very serious character, and was entirely different from the policy pursued by the previous Gov-

ernment, which had admittedly been attended with so great benefits to the country. Then, Sir, as to the Pacific Railway, I ask hon. gentlemen opposite what they think of their policy now. The whole people of Canada and this House had taken bonds from these honourable gentlemen that they would not deviate from the sound policy of the previous Government in relation to the Pacific Railway; they had given pledges and made promises that the road should never be constructed in any other way than by a company, aided by a grant of lands and money. What did the hon. gentleman do? Without any authority from Parliament, without any authority from the people of this country, no sooner was the first Minister clothed with the insignia of office, no sooner was he intrusted with the affairs of this country, than he went to Sarnia, abandoned his pledge to the Parliament and the people of Canada, and declared the resolution of the Government to be not to do this work by the agency of a company, aided by grants of lands and money, but by the Government. That was a rude shock to the confidence of the business people of this country, to that confidence which is the life-blood of trade and business. I have already referred to the immigration policy of this Government. That is virtually abolished. It is now an emigration policy. Indeed, Sir, I was surprised not to find a vote proposed in the Estimates to send people to Europe instead of bringing them here; that after the policy which the Government had proposed, and the unfortunate results of that policy in the condition to which Canada was reduced to-day, they do not yield to the demands of the hundreds of people who are left without resources to send them back to the country whence they have come. You have only to look at these points to see what it is that has clouded the whole commercial and political horizon of Canada, which has changed that beautiful picture on which every one delighted to gaze, of the prosperous condition of our country, and substituted one which no patriotic Canadian can look upon without the deepest regret; that under such great mismanagement the country should present a picture

so different from that which she exhibited before. We have not received from the Washington Treaty what we had a right to hope for; but does not every one know that instead of taking up that treaty and pressing it to its legitimate conclusion, instead of pressing for the payment of the millions which the United States now owe to this country, the present Government adopted a policy the very reverse. They sent the Hon. George Brown to Washington, to go upon his knees to the people of the United States, and pour into their ears the tale that we had been so long compelled to listen to from gentlemen in this House, that we were supplicants to the people of the United States for permission, commercially, to exist. They sent him with proposals which were of a character to indicate that all the United States had to do was to persevere in their restrictive policy, and keep us out of their markets, so as to get the trade of Canada first, and afterwards the whole country itself. Can any one be surprised that under these circumstances the trade of this country was convulsed? There was not an industry in Canada but, after the publication and announcement, the glowing announcement of what was going to be accomplished by this—happily for Canada—abortive attempt to transfer the interests of this country to another,—I say there was not an industry in Canada that was not paralysed and largely injured by that abortive attempt, and what more, Sir, I ask? Why have we not received the millions which, under the treaty, we are entitled to to-day? I say it is because the Government of the United States know that the Treasury Benches in Canada are occupied by men who hold entirely different views and opinions in relation to our connection with the United States of America from what were held by the gentlemen who formerly occupied them. How could Canada hope to gain any consideration from the Government of that country when one of the first statements made by the Prime Minister of Canada, as Prime Minister of the country, was a declaration to the world that under that treaty nothing could be obtained. I want to know what hope we can

have in connection with a matter in regard to which the First Minister of the Crown has unfortunately so failed in his duty to the country as to publicly, and in a way to be carried to the United States Government, make the declaration that nothing could be obtained. Is it any wonder they should refuse to give us what they owe us under the treaty and what, under the treaty, they are bound to give, when they know the hands the Government of Canada is in to-day, and that it being in such hands they are masters of the position. I have glanced at the policy of the former Government; I have glanced at the policy of the party; I have glanced at the policy that the hon. gentlemen opposite have pursued and its disastrous results. With the result that at the end of three years all remedy for the condition of things to which I have referred is refused. At the end of three years, instead of showing millions applied from the public revenue to reduce the public debt of Canada, they show that, after using all the revenue of the country, they have increased the public debt over two millions, according to the Public Accounts brought down to this House, as any hon. gentleman will see at once who observes that the mark *minus* supersedes the mark *plus*, which appears in all former accounts—\$2,000,000 over and above the capital expenditure of the country. But that is not all; that does not represent, as the Minister of Finance knows, the great change, the great distress which has come upon Canada. The hon. gentleman knows that instead of there being a deficit of \$2,000,000 there is a deficit of over \$5,000,000 to-night. He knows that he levied \$3,000,000 of additional taxes on the people of Canada, and he knows that this amount, which was intended to be applied in building a Canadian Pacific Railway, is all gone; not a dollar of it remains, and no Pacific Railway is built. No; this magnificent scheme of a Government Railway, the hon. Finance Minister tells us—and it seems to be a matter of boast with these gentlemen, how much they can spend in surveys—they place it in the Governor General's Speech as the great crowning effort of the Administration, that they have been able to spend

more money on surveys than any Government had ever been able to spend before. If we had had as many persons pressing us for places as they have, I do not doubt we could have spent as much. The hon. gentleman has spent all this money, but with what result? That, as the hon. gentleman boasts to the House to-night, Canada's debt has increased six millions during the past two years, for the building of a Canada Pacific Railway that is not yet begun—when I say not begun, I mean to say that no practical step has been taken for the accomplishment of the whole work; that having been taught the folly of departure from the policy of the former Government; having announced a few months ago that they would ask for tenders for carrying out the work in the same way as we proposed, they come down to Parliament and admit that they are not even in a position to ask for tenders for the construction of a Pacific Railway. And yet he can boast that they have spent six millions of money on that work during the past two years. Do they remember that in the elections of 1872 they proclaimed throughout Canada that we were going to destroy this country because we proposed to give thirty millions for the construction of the Canada Pacific Railway, without any further responsibility, risk or obligation on the part of Canada? And yet they boast that one-fifth of that thirty millions they have been able to dispose of within two years, while they have not taken any practical step for the construction of the whole railway. After putting three millions of taxation on the people of Canada, they come down to-night and tell this House the melancholy tale—the “o'er true tale,” that the money was all spent, and that they are obliged to add two millions more taxation. I was glad to hear my hon. friend the Minister of Finance, say that the resources of Canada were not yet exhausted. Well, Sir, he is exhausting them, I think, as fast as he can, but I must remind him that he has changed his opinion on that subject. I must remind the hon. gentleman that in that lugubrious, that delusive statement which he made to this House when he

was first entrusted with the duties of the high office which he now holds, he made this statement to the House: "I do not think that more taxation could be safely resorted to." Why not? He brought down his tariff and imposes three millions of additional taxes, and he tells the House that he had touched the limit of taxation. But he went further, he said not only "I do not think that more taxation could be safely resorted to," but he also said—"Nor do I think that we should be called upon to consider the question of raising any great amount by direct taxation." Now, Sir, the hon. gentleman seems to have changed his mind. What is the cause of this? Has he altered his opinion because the country is more prosperous than it was three years ago when this statement was made? Is it that which inspires him with the hope that he may still be permitted to go year after year to the money market of the world to negotiate loans, and that he will still be able to assure the capitalists of the world that he has yet, untouched, large resources of taxation? Now, Sir, I wish to say that when the hon. gentleman tells us that if this had not been, and if that had not been, he would have forecast the condition of the country very accurately, he is trading very largely upon the credulity of the House. Whenever the hon. gentleman begins to forecast the condition of the country, I put my pen down. I look upon it as a waste of ink and paper to put down any suggestion the hon. gentleman makes in reference to the future, and I will give the House briefly the grounds on which I make that statement. The hon. gentleman not very long ago—I have the statement in my hand—stated that last year would give us \$25,250,000. Well, Sir, I think if he deducts the amount that was obtained, \$22,587,587—a mistake of \$2,662,413—he will come to the conclusion that it is not very safe to forecast the condition of affairs; but I wish to draw the hon. gentleman's attention—I now speak, not of the mistake, which the hon. gentleman makes, and which I freely acquit him of any intention of making, because I am quite sure the hon. gentleman would not venture upon a prophecy in this House

when he knew that a few months, or a year at most, would show it to be entirely fallacious—I freely acquit him of any intention of misleading the House, but I want to draw attention to the fact that for two successive years I have called the attention of the hon. gentleman to the fact that the papers published to the people of the country from his own Department are utterly fallacious and misleading. The Government are obliged to publish a monthly statement of receipts and expenditures for the information of the people of Canada, and no public man who is following the course of public events, can intelligently forecast the future, can intelligently study the condition of the country, unless some reliance can be placed in those papers issued from the office of the hon. gentleman himself, from the office of the Auditor, who is an officer under the hon. Minister of Finance. I pressed the hon. gentleman here a year ago again and again, when he was forecasting the future, to tell us where we would stand on the 1st day of July, 1876—that was only three months ahead. Did any one ever hear until the last Session of this Parliament of any Finance Minister in the world ever undertaking to deliver a Budget speech and so failing in his duty as to refuse to give the slightest statement as to the position the country would occupy three months hence, and yet I pressed the hon. gentleman over and over again, for the best of reasons, to give such information, and he declined to do so. The hon. gentleman, standing as he did in the position of Minister of Finance, could not afford to tell the House what he knew to be the truth, what every intelligent man of this House knew to be the truth, that the year would close with a deficit somewhere in the neighbourhood of \$2,000,000 if not more—but that could not be extracted from him. We have had statements of the expenditures and income printed monthly and signed by Mr. Langton, the Auditor-General, which were utterly false and misleading—I want the hon. gentleman to explain this to the House; I want him to justify it if he can. I challenge him across the floor, if he did not pledge to the House that those blunders and mis-

takes should not occur again, and why, at the close of the financial year, the *Gazette* shows a surplus of \$1,082,813 instead of a deficit of \$1,900,785, which is now admitted.

Mr. CARTWRIGHT: I will explain to the hon gentleman. The hon gentleman is making a disingenuous statement, and one which, in fact, coming from a man who has occupied the position as Minister of the Crown, is not quite fair. He knows perfectly well that no *Gazette* statement ever published went further than to give expenditures as reported to the audit office. These statements are no doubt literally true, as the expenditures reach the Auditor-General. It has never been the practice in Canada, nor is it desirable that it should be the practice, to go on to the close of the year giving estimates of the expenditure brought down in the public accounts.

Mr. TUPPER: I would like the hon gentleman to tell the House what those statements are published for. Is it to deceive the House? Is it to deceive the country?

Mr. CARTWRIGHT: I must call the hon gentleman to order. He has no right to impute intentions to deceive the country. He knows precisely that the same statements were published under his own régime for many years.

Mr. TUPPER: I tell the hon gentleman that he is mistaken. When my attention was first drawn to the discrepancy in the public accounts, I went to Mr. Langton and called his attention to it. I told him I was satisfied that it arose from negligence, by putting capital expenditure to account of expenditure under the consolidated fund. He told me he would look into it, and he subsequently informed me that was how the mistake occurred. It was a mistake where the expenditure was largely in excess of the expenditure of the country. The hon gentleman should not put words into my mouth. I asked him if it was intended to deceive the country. It does deceive the country; it does deceive me and every member on both sides of the House who take sufficient interest in the affairs of the country to examine the

figures. I say take out the statement from the *Gazette*, and never let it appear again, unless it is a statement on which some reliance can be placed. The statement I say is misleading to the country, and I should not have had to wring from the hon gentleman the condition of affairs that would exist on the 1st day of July, which he ought to have given without a suggestion from anybody. I find a remarkable coincidence in relation to it—I will not say more. There was a mistake in reference to the public accounts of Canada published in the *Gazette* up to the 1st July last to the extent of \$2,983,598. A surplus is declared on the 1st July, 1876, in the *Gazette*, of \$1,082,813, instead of a deficit of \$1,900,785. The hon gentleman may say it is ingenuous, but I say a more disingenuous statement was never made by any Government. There never was a graver ground of complaint as to public documents either by this Government or any other Government. The hon gentleman promised to see to it.

Mr. CARTWRIGHT: I beg to contradict the hon gentleman's statement most emphatically. I did not promise to alter or correct the regular returns as they were always given.

Mr. TUPPER: Did not the hon gentleman promise to see to the matter?

Mr. CARTWRIGHT: No.

Mr. MASSON: You did!

Mr. TUPPER: I beg to say the hon gentleman did, and I can appeal to the House on both sides whether he did not, many of whom must have a distinct recollection of it as the hon member for Terrebonne, and I say the hon gentleman has forgotten what he has promised.

Mr. CARTWRIGHT: I have not forgotten.

Mr. TUPPER: I am afraid, Sir, that the people of Canada must have come to the conclusion that the hon gentleman has forgotten a good many promises made. Well, Sir, I want the hon gentleman to tell the House why, if he was unable to forecast events three months ahead, he committed the folly of taking up the time of this House in forecasting fifteen months

hence. I want the hon. gentleman to tell the House of what value is his statement if he is not to be bound by his own declarations which he has not reiterated here to-night as to what the deficit would be, and as to the remedy. I will not venture to make the statement from memory, as the hon. gentleman seems so forgetful and may deny what I will say. I will, therefore, read it from the Budget speech, as reported in *Hansard*, and corrected by himself. It was when the hon. gentleman was making a speech in this House on the Budget—the Budget speech—when he gave his reason for the imposition of \$3,000,000 of taxes. He gave as his reason, Sir, that the credit of Canada would be broken if we had a deficit at the end of three months.

“He repeated the fact was precisely as he stated, that had there been no additional taxation, there would have been a clear deficit in 1874 of one and a quarter millions, and in 1875, of probably two millions. We would have lost control of the market and the scenes would have been again repeated—scenes which the people of this country had not forgotten—which we witnessed in 1866, when Sir A. Galt was obliged to inform the House that he was unable to borrow money on Canadian Bonds at 8 per cent. per annum. He would ask the House if they had forgotten that in 1866-67, our five per cents., now quoted at 106 to 107, had run down to the ruinous figure of 74 or 75 cents on the dollar.”

I asked him why if he could forecast the resources of this country for fifteen months, he could not foresee this. He knew he was only postponing the admission for a year that Canada had not only absorbed the \$3,000,000 of taxes levied upon her, but that there was a deficit in addition to that, of \$2,000,000 more on the 1st of July, 1876. And yet the hon. gentleman concealed the fact from the House and from the country. The *Gazette* gave a public statement of affairs that would mislead any person in this House or in this country. I say, Sir, he stands before the people of Canada convicted by his own declaration of knowing what the deficit would be; of having folded his arms, knowing that he would have to proclaim to the world a deficit of \$2,000,000, and yet he refused to readjust the tariff, or to adopt any means by which that “broken credit” of Canada could be averted;

and yet he undertakes to tell this House, and he expects his statement to be received, as to what the revenue and expenditure of this country a year or two hence are to be. His estimate was last year twenty-five million and a quarter dollars. We got \$22,537,587, or only \$2,662,413 less than the hon. gentleman led the House to suppose he would obtain. He is taxing our credulity a great deal when he ventures, under this state of facts, to ask this House to rest with any confidence upon the suppositions he may form as to what the financial condition of Canada may be. But, Sir, what is this deficit? It is \$1,900,785, according to the hon. gentleman's own showing, but is nothing to be added to it? I ask the hon. gentleman to be candid with the House, and tell us whether there is no larger sum to be added to that deficit. I ask if he did not say just before he sat down, that in that year there was discounted a large amount of Customs duty, owing to the wide-spread information that there was going to be a change of tariff.

Mr. CARTWRIGHT: I did not say so; nothing of the kind. I will explain. I was calling attention to the fact that no just comparison could be made between the revenue returns up to February the 10th of this year, and February of last year, because in those six weeks a certain amount of revenue had come in.

Mr. TUPPER: His own statement. It is a distinction without a difference.

Mr. CARTWRIGHT: There ought to be a difference.

Mr. TUPPER: Was there not a wide-spread sentiment that there was going to be a change in the tariff? Did not the *Toronto Globe* say that 2½ per cent. would be added to the tariff? Was not the whole commercial world of Canada in a perfect whirlwind in preparation for a change in the tariff? Did not the hon. gentleman say in 1874 that an enormous amount of money must be discounted because of the expectation of a change in the tariff? Then, Sir, I ask him, is this half a million, or is it a million, or is the claim of 1873-4 of \$2,000,000 to be added to the deficit in order to get to the correct figures? That must be

added, according to the hon. gentleman's own logic or showing, in order to give the people a correct idea of what this deficit really is. What more? The hon. gentleman said in his Budget speech that the renewal of iron rails with steel was a matter that must be charged to revenue. I can readily understand that a Government who have got a large amount for capital expenditure for the change of gauge, can present any accounts they like for a year or two in relation to the maintenance of way, because under the guise of a change of gauge they can put the whole road in first-class condition. But there is one point in this Budget speech, stating that one of the charges he insisted upon putting to revenue, was the substitution of steel for iron rails. Now, I wish to know why he has, in view of that statement, put \$89,257 to capital expenditure, as re-laying, not with steel but with iron rails, that portion of the Government railway between Halifax and Windsor. Then, Sir, I think he will admit there are receipts that do not belong to the receipts of the year—the \$25,000 of Secret Service money replaced to the credit of the Government.

Several HON. MEMBERS: Hear, hear.

Mr. TUPPER: And, while hon. gentlemen are saying hear, hear, I will draw their attention to the \$5,000 Secret Service money drawn out of the Treasury to put into the hands of the Hon. Geo. Brown, when he went to Washington. I do not know what sum it was found necessary to place in his hands for Secret Service or anything else, but it appears he was able to hand back \$5,000 unexpended. The hon. gentleman can hardly say that belongs to the receipts of the year, and therefore we must add the \$30,000 to the amount of the admitted deficit, making \$2,019,842, and when we get the account of the steel rails on the Provincial railways of the Maritime Provinces, borrowed from the Canadian Pacific Railway that does not appear on the accounts, we must add that? But, Sir, it is large enough in all conscience, and when I add half a million, or take one-half

what the hon. gentleman himself would claim under the circumstances, and did claim on a former occasion under like circumstances, a million from the Customs receipts, I think that the figures are such as would present a still more melancholy and truthful picture than that presented by the hon. gentleman to-night. Now, Sir, the hon. gentleman tells us, and it would be a very important statement if it was correct, that they intended to meet this distressing condition of public affairs by economy. That the country requires economy no one can deny, for if ever any country was in a condition that behoved the Government to exercise all possible retrenchment and carry out the policy on which these hon. gentlemen obtained possession of the benches which they now occupy, I say it is at this crisis; but I regret to state that they cannot claim the confidence of the people of this country on such a ground, and that at a time when disaster, depression, loss of trade and loss of revenue are paralyzing the resources of the whole country, instead of practicing economy, everything else but it is practised, and if there has been any economy shown in the expenditure, it has been exhibited with reference to the public works of the country, while the expenditure has been most lavish where the personal interests of the hon. gentlemen were concerned. This economical Government, Sir, succeeded to power about the 1st of November, 1873, really about the 6th of November of that year, and they are always throwing in our teeth the expenditure for 1873-4, but is it fair or just comparison to compare the expenditure for that year with subsequent expenditure? I say that it is true we prepared the Estimates but we did not expend the money; we were four months out of that year in power, and had charge of the expenditure for that period, while the hon. gentlemen were for eight months of the year in power, and had charge of the expenditure for that time. I need not tell the House what every one knows: that, having been long out of office, the hon. gentlemen had around them a host of clamorous friends eager for office and employment; and these offi-

Mr. TUPPER.

ces and these buildings, through which the hon. gentlemen used to regret that they could scarcely pass from one end to the other for the messengers and clerks with which they were filled from cellar to garret, were found altogether inadequate for their purposes, and these hon. gentlemen immediately had to tax their energies to the utmost to fill these buildings still fuller with employés, and the room being insufficient, they have erected a new building, in which they will provide for a few more of their friends. It is therefore obvious that the comparison I have mentioned is unfair. The true and just comparison would be to compare the last whole year—1872-73—we were in power, with the first whole year these hon. gentlemen were in power, and what does that show? The House will be startled when I tell them our expenditure was \$19,174,141 in 1872-73, but no sooner were these hon. gentlemen for one whole year in power than they managed, I believe, to spend a much larger sum without the slightest difficulty, nay, with the greatest ease, ably assisted by the distinguished talents of the financier who has proclaimed here to-night that there was no foeman worthy of his steel in this House, and not only that he is called upon to negotiate loans and borrow money for Canada, but also to spend it too. The hon. gentleman, moreover, has gone further, and I am afraid, Sir, that we shall lose him; I am afraid that when the speech made by the hon. gentleman to-night reaches Washington, Congress being now in session, when they find that their Secretary of the Treasury knows nothing about the administration of the affairs of that great nation, and that all they have to do in order to place their country in a condition which would give it the greatest possible prominence, all their hopes will be centered in the importation of the distinguished gentleman.

Mr. CARTWRIGHT: The hon. gentleman runs no such danger.

Mr. TUPPER: The hon. gentleman from his seat in the House has to-night instructed the United States as to the mode in which their financial affairs should be managed, but I trust that we

may not lose him. I feel, however, that the hon. gentleman ought to have a body guard to prevent his being carried over the lines, or being at all events taken possession of for the purpose of teaching the Secretary of the Treasury of the United States how to reduce the public debt, how to levy taxes on the people and how to dissipate them after they are levied. The hon. gentlemen, during the first whole year they were in power, managed to spend \$4,538,430 more than we spent during the last whole year we were in power, and that is not all. I will take the year 1873-4, the most extravagant year, concerning which, having had a revenue that enabled us not only to largely reduce the public debt but also the taxation by \$2,000,000 per annum, besides carrying on the public service in the most liberal manner, we managed to expend, with the able assistance of the hon. gentlemen opposite for the last eight months of the year \$23,316,316. But did the hon. gentlemen intend to be economical? If they did they took a curious way of showing it. What did they do? What was their first step? They came down to Parliament and said that it was unfortunate for the people of Canada that these extravagant gentlemen occupied the Treasury benches, but did they state that they would economise? Did they declare that they did not want anything like the expenditure which had been provided for before? No; their first move was to get their supporters in this House to place at their disposal for expenditure—and this during their first year of power—\$26,800,000. Their Estimates voted by this Parliament to these gentlemen were no less than \$3,483,648 more than the largest expenditure by the late Administration. But I will now come down to the expenditure itself, and what do we find? That our expenditure for 1873-4, claiming it to have been ours, according to their own showing, unfair and unjust as this pretension was, and that their expenditure for 1874, for which they will have to admit that they were responsible, exceeded the amount mentioned by \$396,665. This is in accordance with their own showing, and they

must add to that amount, \$85,000 of Customs refunds of other years placed to the charge of the former year. Something further was to be added. The change made in the way of keeping the railway account. With regard to the two years in question, the money Parliament voted for capital expenditure, and which we expended on capital account, they charged to current expenditure for 1873-4, to the extent of half a million. They then came in, and turning round, took half a million of money voted by this House for current expenditure, and charged it to capital account, so they will see that they must, to make the account correspond for the two years, and for a fair comparison, there must be added to their expenditure \$545,605, in all \$1,007,260 more than the largest previous expenditure recorded in our history; and this illustrated to the people of this country how economical the hon. gentlemen were. And if the expenditure for 1873-4 is contrasted with that for the past year, the comparison is still stronger, exceeding by \$1,172,056 that which they declared to have been the most extravagant ever witnessed in this country; and if you come down to the present Estimates, they say, and some people who know nothing about public affairs accept the statement, and have been led to believe that because these gentlemen have reduced the estimates, they are saving money; but how? Because they chose to ask the House to vote \$26,800,000, which they could not spend within three millions, and then discovering their blunder, correct it by asking for two and a half millions less. Is that reducing the Estimates? It is, but it is not effecting a saving. They pretend that it is so, but the statement lacks bottom, and these hon. gentlemen know perfectly well that as far as the country is concerned, any person who places the slightest confidence in the reduction of the Estimates as a reduction of expenditure, is entirely misled and completely deceived. We have the expenditure for 1873-4, \$23,316,316, and the Estimates for 1876-7 are \$274,414 less, but there is a little item of which perhaps the House has lost sight, and turning what appears to be a reduction in the

expenditure into an excess as regards the present estimates. I dare say that the House did not pay particular attention to a little Act which the hon. gentlemen slipped quietly through Parliament before they rose last Session, by which, through an Order in Council, more money could be placed at the service of the Government than Parliament supposed they would have for the year. The hon. gentleman knows that the late Government determined that the representatives of the people in Parliament should have complete control over the expenditure of the public money, passed a law directing that any money voted by this House, which was not expended on the 1st of July, should lapse and go into the Consolidated Fund, and thus the people, through their representatives, had fair, legitimate and distinct means of knowing what was being expended. And what was this little Act? It simply enabled these gentlemen to sit down in Council, and by Orders in Council to pass over these lapsed balances for three months. I have a notice on the paper touching this subject, and think that the hon. gentleman would only have acted courteously, as the notice could not be reached in time, for the full information of the House with respect to this discussion, if he had anticipated the resolution and laid the statement of these lapsed balances on the table of the House. Still, turning to the Public Accounts, it will be seen that these hon. gentlemen, on page 278 of part second, have carried over the lapsed balances, and added to the Estimates that which had been voted—\$678,587, so that at this moment they had at their disposal half a million more for these reduced and economical Estimates than had ever been included in the largest previous expenditures of this country. Then, Sir, take the Estimates for 1877-8, and you will find that they are \$148,628 less than the expenditure of 1873-4, but what will they be when we get the supplementary Estimates? I would like to ask the hon. gentlemen sitting uneasily behind the Treasury Benches, upon the tenter hooks of expectation about this. They will no doubt stand by the Government and

carry them through the Session, notwithstanding the outspoken sentiment that has been used in every section of the country. Let them stand by the Government and wait for the supplementary Estimates, and we will find this balance of \$148,000 one way turned into half a million the other way, or a good many disappointed faces will be seen. They have made some reduction. How have they made it? by scattering to the four winds of heaven those officials which thronged the passages of the Government offices so that the Premier could not get his portly form through them? No; it was by reducing the vote for immigration from \$312,572 to \$230,550, or \$98,022. Why, if they would reduce the expenditure in the extravagant department in London, and use the balance for the purpose of a wise and judicious immigration, everybody would be disposed to favour it, but it is no part of their policy to reduce official expenditure, whether on this side of the water or not. Then we find in the public works a reduction of \$862,200. I do not think there is much economy in that. One thing is certain, either the public buildings and works of the country are all that is necessary, or they are not. If they are not, then this is an unwise and irrational reduction and economy; if they are complete, no person can thank them for not spending money that they are not called upon to spend. For lighthouse service, there is a reduction of \$155,984, and the same remarks will apply to that item. If that service is so complete that the hardy mariners have all the protection that can be given them, the reduction will be well enough, but, if they have not, it will be an unwise economy, and not an economy which in the true sense of the word entitles the Government to claim any credit. Now, I find that these revised Estimates, these Estimates brought down in the face of the deficit of \$5,000,000, as compared with the period at which these gentlemen took office, show an estimate of \$47,668 more in the Customs Department than the largest expenditure we ever had in the country. Perhaps I may be permitted to remind the House that we, with a 15 per cent. tariff, collected a very much larger sum than these hon.

gentlemen at a much greater cost to the revenue. Then, for the Excise Department, I find an increase of \$34,265 provided, over and above the largest expenditure we ever had in that Department, and again, in the Post Office Department, there is an estimate of \$382,530 more than our largest expenditure. For pensions and superannuations, an abuse in many cases of public money, such as I do not think this House will be disposed to sanction, because it provides for the application of public money for the pensioning of able servants of the country, and the burdening of the treasury with the expense, with a view to placing other officers at higher salaries in their places,—there is \$107,550 more than the largest expenditure we ever made; so that in these economical estimates we have no less than \$572,013 for Customs, Excise, Post Office and Superannuation over the largest expenditure we ever had, or when the revenue of the country was much larger than it is likely to be for the coming year. I think the statement of the Customs revenue of 1873-74 was \$14,325,192; for 1875 it was \$12,823,837, or \$1,491,255 less, under the increased taxes, than we collected in 1873-74, and what is more, it cost the country to collect the \$14,300,000, \$658,299; and it cost for the collection of the \$12,800,000, \$721,008, or \$62,709 more than we expended. I will not occupy the time of the House longer, because it is unnecessary, in order to show that at a time when the country demands and requires at the hands of these gentlemen the utmost economy, so far from anything like economy being found, we have the very reverse. There is a decrease in the Estimates for Immigration of \$59,600; for Public Works \$223,040; for Subsidies \$170,508, for Lighthouses \$47,741, or half a million, while there is an increase on the other hand in the Estimate, over our largest expenditure, of half a million to counterbalance it. I think that if the country is not able to continue these subsidies, as the Provinces of Nova Scotia and New Brunswick require, of course we must submit. If the Government have not the money and Parliament cannot provide it, difficult as it will be for the Governments

of these Provinces, they will have to submit to the reduction; but, if submitted to, it will be submitted to with a bad grace, it being well known that while money cannot be found for the continuance of these subsidies, half a million of money over previous years could be found to expend on the Departments these honourable gentlemen have the honour to preside over at the present time. Now I come to a very painful portion of my remarks, and that is the criticism of statements made by the hon. gentleman with reference to the loan. Anything that assumes in this House a personal character, is always painful to any hon. gentleman, and anything that has the effect of reflecting in any way upon the integrity, or capacity of hon. gentlemen, has an unpleasant effect upon the country, and its necessity is to be deplored by every member of this House. I was in hopes that I would be spared the unpleasant duty of reviewing the conduct of the hon. gentleman in reference to the loan. I do not wonder that the hon. gentleman wanted an audience of Finance Ministers to address, because I am certain that his arguments failed to bring conviction to the minds of all who, like myself, are only plain members of Parliament. I can quite understand that Finance Ministers may have spectacles of their own, through which they may look at these things. I can quite understand that it may be pleasant to go across the Atlantic to negotiate a loan, a duty which the hon. gentleman seems to take pleasure in performing annually. Although he has said that it is a very unfortunatè thing to go over there to borrow money, the hon. gentleman seems to have changed his opinions on that point, as he has done with reference to many others, and he has come to the conclusion that an annual trip to London is a pleasant, if not profitable, occupation for a Finance Minister. It was my duty to criticise the hon. gentleman's mode of putting a loan on the market some two years ago. I then objected to his fixing the price himself, and pointed out that it took away the only safeguard that existed between the pockets of the people and what might be the cupidity of the Min-

**Mr. TUPPER.**

ister. I acquitted the hon. gentleman of having acting in any other than an honourable and straightforward manner, but I did hope that the criticism, which was duly impressed on the hon. gentleman's mind, would not have been effaced so soon. He afterwards negotiated another loan, and he was congratulated on having done justice to the people of Canada, inasmuch as he invited tenders in the markets of the world for these debentures. The result of placing the loan upon the open market and inviting tenders was eminently satisfactory. The hon. gentleman stated that it was satisfactory. It was satisfactory to this House, and I am sure it was satisfactory to the people of Canada, to learn that the hon. gentleman had placed himself and every person connected with the loan above suspicion by the course he then pursued. Now, Sir, I want to know, if that course was satisfactory, why he went back on that policy and placed this last loan on the market under the circumstances which he did. I have listened to the hon. gentleman's speech with a most sincere desire to hear him make statements in reference to this transaction which would, in my judgment, justify it in the presence of the House and before the country; and although he laboured long and hard, and resorted to every sophistry of which he is master, and that is saying not a little, he sat down, having utterly failed to show the House why Canada, standing in the position she did, in consequence of the management by the late Government, was, in reference to her loan, treated in that way.

**Mr. CARTWRIGHT:** Hear, hear.

**Mr. TUPPER:** The hon. gentleman says hear, hear, but the hon. gentleman knows that when he went to London he used as an argument to show the people of England the high position Canada deserved to occupy in consequence of the successful administration of affairs under the late Government, and not under his own. That was the evidence, the reluctant testimony, borne by a hostile witness as to the position this country occupied when we resigned the Treasury benches, and to the end of time it will show the appreciation we received from even

our opponents. The hon. gentleman says he had a difficult task to perform. Why the task was performed when he put his name to that statement, which, it will be seen, was in antagonism to what he said to-night, and to the statements put into the mouth of the Governor General when he opened the Legislature. He wanted to address his arguments to a Tilly, a Rose, and a Hincks, and regrets that they are not here. Why, Sir, they are here—if not in person, their example is here. And I want him to show me a single instance in which these hon. gentlemen negotiated a loan that is not the most palpable evidence against him. He says that the financial agents managed the loan. While I speak of the financial agents let me say that I have not got a word to say against them, but I say that the hon. gentleman cannot shelter himself behind the financial agents of the country. I have the honour of knowing the Barings, and Glyn, Mills and Company, and I have every confidence in them, but I say that they are British capitalists, and they want to make all out of their money they can, and they know enough of their business to know whenever they can make £50,000 or £100,000 legitimately, as they do make it legitimately if they make it in accordance with arrangements with the Finance Minister, they make it. He says they pressed him to fix the price. No doubt they did. Where are the brokers that would not want him to fix it at a rate that would put a fortune in their pockets? Why, the hon. gentleman says that at his earnest entreaty they took a million. Does he suppose that they would take a dollar at the entreaty of any person in the world unless it was a good financial transaction? I tell the hon. gentleman that the responsibility of this transaction rests upon himself and him alone, and not upon the agents. Sir, when the Finance Minister of Canada is in London we have no financial agent but him in that city. The merest tyro would reject advice from an interested party, and does the hon. gentleman mean to tell us that in a transaction of that kind the men who are going to put a million of money into it have not the object of fixing the rate at a sum

that will be a remunerative one to them? The hon. gentleman talks to us of France. Does he not know the conditions under which France negotiated the loan? That broken by war, her credit depressed, and her position altered in the face of all Europe, her situation was one entirely different, I am proud to say, from that which this Dominion occupies in regard to its financial credit. Does he not know that a nation so situated would have largely to submit to the dictation of a house like the Rothschilds, who would say they could negotiate the loan at a certain fixed price, and could not do it otherwise. The hon. gentleman then wanders away to Brazil and Chili. It is true these countries have negotiated fixed loans, but is Canadian credit so broken that she has to borrow money at the rate of those countries, and is obliged to consent to a loan at a fixed price in order to negotiate it? Let the hon. Minister of Finance look at the quotations in regard to Brazil and Chili, and he will find the position they occupied totally different from that of Canada. Their financial credit in the money market of the world was as different from that of the Dominion as it is possible to conceive. I have quotations at hand showing the price of Chili and Brazil 5 per cents. in London, and which prove that the hon. gentleman was proceeding without knowledge on the question when he addressed his argument to the House. But what did the hon. gentleman do? I will not quote a hostile witness; I will take the *Daily Globe*, the organ of the Government. The London correspondent, who was on the spot, and therefore acquainted with everything connected with the transaction, said the worst thing of the hon. Minister of Finance ever said of him, though being ignorant of the bearings of the question. It was said in praise. I object to a loan being placed on the market at a fixed price, because it enables parties to manipulate it to the advantage of themselves and their friends, and enables acts to be done that should not be done; but I say further, that the hon. gentleman fixed the price too low, but if a fixed loan were to be placed on the market, was it the business of the Minister of

Finance to state to the London financiers that Canadian securities which were then selling at 94½ and 95 were only worth 90? The hon. gentleman says he fixed the price at 91. He knows he fixed the price at 90, because he gave a rebate of interest in connection with the loan that reduced the price below 90.

Mr. CARTWRIGHT: No.

Mr. TUPPER: Canadian securities at that time were bringing from 94 to 95.

Mr. CARTWRIGHT: Give your authority.

Mr. TUPPER: I have the London *Economist*, and perhaps the hon. gentleman would accept that as a good authority. I am able to show that before the loan was put on the market, four per cent. Canadian debentures were selling at 94½ and 95, and that ex-dividend.

Mr. CARTWRIGHT: The hon. gentleman is entirely wrong.

Mr. TUPPER: I have the documents here.

Mr. CARTWRIGHT: I do not care if you have.

Mr. TUPPER: The hon. gentleman seems to have rushed blindly forward with midsummer madness. I have here the London stock and share list for 1876. The dividends on Canadian 4 per cent. debentures are payable on the 1st November, and they were quoted at 93½ and 94½, business done at from 94½ to 93½ ex-dividend. Will that satisfy the hon. gentleman.

Mr. CARTWRIGHT: Certainly not.

Mr. TUPPER: The hon. gentleman says what is quite true, that no Finance Minister could put 2½ millions on the market and obtain the current price at which small parcels of debentures are selling. I freely admit that, but I would like to know from any capitalist in this House who knows anything of financial matters, if there was any cause for placing the price so much below that at which business in small parcels of debentures was being done. No man who knows anything of finance will be able to find any good ground. The London correspondent of the *Globe* wrote that there was a

good deal of comment and criticism as to the mode in which the Finance Minister placed the loan on the market, but he wrote:—the bankers and brokers say it was a capital way. It was no doubt an excellent way for bankers and brokers, but not for the people of Canada. The hon. gentleman knows there never was a time in history when money was such a drug in the London market as when the loan was negotiated, when the banks were swollen with millions drawing one half per cent. interest, and in many cases probably less, for safe keeping, and when, in consequence of the condition of Continental affairs, money was being refused for any investment except such as the Canadian Government had to offer. In that position of affairs the hon. Minister of Finance ventured to decry the character and debentures of Canada, and to lower them by his prospectus below 90. I placed a motion on the notice paper, asking for a return showing the names of the buyers. The hon. gentleman says it would be unpleasant to give names. Why should it be unpleasant? The people who obtained Canadian securities on such terms had no reason to be ashamed of the fact; they had reason to boast of it. Why should the hon. gentleman not give the brokers' names? The reply given was that it was altogether informal. There was, however, nothing discreditable to them in having obtained such favourable terms. The hon. gentleman had laid a most unsatisfactory paper on the table in answer to my motion for these returns. Two years ago, when I made a similar motion, the hon. gentleman was able to give, in detail, the amounts allotted to the several parties. Why should the hon. gentleman return to Canada without such information, and then inform Parliament, which was to be but a short time in Session, that the information was in England. That information was furnished on a previous occasion, but it was refused now. Why? The fact is this, and the people may as well understand it, that at least 2 per cent. on 2½ millions sterling has been taken out of the pockets of the people of Canada and distributed among the happy parties who had the good fortune to obtain this loan. If

Mr. TUPPER.

there were no other transactions in connection with this Government that ought to deprive them now and for ever of the confidence of this House and the country, this is sufficient: that two days after the parties who had secured the loan upon the terms fixed by the Finance Minister, the financial intelligence of England raised our credit, thus depressed by the hon. gentleman, and those very debentures sold by him at below 90, were selling, as evidence under my hand shows, at over 2 per cent. premium. I want to know, on behalf of the people of Canada, where is that money? Who has it? Who has obtained the securities on these terms? Were we so flush of money? When the Government coming down with the humiliating confession that they had made away with five millions of surplus in three years, that it was all disposed of and gone. Are we so flush of money we can afford to give fifty thousand pounds sterling to be divided among anybody, and that which was fifty thousand then, made in two days by the rise in price of those securities, is one hundred thousand pounds now. The hon. gentleman says: "I am glad to be able to leave so unpleasant a part of the painful duty which devolves on me, which, performed once, is performed for ever." I have shown the hon. gentleman that he is not supported in his action by precedent afforded by any previous Minister of Finance.

Mr. CARTWRIGHT: What about Sir Alexander Galt?

Mr. TUPPER: He never negotiated a loan for the Dominion. I could excuse Sir Alexander Galt, for the time he effected such a loan was in the days of old Canada, when we are told our credit was broken and our securities selling for 74 cents on the dollar.

Mr. CARTWRIGHT: That was in 1860, eight years before Confederation.

Mr. TUPPER: He was driven to adopt such a policy. There is a book—"Fenn on the funds"—in the library, and if any gentleman wants to satisfy himself of the condition in which a country ought to be placed before it resorts to fixed loans, he had only to peruse that work to become satisfied

that the course pursued by the Minister of Finance is utterly unjustifiable. Now, Sir, the hon. gentleman comes down with his policy—what is it? Has he got anything to offer? He has described the condition in which the country is reduced; he has described the fact of the deficit, which is to be proclaimed to the country and to the world by himself, and he has told you what the effect of that must be upon the character and credit of Canada. What solution has he to offer? Why, Sir, he has borrowed the policy of the Opposition from my hon. friend the member for Stanstead, and has relieved, as he has said, the people from an unjust tax of something like \$1,200,000 per annum. But what does the hon. gentleman say in his Budget speech of 1876. He says: "Things are in a bad state, but we want more time." Well, Sir, we have had more time; we have had a year, and where are we? There is no improvement, nothing to justify the hon. gentleman in refusing to so readjust the tariff of Canada as to protect and preserve her credit, which has unfortunately been placed under the hon. gentleman's care. Not only that, but to-night he comes before the House and says the Government of which he is a member, have nailed their colours to the free-trade mast, and that sooner than yield, they will go down with the ship, and down they will go. I have no hesitation in saying that, fortunately for the people of Canada, the hour is near when the independent expression of the people of Canada will place the administration in the hands of those who will do justice to her interests, and I rejoice that I am enabled to say what I could not otherwise say, that although gentlemen opposite will go down with their free-trade colours flying at their mizzen, they will not be able to drag Canada down much further with them. The time will soon come when the same policy under which Canada flourished before, will be the policy of Canada again, and with like results, and when we will be able to go again to the money market of the world, and present a picture similar to that which the hon. gentleman was able to show on attaining office. One would think we were listening to

the Secretary of the Treasury, so fully did he place the United States affairs before us. Fortunately, the affairs of that country are not in the hands of the Finance Minister of Canada. He tells you that those who are thus protected are suffering more than those who are not. I will give an authority which ought to be good, as results of the protective policy, which he says is ruining the trade of the United States. The President of the United States sent his message to Congress the other day, and put this statement over his own signature. Did he say that, as in the case of Canada, they were rolling up an additional public debt year after year, and that their public expenditure had exceeded their income last year by more than \$2,000,000? Did he say that more taxes required to be levied to meet their emergencies, or that the results to their trade and commerce were of the character which the hon. gentleman showed to-night? No, Mr. Speaker, but he was able to point with pride to the fact that that country, ruined by protection as the hon. gentleman says, that country which has not long since emerged from a terrible war which placed a most frightful burden of taxation upon her people, and which is suffering from a superincumbent load of debt, which apparently could never have been borne had reduced her taxes within the last seven years nearly \$300,000,000. The hon. the Minister of Finance says Canada will compare favourably with the United States. While, in Canada \$3,000,000 of taxes levied three years ago have disappeared, and \$2,000,000 more have gone along with it, the hon. gentleman says Canada will compare favourably with a country which has achieved such a result as this. Our national debt is rolling up much in the same style in which the old Canadian public debt used to increase.

Mr. CARTWRIGHT: That was in the time of the member for Kingston.

Mr. TUPPER: But the President of the United States says the national debt of that country has been reduced in the same time by \$435,000,000 and that is the country at which the hon. the Finance Minister points the

Mr. TUPPER.

finger of scorn, and which he says is being ruined by its financial mismanagement, which he thinks gives him the opportunity to scoff at it. In the same time the balance of trade, the President states, has been changed from over \$130,000,000 against the United States in 1869, to over \$120,000,000 in their favour in '876. That, Sir, is the country which the hon. gentleman selects as the argument which is going to satisfy all the gentlemen who sit behind him that protection is a thing to be eschewed and avoided, and that free trade is the only policy under which any country can prosper. But that is not all. He went on—I was going to say with a fatuity, but I do not like to use an offensive word, with an apparent obliviousness of the point of his argument, to show how enormously the imports of the United States were being decreased. Why, Sir, the very evidence of the prosperity of that country is the decrease in her imports. They have decreased because the country which yesterday was importing millions and tens of millions of the manufactured products of other countries, is now manufacturing them itself. It is the protective policy of the country which has changed the whole balance of trade and the whole question of imports. The Centennial Exhibition, which closed the other day, has astonished the world, and well it might. It has been found that a country which was dependent on England but the other day, and which, under a free-trade policy, had to import almost everything which her people used, has suddenly, by a giant stride, sprang into the first rank of manufacturing countries, and that not only is she rendered independent of the imports of England and the rest of the world, upon which she depended before and had to export her gold to obtain, but she is able to go abroad after supplying her own people, and compete successfully with England, hitherto the mistress of manufacturing industries of the world, in her own market; and yet that is the condition of things that the hon. gentleman thinks renders it incumbent upon him to lecture the Government and Congress and the people of the United States upon the mismanagement of

their affairs, and the necessity of adopting the free-trade policy of the hon. gentleman himself. Well, Sir, the hon. gentleman says that this Government are going to adhere to their policy, and so it seems. I had been in hopes, Sir, that there were some industries that might, in view of the appeals that have been made in this House, have attracted the hon. gentleman's attention. The hon. gentleman must know that if we are to have a country at all, it must be by bringing people into it. The hon. gentleman knows what the effect has been of having our sugar refineries in this country crushed out, and capital driven out of the country. That capital is now building up our great commercial rival and neighbour, and we are now rendered dependent upon them for our sugar, and obliged to pay them such prices as they choose. I am not going into that question exhaustively, but I will just remark that evidence was laid before the Board of Trade of the enormous bounty in the United States by which the sugar refining industry of this country has been completely annihilated. The hon. gentleman knows that it is desirable to extend our trade with the West India Islands. He knows that a policy which would enable sugar to be refined in this country, a policy that would reduce the tariff on raw sugars and impose a countervailing duty on foreign refined sugar would build up our country. I say that there is no country better situated to derive great advantage from such a policy than ours. It would stimulate our fisheries and would increase the ship-building business of the whole country in a most valuable and important degree, and he knows too that that business, while giving employment to a numerous class in this country, increasing our marine, building up a flourishing trade with another portion of the British Dominions on this continent, would, at the same time afford a most valuable freight over the Intercolonial Railway, which was constructed with our money. To take it from whatever point of view you will, the hon. gentleman knows that, giving a fitting and fair protection to the refining of the 1,0,000,000 pounds of sugar that now go into consumption in Canada, and which would

soon be doubled, would undoubtedly be of very great advantage to the people of this country. But he is bound to come down with the declaration that no alteration can be made. It was only the other day that he himself brought this subject before the House. It was only the other day that he inveighed against the injustice of having such a monstrous provision in our tariff as that which placed a higher *ad valorem* duty on raw than on refined sugar, which imposed a duty of 40 per cent. on the manufactured article, while it placed a duty of 50 per cent. on the article out of which the refined sugar was manufactured, and yet the hon. gentleman now finds himself unable to deal with this great industry of the country, and says, as he did a year ago that what is wanted is more time. Well, what of coal? I want to know why coal is not to be subjected to a duty? Is it because the Province of Nova Scotia is the only place in which there are large and important coal mines, except in New Brunswick, where there is a description of coal, but not any very large amount of it. Coal is confined principally to Nova Scotia. Is it because it is a Nova Scotian product? Will the hon. gentleman tell the House how it is that he will still give a protection to petroleum to the extent of 33½ per cent., and refuse any protection to coal? Is the petroleum interest of Ontario more important than the coal interest of Nova Scotia? Take it as a pure question of revenue, and will the hon. gentleman tell me, will he tell any hon. gentleman in this House, that it is right to tax the clothes a man wears, the tea he drinks, and the light that he uses, and not tax fuel? Can he tell me why 595,000 tons of coal should come into this country free from the United States to paralyse an industry of this country, in which twelve millions of capital had been invested, to destroy a capital of that amount, and to spread poverty and dismay among a large class of the people of this country who depended upon the coal mining industries of this country for their living? Will he tell me why he should give protection to the petroleum industry of Ontario, and deny a particle of protection to the coal industry

of Nova Scotia? Why is the latter exempted? In 1872, this country imported from the United States 216,000 tons of coal, and we exported 270,000 tons. That was under the influence of a tariff which put a duty of fifty cents a ton on coal, and thus gave a most important impetus to that industry. What is the state of things now? We are importing to-day from the United States 595,000 tons, and exporting 60,000 tons, and we have a memorial presented by my hon. friend the member for Halifax, and signed not by opponents of the Government only, but by the strongest friends and supporters they have, signed by all classes, and laid on the table of the House, asking that this monstrous injustice be remedied. Why is it that this industry is selected for exemption from protection? Is it on sectional grounds? I want to know if the tax the hon. gentleman proposed to put on the shipping of this country was a sectional tax? That tax would have affected injuriously five or six thousand people in Nova Scotia and New Brunswick, to the extent of about \$100,000, and only \$7,000 or \$8,000 in Ontario, and yet, when an industry in one of the finest Provinces required to be protected, as well as to be relieved from depression, it is a sectional matter and must be put off. I am a citizen at this moment of the great Province of Ontario, and as a resident of Ontario I demand that this important industry of Canada should receive due consideration at the hands of the Government. I say that there is not a man in Ontario who can deny that there would be any greater injustice in a duty for revenue purposes, if you please, being levied on this 595,000 tons of coal coming into this country from the United States, than putting a tax on petroleum that Ontario manufactures, and on which the people of the Maritime Provinces pay the duty. I say there is a feeling in this country among the intelligent men of all classes and all sections that if we have to make this a great country we must look at the industries of the whole country, find them where we may, and when we have great industries like coal mining, an industry that extends to the shipping interest in the same way as the

sugar trade, and is important as a means of obtaining reciprocal trade at the hands of our neighbours, it is only fair that that policy, which has been shown to be without injury to any one, and with advantage to the country, should be resorted to and restored. But the hon. gentleman says "No; what we want at coal mines and sugar refineries, and where all other valuable industries can be established, is not protection; you want time." Look at it, Sir, in relation to the United States. This country has been demanding in every possible way that it can a revision of the tariff as between us and the United States. Take it from that point of view, is there an honourable gentleman in this House—is there an intelligent man in this country that does not feel, other things being equal, that we ought to foster trade with Great Britain rather than with a foreign country? Is there a person who does not feel that the country which receives our products with open arms and exhibits the most paternal concern in our welfare in every way is as deserving of consideration at our hands as any other country? And yet what do we find? Look at the trade returns and see what they say. We find that in 1873 the goods entered for consumption, imported into Canada from Great Britain, amounted to \$68,522,776. In that year, the goods imported from the United States were \$47,745,678, so that we were receiving from Great Britain four years ago \$20,887,000 more goods than from the United States. Where are we to-day? These trade returns show that for the year 1876 our imports from Great Britain have gone down to \$40,000,000, and our imports from the United States have gone up to \$46,000,000, instead of \$20,000,000 more from Great Britain than the United States in 1873. The whole story is changed, and we have imported over \$6,000,000 more of goods entered for consumption from the United States during the past year than the total imports from Great Britain. Then, take the exports, and what do we find? That the exports to Great Britain in 1873 are \$3,000,000 less than to the United States; but, Sir, we find that the exports of 1876 are \$12,000,000—nearly \$13,000,000

Mr. TUPPER.

less to the United States than to Great Britain, so that the country that, as I said before, is receiving our products with open arms, is the country that is to receive no consideration at the hands of the Government of Canada. And from that point of view, Sir, I believe it is entitled to and deserving of consideration. Whether you look at it, Sir, in relation to revenue; whether you look at it as a means of getting a reciprocity treaty; whether you look at it as a means of giving a just, fair and legitimate protection to the great manufacturing industries of, and to the great agricultural interests of this country; look at it from what point you may, a policy the very reverse of that which is pursued by this country is demanded by the interests of Canada. Boards of Trade, representing the commercial and manufacturing interests of the Dominion, have dealt with this question, and in no uncertain way. They have asked that the tariff should be so reconstructed as not only to preserve our credit intact, but to foster and promote our industries. The resolution which the right hon. gentleman (Sir John A. Macdonald) moved a year ago, the policy on which the party he leads have taken their stand, propounds to the country that fitting protection should be given to the suffering industries of the country. It has found a hearty response, not in a political chamber, but in a chamber where the independence as well as the manufacturing and commercial interests of Canada are represented, and yet the Government turn a deaf ear to all that, and say all that we will give you is time. I have said, Sir, that the country has shown what its sentiment is in relation to this matter. The hon. gentleman at the head of the Government labours under the impression that the agricultural sentiment, of Ontario at all events, is opposed to any protection of agricultural interests, I say, Sir, that the hon. gentleman's eyes ought to be opened by this time. He had evidence enough to the contrary offered to this House last year. But what has taken place since? Why, at the recent contests in agricultural sections, where the different policies have been fairly and squarely debated by the

ablest men representing the hon. gentlemen opposite that could have been put on the platform, the result has not only been their defeat, and not only an intense expression of public sentiment hostile to the policy they advocate, but the very gentlemen whom they put forward to ask for the suffrages of these rural and agricultural constituencies, had not been a week in the country face to face with the farming population, when they declared for protection, and began to point out how admirably they would be situated if elected for the purpose of changing the policy of the Government. I trust that the statement made by the Hon. Finance Minister to-night will undeceive the whole country. I trust that any who may have been misled by the declarations made by the candidates of the Government in relation to the question will have their eyes opened, and that the whole people will understand that if they want any fair and legitimate policy calculated to foster the manufacturing and agricultural industries, under which Canada prospered so eminently before, carried out to its legitimate results, they will have to restore to power the party who have proclaimed that policy, and under whose management of public affairs and development of that policy the country prospered as it has never prospered since. I say, Sir, that I rejoice to know that however much hon. gentlemen may shrink from that ordeal, they must be more than blind if they have failed to see evidence on every side that they have lost the confidence of the people of this country. I do not intend, Sir, to appeal to them and to point out to them that when the Government of England, when the Government of Mr. Gladstone, was situated as the hon. gentlemen opposite are situated to-day, when election after election taught them that they had power, but not the concurrence of the public sentiment of the country, when this was the case, I say that hon. gentleman felt he owed it to himself and to the great Party of which he was the leader, that he should not consent to hold office upon terms which he felt so humiliating. Sir, I have no hope that they will follow this example. I will not therefore waste

words nor breath in order to take up the time of the House in making any hopeless appeals, but again congratulate the people that the day is drawing rapidly near when the independent public sentiment of this country will again have an opportunity of being heard, and that again there is a prospect of a brighter day dawning upon Canada than I regret to say has shone upon it for the last three years.

Mr. MACKENZIE: I have listened, Mr. Speaker, as I always listen, with interest, if not with pleasure, to the harangue—I will not call it a speech—of the hon. member for Cumberland. Three-quarters of it I have heard before. We hear it as an annual harangue to be delivered upon the occasion of my hon. friend the Minister of Finance delivering his annual statement. But it is fraught not only with fallacies, but fraught also with a degree of violence and a degree of temper that is not to be found in the speeches of any other public man in this country. Sir, the hon. gentleman ventured to assert, time after time to-night, that the statement made by my hon. friend, and the statements published by Mr. Langton were false. Those were his words. Now, I have examined into the statements that he has characterized as “being fraught with falsehood,” and I find that Mr. Langton’s system of presenting the statements is precisely a continuation of the system which existed under the late Government. I have the proof here beside me. I might characterize the statements of the hon. gentleman opposite, as he has improperly characterized the statements of the Finance Minister, as incorrect. The hon. gentleman was simply incapable of understanding the mode in which Mr. Langton published the statement, and it was through this that he ventured to make his false remarks. There were various matters brought before the House to which I shall briefly refer. His speech was not a criticism of the Budget and the financial affairs of the country, as presented by the Minister; it was a mere tirade of abuse, delivered annually on similar occasions. It was a mere attempt to grapple with the question, and to draw away the attention of the House from the very able statement

presented by the Finance Minister, and the very full information which he supplied, information of the very fullest character, information which has never been exceeded by any previous Finance Minister for fulness and detail in regard to the financial affairs of the country. But, Sir, hon. gentlemen opposite seem almost to have forgotten the events of 1871-72 and 1872-73. One would think hon. gentlemen opposite would have been ashamed to say anything in reference to the Canadian Pacific Railway or the Treaty of Washington. The hon. gentleman ventured to speak of one of my utterances regarding the Treaty of Washington, as if I was putting a weapon of offence in the hands of the people and of the Government of the United States. Sir, I have never said half as much of that wretched instrument, the Treaty of Washington, as I should have said. I have never characterized the gross blunders made in it as I should have characterized them, for the simple reason that my official position in the country made it exceedingly difficult to speak of some parts of that transaction as they ought to be spoken of. But, while I have been thus reticent, if hon. gentlemen are to avail themselves, for the purposes of political capital, of that very reticence which has guarded them from the imputation of the gross ignorance which they manifested on that occasion, I shall no longer keep silence. Why, Sir, we find ourselves, in consequence of that Treaty of Washington, placed in an invidious position in regard to several matters. There is a direct advantage given to the United States in regard to the canal navigation that no legislative and no administrative action of ours can ever possibly overcome. When the hon. gentleman came back from Washington, he boasted that he had obtained the free navigation of the Yukon, the Stikkeen and the Porcupine, and for this he gave away the free navigation of the magnificent St. Lawrence; he being actually in a state of supreme ignorance of the fact that we had the navigation of those rivers before then, by a treaty with Russia in 1825, and in a more complete way too. We had the navigation of the

Mr. TUPPER.

northern rivers of this continent, not only for commercial purposes, but for every other purpose; and yet the hon. gentleman gave away the free navigation of the St. Lawrence to obtain navigation of these rivers for commercial purposes, and the immediate result is already a quarrel between the two countries as to whether or not a prisoner can be conveyed down the Stikeen River. We are bound, by one of the clauses of that treaty, to give the United States the free use of all the canals of the Dominion, and they are bound only to use their influence with the individual States to secure for us the navigation of the canals of the States contiguous to us, traversing the boundaries of the two countries. So they placed us actually in a position of inferiority in this respect from which no negotiation can possibly deliver us; and the successors of the hon. gentleman's Government have been obliged to take a stand upon other grounds in vindicating the rights of this country to certain privileges in connection with the navigation of these waters. I congratulate the hon. gentleman upon his having at last settled himself down into a policy of protection. I congratulate the hon. gentleman, as a Nova Scotian representative,—though he says he is a citizen of Ontario, and speaks in that character,—that he has been obliged to hoist the pure protection banner, and that under that he is resolved to fight for the future. So be it. We have never swerved in our devotion to what we conceive to be the true trade principle of the country, viz., that we should have a revenue tariff, and a tariff imposed only for the purposes of revenue, although it is well known that, with our revenue necessities, such a tariff practically yields a very large measure of protection. Sir, this Government found almost immediately upon its accession to office that we had to impose a considerably larger tariff than that which was previously in force, and we did impose two and a half per cent. more, and the hon. gentleman will venture now to speak of it, I suppose, as a protective tariff. I am a little amused, Sir, to hear the quotation which the hon. gentleman used with reference to the tariff and the system of protection,

and I was reminded of the very inglorious resolution proposed by the leader of the Opposition last year. He did not then, Sir, venture to assert a bold protective policy. Let me read the resolution.

“ Sir John Macdonald moved in amendment—That all the words after ‘that’ to the end of the question be left out, and the words inserted—This house regrets that His Excellency the Governor-General has not been advised to recommend to Parliament a measure for the readjustment of the tariff, which would not only aid to alleviate the stagnation of business deplored in the gracious Speech from the Throne, but also afford fitting encouragement and protection to the struggling manufactures and industries as well as to the agricultural products of the country.”

He does not venture to tell us what was that fitting protection. He does not venture to say that the tariff which was already imposed afforded either too much or too little protection. “Fitting encouragement” is an ingenious phrase, and “fitting encouragement” is all that the hon. gentleman ventured upon then; but the hon. gentleman now thinks that he may fairly hoist the protection banner and sail under it for the future. However, I am glad at last to have caged him in any position, a thing which has never before been possible. But, Sir, let me revert for a moment to some passages of the hon. gentleman's speech. He says that the policy which was initiated in 1870, called the National Policy, by which we imposed a duty of fifty cents per ton on coal, actually frightened the United States of America into lowering their duties. Well, Sir, I think that he is undoubtedly a very great man. He is a wonderful man, and no doubt he wishes to frighten us who are on this side of the House very much; but I had no idea, until he declared it in his own words, that he had also frightened the whole people of the United States. There is, to be sure, the usual element of inaccuracy in the statement; there is the statement that the United States duty was immediately reduced fifty per cent.

Mr. TUPPER: No; from \$1.25 to 75 cents.

Mr. MACKENZIE: Then I misunderstood the hon. gentleman. At all events, the imposition of fifty cents duty

upon their coal frightened them into the reduction of their rate. Why, Sir, the entire amount of American coal brought into this country during the whole year only yielded, if I recollect aright, between eighty and ninety thousand dollars of revenue. This was the entire amount, and the imposition of fifty cents per ton did not, and could not, bring one ton more of coal from Nova Scotia to the Upper Provinces than was previously the case. I am aware that some was brought as an experiment, but it was a mere experiment which could not possibly succeed, because we in Ontario are contiguous to the coal fields of the United States, and any attempt to force the coal of Nova Scotia upon Upper Canada must of necessity be a failure, unless a protective tariff of between two and three dollars per ton is imposed. This is well known to the hon. gentleman; but, Sir, why is it—if this scheme is to have such a grand remedial effect, and if this policy was such as coerced and frightened the Government of the United States into terms—that the hon. gentleman's Government repealed that policy themselves. Nay, more, Sir, he made a pathetic appeal to us to-night—an appeal which I am certain I have heard fifty times before—in which he said that at the very time that the hon. gentleman the member for Kingston was struggling on behalf of Canadian interests at Washington, we struck down this generous and magnificent policy of theirs. Why, Sir, the hon. gentlemen opposite controlled a majority of forty or fifty votes in this House at that very time. The majority of the then Government was indeed from fifty to seventy.

Mr. TUPPER: On that question?

Mr. MACKENZIE: The hon. gentlemen had a majority on every question which, as a Government, they chose to place before the House. Either this was the case, or they were without a majority on such questions as they chose to present to the House. They did choose to present this policy to the House in 1870, and they themselves chose in 1871 to come down and repeal it.

Mr. TUPPER: How about petro-

Mr. MACKENZIE.

leum? Where is the hon. gentleman's policy voted in this regard last Session, and the policy made known to-night?

Mr. MACKENZIE: I will deal with that presently, but now I will deal with the hon. gentleman, and, as soon as I get through with him, I will take up some other person. Now, Sir, it was very remarkable that in the face of this appeal the hon. gentleman should have voted against the resolution, which I will just read:—

“Moved in amendment by Mr. Bowell, seconded by Mr. Brown, that in view of the negotiations now pending at Washington between representatives on the part of the British Empire and the United States, touching questions which may lead to the renewal of the Reciprocity Treaty, it is, in the opinion of this House, inexpedient to repeal the duties now imposed on certain articles enumerated in Sec. 2 of the Bill amended; and be it therefore resolved, that the Bill do not now pass, but be referred back to the Committee of the Whole for the purpose of expunging the words between ‘coke’ and the words ‘hereafter repealed.’”

Although this was moved by one of the hon. gentleman's own followers, and although the suffering member for Kingston was then in the agonies of parturition at Washington, having been sitting there for weeks in the hope of bringing forth a treaty, yielding reciprocity, it seems that in spite of all the hon. gentleman's distress in the American Capitol, his own followers deliberately voted against this resolution proposed by the member for North Hastings— for I find among the votes in favour of repealing the duty on coal, the name of Mr. Tupper, and the name of every member of the Government in this House at the time. And this, Sir, is the gentleman who is preaching a new morality, and this is the gentleman who speaks of consistency, this, Sir, is the gentleman who presents, as he says, the spectacle of constant consistency in all political matters. Why, Sir, consistency is a word unknown to the hon. gentleman. I have read this to show that the hon. gentleman not only does not believe, and did not believe what he stated to-night, but, further, that he proved by his vote that he was entirely opposed to the policy which he now says is the only salvation for the country. Sir,

the hon. gentleman, a moment ago, in reply to my accusation, answered that they did not control the House on every subject. No doubt they did not, and the hon. gentleman was willing to remain in office, although he and his colleagues could not control their followers on certain subjects. Why, the hon. gentleman himself avows that he defended the protective system. He says that he was in favour of it before, and he accuses the Opposition, who were then in a minority of from sixty to seventy in this House, of having carried a resolution in defiance of the Government. I have shown that he himself recorded his vote for the repeal of that duty; but, assuming what the hon. gentleman says to be true, was it fair to the public and to the protective interests he has taken under his wing, the grand political policy of which he sets himself up as champion, that the moment he found that a majority was likely to be recorded against this grand policy, he himself should turn round and march with the tide. And yet, Sir, this gentleman has the assurance to charge us with inconsistency, and to declare that we have not fairly carried out the policy which we announced to the country. So much, Sir, with regard to the coal duties. The hon. gentleman knows very well, in reference to other matters in which he indulged very freely during the discussion, that he was not representing the real feelings of his own party, nor the real facts of the case. Why, Sir, in one breath he denounced us for not spending the public money in time of distress, and then for imposing duties for the purpose of spending money. We were denounced because we increased the tariff; we were denounced because we borrowed money in the English market, for works which were avowedly intended to be built with capital on capital account, and at the same time we were denounced because we proposed to resort to easier means in regard to the construction of such works. But what are the facts? During 1875, there was spent, in addition to what was expended on the Inter-colonial Railway, something over eight millions of money on public works, and, during 1876, very nearly nine millions for the same purposes; a

much larger amount was thus spent during these two years than during any two previous years, not only in the history of Confederation, but also in the history of Canada. And it has been done with a view at once to carry out works that are projected and must necessarily be carried on to completion, and with a view also to avail ourselves of the comparative cheapness of labour and material at this particular period. But, Sir, it must be remembered that there must be a limit to all expenditure, and the Government in proposing to limit the expenditure upon certain canals, knows that the object sought to be accomplished by building various new works where old works are starting can be obtained by another mode which will avoid for the present the expenditure originally contemplated. That we propose to do in order to save a considerable amount of public money which otherwise would have to be expended. I was a little amused in connection with the hon. gentleman's views on the question of protection. The hon. gentleman expressed himself in favour of protecting all kinds of manufactures; but any one in reading his speech to-morrow will find that he denounced the Government because they proposed a duty on machinery. It appears that everything is to be protected except machinery, and that everything will be protected, including machinery, at some time or other.

**Mr. TUPPER:** The hon. gentleman, I am afraid, is again committing an inaccuracy and is mis-stating what I said. I said, machinery that could not be manufactured in this country should be admitted free. My statement was limited to that, and yet the hon. gentleman represents me as having opposed a duty on machinery.

**Mr. MACKENZIE:** Will the hon. gentleman say what kind of machinery?

**Mr. GIBBS (N. Ontario):** Cotton machinery.

**Mr. MACKENZIE:** I can say that cotton machinery is made in this country.

**Mr. GIBBS:** It was not made then.

**Mr. MACKENZIE:** I will not enter into a discussion on the matter. We

know very well that that machinery is made not far from the city of Hamilton, and that there is no kind that is not made here.

Mr. GIBBS: Now.

Mr. MACKENZIE: It may be procured of better qualities out of the country—I have no knowledge that will enable me to decide upon that point. But I say that, if one kind of material is to have the benefit of protection, all material should equally have the benefit of protection, and the man who manufactures machinery as well as the man who manufactures sugar should surely be entitled to the same share of protection. I will not enter into an exposition of the principles of protection, or what, in my views, its fallacies are, because I have taken the ground that, although I am a free trader, it is impossible to have free trade in this country. Our circumstances forbid it, and our revenue tariff is one, which, for all practical purposes, has become operative as a protective tariff. And I will say further that no one knows better than the hon. gentleman that, if he carries out his system of protection, it will stop the imports; and, as you must have your revenue from somewhere, you will have to get it by direct taxation. There is no stopping point. The moment you increase the revenue by exaggerated protection, that moment you have to obtain taxation from some other source. This there can be no possible doubt about. Now, sir, I think the hon. gentleman ought to be ashamed of himself to speak of the Canadian Pacific Railway matter at all. The hon. gentleman ventured to say that we had expended six millions and that there was not one mile under contract.

Mr. TUPPER: I did not. I did not say a syllable about miles; I said that practically the work was not begun.

Mr. MACKENZIE: Well, the hon. gentleman says the work was not practically begun. What "practically begun" in his estimate means, I do not know. All I can say is that we have about 300 miles under contract, a large portion of which is completed. A portion of the rails are laid, and the rails may be laid next year on at least 200

Mr. MACKENZIE.

miles more which are under contract. I should say, Sir, that that is a very practical beginning, and, if having 200 or 300 miles of railroad all but finished, is not a practical beginning, I fail to know the use of language. I am happy to tell the House that under the wise management of the Government, 228 miles of railroad west of Lake Superior are under contract on the main line; and that 228 miles of railroad will be constructed, finished, and completed for, as nearly as can be, half the cost per mile of the Intercolonial Railway. That is not merely having it practically begun, but it is having it practically carried on in such a way as no railroad was ever carried on before in this country. Our object in pushing the work as we have done I have explained time and again to this House and to the country. We have power under the Act of 1874 either to proceed in the mode of obtaining tenders for the entire work or for small sections of the work. We felt that the obligation laid upon us by hon. gentlemen opposite when they engaged to build the road in ten years from 1871, was one that compelled us to move in the matter at once in order to show the best honesty in keeping our engagements with the new Provinces. And while the surveys were proceeded with the greatest possible diligence, we proceeded with the sections that were surveyed, with the understanding that as soon as the surveys were completed the entire road would be put under contract, if they could be put under contract consistently with the means and resources of this country at our disposal. When the hon. gentleman taunts me with having held out hopes last Spring that we would have the surveys completed so as to be able to advertise for tenders in June, he is not showing that fairness which should characterize the leading public men of this country. If he had been able to show that we had exhibited the least lack of diligence, that we had made a hypocritical statement and had not tried to carry it out, the criticism would have been fair and just; but, I appeal to him, and to every member of this House, to say if there is a particle of evidence to be found to prove that we

did not carry out the promises we made at the time we took office and last spring. The hon. gentleman says that we went about at the general election in 1872 denouncing the Pacific Railway scheme of the hon. gentleman opposite. Why, the hon. gentleman does not remember, I suppose, that the Pacific Railway scheme was not developed at all during the election of 1872. He assumes that it was, and ventures to say that we opposed their policy at a time when the policy was not conceived, and if conceived, it was not brought forth to the country. We denounced them at the general election of 1872 for their extravagant bargain with British Columbia and not for their railway policy, because at that time the policy was not known, for the hon. gentlemen were then engaged making arrangement with Sir Hugh Allan, Hon. D. L. Macpherson and other capitalists. Such, Sir, is the reckless assertion of the hon. member for Cumberland, in order to make political capital at such a time as this. As the recognized financial critic on the opposite side, the hon. gentleman's speech ought to have been a criticism of the remarks of my hon. friend the Finance Minister and a correction of his figures, if he was able to correct them. Instead of that, his speech was a wandering rehash of abuse and reckless assertions, a few of which I have dealt with, rather than go over the whole field. The hon. gentleman indulged in one very remarkable misstatement—shall I call it a misstatement? For courtesy's sake I will. He says that the last year in which the late Government was in office they managed to carry on the affairs of the country easily with \$19,000,000, and the first year we were in office we required \$24,000,000 to do the same work. Does the hon. gentleman deny this statement?

Mr. TUPPER: I do most distinctly. I said the expenditure for one year was so much, and the estimates for another year were so much.

Mr. MACKENZIE: Very well. I am glad he makes this statement. He knows very well they took estimates for 1873 for nearly \$24,000,000; and

if only \$19,000,000 were required, why did they take estimates for so much? Does the hon. gentleman mean to say that they deliberately took \$5,000,000 more than they required? If he does not mean that, he must abide by his own estimates, and the fact remains that their estimates exceeded our expenditure by several hundred thousand dollars, if we admit the services on the boundary question, the Indian treaties, and the North-West Mounted Police, and one or two other matters for which they never paid a farthing during their term. The absence of this expenditure alone, reduces our estimates of 1874-5 considerably below the estimates they took for 1873-4. I exposed this fallacy in a speech I made at Whitby in the presence of the hon. gentleman himself, and I gave there the exact figures and the services, and I proved conclusively that our expenditure was less during our first year of office than theirs was expected to be for the last year that they took estimates.

Mr. TUPPER: What was the verdict of the people?

Mr. MACKENZIE: The hon. gentleman says the battle of protection was fought out in some of the rural constituencies, but he says also that in the Ontarios the Ministerial candidates were outvying the Opposition candidates in their advocacy of Protection. Well, their defeat must be attributed to that. What took place with regard to my hon. friend from Bothwell? He did not sail under false colours. He fought out the battle of Free-Trade, and he had the two apostles from the Ontarios and four or five others, and a great many others who could not tell if they were asked whether they were protectionists or not, fighting against him. We had the whole tribe there, and the result was that my hon. friend came back with a largely increased majority. Now, Sir, the hon. gentleman said tonight, referring to the amount of customs collected by my hon. friend behind me, that it cost \$50,000 more during the first year we were in office than it did during the last year we were in office. I think that was the statement.

Mr. TUPPER: No; I will give you the figures.

Mr. MACKENZIE: Well, while the hon. gentleman is looking for the figures I will tell a little story.

Mr. TUPPER: The hon. gentleman can go on with his story when I have finished. What I said was that in 1873-74 we collected \$1,491,255 more in the customs than the present Government in 1875-76, and that the cost in 1875-76 was \$62,709 more.

Mr. MACKENZIE: Very well; I will tell the story now. I am sure the hon. gentleman forgets it, and it will be remembered with some interest. It took place in the last days of October, 1873, and in the early days of November, 1873, and during that interesting period in which my hon. friends opposite were industriously engaged in keeping up a sham battle in this House, and making appointments of various kinds. In the early days of November, 1873, the hon. gentlemen opposite were engaged in making appointments by the hundred, and not content with that, my hon. friend from Cumberland had an Order-in-Council which raised all the salaries in the Customs to the extent of \$60,000, almost the exact amount which he charges my hon. friend with having spent. It was quite evident to any one who had access to the Privy Council Chamber immediately after the resignation of the late Governor, that when the place was vacated by the hon. gentlemen opposite, they never expected to inhabit the place again. And, notwithstanding a little assistance that a time of distress has been to them during last season, they never will be tenants there again.

Mr. TUPPER: I am sorry to interrupt the hon. gentleman's story, but I must do so in order to be true to history. The hon. gentleman will find if he takes my figures, that the expenditure that very year for which the salaries were increased—1873-74—was \$658,000, as against \$721,000 for 1875-6.

Mr. MACKENZIE: The hon. gentleman cannot deny that what I state is a fact—that the increase of salaries was in the neighbourhood of \$60,000.

Mr. MACKENZIE.

Mr. TUPPER: The increase of salaries was made under an order of the House.

Mr. MACKENZIE: What we have also done has been under an order of the House. He cannot have the plea of an order of the House as an excuse in his case alone. The hon. gentleman in comparing the figures of the respective Governments, forgot to mention another little item of interest. I have shown that when they left office the public expenditure was at twenty-four millions. When they entered office the public expenditure stood at thirteen millions, and in the course of six years they increased the expenditure by eleven millions. We have been in office three years, and have decreased the expenditure by one million and a half. That is the difference between the two Governments. We have, moreover, made the most ample provision to have all the public wants attended to. We have erected public buildings in different places, the buildings at Montreal, Toronto, and in this city having been almost entirely constructed during that period; and further, we have effected the reduction of the Estimates which were left us when the hon. gentlemen opposite resigned office. This is a true statement. Anyone who chooses to examine the Public Accounts will see for himself the real state of affairs. When these gentlemen were installed in the Government in 1867, the country was in the hey day of prosperity. For three years previous our farmers sold everything that could be sold. The United States markets were exhausted, and they looked to Canada for a supply of produce and goods required during the war. Our farmers east and west, and our mechanics were able to send their products into the United States. As I have said, those hon. gentlemen took office in the midst of the prosperity, and that prosperity continued for years. They went out of office at the very time when we were all beginning to feel that a period of depression had arrived, which would tax the energies alike of private citizens and the Government, and any fair minded man would have acknowledged the difficulties with which this Government has

had to contend. But instead of that, the Government received nothing except the most captious, ill-natured and unfair criticism that ever assailed a Government. If the hon. gentleman and his friends imagine that the country is so blinded by passion or prejudice as to accept his statement and his interpretations of public affairs during the past few years, the hon. gentleman never made a greater mistake. The people are not ignorant, and it does not require the presence of the hon. member for Cumberland, even in Ontario, to enlighten the people in that dark region by his own exit from his own Province, into the the midst of them. Those hon. gentlemen came into power, and instead of husbanding the resources of the country at the time when they had resources to husband, instead of acting as the Israelites did in Egypt, when called by Pharaoh to provide against the seven years of scarcity, they spent everything they could lay their hands on, and when they went out of office, carried the whole balance with them. Why, if hon. gentlemen had had any successors except those who were provident, active and careful in the administration of public affairs, if they had been succeeded by rash men like themselves, the country might have been ruined; but it rested with the Reform party to succeed hon. gentlemen opposite just as they had brought the country to the verge of disaster, as they had defiled its public morals, as they had spent its money, as they had made preparations for further expenditure. It was left for us to take up the management of affairs at this particular juncture, and by the wise efforts and management of the Finance Minister and other Ministers, public affairs have been so directed that the finances of the country have been husbanded and prosperity will ere long return—a prosperity that is even now appearing on the horizon, a prosperity that owes nothing either to that political party or to this. The prosperity of this country depends on the industry of its people. It does not depend upon party *claqueurs* or upon political nostrums, but it depends upon the industrial power of the people; and the day will never come when either the hon.

gentleman or I will be missed when we take our departure from these legislative halls, because other men will rise in our places, and the country will go on never heeding the time when a Tupper pronounced as the sole remedy for the ills of Canada the imposition of a duty on sugar and coal. John Bright said, in a very recent speech, that he could not compare the extravagant absurdities of some people who waited upon him desiring protection, to anything except a person who had got a box on the right ear and turned round desiring a corresponding one on the other ear. And this is the sole remedy of these hon. gentlemen for the sorrows of the country, the sole remedy for a depressed people and for depressed industries. Their sole remedy is to tax the people more; make the people pay more, say these hon. gentlemen, and that will surely bring a general era of prosperity. My belief is that if the country does desire to be more highly taxed, the hon. gentlemen opposite should return to power, for they and they only of all public men are willing to adopt this extraordinary remedy. For a patient whom they admit to be tolerably sick, they propose the system of counter-irritation; because there is a sore on one side the hon. member for Cumberland proposes to put a blister on the other, and that is done to promote the prosperity of the country.

Mr. TUPPER: That is good treatment.

Mr. MACKENZIE: Then God help the country that is to be subjected to that treatment. I do not, to-night, Sir, propose to enter upon any critical analysis of the statements of the hon. gentleman, because I will leave that to my hon. friend the Finance Minister. I desired merely to deal shortly with some of the political features of his address, and with some of the extraordinary statements he made in the course of it, and I shall on a future occasion take the opportunity of referring more at large to some of the questions he raised. In the meantime, Sir, I have only to say that if the hon. gentleman imagines that speeches such as he has delivered

to-night are calculated to advance either his personal or political interest, or to advance the prosperity of the country, I think that he will find that the voice of this House on both sides will pronounce against such an assumption, and that a considerate and fair criticism will always be best for the object he is aiming at—best in the interest of the dignity of the country and the dignity of this House, and that any other procedure on his part, or on the part of any other public man, will merely result in a degradation which must be deplorable to every honest man.

Sir JOHN A. MACDONALD: The hon. the Premier is wise in his generation. He says he will not at this late hour of the night, or at any other time indeed, attempt to make an analytical criticism of the speech of my hon. friend. He wisely leaves that to the Finance Minister. It is far above his capacity, and the announcement he has now made shows that he is conscious of the fact. If my hon. friend wanted a tribute to the surpassing ability of his speech to-night, if he wanted evidence of the effect it has had on the Premier and on his followers, he would have it in the tone, in the manner, and in the style of the speech of the hon. Premier. I have heard the First Minister make many speeches, I have heard him make many strong speeches; but never in my life did I hear him make, either as a private member of this House and unofficially, or as the head of the Government, a speech so replete with violence, so replete with strong and unparliamentary language, so uncandid and so ungenerous, and so unworthy of his position, as that which he has made to-night, and he, forsooth, charges my hon. friend with making his speech a mere tirade of vulgar abuse. Sir, it was an incisive speech, it was an able speech, it was a fair speech, a conclusive speech, showing the faults of the present Government; and it was because it was of its incisiveness that it was so felt by the hon. Premier, and so felt by the whole House. Had it been a tirade of abuse, or had there been anything unparliamentary in it, you, Sir, in the exercise of your functions, would have called the hon. gentleman to order. But my hon.

Mr. MACKENZIE.

friend's speech was not of that character, and he has a right to throw back on the hon. gentleman the charge that it was unparliamentary, or that it was unworthy of him as a distinguished statesman of Canada or as a member of this House. But, Sir, the flesh will quiver when the pincers tear; and as every sentence came down on my hon. friend and on the Finance Minister they felt it keenly, and the feeble cheers you heard behind them showed that it was also felt among all the supporters of the hon. gentleman. The hon. Premier charged my hon. friend with using improper and coarse language, because he stated that the return in the *Gazette* was false in fact. My hon. friend told this House that either these returns were of no value, or that they were calculated to deceive the country. What were those returns placed in the *Gazette* for? To give information to the public as to the actual state of the revenue, as to what are actually the receipts and expenditure. The hon. Minister of Finance admits that they are not correct returns, and, therefore, that they are not of any value to the country.

Mr. CARTWRIGHT: They were quite correct when they were made.

Sir JOHN A. MACDONALD: The hon. gentleman says they were quite correct so far as known to the auditor, but of what advantage is that to the country? What the country wants to know is what the whole amount of the receipts and expenditure is at present, and not what it was at some other time in the Audit Office. The hon. gentleman says that my hon. friend from Cumberland should have confined his speech to a criticism of the Budget speech, but that instead of that he launched into a general political discussion. He did not do so, Mr. Speaker. As was his duty and as was his right, and as was according to practice, he went into a general discussion of the state of public affairs as connected with the revenue and expenditure, and as connected with the financial policy of the Government. That is what he is here for, and that work he did thoroughly; and when he alluded to the Washington Treaty, to the Pacific Railway, or to any other subject, he

did not discuss those matters as matters of general political importance, but purely in their commercial and financial relations. He spoke of the Washington Treaty with reference to the Fisheries, with reference to the policy of the Government in regard to that subject, and with reference to the mission of Mr. George Brown to Washington in connection with that Treaty. He did not enter into a general discussion of the treaty. My hon. friend the Premier took quite a different course. He wanted to draw the herring in front of the hound in order to lead him off the scent. He wanted to take away the attention of the House from the *exposé* of the incapacity and extravagance of the Government, and their failure to carry out the pledges and promises they made at the time they took office. He commenced to say that if such speeches were to be made, if the policy of the Government was to be discussed, if they were to be arraigned for their incapacity, if the policy of the Finance Minister was to be attacked, he would not reserve his reticence on the Washington Treaty. Let the hon. gentleman tell what he knows. The hon. gentleman has never shown such reticence on that subject when he thought he could make it the ground of a political attack on his political opponents, and he is welcome to make use of what he knows in regard to it. He thinks that in saying this he is hitting me. He was hitting the Imperial Government; he was hitting Mr. Gladstone's Government; he was not hitting me at all; and, Mr. Speaker, I can only say this, that looking back to 1871, and looking at the position in which England stands now and the position in which she has stood for the last four months, I can thank God as a patriot and as a lover of my country that that treaty was made. Sir, we all know that if all differences had not been settled between England and the United States,—if the Alabama difficulty had not been arranged—England would have been powerless as a nation. She could not hold her position in Europe with the United States on her flank.

Mr. BLAKE: There's a patriot.

Sir JOHN A. MACDONALD: The hon. gentleman calls me a patriot. I believe I am a patriot. I certainly love my country, perhaps not more than the hon. gentleman, but as earnestly and as honestly as the hon. gentleman. Sir, England has been in great danger for months and months of a war in Europe and the Mediterranean. She has been in danger of being at war with one of the greatest military powers in the world. We all know that if the Alabama question had not been settled, and England was about to engage in a war with Russia, she would have to prosecute it against the united powers of Russia and the United States. But by the consummation of that treaty, and by the settlement between the United States and England under that treaty, it is that England can assume the position of the controlling power of Europe. But we have fought out that treaty in this House again and again, and it has been approved time after time. We have gone to the country on it, and it has been approved. Parliament approved of the treaty, and I believe the House approves of it since. And now, moreover, we are quite prepared, any time when the hon. gentleman pleases, to submit the question to the people again, and I have no doubt that we would be successful. The hon. gentleman chose to sneer at my hon. friend for his allusions to the national policy, and he ventures to charge my hon. friend with having voted against his own policy, with having repealed that policy, and with having improperly attempted to make capital against the hon. gentleman or the other side for their course. Never, Sir, was there a more disingenuous statement made—never a statement more unfounded, in fact, than that. I am surprised that the hon. gentleman so far forgot himself as to make that statement in this House. I know the hon. gentleman made it elsewhere, but I am surprised that he would have the hardihood—if that is not an unparliamentary expression to use—to do that, Mr. Speaker; when the resolution was carried to repeal the Act of the previous session, what is called the National Policy Act, the whole power and force of the Government was ex-

exercised in order to defeat that proposition. But the hon. the Premier was the leader. He led every one of his followers, whether Free Traders or Protectionists, to vote for the repeal of the National Policy.

Mr. MACKENZIE: I was not here, Sir.

Sir JOHN A. MACDONALD: There was a combination. He was joined by men who usually supported the Ministry. The Government had a good working majority at that time in Parliament for their general policy, and for their general course and administration. On that question there was a difference of opinion. A certain number of their followers voted and joined with the hon. gentlemen, and I have no doubt most of them have regretted it bitterly since.

Mr. MACKENZIE: I was not here at all.

Sir JOHN A. MACDONALD: Oh no. I forgot that my hon. friend was attending to a local election at that time.

Mr. MACKENZIE: And carried it too.

Sir JOHN A. MACDONALD: But his spirit was here and his followers were all here. The whole power and influence of the Government were used for the purpose of preventing the repeal of that Act; but were defeated by the whole vote of the Opposition uniting with a portion of the Ministerial supporters. The Government had one of two courses to take: either to accept the decision of the House or to resign. Mr. Speaker, they accepted the decision of the House—and why did they do so? Because they were defeated in one branch of the National Policy was that a sufficient reason why they should hand over the whole National Policy to the gentlemen opposite. The hon. gentleman knows, and this country knows that it was alleged and stated by the Ministry at the time they laid their policy before the House originally, that it was the commencement of a national policy. It was a tentative proposition. It was the entering wedge for the purpose of laying the basis for a national policy. The hon. gentlemen

Sir JOHN A. MACDONALD.

opposite would not have carried out this policy, but would have introduced the policy which they are carrying out to-day, namely, that of rigid free trade, irrespective of all encouragement to our agricultural and manufacturing interests. I say my colleagues would not have been justified\* in resigning, especially in my absence, I being at Washington. And so the proposition of the House was accepted. It would have been an unwise, unpatriotic and unstatesmanlike course to have resigned; and therefore they accepted the decision of the House, and in obedience to that decision they amended the Supply Bill, to carry out the resolution of the House. The Government, having accepted the decision of the House, were bound in honour to carry it into effect by an Act of Parliament. If they had gone back on their pledge, and had tried to steal a reversal of the decision of the day before, they would have acted dishonourably. And so that vote, of which the hon. Premier boasts so triumphantly, was only carrying out their pledge, they having submitted to the decision of the House. Mr. Speaker, with reference to the Budget and tariff that have been now brought down, I must say that intelligence respecting the alterations in the duties, will be received through the whole of this country—at all events throughout the length and breadth of the two Provinces of Ontario and Quebec—with dismay. Sir, the struggling and suffering manufacturers of both these Provinces have been hoping against hope for some relief, and although but little was to be expected from the hon. gentlemen opposite, they thought that the depression was so obvious, the distress so overwhelming, and so long continued, and the cry for help from all parts of Ontario and Quebec so unanimous, that the Government, notwithstanding their prejudices in favour of free trade, and the opinions some of them had expressed in this connection, would have risen superior to their past position and pride of opinion, and have come forward with aid in this trying extremity of this country—this extremity of distress, which is admitted by the hon. gentleman in his speech on the Budget—and this great financial and commercial

depression. And the hon. gentleman knows, because he is, of course, owing to his position, in communication with Montreal, and the great centres of business and manufactures in the country—that the cloud is darkening, and that notwithstanding the hope expressed by the Premier, there is no light in the sky as yet, and no sign exhibited of the disappearance of the present state of depression and distress. Sir, all these industries, and not only the manufacturing classes, but the working men, the labouring classes, and the whole commercial community, were looking forward for financial relief as a consequence of the meeting of this Legislature; and I say that when the news is flashed over the wires to-morrow, west, east, north and south, that there is no such alteration as is required, and no relief, many a man who has been keeping up his heart, and keeping open his warehouse and place of business at a ruinous sacrifice in order that his workmen might not starve, will be obliged to close his factory, and dismiss his employees, and perhaps be driven to the Insolvent Court, owing to the policy adopted by the hon. gentlemen opposite. But at least there is a relief,—we will have our coal oil a little cheaper. But even as to that, Mr. Speaker, the old women when they look at the lamp, they will say, “We are getting our oil a little cheaper, but it is only transferring the tax to the tea-pot.” Mr. Speaker, the policy of the Government is one at which I am not surprised. It was announced last Session by the hon. member for North York, who is a powerful supporter of the Administration—that the line had been drawn at last, and that the line between the Ministerial party and the Opposition party was protection and free trade. He thanked God that the Ministerial party had at last hoisted the free trade banner, and that they were going to fight under it. The hon. gentlemen may fight under it, but they will fall under it, and although my hon. friend the Premier may keep up his heart, and try to encourage his supporters by stating that their position is not affected and that the country is still with them, notwithstanding all this depression, for which he will not hold himself respon-

sible, still the fact is, that he does not possess the confidence of the country. Why Sir, this country must be paying a vast sum of money for this style of administering its affairs. The hon. gentleman says, that neither this nor any other Government could relieve the country; but I deny that. A wise Government can do great things towards alleviating distress and depression. They cannot do everything, but they can restore confidence by assuming such a position as gives confidence to the country. It may be that the country is wrong and the hon. gentleman right; it may be that the unpopularity, which it must be obvious to the hon. gentleman and everybody, has come upon the hon. gentleman, may disappear, and it may be that they will recover their standing in the country, and regain the confidence they have forfeited; but can they, as gentlemen of candor and men of honesty, say that they do not know that the country is now against them. Why, Mr. Speaker, it would be admitting that they were blind to the plainest evidence, if they did not admit that the present feeling of the country is not in their favour. There is dissatisfaction in Ontario as the hon. gentleman knows well,—there is, in fact, dissatisfaction in every part of the Dominion. The elections as they have come off prove that beyond a doubt. Whether you look at the two Ontarios or at Kamouraska, you will find what the feeling in Canada really is. If you want to know what the feeling is in Nova Scotia, look to Victoria; and, as my hon. friend says, go to Halifax and see why the Government dare not open that seat. My hon. friend the Premier has tried to convict my hon. friend who sits beside me of an inaccuracy or a want of memory in stating that in 1872 the policy of the Government on the Pacific Railway was not known. The hon. gentleman says the Government had not formed their policy, and that it was after the election that they announced it. Well here are the Statutes of 1872, and here is the Act respecting the railway, which gives the Government power to raise thirty millions of money and to grant fifty millions acres of land; it also gives the Government power to amal-

gamate with any company which may be formed. There is the Act, and in that Act the policy is laid down, the maximum of money is specified, and the quantity of land is laid down. It was passed, as everybody knows, in the Spring of 1872, and was discussed at every hustings in the country. My hon. friend the Premier is certainly amenable to the charge which he has hurled at the hon. member for Cumberland when he states that at the general election of 1872 the scheme was not before the country. We have heard a great deal from the Premier about what they had done on the Pacific Railway. We will, however, have that up by-and-bye on the report. He says they have done an enormous amount of work, in reply to my hon. friend from Cumberland, who stated that there had been \$6,000,000 spent in surveys, and no part of the railway was practically finished. I believe the Report the Minister of Public Works as laid on the table shows that there are twenty-four miles finished. My friend, therefore, was not so inaccurate, for if there are only 24 miles finished, while \$6,000,000 have been expended on surveying where the road is not to be laid. Mr. Speaker, at this late hour I do not propose to detain the House any longer. This subject will be and must be fully discussed, and all the various questions which have been introduced into this debate will be considered again and again, so that every hon. member will have the opportunity of expressing himself upon it. Again, I say, I regret for the sake of the country, for the sake of our struggling industries, for the men of business who are now trembling on the brink of bankruptcy, that the Government have not come forward to give them assistance. The hon. gentleman quotes my resolution of last Session, and says, that we do not there propose an increase in the tariff. I believe in an increase that will not press unduly on the resources of our people. I believe in a re-adjustment of the tariff that if carried, would give confidence to every manufacturer, that would give labour to our skilled artizans, that would restore confidence to our financial institutions, and that would give

back to the country the prosperity it lost three years ago.

Mr. CARTWRIGHT: At this late hour I shall not avail myself of the privilege which belongs to the Finance Minister, of replying at any length; but, as the right hon. gentleman who has just addressed the House, if I understood him aright, intimated that the Government is largely responsible for the existence of the present depression, and that a wise Government could do a great deal to restore confidence. I give him notice that, when the question comes up again, I shall call the attention of the House to a series of interesting facts which occurred during his régime. We had a total deficit of about 8 per cent. on the transactions of last year; but what were the deficits which occurred during a term of ten years during which that hon. gentleman presided over the destinies of the country? One year it was 25 per cent.; in another it was 8; in another it was 12; in another it was 22; in another it was 9; in another it was 4,—facts which, I suppose, he thought too insignificant to mention. If that hon. gentleman really wishes to discuss the position of the late Government, nothing will give us greater pleasure than to go into details and to show who is really responsible for the present position of the country, and I will be willing to discuss those matters at as great length as hon. gentlemen may require. As to other matters, I will, for the present, confine myself to calling the attention of the House to one or two of the most glaring inaccuracies in the statement indulged in by the hon. member for Cumberland. I desire to point out that the whole question at issue between the hon. gentleman and myself is this: Was I, or was I not justified in estimating the true market value of the loan, not by two or three stray quotations for two or three stray days, but by the price at which bonds sold on the London market for months before and after my loan was put on the market? With respect to the course pursued by Messrs. Baring and Glynn, as to whose conduct I am exceedingly sorry the hon. gentleman should have spoken as he did, I desire to call attention to this fact, that the

price of the loan was fixed before I gave any instruction to Messrs. Baring and Glynn, that I expected them to take a certain portion of it. It is my duty to state further, that, although the London agents might have fairly claimed the right of taking subscriptions to the amount of £500,000 each, they confined themselves to the subscription of £250,000, and, if they made £50,000 or £20,000 out of the transaction, they must have been even more dexterous financiers than the hon. member for Cumberland. With regard to the other allegation of the hon. gentleman, if he will show to the House a single loan made by a foreign country of note in England, during the last half-dozen years, except at a fixed price, I will admit there is some just cause for his censure. As the hour is late, I will not review the hon. gentleman's somewhat rash and inaccurate statements, but I confine myself to repeating the assertion that, as touching returns, furnished by the Audit Department, be the present system good or bad, it was acted on for many years under the régime of the hon. member for Kingston. If, therefore, any blame is to be attached to any one, the blame must rest on that hon. gentleman, who inaugurated and continued it for so long a period. I beg to move, Mr. Speaker, that you do now leave the chair.

Motion agreed to.

House resolved itself into Committee of Ways and Means.

(In the Committee.)

1. *Resolved*,—That in lieu and stead of the duties of Excise imposed on the articles herein mentioned by the Act respecting the Inland Revenue (31 Vic., chap. 8) it is expedient that the following duties of Excise be imposed and collected:—

1. On every pound of malt, two cents.  
2. On every gallon of any fermented beverage made in imitation of beer or malt liquor and brewed in whole or in part from any other substance than malt, eight cents.  
3. Provided that Brewers using sugar in the manufacture of beer and paying the above-mentioned duty on the beer made therewith, may receive a drawback equal to the duty paid by them on the malt used with such sugar in making such beer.

2. *Resolved*,—That it is expedient to amend the Act 31 Vic., cap. 44, and other Acts amending the same, and the Tariff of Duties of Customs contained in the Schedules annexed to the said Acts:—

3. *Resolved*,—That it is expedient to repeal so much of Schedule A of the said Act, 31 Vic., cap. 44, as imposes any Specific Duty of Customs on any of the goods or articles hereafter mentioned, and to substitute therefor the following Duties of Customs, viz.:—

On Cigars, including Cigarettes, 50 cents per lb., and 20 per centum *ad valorem*.

On Tea—Green or Japan, 6 cents per lb.

On Tea—Black, 5 cents per lb.

On Cologne Water and Perfumed Spirits when in flasks or bottles not weighing more than 4 oz., 25 per centum *ad valorem*.

On Malt, 2½ cents per lb.

On Oils, viz.:—Coal and Kerosene, distilled, purified and refined, Naphtha, Benzole and refined Petroleum, Products of Petroleum, Coal, Shale and Lignite, not otherwise specified, and Crude Petroleum, 6 cents per wine gallon.

4. *Resolved*,—That it is expedient that so much of Schedule B of the Act 31 Vic., cap. 44, or any Act amending it, as imposes any Duties of Customs upon Ale, Beer and Porter be repealed, and that the following specific duties be imposed and collected thereon, viz.:—

On Ale, Beer and Porter, when imported in bottle (6 quart and 12 pint bottles to be held to contain an Imperial gallon) 18 cents per Imperial gallon.

On Ale, Beer and Porter, when imported otherwise than in bottle, 12 cents per Imperial gallon.

5. *Resolved*,—That it is expedient that so much of the Act 37 Vic., cap. 6, or any Act amending it as imposes a duty of ten per centum upon the following goods, viz.:—

Cotton Thread in hanks, coloured and unfinished, Nos. 3 and 4 ply—White  
—Not under No. 20 yarn,

Cotton Warp, not coarser than No. 40,

Cotton Thread on spools,

Machine Twist and Silk Twist,

Linen Machine Thread,

be repealed and the said goods be held to be and dealt with as non-enumerated articles, subject to a Duty of Customs of 17½ per centum *ad valorem*.

6. *Resolved*,—That it is expedient, that so much of Schedule C. of the said Act 31 Victoria, ch. 44, or any Act amending it, or any Order in Council as admits the following goods for entry free of duty, viz.:—

Tubes and Piping of brass, copper or iron drawn.

Cotton Thread in hanks, coloured and unfinished No. 6 ply—White, not under No. 20 yarn.

be repealed; and that the following duties of Customs be imposed and collected on the same, viz.:—

On Tubes and Piping of brass, copper or iron drawn, 17½ per centum *ad valorem*.

On Cotton Thread, in hanks, coloured and unfinished, No. 6 ply—White—not under No. 20 yarn, 10 per centum *ad valorem*.

Mr. WOODS said that formerly drawn tubings were admitted free if not screwed and coupled. He asked if they would still be so admitted.

Mr. CARTWRIGHT said they would come under the name of unenumerated articles under the operation of that clause.

7. *Resolved*.—That it is expedient that so much of the Act 37 Vic., cap. 6, as imposes a specific duty of Customs on wines be amended by adding thereto the following provision—In computing the worth of all wine there shall be included the cost of bottling, corking, wiring, labelling, and of the materials used therein, and all other expenses incurred prior to actual shipment—except the cost of bottles and packages which shall remain subject to the duty of 17½ per centum *ad valorem*, provided by the next following resolution.

8. *Resolved*, That it is expedient that so much of any Act or Schedule as aforesaid, as imposes any duty of Customs on non-enumerated goods and packages be repealed and the following provisions substituted therefor, that is to say :—

The value of all Bottles, Flasks, Jars, Dimijohns, Carboys, Casks, Hogsheads, Pipes, Barrels, and all other vessels or packages manufactured of Tin, Iron, Lead, Zinc, Glass or any other material, and capable of holding liquids, Crates containing Glass, China, Crockery or Earthenware; and all packages in which goods are commonly placed for Home Consumption, including cases in which bottled Spirits, Wines or Malt Liquors are contained, and every package, being the first receptacle or covering enclosing goods for purposes of sale, shall in all cases in which they contain goods subject to an *ad valorem* duty be taken and held to be a part of the fair market value of such goods for duty, and when they contain goods subject to specific duty only such packages shall be charged with a duty of Customs of 17½ per cent *ad valorem* to be computed upon their original cost or value, and all goods not enumerated in this said Act or any other Act as charged with any duty of Customs, and not declared free of duty by some unrepealed Act or provision,—shall be charged with a duty of Customs of seventeen and one-half per cent. *ad valorem*, when imported into Canada, or taken out of warehouse for consumption therein; but all packages not herein before specified, and not specially charged with duty by any unrepealed Act, and being the usual and ordinary packages in which goods are packed for exportation, according to the general usage and custom of trade, shall be free of duty.

Mr. CARTWRIGHT.

9. *Resolved*, That it is expedient to repeal the Act of 31st Vic. cap 50, intituled "An Act to impose certain duties on Spirits and Petroleum."

Mr. TUPPER: I did not catch the statement of the hon. the Finance Minister as to how much he expected to obtain from the revision of the Tariff in addition to any loss which he expects to accrue.

Mr. CARTWRIGHT: Between \$400,000 and \$500,000, I think.

Mr. TUPPER: You assume that you lose on the petroleum, and make it up on the tea, and gain that amount on the whole revision of the Tariff?

Mr. CARTWRIGHT: Yes.

Resolutions *ordered* to be reported.

House *resumed*.

Resolutions *reported*.

House adjourned at  
One o'clock.

## HOUSE OF COMMONS.

Wednesday, Feb. 21st, 1877.

The Speaker took the chair at Three o'clock.

### BILLS INTRODUCED.

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

Bill (No. 20) To amend the Act of incorporation of the London and Ontario Investment Company (Limited).—(Mr. Macdonald, Toronto.)

Bill (No. 21) To amend the Act 37 Victoria, chapter 57, respecting Permanent Building Societies in Ontario.—(Mr. Hall.)

Bill (No. 22) To incorporate the "Dominion Grange of the Patrons of Husbandry."—(Mr. Rymal.)

Bill (No. 23) To extend to the Province of Prince Edward Island certain of the Criminal Laws now in force in other Provinces of Canada.—(Mr. Blake.)

Bill (No. 24) To amend the Act respecting larceny and other similar offences.—(Mr. Blake.)

THE LIEUTENANT-GOVERNOR  
OF MANITOBA.

## EXPLANATION.

Mr. MACKENZIE: In justice to a high official of this Government, I feel bound to allude to a matter that was brought forward here, two days ago. The hon. member for Lisgar stated, as common rumour, or as his own belief, I forget which, that the Lieut.-Governor of Manitoba was deeply interested in land speculations, implying thereby that he was not a suitable person for the Government to employ in the capacity of Commissioner for the settlement of claims under discussion. I ventured at the time, from my own previous knowledge of that gentlemen, and also from precise information, to contradict the statement as far as I could do so. Governor Morris, however, telegraphed me as follows:—

“Absolutely false that I am largely interested in land speculations. I have no interest direct or indirect in scrip or half-breed claims. I own three quarter-sections, two farms and certain city property acquired from private owners. You are authorised to use this statement.”

I think it but just that I should make this statement.

Mr. TUPPER: I regret exceedingly that the information has been given in the absence of the hon. member for Lisgar. I think, when a statement impugning the veracity of any hon. member is made, care ought to be taken to give the hon. gentleman an opportunity of putting himself right before the House. Now, the hon. member for Lisgar—and I say this as much in the interest of Governor Morris as of any other person—immediately disclaimed any intention of attacking in any manner the Lieutenant-Governor of Manitoba. He said he felt that the appointment of the Governor as a Commissioner in reference to the settlement of these claims was open to objection, because he was reputed himself to be concerned in land speculations. He did not say he was interested in half-breed claims or anything of that kind. I hold the Lieutenant-Governor of Manitoba has a perfect right to speculate in lands. I hold he has a perfect right to buy lands in open market the same as any other person, or to sell lands: I

do not know of any reason why he should be deprived of the right. Certainly there is nothing in the Constitution which deprives the Lieutenant-Governor of Ontario or the Lieutenant-Governor of any other part of this Dominion from exercising the right of investing his money in such mode as he wishes. I am quite sure every hon. gentleman who sits in this House and who has the pleasure of the acquaintance of Lieutenant-Governor Morris, knows he is incapable of engaging in any transaction that would touch his personal honour or would be open to animadversion. But I did not understand the hon. member for Lisgar as assailing his character or imputing anything to him; and I think it is unfortunate that such a construction should be given to it by any hon. member of this House; and I especially regret that the First Minister should have made the explanation in the absence of the hon. member for Lisgar.

Mr. MACKENZIE: I did not know whether the hon. member for Lisgar was present or not; but the hon. gentleman who made the statement must be supposed to be present. The statement will be published. I have nothing to say on the matter; simply to give the telegram as it is received. I may say, however, that I differ entirely from the hon. gentleman opposite if he thinks the Lieutenant-Governor of Manitoba is in precisely the same condition as the Lieutenant-Governors of the other Provinces in reference to speculations in land. I do not think it would be a proper thing for a gentleman in his position to be speculating in lands which might be subject to disputes between the two Governments. If there was any reason at all for the statement made by the hon. member for Lisgar, it was to cast discredit upon the choice of Lieutenant-Governor Morris as a Commissioner; and I feel bound not merely to defend Lieutenant-Governor Morris—which I would be glad to do at any time,—but I feel bound to defend his position as a high official of the Government; and it was quite right that the explanation that I have given from Lieutenant-Governor Morris himself should be given in the place where the statement was made.

Mr. RYAN: I am glad to hear the Premier make the statement he has just made, because it affords me much satisfaction to know—as in all probability the hon. gentleman and his Government will have an opportunity of appointing another Governor—that our next Governor will not be likely to speculate in lands. If the Hon. Alexander Morris has not engaged in speculation, and to a very great extent, certainly rumour in our Province must do the hon. gentleman great injustice. This I can say, without fear of contradiction, that in one single transaction of the Hon. Alexander Morris, in reference to the Drever Estate, one of the most valuable in the City of Winnipeg, the Governor not only made a speculation, but one of the most profitable speculations ever made in Winnipeg. I was also under the impression that, outside of this speculation in the Drever Estate, he was a very extensive speculator in other respects. Of course, since he has telegraphed to the Premier that it is not so, I suppose I must be mistaken; but I would like to have had a little opportunity of making some enquiries, because the impression is very general that Lieutenant-Governor Morris has speculated in lands.

### THE "NORTHERN LIGHT."

#### EXPLANATION.

Mr. POPE (Queen's, P. E. I.) stated that his remarks respecting the steamer "Northern Light" had been incorrectly reported in the newspapers and corrected errors therein.

### ANNUITIES TO INDIANS.

#### QUESTION.

Mr. BORRON enquired whether the amount of arrears of annuity owing to the Indians on the North Shores of Lake Huron and Superior, under what was known as the "The Robinson Treaty," had been definitely ascertained, and if so, what was the amount thereof.

Mr. MILLS: The amount has not yet been definitely ascertained. I cannot therefore state the amount at present.

Mr. MACKENZIE.

### MAIL ON THE LONDON, HURON AND BRUCE RAILWAY.

#### QUESTION.

Mr. MACMILLAN asked whether it was the intention of the Government to place a mail on the London, Huron and Bruce Railway the coming spring, and if not, why not.

Mr. HUNTINGTON: The Government does not intend at present to place a mail on the London, Huron and Bruce Railway.

### FREE POSTAL DELIVERY.

#### QUESTION.

Mr. DESJARDINS asked whether it was the intention of the Government to extend the benefit of Free Postal Delivery at the house, of letters and newspapers directed to persons within the different Municipalities, situate on the outskirts of the city of Montreal, and specially the town of St. Henri, Ste. Cunégonde, and the villages of St. Gabriel, St. Jean Baptiste, Côteau St. Louis, and Hochelaga.

Mr. HUNTINGTON: It is not the intention of the Government to extend the Free Postal Delivery within the Municipalities named.

### GODERICH HARBOUR WORKS.

#### MOTION FOR PAPERS.

Mr. FARROW moved for all Orders in Council passed having reference to the Goderich Harbour Works in 1874, together with a copy of the notice or advertisement calling for tenders for such work; the tenders received in response, and all reports and correspondence in relation thereto, with the contract entered into for the performance of such work.

*Motion agreed to.*

### FORT FRANCIS LOCKS, OR CANAL.

#### MOTION FOR PAPERS.

Mr. KIRKPATRICK moved for all Orders in Council authorizing or relating to the construction of the Fort Francis Locks, or Canal; all papers, correspondence, instructions to Engi-

neers and reports of Engineers and others pointing out the advantage to be gained from this Public Work, and giving an estimate of its cost and of the cost of the entire works necessary to attain the object for which it is proposed to build the Canal. He said: I think it but right to give some of the reasons which induced me to make this motion. In the report brought down at the close of the last fiscal year, it will be observed that a considerable sum of money has been expended on the Fort Francis lock; and being desirous of ascertaining the ultimate cost of this work, and the utility it was designed to accomplish, I searched through the different reports of the Public Works Department, and I regret to say that the result has not been satisfactory. I am very unwilling to believe that this or any other public work would be undertaken by the Minister of Public Works without first ascertaining the cost, and I am equally unwilling to believe that, having reports and estimates of the work, he would fail to present them to the House as the basis on which he asked for an Estimate. In the Public Works Report of 1875, however, no mention is made of it at all, and, in that of 1876, it is passed over with the slight remark that the advisability of constructing a lock 200 feet in length by 40 feet in breadth at this point is under consideration. This was signed in December, 1875, and yet we find, by the report laid upon the table this year, that this work had actually been commenced in June, 1875, six months prior to the date of the report. I find, further, that the hon. gentleman, when speaking of the Pacific Railway, in 1875, only alludes to it incidentally, as a connecting link in the magnificent water stretches between Thunder Bay and Fort Garry, and conjointly with the prophecy the hon. gentleman deigned to make that within two, or at the farthest two and a half years from that time, the portion of the Railway from Thunder Bay to Lake Shebandowan, and from Rat Portage to Fort Garry, with the lock at Fort Francis, would be completed. Now two years have elapsed, and what is the result? We find that the Rail-

way from Thunder Bay to Lake Shebandowan has been abandoned, the branch deflecting northwards at about fifteen miles from this Lake, and that, instead of the lock at Fort Francis being used in connection with the Pacific Railway, the latter will actually pass about one hundred miles to the north of it. Therefore, this work is not connected with the Pacific Railway, and, consequently, I think that the work itself should be abandoned, because it is unnecessary in that respect; nor is it necessary as a commercial enterprise, or for the settlement of the country for very many years to come. Besides, this lock was actually commenced without any estimate of the cost having been made, and I see in the Public Works Report, just laid on the table, page 207, that the Engineer, Mr. Baillargé, who was sent up last September, one year after the work had been undertaken, states that \$108,000 had been expended on it; further, that this lock requires certain other improvements on the Lake of the Woods and Rainy Lake to make it of any use. What are these improvements, and their cost? We are informed that no definite scheme or estimate can be submitted in this respect unless certain necessary levels, soundings, and measurements are taken along the entire line of navigation; and we are to presume that these were never taken. Is this the way that the public works are to be entered upon? Are we to be asked to spend and vote money blindly, in a happy-go-lucky manner? I find that, up to the end of last year, \$115,000 had been spent on the canal alone, and further, from the Public Accounts Report, that, in connection with this work and the Lake of the Woods and Rainy River, \$113,000 more have been expended, making a total of \$230,000 in round figures, for which no estimate is to be discovered in the Public Works Report. The utility of the work is also very questionable, even in relation to the Pacific Railway, and, as the Thunder Bay Branch, passing about 100 miles to the north of Fort Francis, is to be the all-rail route, I ask for what purpose are we to expend money in this connection? The expenditure in question is charged to the Pacific Railway, with which it has no more to

do than has the Welland Canal. Two seasons, those of 1875 and 1876, have moreover been spent on it, and one-fifth of the work is done. At this rate, I leave it to hon. members to judge how long it will take to finish it, without alluding to the improvements mentioned. Mr. Baillargé states that the canal can only be used for four or five months during the year, and are we to spend an unknown quantity of money, in order that for a few months a few barges or tugs may pass through it? When we are to have an all-rail route, what is the use of improving magnificent water stretches in addition. I think it is time for the Minister of Public Works to tell us that this work is to be abandoned, and no further money spent on it. If the motion is allowed to pass, it will enable the House to judge of the ultimate cost of the undertaking, and the utility which it is likely to accomplish.

Mr. MACKENZIE: There is no objection whatever, Sir, to the motion of the hon. gentleman, but, before it is put, allow me to correct some inaccuracies into which he has fallen. He says, Sir, that I announced to the House that I would abandon the route by Lake Shebandowan, but it is not abandoned. It is deflected, as the hon. gentleman said, a little to the north in order to obtain a better route. It touches at present west of the Lac des Mille Lacs, or rather, the Kaministiquia River, at a navigable point, a little beyond which the latter falls into the lake. From that point there is almost continuous navigation with a few short portages on the way to Rat Portage, the crossing place of the Pacific Railway on Winnipeg River, with only one great obstacle, which could not be overcome in any other way than by constructing a lock at Fort Francis. There are, as I stated roughly last night, two hundred and twenty-eight miles under contract between Lake Superior and Red River, of which one hundred and sixteen miles lie at the east end, or westward from Fort William; at about seventy miles from thence we reach a point east of Lac des Mille Lacs, thereby coming into the best navigable system at a place much farther west than would have been obtainable if the first contem-

plated line had been followed out. Those who choose to look at the map will observe that the first line, which we hoped to take, went almost in a straight line from Kaministiquia Bridge to a place called Sturgeon Falls, this being at the head of a long arm of Rainy Lake stretching north-eastward. That route was found to be, not exactly impracticable, but expensive. The line, as the hon. gentleman says, was carried farther to the northward, but two-thirds of that country perhaps consists of water, and in the vicinity of Rainy Lake the country to the north, in particular, is intersected by deep, wide channels, which reach either the exact vicinity of the railway or very near it, between Rat Portage, the crossing of the Winnipeg River, and the end of the eastern contract, a distance of one hundred and eighty miles—what we may call the Central District of that region. No matter with what speed the road may be prosecuted, that part cannot be completed within four or five years; and in the meantime, if this lock is finished, as I am informed it will be during the coming season, we will be able to send out steamers to Rat Portage, and to the eastern end of Rainy Lake during the season after next, and from that point to Lac des Mille Lacs is a comparatively short distance, so that in a few years we will be able to avail ourselves of these most magnificent water stretches connecting the two points which the railway would touch east and west. The policy of the Government from the first was always to have the railway completed as straight as possible, and in the meantime to utilise any portion of the water communications which would connect the two points that might be reached by railway—years before they could actually be connected by rail. This is the cause why it is of the utmost service to the Government in the construction of the railway to have the means of passing through these waters in the way I have indicated, especially with regard to the very heavy and cumbersome carriage of rails and materials of that kind, which are to be taken either from the west or east. The cost of the carriage of rails from Duluth to

Mr. KIRKPATRICK.

Red River is \$15 per ton, three times the amount of the cost for transporting them from Montreal to Duluth. If the railway is finished to Lac des Mille Lacs, and if the Government, when that time may come, should be directly interested in carrying on the contract over the intermediate space to which I have referred, we expect that we could carry the rails at one-half the present cost in consequence of the completion of that undertaking, as the transshipment would be very difficult and expensive over the small portages, and particularly at Fort Francis, while I believe that to take the material from Red River eastwards would entail still more formidable expenditure. I make these brief explanations in order that hon. gentlemen may see that we have, at all events, reasons which were satisfactory to the Department and to the Government, for inducing us to come to the conclusion to prosecute this work.

Mr. MASSON : The hon. gentleman says that he expects the work to be completed during this season.

Mr. MACKENZIE : I hope so.

Mr. MASSON : Will the hon. gentleman explain the passage in Mr. Baillargé's report, which states that he has very considerable plant on hand, such as steam drills, electric batteries &c.; also, that the work will be completed during the next two years, provided it is carried on successfully during winter.

Mr. MACKENZIE : That relates to the season of 1878.

Mr. MASSON enquired of the Minister of Public Works, whether it would be advisable to proceed with this work, which had already cost over \$100,000, and which would probably entail an expenditure of from four to five hundred thousand dollars, as the Pacific Railway would pass about one hundred miles to the north of this point. Was this good policy? And as the water communication to be provided would be completely useless, would it not be more advantageous to expend the money on the Pacific Railway, between Fort William and Red River. Further, it would probably be more convenient in the future, if the Gov-

ernment was about to undertake any work, for them to ask the House for a vote to meet the necessary outlay, informing the House, moreover, as was always done in England under similar circumstances, what would be the ultimate cost. It was useless to husband the resources of this country if the Government were allowed to place in the Estimates sums that, at first sight, might appear to be very small, but which would entail a much larger expenditure during future years. The hon. gentleman should not enter upon any enterprise—in the objectionable manner, indeed, that was pursued with respect to the Military College—without knowing what would be the ultimate cost. This precaution which was observed in ordinary life should with much greater reason be observed by Ministers of the Crown.

Mr. TUPPER asked how it was proposed to utilize that work. Looking at the map furnished, he found that it was some seventy miles to Fort Savaune where communication with the water stretches was available. This route to Port Savanne over a length of about twenty-four miles was now, he believed, laid, and he supposed that the work was being actively carried forward; at all events, the rails must be laid to Port Savanne before the hon. gentleman could utilize the works at Fort Francis. Then, looking westward, he found that the road, according to the statement of the hon. gentleman, was far advanced between Red River and Keewatin, and the latter place, he imagined, was in the neighbourhood of Rat Portage. What he could not understand was, how they could facilitate the construction of the intervening link with water communication for the purpose of laying the rails between Red River and Rat Portage on the one hand, and Thunder Bay and Port Savanne on the other hand. As far as he could see there was no means of touching the intervening portion by the aid of water communication.

Mr. MACKENZIE : We believe that we have the means of touching it. I said, either the intervening portion, or parts very near it; that was my statement.

Mr. TUPPER: It does not look so on the map.

Mr. MACKENZIE: I dare say. The map is on a very small scale, but I think that the Engineer's Report will explain it. The country is full of water channels capable of floating almost any vessel. They are, however, somewhat crooked, and in all directions they afford very great facilities indeed. Almost in the neighbourhood of Keewatin, water communication reaches in behind to the eastward, and the entire country is full of such facilities, which in the opinion of the Engineers will be very useful in connection with the construction of these works, and beyond all question, when the road is completed to Savanne, it will be finished independently of the route we have at present.

Mr. TUPPER asked what amount, in all probability, would cover the expenditure, between Port Savanne and Keewatin.

Mr. MACKENZIE replied that he did not anticipate making any outlay in this relation.

Mr. TUPPER asked what amount would be spent at Fort Francis, and along the water stretches.

Mr. MACKENZIE replied, that he did not exactly know what they would have to expend on the small portages between Lac des Mille Lacs and Rainy Lake. He supposed that the hon. gentleman referred to this section.

Mr. TUPPER said that he included the whole of the works at Fort Francis.

Mr. MACKENZIE replied that he was unable to give the required information at the present moment. They had a fair passenger steamer, of about 33 feet beam, on Rainy Lake, and another large steamer on Lake of the Woods—which were built before he came into office—besides small tugs and other vessels; and it was of the utmost importance that these vessels should have as free access as possible to the water communications with Rainy Lake. His original proposal was that, when the work in question was finished, they would be able to have uninterrupted navigation to Keewatin, or that neighbourhood, and

the North-West; and, in the meantime, if necessary, before section 25 should be finished, to the east end of Rainy Lake, a cheap tramway should be constructed over the other two portages between that and Lac des Mille Lacs. He had no doubt whatever that the outlay in this relation would amply repay the country both in regard to the Pacific Railway as a general work, and otherwise. They had not been, and it was utter nonsense for them to think of being, able to make full arrangements for even transporting passengers over this road, during the last two years; and it was quite evident that the stream of travel, at present, ran through the United States, causing a loss of a greater or less percentage to us, both in immigrants and others, for a number of Mennonites who were sent over the American route to the North-West, had been induced by speculative agents to settle in the States; and it did seem to him desirable, as anything could be so, that as soon as it could be done, at a cost proportionate to the value of the work, they should be able to take the stream of travel to the North-West through our own territory. He believed that it was of the last importance with respect to the construction of the Pacific Railway to have the North-West Territories settled, and it was of the last importance in this connection, that there should be a road built from Lake Superior entirely through our own country to that section. On these two suppositions and on this hypothesis had the whole scheme between Fort William and Red River been based. He was glad to say that the labours of last season had produced, almost over the entire route, a much easier road than was supposed possible during this period. There were places of considerable difficulty both west and east of Keewatin, but it was not convenient that he should then enter on any lengthy explanation in this respect; therefore, he would now content himself with merely giving to the country, to the hon. gentleman, and to the House generally, an idea of the importance that would attach to the prosecution of this particular work in connection with the Pacific Railway Survey.

Mr. MACKENZIE.

Mr. MITCHELL said the First Minister would perhaps recollect that when the subject of the grants for the Pacific Railway and improvements of the water stretches was being discussed, he (Mr. Mitchell) asked whether the crossing at the vicinity of Keewatin and Rat Portage would be to the northwards or southwards of the latter place. The reason why he made the enquiry was because some three or four miles of the river there were unnavigable. He could quite understand that, if the crossing was to the south of Rat Portage, the improvement upon the Fort Francis Lock would be of great service to navigation. It would give a stretch of 240 to 230 miles of river communication, and be of great advantage to the lumber interests of that section lying between Lake Superior and Lake of the Woods. He was not going to take exception to the outlay which was proposed for the purpose of improving the navigation and finishing that lock; on the contrary, he thought the work very desirable; but he quite agreed with the hon. gentleman who had made the motion that, before entering into any expenditure, the Government ought to have had an estimate, based upon scientific information, obtained by practical and competent engineers, as to the cost of the work. If the crossing was to the northwards of Rat Portage, it appeared to him that the means of transmitting heavy goods and property, such as lumber, which was the great resource of that section, to the western markets, would not be good; it would not afford those advantages which would follow if the crossing was to the south. Would the hon. the First Minister state the position of the crossing.

Mr. MACKENZIE said he was unable, on the spur of the moment, to state precisely the position of the crossing. He might remark that the water stretches were very imperfectly laid down on the maps. There was a certain lake north-west of Lake of the Woods—Mud Lake, or Shore Lake, or some such name—which stretched a considerable distance west and a little north of Rat Portage itself, and the steamer would reach the vicinity of the road there further west of Keewatin than if it were to cross to the north.

He would look at the precise crossing as indicated by the completed surveys, and take an early opportunity of giving the hon. member for Northumberland, and the House, the information he asked.

Mr. MITCHELL said he hoped he would be given credit for bringing the matter up simply on public grounds. It was of the utmost importance to the people of that section that the railway should be where steamers could approach the station.

Mr. MACKENZIE said there was no question but that that would be effected.

In reply to Mr. POPE (Compton),

Mr. MACKENZIE said that Mr. Dawson's report stated the length of all approaches. They were very short—some about a quarter of a mile.

Sir JOHN A. MACDONALD asked if the construction of this lock would defrayed out of the Pacific grant.

Mr. MACKENZIE: It is charged to the Pacific Railway appropriation, and is specified as one of the works to be done.

Sir JOHN A. MACDONALD said, although this was a portion of the water communication for the purpose of economically transporting materials for the Pacific Railway, he doubted very much whether it was constitutional or legal to pay for that work out of the appropriation for the Pacific Railway. This improvement might be very convenient for the purpose of forwarding supplies, materials and other matters for the construction of the Railway, but it was no more a portion of the road than any other canal or improvement on the route. The cost ought not, therefore, to be charged against the Pacific Railway fund. It might be desirable in every respect, but it was a distinct work. It had no connection with the railway. As the hon. the Premier had remarked, the whole chain of water communication was commenced before the present Administration came into power. Some of the steamers were there before the hon. gentleman took office. All the expenditure by the late Government there was for the improvement of the Dawson Route. It was going too far

to spend money appropriated for the Pacific Railway on another work which might assist the building of the road in some respects, but was certainly no portion of it. He referred to that point because he thought it was of some importance. His hon. friend the first Minister knew that the practice of using an appropriation for one specific purpose for another was long fought over in England by the different Governments of the day, and Mr. Gladstone said it was the last thing they had to conquer in the way of Parliament gaining complete control over its money appropriations. In France also the practice of applying money voted for one purpose to another was one of the greatest causes of dissatisfaction during the reign of the last Emperor. He spoke in this way because he considered it a matter of some importance that the rule should be observed and the Government strictly held to it. He would ask the hon. Minister of Public Works if the contract was under tender.

Mr. MACKENZIE: No.

Sir JOHN A. MACDONALD said he thought, then, that the Government had committed a breach of the Public Works Act, which provided that all public works should be done by tender except in two cases: one, great urgency, and the other, when, in the opinion of the Government, the work could be more advantageously performed by the officers and servants of the Government. He could quite understand what cases of emergency were. If the lock of a canal should be out of repair and impede the whole trade of the country, that would be a case of emergency, and the Government would be warranted in undertaking the work. But it could not possibly refer to any large work, because the Government had not officers and servants enough to undertake such a work. The other case was if the work could be done more economically by those officers and servants. But those were the only two cases, as he understood the Public Works Act, 1867, in which the Government had the power to construct any public work except by tender. The clause was as follows:—

“It shall be the duty of the Minister to invite tender by public advertisement for the

Sir JOHN A. MACDONALD.

execution of all works, except in cases of pressing emergency, where delay would be injurious to the public interests, or where, from the nature of the work, it could be more expeditiously and economically executed by the officers and servants of the department.”

It was a question whether the rails or other material could be more economically conveyed by this water route than by any other. There were a quantity of rails at Red River, and twenty-four miles from the Eastern terminus had been constructed; and it would appear to him that, as was the case in the building of the Union Pacific Railway. The railway should be its own feeder—that the material should be carried over the track as the road progressed. That was the most economical, the cheapest and the best way of constructing a railway in a new country. He hoped that other works in connection with the road would be undertaken before the completion of the lock at Fort Francis. This work would be very expensive; it would probably cost \$500,000.

Mr. MACKENZIE: Oh, no.

Mr. KIRKPATRICK: About \$220,000 has already been expended on it.

Sir JOHN A. MACDONALD said it would take two years to finish the work, and the cost would amount to over \$500,000. Half a million had been spent on the work when the only argument in its favour was that it would carry material cheaper, and give a few emigrants a chance to go in and settle in the country. They knew perfectly well that the majority of emigrants went by Duluth, and that very few would go by this line when it was finished. Besides, in three years, the whole railway would be completed from Lake Superior to Red River, and it was scarcely worth while to make the improvement in question for one year's convenience. It would be of no use whatever except for a few settlers along what was an exceedingly broken country—of no service whatever after the construction of the line connecting Lake Superior with Red River.

Mr. CURRIER said they had not yet heard from the hon. Minister of Public Works how many portages there were between Fort Francis and Keewatin.

Mr. MACKENZIE: I do not think there are any.

Mr. CURRIER: I mean between Fort Francis and where the route touches the end of the railway that reaches from Fort Garry this way.

Mr. MACKENZIE: I do not know that there are any.

Mr. CURRIER: The hon. gentleman spoke of some portages.

Mr. MACKENZIE: That was between Rainy Lake and Lac des Mille Lacs, the east end.

Mr. CURRIER: Then how many are there between Thunder Bay and Manitoba?

Mr. MACKENZIE: I cannot say. Mr. Dawson's report will show.

Mr. CURRIER said if there were many portages the proposed communication would be entirely useless for the transportation of freight; and it, therefore, seemed a waste of money to expend half a million upon that improvement, when it could be much better expended on the main track.

Sir JOHN A. MACDONALD said he wished to point out that the Public Works Act of 1874 stated distinctly that each section or sub-section of the Pacific Railway should be let by contract. Now, the improvement under discussion was either a portion of the Pacific Railway or it was not. If it was not a portion of the Pacific Railway no part of the appropriation could be expended on it; and, if it was a section of the Pacific Railway, it should be offered to public competition.

Mr. MACKENZIE: Not at all.

Mr. CASEY said he understood the hon. the Minister of Public Works to say that the route would be used to furnish rails from Port Savanne to the other end of the road. In that case the objection of the right hon. member for Kingston would be obviated. There must be some means of getting the rails down to Red River.

Sir JOHN A. MACDONALD said there were rails there now.

Mr. MACKENZIE: Oh no.

Mr. MASSON: Are there not rails there now?

Mr. MACKENZIE: Not for that purpose.

Mr. CASEY said he understood there were not sufficient rails at that point to build the railway between that point and Red River. To get the rails there by Duluth cost \$15 per ton, and he thought the proposed communication would prove much cheaper.

Mr. MASSON said, if rails could be got to Red River at all, they could be conveyed there for any purpose.

Mr. MACKENZIE said the rails there would all be used for that immediate vicinity.

Mr. MASSON said the road could be graded to Fort Garry, and the rails could be brought as the road was made. In fact, it was the duty of the Government to do this if they wished to save the money of the country.

Mr. MACKENZIE said in those matters he generally relied on the engineers as long as he had confidence in them, and, when he lost confidence, he ceased to employ them. In regard to the expenditure, the amount stated by the hon. member for Frontenac was extravagant.

Mr. KIRKPATRICK said he could show the very page of the report to prove that the amount expended was upwards of \$200,000 within the last two years. With reference to the excuse of the hon. member for West Elgin in regard to the necessity of completing that work, he wished to say that, if the improvement was for bringing up steel rails, they should know it, and then the cost could be charged to steel rails, which would make their cost greater than the present rates. On page 208 of the Public Works Report the expenditure against the Fort Francis Canal was:

During the Fiscal Year	
1874-75.....	\$7,411 91
During the Fiscal Year	
1875-76.....	67,142 35
From 1st July to 20th	
December, 1876.....	34,119 98
Total.....	<u>\$108,674 24</u>

On turning to the Public Accounts for 1876, he found that the expenditure during the fiscal year of 1875-76, was given as \$76,529.34. The following items also appeared on page 250:—Lake of the Woods and Rainy River, paid Sifton, Ward & Co., \$113,055.75; Fort William to Shebandowan, \$179,804.15. If \$113,000 were added to \$115,000 it would make very nearly \$230,000.

Mr. MACKENZIE said they had no works under contract there.

Mr. KIRKPATRICK: What is that work, then?

Mr. MACKENZIE said the payment was to the contractors who were building a road from Fort William westward. He was not responsible for any particular words that might be used. But the figures quoted were of no account, for not a dollar of the amount had been spent on the locks at Fort Francis. The expenditure to this date, as stated at page 208 of the Public Works Report, was \$108,674.24. But a considerable portion of that sum was for supplies for the Canadian Pacific Railway survey and plant, and the actual expenditure was somewhere about \$90,000. Even a large portion of the latter sum was for the transportation of engineers and their assistants going to the various points of the Pacific Railway. The expense of the work altogether would not be much over one-third of the amount the hon. member for Frontenac had stated. He would bring down the papers as soon as possible.

Mr. KIRKPATRICK said he was referring to the hon. gentleman's own report which put under the head of Lake of the Woods and Rainy River an expenditure of \$113,000.

Mr. MACKENZIE: That is not my report.

Mr. KIRKPATRICK said it was in the Public Accounts. He found that, for the Railway from Fort William to Shebandowan, Sifton, Ward & Co., received \$141,000. Therefore, it was a distinct contract, entered twice in the same way for the improvements. Had those contractors any connection with those improvements?

Mr. MACKENZIE: No.

Mr. KIRKPATRICK.

Mr. KIRKPATRICK: Have Sifton, Ward & Co. any contract in connection with the improvements on Rainy River?

Mr. MACKENZIE: I know of no contract.

Mr. KIRKPATRICK said of course he would have to go to the Public Accounts Committee to find out. He was not able at the present moment to combat that answer. He hoped, before the Government reached that item in Supply, the First Minister would consider the advisability of discontinuing the work, because it was next to impossible to have it completed much before the completion of the railroad to Fort Garry, and when that was finished the work would be useless. It was impossible to increase the number of men employed. They had to work on a space of 200 feet solid granite, and the force could not be increased to hurry on the work. The engineer reported that it would be two years from last December before most of it could be completed. It would, therefore only be in use one year before the completion of the branch railway.

Mr. BORRON said in his opinion the construction of the locks at Fort Francis were justifiable on the ground both of urgency and true economy. It was a matter of the greatest importance to a large number of his constituents, to the settlers at Red River, and to the people of the Dominion generally, that the railway from Thunder Bay to Red River should be completed as speedily as possible. To do that, the line must be divided into a number of sections, to be placed under construction at one and the same time. Provisions and clothing for the workmen employed and tools and materials for the work must be moved to the ground. The idea that operations need only be carried forward at the two extremities of the line, completing the track and taking the necessary supplies along it as the work proceeded, seemed to him quite incompatible with the completion of that important section of the Pacific Railway. That was evident when they considered how long it had taken to build the Intercolonial Railway, although work was carried on upon fifteen or more sections

of that line simultaneously. He was convinced that the only practicable mode of transporting supplies to the various points between Savanne Portage and Rat Portage, when such might be required, was to take advantage of the water navigation afforded by what was known as the Dawson route, and of the navigable lakes and rivers it intersected or approached, and forming depôts as near the line itself as possible. It was true, as was stated by the hon. member for Frontenac, that Fort Francis itself might be nearly 100 miles distant from the line of the railway as now located, but that was about the most distant point on the whole route. He believed that between Fort Francis and Savanne Portage, and between Fort Francis and Rat Portage, various points could be found for the establishment of depôts very much nearer to the railway line than Fort Francis itself. To those points he was of opinion supplies should be conveyed during the summer season, and during the winter, when the ground was covered with snow and the smaller lakes frozen, it would be possible to haul the supplies to the more important points on the line, in the same manner as the lumbermen moved supplies to the shanties in many parts of the country. The completion of the locks at Fort Francis would greatly facilitate the transportation of the necessary supplies for the railway, whether coming from the Savanne Portage end or from the Rat Portage, and as might be most advantageous. In his opinion, therefore, the construction of the locks at Fort Francis was quite justifiable, as contributing to the speedy and economical construction of the railway from Thunder Bay to Red River.

Mr. SMITH (Selkirk) said many hon. members had overlooked altogether the fact that, before rails could be carried from Fort Garry to Lake of the Woods or the interior, they must first be brought to Fort Garry. The hon. the Minister of Public Works said it cost \$15 per ton to bring them from Duluth to Fort Garry. If, on the other hand, they could be brought by the Dawson Road, and this \$15 per ton could be saved and devoted to the cost of making the road, it would surely be a gain to the country. But, apart from

the economy of carrying the rails by that route, he viewed it as a matter of the greatest importance that there should be a suitable communication between the eastern part of Canada and Manitoba as soon as possible. The Minister of Public Works had said that in passing through the United States, a certain number of the Mennonites who were going into Manitoba had been induced to settle in the United States. He was sorry to say that this was not confined to Mennonites alone. He had seen large numbers of men from Ontario, who intended to settle in Manitoba, who had, through the representations made to them while *en route* by way of the United States, taken farms south of the line. It was, therefore, most desirable that settlers going into Manitoba should not be subjected to inducements thrown in their way by Americans. It was surely of some importance that there should be uninterrupted water communication for 250 miles; and they all knew that, notwithstanding they might have railroads in a comparatively short time, in three, four or five years, nevertheless water communication, if uninterrupted, was less expensive. The water stretches, for a distance of 250 miles, might be made available for steamers. He, therefore, thought that, instead of cavilling at the manner in which instructions had been given, hon. members should join in the desire to have the work carried out as rapidly as possible.

Mr. HAGGART said he had made enquiries this year as to the necessity of constructing the works at Fort Francis Lock. So far as he learned, it would not be of any use to bring rails to that section of the country, as the line would be constructed that distance before the locks could be utilized. It was a matter of curiosity to people there as to the purpose for which the locks were being built, there being no necessity for them whatever. He did not believe there would be a single rail sent up that way.

Mr. WHITE (Renfrew) said, in some of the arguments used in reference to building the locks, it was stated they would cause a great saving in the construction of the western part of the

road. He, however, understood that the cost of constructing the canal, with the improvements said to be necessary at Fort Francis, would be \$500,000, and this was more than sufficient to lay 350 miles of rails, including the cost of bringing them from Duluth to Red River.

Mr. TROW said, if even the railway was completed, he would advocate the construction of the locks. There was a large tract of arable land ranging along the river and the borders of the Lake of the Woods. Some was already taken up, and had been opened to immigration. There was a continuous stretch of water communication from Rat Portage to Kettle Falls, probably a distance of 250 miles, and the only obstruction was at Fort Francis. The lock was highly essential—just as essential as the locks on the St Lawrence, in time at least. He hoped to see the day when that part of the country would have water communication about as important as on the St. Lawrence and Niagara Rivers.

Motion agreed to.

## THE NORTHERN RAILWAY COMMISSION.

### PROPOSED MOTION FOR INSTRUCTIONS.

Mr. ROBINSON, in the absence of Mr. OLIVER, proposed to move for a return of instructions given to the Commission to investigate into the affairs of the Northern Railway. He said he had not consulted the hon. gentleman, and had not his permission to make the motion.

Mr. SPEAKER said in that case the hon. gentleman could not move it.

Sir JOHN A. MACDONALD said the hon. member for West Toronto could give the necessary notice himself.

## THE CIVIL SERVICE.

### MOTION FOR RETURNS.

Mr. CASEY, in submitting a motion in reference to the Civil Service, said there was comparatively little known of the subject, in consequence of which, perhaps, but little interest was felt in it. Every member of the House would admit that the management of our

Mr. WHITE.

Civil Service was a question of the highest importance, and that, in carrying out the directions of the House, civil servants had as much to do with legislation as the members themselves. This was especially true in such branches of the public service as the collection of revenue, and the inspection of weights and measures. Civil servants, in such cases, had it within their power to make the operation of the laws much easier or much more annoying to the public, according to their efficiency or inefficiency. In other respects, also, in regard to the Pacific surveys and the superintendence of public works, a great deal lay in their power. There had been statements before the Public Accounts Committee and the House showing the great losses which had resulted, not from their inefficiency only, but from a lack of proper superintendence in carrying out plans made by engineers. In fact, there had been circumstances where direct collusion appeared to have existed between superintendents of public works and the contractors. He thought the Executive function of the Government was as important as the action of the members of the House. He might draw attention to the elaborate annual report of the English Civil Service Commissioners. It showed, in detail, besides the general report of the work, the system of Orders in Council under which the Service was conducted; statements of the regulations of the Service, including the limit of age, &c.; full returns of the examinations, with the papers set in each competition, statistical tables, the list of candidates passed, &c. Besides this, there was a full discussion of proposed changes and the working of the Service generally. In short, the report furnished the public with a complete means of watching the operations of the system and of deciding on the propriety of proposed changes. He thought we should have something of the sort here. He asked for the returns named in his motion partly as a basis for future reports. He would state briefly what he asked for. The return would give them information as to the number of the civil servants; the total cost

to the country, by the year; the average salaries in each department; the mode of appointment; the qualifications required; the means taken to test these qualifications; the age of entering the service; the average length of service; and the regulations of the service. Besides forming the basis for future detailed reports on the Civil Service, he intended to make the papers a basis for some action to be taken by the House this Session. He hoped to bring a resolution before the House, or to submit it to a Committee, embodying a scheme for remedying certain defects in the plan of making appointments and the general management of that Service. He did not consider it proper to discuss the question at length until the required information was before the House. He moved for a Return of both the inside and outside Divisions of the Civil Service, by Departments, showing:—

A.—1st. Number of Employés in each division and in the whole service, arranged according to classes in both divisions, where practicable, or according to grades of Office in outside service where no other classification has been established, giving the number in each class or grade.

2nd. Total salary paid in each division and in the whole service during financial year, showing also

(a) Total paid in each class or grade during current year.

(b) Maximum, minimum and average salaries payable in each class or grade, with statement of annual increments or bonuses allowed, and hours of work.

3rd. Maximum, minimum and average age of Employés in each class or grade of both divisions; shewing also,

(a) Number of Employés in each class or grade—

Over 18 and under 20 years of age.	
“ 20	“ 25
“ 25	“ 30
“ 30	“ 40
“ 40	“ 50
“ 50	“ 60
“ 60	“ 70

(b) Average age of Employés at time of appointment in each class or grade of both divisions, and in whole service.

(c) Average age of retirement from service since Confederation.

B.—1st. Number in each class or grade, and total who entered service before the establishment of Civil Service examinations.

2nd. Number appointed to each class or grade in both divisions, in each year since

Confederation, and totals for the whole period by classes and Department, and in whole service.

(a) As possessing special qualifications, but who were submitted to no general or special examinations to test such qualifications.

(b) Not on the ground of special qualifications, but who were submitted to no general or special examination.

(c) After undergoing a general or special examination, noting which class of examinations has been submitted to, and distinguishing the number who passed from the number who failed to pass, but were nevertheless appointed or continued in appointments, and also the number examined and rejected.

(d) Number of cases in which examination preceded appointment and vice versa.

C.—1st. Regulations respecting ordinary and special examinations and appointments made under the system of examinations.

2nd. Such other regulations for the management of the service as are not established by Statute.

3rd. Copies of questions used at last general and special examinations, prior to 1st January, 1877, with statement of what degree of proficiency was required of candidates.

4th. List of successful candidates, showing percentage of marks obtained.

Sir JOHN A. MACDONALD said the information sought for was scarcely worth the expense which would have to be incurred in procuring it, except in reference to the object of the hon. gentleman from West Elgin; and he was afraid he could not use the information to any purpose. He should like to know whether the hon. gentleman consulted the Administration of the day respecting it. The object for which the hon. member said he was making his present motion would, if carried out by him, be a decided vote of want of confidence. If there was one thing more than another which belonged to the Government it was the mode of appointing and selecting the civil servants, with the dismissals, suspensions and compensations, and the framing of regulations with respect to the same. If the House appointed a Committee, and this Committee was requested by the Government to assist them in improving the system of civil service, then the motion of the hon. member might come before the Committee. But, as it was, a motion embodying the object proposed would be taking out of the hands of the Administration work which clearly belonged to them; and it would be a vote of

want of confidence in the Government system. As to the English report on the Civil Service, the evidence was taken by Royal Commission, issued for the purpose of assisting the Crown. It was an act of the Crown by responsible officers, and there was no intention of taking the public business out of the hands of the Ministers. He did not think the hon. member intended to take public business out of the hands of the Administration.

Mr. CASEY said he had no intention of taking legislation on this subject out of the hands of the Government. He was aware no Committee could be formed without the consent of the Government. He had made a motion as to the Civil Service two years ago, without objection being made, and he did not think he was violating any precedent in repeating the same course. His Committee would merely collect information and make recommendations to the House. He left it to the Government to consider whether this was a vote of want of confidence or not. In case they did, of course it would have to go to the wall.

Mr. McDOUGALL (Renfrew) said he thought such action ought to be taken as might be found necessary to bring the Civil Service into such a state of efficiency as they would like it to attain. As he understood it, the mover had no objection to the present system in itself, but he merely wished to propose means whereby it might be still further improved. He had no doubt that the members of the Government themselves felt it very difficult on many occasions to deal with the question of supplying such vacancies as occurred in the various departments. They all knew that, in this country, no matter what Government was in power, the patronage, unless there was some special objection, rested with their supporters. They all knew also that although many men were very well able to discharge the duties of the office which they sought, yet in the majority of cases the applicants for office were such persons as could not succeed in the world, through their want of those very qualifications which would make them useful if they

were appointed to office under the Government. He thought it would be of the greatest advantage indeed to have such examinations as would secure, at any rate in the persons who would obtain the offices, literary qualifications. He did not mean to say these were the only qualifications that were required, but at the same time they were usually the evidence of industry and energy on the part of persons who possessed them; and it was altogether likely that the same energy and industry which caused these persons to attain these qualifications would still continue when they were discharging the duties of the office which might fall to their lot. He thought, however, that there was one omission in the motion, and that was the want of reference to the sex now performing but a small portion of the Government work. He thought that very much of the work done in Departments might be performed by women as efficiently as it could be performed by men. This would relieve many women from distress. He trusted that the Government would give attention to this matter.

*Motion agreed to.*

## RIVER SYDENHAM SURVEYS.

### MOTION FOR RETURNS.

Mr. STEPHENSON moved for Returns in detail of all expenses incurred and moneys expended in the payment of Engineers, Surveyors, &c., for services rendered, as well as for horse hire, etc., in connection with the surveys of the North Branch of the River Sydenham from the forks at Wallaceburgh to the Village of Wilkesport, in the year 1876. He explained that a very large trade existed in the town, village and municipalities in question. The Customs' returns for the year 1874 amounted to \$5,000; for 1875, to nearly \$4,000, and for 1876 to about \$3,000—some \$11,000 in all. It was stated that the improvements on the river had cost some \$40,000, but he found from the Returns brought down by the Minister of Public Works, that the expenditures made, including money spent in this relation by the late Administration, amounted in reality to about \$8,000.

*Motion agreed to.*

## VITAL STATISTICS.

## MOTION FOR SELECT COMMITTEE.

Mr. BROUSE moved for a Select Committee to examine and report upon the subject of Vital Statistics and public health with power to send for persons and papers. He said this was a question of very great importance, in which they were all deeply interested. It alike concerned the physician, the scholar, the divine, and the statesman. Public hygiene was a large and comprehensive subject, and it was more—it was a science. It would be within the recollection of hon. members that, on two previous occasions, he had brought the matter before the House. The most enlightened countries had legislated in this connection, and the results were both remarkably encouraging and cheering. The State of Massachusetts, through this means, had during the past eight years reduced their death rate fifteen per cent., while the reduction in Michigan, owing to sanitary legislation, amounted, during the past six years, to 16 per cent., and other States had followed the example thus set them. An effort was now being made at Washington to secure legislation in this regard for the entire States. France in 1842 passed a health bill, and the rate in 1862 was reduced from 1 in 36—the figures of 1842—to 1 in 39; and during the next decade to 1 in 47, showing a decrease of nearly 33 per cent. Austria and Russia had taken a deep interest in this important matter, but Germany was now taking the lead, possessing not only health officers in the different provinces, but also an Imperial Board of Health at the capital, to which the other Boards were compelled to send returns. During the last forty years, England had passed no less than fifty Public Health Acts and the results were most extraordinary. In Edinburgh, the death rate had been reduced from 38 to 26 per thousand, and in London from 40 to 20. Dr. Guy, the eminent health officer of England, had stated that out of 36,000 deaths from consumption alone, in that country, contracted in workshops, 5,000 were preventible by a proper regard for sanitary measures. Dr.

Aiken, another eminent physician, had shown that the death rate had decreased owing to sanitary legislation, an average of 30 per cent. In Brighton, the rate had been decreased from 23 to 18 per thousand, the diminution of deaths from typhoid fever having been 63, and from consumption 20 per cent. In Newport, the rate had been lowered from 31 to 21 per thousand, the decrease touching typhoid fever having been 36, and for consumption, 32 per cent. In Salisbury, the rate had been lowered from 27 to 21 per thousand, the diminution in the number of deaths from typhoid fever having been 75, and from consumption, 45 per cent., Dr. Buchanan also showed that the rate in 25 cities had been decreased respectively from 20 to 38 per cent. We were equally interested in a matter of such importance, and he would consider the subject under three heads. Dr. Guy had informed the Government of England that one-third of its present death rate was preventible. In what condition, then, were we placed? The rate in Canada, as far as could be ascertained, averaged about 25 per thousand. Our population was four millions, and the consequent loss by death was about 100,000 per annum; and, if Dr. Guy's theory was correct, this number could be reduced by 33,000 per year. However, to bring the matter fairly before the House, he would reduce these figures to 20,000, representing lives which could be annually saved in this country. In France, it was estimated that the days of sickness averaged eight days per inhabitant; and, among four millions of population, there would consequently be 32,000,000 days of sickness, representing ten millions of days which might be prevented by the adoption of proper sanitary measures. For every death, it was estimated that there were 20 severe cases of sickness, and consequently 400,000 severe cases of sickness were preventible. Ten million working days were yearly lost to the country, and, at the rate of half a dollar per day, this represented a loss of \$5,000,000. A life was calculated to be worth \$1,000 to a country, and, if we lost 20,000 inhabitants annually, at a valuation of \$500 each, we lost yearly

\$10,000,000; and if the five millions, of which the country was deprived through the loss of labour were added, this made a total annual loss of \$15,000,000. It was also to be remembered that a large amount of crime, poverty and degradation followed in the wake of sickness. He regretted that this subject had not been considered in the Speech from the Throne. At the last meeting of the Medical Council in Toronto, last spring, a resolution was passed asking the Government to introduce such legislation; and, at the meeting of the Dominion Medical Association, a similar resolution was adopted; while recently, at Philadelphia, a congress of physicians, including the most eminent men from every part of the world, had, he believed, made a similar recommendation to both the American and Canadian Governments. He understood that it was not the intention to send for persons in connection with this motion. He moved

“That a Select Committee be appointed, composed of Messrs. Brouse, Holton, Tupper, Blanchet, Pope (Compton), Dymond, Landarkin, Forbes, Christie and Kerr, to examine and report upon the subject of Vital Statistics and Public Health, with power to send for persons and papers.”

Mr. TUPPER said he fully concurred in the statement of the hon. member for South Grenville that this question was one of very great importance, and one very well deserving of the attention of the Government and of the House. He had entertained the hope, from a statement made by the First Minister on a former occasion, that this matter had received, and was receiving the careful consideration of the Administration. The question of statistics, whether vital or otherwise, under the Union Act, had been placed exclusively within the control of the Dominion Parliament, and the attention which had been given to the subject by the local Government of Ontario he held was entirely unconstitutional. No branch of statistics could be compared in point of importance with vital statistics. In Nova Scotia the Government had legislated in this regard, to the very great satisfaction of the country; the system adopted was not ex-

pensive, and a large amount of valuable information had been obtained. When the Union Act came into force, this Department passed into the hands of the General Government, and was continued down to the present year. He noticed, however, that in the Estimates just submitted no provision had been made for this purpose. He felt no hesitation in saying that this fact would create great regret and annoyance in Nova Scotia. It was a retrograde step. Nova Scotia was the only Province in the Dominion which had done anything in this relation, and he thought that the hon. the First Minister, would have better discharged his duty towards the people of this country if he had matured a scheme for making the system general. He could not say that the late Government were free from blame touching this matter, but they had left behind them much information concerning the subject, and had taken a long stride in the direction of the preparation of a measure having for its object the establishment of a system of statistics for the whole Dominion. He trusted that the Government would give countenance and support to the recommendation of the hon. member for South Grenville, and mature such a measure as would be acceptable to the House.

Mr. MACKENZIE said he differed entirely with the hon. member for Cumberland, in his interpretation of the constitutionality of the Act.

Sir JOHN A. MACDONALD read the 95th clause of the British North American Act, as follows:—

“In each Province the Legislature may make laws in relation to agriculture in the Province, and to immigration into the Province; and it is hereby declared that the Parliament of Canada may from time to time make laws in relation to agriculture in all or any of the Provinces; and any law of the legislature of a Province, relative to agriculture or to immigration shall have effect in and for the Province as long as, and as far only as it is not repugnant to any Act of the Parliament of Canada.

Mr. MACKENZIE said immigration was not in the list of subjects in the schedules. He was quite certain that he was right in saying that the matter

of public health was not within their cognizance.

Mr. TUPPER: "Statistics."

Mr. MACKENZIE said that clearly referred to statistics of a general character and not to those having reference to a question of public health. The question of quarantine came under their control, and they were bound to and did attend to it. But the matter of public health was one of personal and civil rights, and one within the cognizance and management exclusively of the Local Legislatures. He had no doubt that, under the phrase "statistics," they might possibly go a certain length, but they could not enforce provisions that the Local Legislatures could enforce. For instance, they had been asked to take cognizance of the drainage of the city of Montreal, to take cognizance of gas escapes, and impure water, and matters of that sort; but they had been obliged to point out to the citizens that this was wholly beyond their jurisdiction. With regard to vital statistics, the hon. member for South Grenville had said that the Province of Ontario had given a little attention to the subject; he thought the Province had given much attention to it. It was true the system in Ontario was not so perfect as that in England owing to the difficulty in initiating measures in a new country which required the close attention of the public; but still the municipal divisions had been essentially useful, and the municipal officers had been made useful in gathering the statistics of births, marriages and deaths, which had been reasonably perfect. He admitted all the importance that the hon. member for South Grenville attached to this subject; he was earnestly anxious and desirous of doing everything that he could fairly and reasonably could be expected to do to promote the end the hon. gentleman had in view, and whatever might be of their powers, their opinion and the expediency at the present time of organizing an expensive system, they would, at all events, be glad to consider anything brought before the House by the Committee in the most favorable light that could be attached to it.

*Motion agreed to.*

## POSTMASTERSHIP OF PORT HOPE.

### QUESTION AND REMARKS.

Sir JOHN A. MACDONALD called the attention of the hon. Premier to a statement that had appeared in the public prints to the effect that the hon. member for East Durham had been appointed Postmaster for Port Hope. One paper stated that the writ was actually issued, and he asked whether such was the fact.

Mr. MACKENZIE: I have not heard of it.

Sir JOHN A. MACDONALD: That is a very Jesuitical answer.

Mr. MACKENZIE: I call the hon. gentleman to order.

Sir JOHN A. MACDONALD: I did not say it was wrong to give a Jesuitical answer. The Jesuits are a most respectable body of men.

Mr. MACKENZIE: Will the hon. gentleman tell what he meant by the word?

Sir JOHN A. MACDONALD: I asked if the rumour was true that the writ was out, and the hon. Premier said he had not heard of it.

Mr. MACKENZIE: How is that Jesuitical?

Sir JOHN A. MACDONALD: My hon. friend might have asked the hon. Minister of Justice at once to have given an answer.

Mr. MACKENZIE: I suppose he would have been able to answer it. I will merely say there is no truth whatever in the statement referred to, nor was the appointment ever intended, asked, or suggested.

Mr. SPEAKER said the adjective Jesuitical could not possibly be offensive.

House adjourned at  
Six o'clock.

## HOUSE OF COMMONS.

Thursday, 22nd Feb., 1877.

The Speaker took the chair at Three o'clock.

## MR. JUSTICE LORANGER.

## MOTION FOR REFERENCE.

Mr. HOLTON moved :

“ That the Return to Address of the 15th instant, for copies of the petitions of T. D. Latour and others, dated the 5th June, 1874, and the 2nd November, 1875, presented to the Government concerning the Hon. Mr. Justice Loranger, and all correspondence relating thereto, be referred to the Special Committee to enquire into the administration of justice in the District of Richelieu, in the Province of Quebec.”

Motion agreed to.

## THE PUBLIC ACCOUNTS.

## MOTION FOR REFERENCE.

Mr. YOUNG moved :

“ That the Public Accounts for the fiscal year ended the 30th June, 1876, be referred to the Select Standing Committee on Public Accounts; as also the supplementary statement of income and expenditure during the current year.”

Motion agreed to.

## BILLS INTRODUCED.

The following Bills were introduced and read the first time :

Bill (No. 25) To amend the Act incorporating the Canada Atlantic Cable Company.—(Mr. *Thompson*, Welland).

Bill (No. 26) To vest the property and powers of the Pickering Harbour and and Road Joint Stock Company, in Joseph Harris McClellan.—(Mr. *Gibbs*, South Ontario.)

Bill (No. 27) To amend the Act respecting Offences against the Person.—(Mr. *Blake*.)

## WELLAND CANAL.

## QUESTION.

Mr. NORRIS asked whether the Government had placed any sum in the Estimates for the purpose of constructing a double track bridge across the Canal at the foot of St. Paul Street, in the city of St. Catharines.

Mr. SPEAKER.

Mr. MACKENZIE: In the Estimates the sum of \$70,000 has been placed, \$50,000 for ordinary repairs, and \$20,000 for extraordinary repairs. Part of this is intended to provide for the building of some bridges, but I am not quite certain whether any portion will be devoted to the purpose in question until I have received another report from the Engineer of the Public Works Department, who has gone up to the Canal to look into the matter.

## CANAL TOLLS.

## QUESTION.

Mr. CHEVAL asked whether it was the intention of the Government to provide in the Estimates a sum sufficient to indemnify owners of steam vessels when they should have paid a sum of over one hundred dollars for canal tolls, which they would not have been compelled to pay, but for the existence of an unjust and arbitrary law, whereby in the case of two steam vessels of the same tonnage, the one paid but thirty-eight dollars while the other paid two hundred and forty dollars.

Mr. SMITH (Westmoreland): The Government do not intend to put in the Estimates any sum for the purpose of reimbursing persons who have made payments in the manner of which my hon. friend speaks. I may say that it is under the consideration of the Government to provide means and measures for remedying the injustice complained of with regard to the difference made in the toll arising out of the different measurements of ships.

## IMMIGRANT SHEDS.

## QUESTION.

Mr. GULLIES asked whether it was the intention of the Government at an early date to erect emigrant sheds at Southampton to meet the necessities of the anticipated large emigration to Manitoba and the North-West that was expected to pass by that route during the ensuing season.

Mr. MACKENZIE: It is not the intention of the Government to erect an emigrant shed at Southampton for the mere purpose of affording temporary shelter to passengers travel-

ling westward. Such a course would involve expenditures at least at six different points. It is supposed that the abundant passenger accommodation provided in these localities will suffice, and I am sure that Southampton will not be behind any other place.

PROCEDURE IN CRIMINAL  
CASES BILL.—[BILL No. 3.]

(*Mr. Irving.*)

SECOND READING.

Mr. IRVING moved the second reading of the Bill respecting procedure and evidence in criminal cases. He said that branches of law connected with the practice of criminal law, which had not as yet been introduced into this country, had existed for some time in England, being well settled by Imperial legislation. The first branch of the Bill introduced related to the extension of the Act ordinarily known as intended to prevent vexatious indictments. Some years ago it was found necessary to restrict the power of Grand Juries in finding bills of indictment concerning matters relating to the obtaining of goods under false pretences, to perjury, to a certain class of assaults, and one or two offences of that character, in which it was found to be too much the habit of parties, irresponsible as it were, to go before a Grand Jury and give information, thereby incurring the expense as well as the odium of criminal prosecutions, which probably would not have been instituted, had the proceedings been primarily taken before the ordinary Justices of the Peace of the country; and practice showed that this related to this inconvenience:—that, when a Justice of the Peace framed his orders for a commitment and declared that a prosecution should be instituted, he was apt to describe but one offence, and that when subsequently the evidence came to be examined by the proper law officers of the Crown, it was discovered that the evidence in question would have justified some other class of offence, as a different number of counts or descriptions of the offence, differing from that which had occurred to the

mind of the Justice of the Peace; and in such cases, there had resulted the inconvenience of acquittals being obtained, and sometimes of motions to get an arrest of judgment, which had tended to quash convictions, after they had been secured. This enactment was intended to remedy this inconvenience, leading practically to the introduction of the English practice on the subject, and allowing a variety of counts or charges to be made, provided that the same evidence was given, which was laid before the Justices in the first instance, subject always to the opinion of the Court that such was a proper course to pursue. Then, there was a slight extension, which he believed was not in the Imperial Act, and this was to make the same precautions applicable to offences respecting nuisances. Many indictments for nuisance had been preferred, which would not have been desirable had the information been taken in the first instance before a Justice of the Peace, or a Police Magistrate. Another branch of the law relating to this Bill was a matter of evidence, and this was very important. It had been found that, when a man or a prisoner stood indicted for having received stolen goods, on his premises were discovered not only the particular goods that might be in question, but also other stolen property, belonging to a variety of different persons. As a matter of fact in the administration of justice, the law of evidence did not permit the Crown to admit testimony showing that these other goods were in the prisoner's possession, and thus proving guilty knowledge on the part of the accused. The law prevailed in England in this state until about five or six years ago, when it was changed, and this legislation he had also copied. He believed that this would be of such use to the Province, that no difficulty would be experienced in obtaining the assent of the House to the reference of the Bill to a Committee.

*Bill read the second time.*

Mr. IRVING moved :

“That the bill be referred to a Special Committee, consisting of Messrs. Mousseau, Laurier, Cameron, Appleby, Guthrie, Brooks, McIsaac, McCarthy and the mover.”

Mr. BLAKE: There is no objection to the second reading, and no objection to the Bill. I observe that my hon. friend has pointed out the subjects proposed for the consideration of the House; but it will be for the Committee no doubt to take up and specially to consider the new proposals, and the applications of the restricting provisions to which the hon. gentleman has referred with regard to cases of nuisance. I am sure that we are aware of such cases of vexatious prosecution for nuisance having existed. It will be necessary, however, for the Committee to consider whether their occurrence is of sufficient frequency to justify restricting provisions. The only other alteration which the hon. gentleman proposes that is not already contained in the pages of the Statute Book is this: he applies the first section to the provisions of section 29 of our Act, whereas it has been applied only to the corresponding sections or section 28 of the English Act. I do not myself perceive any material difference or any objection to the course which the hon. gentleman proposes to pursue in that particular, and the amendments appear to be such as to deserve the consideration and attention of the House.

*Motion agreed to.*

#### LENDING AND INVESTING INSTITUTIONS BILL.—[BILL No. 4.]

(*Mr. Blain.*)

##### SECOND READING PROPOSED.

Order for the Second Reading of the Bill to repeal the Act 37 Victoria, Chapter 49, intituled, "An Act to authorize Corporations and Institutions incorporated without the limits of Canada, to lend and invest moneys therein," *read.*

Mr. CARTWRIGHT said that, as the Bill would affect a measure with which the Government was about to deal, it would possibly be as well for his hon. friend to let the matter stand until he (Mr. Cartwright) introduced the Bill of which he had given notice, respecting the incorporation of joint stock companies doing business in borrowing or lending money in this country.

Mr. IRVING.

Mr. BLAIN said he had no desire to force this question on the attention of the House at present; but, as the difficulty did not arise in this House, but rather in the Senate, he thought perhaps it would be as well to discuss the propriety of repealing this Act before the Government measure came down. However, if it was thought desirable that the questions should come up together, he had no objection that the motion should stand.

*Second Reading postponed.*

#### CRIMINAL WITNESSES BILL.

[BILL No. 5.]

(*Mr. Dymond.*)

##### SECOND READING PROPOSED.

Order for Second Reading of Criminal Witnesses Bill, *read.*

Mr. BLAKE requested that the second reading of the Bill should be postponed.

*Second Reading postponed.*

#### DISMISSALS FROM OFFICE.

##### ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Campbell for Order of House for correspondence with John Buine, Angus Morrison and Charles L. Campbell regarding their dismissals from office as seizing and landing officers at Bras d'Or, &c., *read.*

Sir JOHN A. MACDONALD: Mr. Speaker, although the Government opposed the motion, I thought it my duty to move the adjournment of the debate. I deemed this was necessary as I considered it my duty to make my protest against the way in which this subject was dealt with by the hon. gentlemen on the Treasury benches, and the manner in which not only the mover of this resolution but the mover of the motion preceding it was treated in the discussion. The member for Victoria, Nova Scotia, in the exercise of his duty and of his right, moved the motion now under consideration. I think he used quite parliamentary language. The member for Cumberland took up the question and repeated the nature of the remarks and applied them strong-

ly. Upon that, the Premier arose and attacked my hon. friend a second time in unparliamentary and most unreserved language for what he had said.

Mr. BLAKE: Hear.

Sir JOHN A. MACDONALD: I would appeal to this House and to my hon. friend from South Wentworth whether the hon. member for Cumberland used a single unparliamentary expression, a single expression which was not in his right to use. But the only answer that he obtained in return was "that it was his usual style of pouring out a tirade of coarse abuse;" and then there was the usual attempt to divert the attention of the House from the subject by saying: "You're another! You cannot say anything; you were so-and-so and so-and-so." That was the style of the argument used by the Premier. Now, I protest against that course; I protest against the relevancy of it; I protest against the attempt, persistently made, to stop the current of the discussion, and draw away the attention of the House on every occasion from the particular subject before it to the real or the presumed delinquencies of the late Administration. The hon. the First Minister took occasion to say that the mode in which the late Administration made appointments before they left office was scandalous; they made them by hundreds, he said. Now, Mr. Speaker, I have a word or two to say about that matter. No appointments made by the late Administration were scandalous; neither were there any appointments that the Government cannot justify, no appointments that the Government had any need of excusing. And, when the language is used towards the late Government that they made scandalous appointments, I say it is unwarranted, and if I chose to take the same kind of argument that the hon. the Premier did, I would say the assertion was slanderous. The Government on the 27th October, before they left office, brought down returns of 101 appointments. Of these some 71 were cancelled by the present Government. But the hon. gentleman said these 101 appointments were made for the purpose of conferring office upon the

favourites, friends and followers of the Government, just before we retired. Mr. Speaker, on looking at that list you will find, as the hon. member for Cumberland stated, that of these 101 appointments, some 35 were appointments in the newly-acquired Province of Prince Edward Island. These were appointments that were Provincial. Most of the officials had held office for years under the Government of Prince Edward Island, and they were merely transferred from being Provincial to being Dominion officials. Some of these officers, such as Harbour Masters and Shipping Masters, can scarcely be called officers of the Government at all. They were under the Administration, but not paid out of the public treasury, but by fees. Some of the gentlemen appointed were political opponents of the late Government. I may name as examples, Lieutenant-Colonel Jackson, made Assistant-Adjutant General; Colonel Gzowski, made Colonel of Engineers in the Militia. These appointments were but filling up old offices—promoting persons to situations to which they had a legitimate right. I do not complain of the Premier making the statements he made the other night; he made them on his own responsibility, and if he did any wrong to any one, that person has a right to complain to this House. But I protest against the idea that, because he chose to cancel so many of those appointments, that was evidence that the appointments in themselves were wrong; the proof that the opposite is the fact is that, in very many of the appointments so cancelled, the parties were restored by the hon. gentleman opposite. The First Minister has only to consult the authorities on this point to see that the constitutional practice is fully laid down by Sir Robert Peel, that it is of the very greatest importance to the State that the political changes of administration should be made with as little disturbance, as little hindrance and as little obstruction to the ordinary business of the country as possible, and that, up to the very last moment a retiring Ministry remain in office, they are possessed of as full power as the day they took office. There is no constitutional distinction which can be drawn between what

duties they can perform and what duties they cannot perform. They are Ministers to all intents and purposes, or they are to no intents and purposes. And so was the principle understood, as the hon. member for Chateauguay, from his multitudinous reading, must be aware, when Pitt resigned. His successor was actually appointed, but he could not be sworn in or "kiss hands" on account of the temporary insanity of George III. Yet, although his successor had accepted office—the legal transfer not having been made, however—Pitt came down and carried the Bill of Supply. Still further: I shall refer to the authorities quoted by Mr. Todd:

"For, notwithstanding their resignation, the out-going Ministers are bound to conduct the ordinary business of the House, inasmuch as they retain the seals of office, and continue in full possession of their official authority and functions until their successors are appointed. Upon this point it has been declared by Sir Robert Peel that, 'though members of an Administration may have tendered their resignation, they were still entitled to make any appointments which the exigencies of the public service might require, and these appointments they were undoubtedly entitled to go on making until they were actually superseded by an entrance into office of their successors. It was always the practice to fill up vacancies. Peerages promised by a Minister's predecessors in office had been granted, though no instrument had been signed or sealed on the subject. The moment it was proved that those peerages had really been agreed to by the out-going Minister, he having taken the pleasure of the Crown on the point, that moment the Ministers in power agreed to confirm the grant, and thus respected the engagements of their predecessors. Occurrences of this kind constantly took place. Nevertheless, the political power of filling up vacancies is one that is not invariably exercised by an out-going Minister. In 1782, George III interposed to prevent it; and, when the Russell Ministry resigned in 1852, they left several vacancies not filled up. But, in 1866, upon the dissolution of the second Russell Ministry, an office was filled up by that Government which did not become vacant until two days after their resignation had been tendered to Her Majesty."

I say it was the right of the Government to fill these vacancies; and, to show how courteous in-coming Ministers are to out-going Ministers in England, I may mention the case of the Marquis of Lansdowne, a distinguished statesman and leader in the Liberal ranks,

Sir JOHN A. MACDONALD.

one of the most distinguished of the old school. He arose in the House of Lords and stated, after he had taken office and was sworn in, that he had received a note from his predecessor, stating that a certain gentleman had been recommended by him to a position, and the appointment had been approved just as he left office. Thereupon Lord Landsowne said as a matter of course he would make the appointment, which he did. It will be found that in 1830, when the Ministers had retired, they put four persons on the pension list. Mr. Gordon, a Scotch member, objected to the Lord Advocate, Sir Wm. Rae, being put upon the list under those circumstances, but it was held by the Government that they had a perfect right to act as they had done. Then, again, Lord Grey, head of the Reform Administration, vindicated and defended his act of conferring positions on his own relations, when he signified his resignation. I quote these cases to show hon. gentlemen that it was our right to make the appointments referred to, although hon. members may differ as to the matter of taste. Such being within our constitutional right, I say we ought not to be liable to continuous personal attacks on this ground. If we have created any office not called for, to provide for our friends, then let the hon. gentleman pour out his vials of wrath upon us; if we have done anything but appoint persons to offices that had been created by law, then let us be attacked; but this mode of diverting the attention of the House from attacks made on the Government, on subjects which the Government do not like discussed, is pretty nearly played out. A new Ministry just coming in have a right, to a certain extent, to take that course. They have not yet committed any sins, and they can say that the late Government did certain acts, but they were going to introduce reform, and the country has a right to take their promises. But, Sir, when they have remained in office for a length of time, they are open for criticism; they are paid for it; they took office for the purpose of receiving criticism; and they are bound to receive criticisms respectfully, and to answer them fully. It is true the

hon. the Minister of Militia spoke of the insignificance of my hon. friend from Victoria, who was too insignificant to answer. It was only when the hon. member for Cumberland addressed the House, that he thought it necessary to make a reply.

Mr. VAIL: If the hon. gentleman will allow me to correct him, I will explain that what I said was that the charge made was too insignificant—that it was not worth taking up.

Sir JOHN A. MACDONALD: Mr. Speaker, that is too thin. If the matter was insignificant, it was equally insignificant from the hon. member for Cumberland as from the hon. member for Victoria. It is quite true my hon. friend from Victoria is a private member; he is not perhaps of the distinguished abilities of my hon. friend the Minister of Militia. But he comes here as a representative of the people; and when I talk of a representative of the people, I say every one is a representative of the whole people. We are here in our positions not only to represent the individual constituencies that chose to return us, but the whole people of the Dominion of Canada. And, when the hon. member for Victoria rises and makes a statement, he has a right to expect the considerate, respectful attention of the hon. gentlemen on the Ministerial benches. I say that, although my hon. friend from Victoria does not hold an official position like the hon. the Minister of Militia, and is not perhaps so high in the social rank, yet he is entitled to the greatest consideration from even the highest official as being a representative of the people. There is no difference of rank in this House—all are equal; and the youngest member from the smallest constituency has the same right to be heard and the same right to be treated with courtesy as the man who has earned laurels from holding office. The hon. the Minister of Militia might have remembered a warning that a man almost as great as himself, Lord Palmerston, received. Lord Palmerston, as his partial biographer admits, once lost his head. When returned by an overwhelming majority he tried to rule the House of Commons. His supporters,

although strong partizans in that House, were still members of Parliament, and thought more of the privileges of Parliament than of party allegiance, and they drove him from office solely because of the curt style in which he tried to rule the House with his triumphant majority. Now, with respect to the motion on which the hon. the Minister of Militia addressed the House, what was the charge?

Mr. MACKENZIE: I think that is not the motion.

Sir JOHN A. MACDONALD: He spoke to it, and I think I have a right to speak to it and reply to him. Has not the hon. the Minister of Militia spoken on the motion that is passed? Has nobody the right to reply to him, as a matter of Parliamentary right? I hope my hon. friend will not press his objection.

Mr. BLAKE: The circumstances were that the hon. member for Cumberland irregularly referred to the motion in his speech, and having committed that irregularity the hon. the Minister of Militia replied to him. If the debate is to be upon the general motion let us understand it. I do not think it should be so.

Sir JOHN A. MACDONALD: I say my hon. friend was not irregular. He was strongly protesting against the course which had been adopted. He illustrated the injustice that had been meted out to the hon. member for Victoria, Nova Scotia, not only on this motion but on the previous motion. He illustrated one by the other; and he had a perfect right to do so. But the hon. the Minister of Militia did not put that excuse. He did not answer the motion until the hon. member for Cumberland spoke. What was the statement—for I do not mean to make any charge. Here was a contractor about running for a vacant seat in Parliament. He was known to be opposed to the policy of the Administration—he had avowed himself so.

Mr. MACKENZIE: Not so.

Sir JOHN A. MACDONALD: That was the statement. He was loud in his denunciation of the Government, and he was about to run as an Opposition candidate. Then came the

difficulty; then came the conference. The Minister of Militia went to the Premier, and the Premier said: "Mr. Ross cannot run for he is a contractor—we have got him there. He cannot run against us, but suppose we get him to run for us." So, accidentally, or on purpose, the Minister of Militia went all the way down to Truro. I would like to know if the hon. gentleman did not send any telegram to get the contractor to meet him there. The conversation was not reduced to writing; it was verbal. The Minister of Militia went from Ottawa to Truro to warn the candidate that he could not run because he was a contractor. He, however, was relieved of his contract, and the gentleman, who a week before was coming out as an opponent of the Government, afterwards came out as a warm and full-fledged supporter of the Administration. The consequence was that he did not get elected. But he obtained his contract back. We have heard of a man's hair turning white in a night through fear or sorrow, but here is a public man who, after being relieved of an onerous contract, changes at once from an out-and-out Oppositionist to a full-fledged supporter of the Administration. The moment after the election he writes to the Minister of Public Works, stating that he had changed his mind, and that he had better obtain the contract. This is the little story which is too insignificant, says the hon. the Minister of Militia, to warrant the hon. member for Victoria introducing it in this House. I venture to say, Mr. Speaker, that, if this evidence was laid before any Judge of the Supreme Court, on a question of undue influence, it would be held that Mr. Ross was unduly influenced. Every contractor under the Government can become a candidate under this system; all he has to do is to make arrangements with the Board of Works that he shall be relieved of his contract, and try his luck in an election contest, and, if he wins, all right—some relation will get the contract—and, if he is defeated, he can get the contract back again. In this motion, reference was made to three gentlemen who, the hon. member for Victoria says, were dismissed for voting for him. Was that true or was it not?

Sir JOHN A. MACDONALD.

Mr. MACKENZIE: It was not.

Sir JOHN A. MACDONALD: The hon. the Minister of Customs did not say it was not true.

Mr. MACKENZIE: I said it was not true.

Mr. BURPEE: I said the reasons of the removals were, in two of the cases, because the gentlemen were old, one 76, and the other 86 years, and they had not performed any services for years, and, in the case of Mr. Campbell, because he had engaged in business for his father; and he also had done nothing for some time. They were dismissed with a view to the efficiency of the service, and I did not know then, nor do I know now, anything about their politics, or whom they voted for.

Sir JOHN A. MACDONALD: The statement of the hon. member for Victoria was that those men were dismissed from office because they voted for him. It is no argument to say, in reply, that they were dismissed on the report of an inspector. It is very easy to break a dog's tail when you find a stick to break it with. That report was made, I think we should see, if the papers were brought down, after the election. And the hon. gentleman had better bring it down. The other night he said he had not time to read it.

Mr. BURPEE: I said that I believed there was a report and correspondence, and that whatever papers there were would be brought down.

Sir JOHN A. MACDONALD: The hon. gentleman said he had not time to read it, and if so, how could he know what was the reason? Let the hon. gentleman bring the papers down and then we shall see how the matter stood. Now, it is true that the hon. gentleman said that two of these men were too old. If they were past a certain age, still they might have been efficient. And then the other gentleman was too young, or rather that he was so young that it was a pity to see the boy wasting his time, throwing away his life and energies on a small office of \$60 a year; and so the hon. gentleman, from mere philanthropy, from fear the boy should go to the dogs, dismissed

him. But the boy was dismissed after he had voted for his father; and the other two men were dismissed after they had voted for his father, and not long after. That was the fact, Mr. Speaker; that is the evidence that has come out; and you can understand, from the serious nature of the allegation made by the hon. member for Victoria, and repeated by the hon. member from Cumberland, the reason why there was an anxious attempt to try and divert the attention of this House from it by discussing the "scandalous conduct" of the late Administration. Why, I can use pretty much the same language to the hon. gentleman as Sidney Smith did to Lord Melbourne. The latter gentleman, although an accomplished man, had the old-fashioned habit of swearing a little, and enlarging his language with certain expletives and oaths which are not in use in the same society now-a-days. The Rev. Sidney Smith was discussing some matters with him, and Lord Melbourne began to swear although he did not mean to commit any impropriety by it—it was simply the fashion of the early days of the Prince Regent and George IV—but it was exceedingly improper and offensive in the presence of a clergyman. Sidney Smith, in his quiet way, turned round and said, "Now, my lord, let us consider everybody cursed, and go to business." Now, Sir, let us consider that the late Administration are damned, not for all eternity, but for all time, at any rate.

Mr. MACKENZIE: We do.

Sir JOHN A. MACDONALD: My hon. friend would look much more pleasant if he thought that was going to happen. Let us consider that they have committed every sin in the calendar, from high treason down to the nuisances my hon. friend from Hamilton is going to deal with, and what then? The hon. gentlemen opposite have to answer for their own offences, and not for those of others. It is for the purpose, first, of entering a protest against this style of discussion, and also against the contumelious manner in which it was attempted to treat my hon. friend from Victoria, and also to call the attention of the

House to those two cases that I have ventured to speak so long.

Mr. MACKENZIE: Perhaps the House will pardon my taking a few minutes in reply to the right hon. member for Kingston. He is quite right in supposing that I would not insist on the irregularity of the debate; I merely wished to prove that it was an irregularity. He assigned to his colleagues a punishment far beyond what I supposed they would deserve, but no doubt he knows their deserts better and is better able to measure their punishment.

Sir JOHN A. MACDONALD: Yes, we are more of the publicans than the Pharisees a great deal.

Mr. MACKENZIE: Yes, but the mere fact that the hon. gentleman acknowledges himself a publican does not constitute other people Pharisees. The scriptural publican repented, but, if the hon. gentleman is to be allowed to characterize himself as a publican, he will surely allow other people to characterize themselves. I would advise the hon. gentleman not to venture on scriptural quotations; he is not very well acquainted with that authority and frequently makes blunders. Sir, the hon. gentleman complains of the style of the debate. He ventured to say to-night—he said it on previous occasions, and he says it invariably when he is worsted in argument—that I used unparliamentary language. I defy him to point out a single unparliamentary expression.

Sir JOHN A. MACDONALD: I am afraid the hon. gentleman's memory is bad. He said the statement of my hon. friend was inaccurate, and I say that at any rate he was guilty of vulgar abuse.

Mr. MACKENZIE: Then, I can only ask if the word "inaccurate" is unparliamentary, what was the conduct of the hon. member for Cumberland when he charges another with falsehood?

Mr. TUPPER: The hon. gentleman cannot find the charge of falsehood made against any hon. member in any remarks of mine.

Mr. MACKENZIE: I have a perfect recollection of the remark being used

in reference to the entries in the *Gazette*. I know I am correct in that. Then, Sir, the hon. member for Kingston says that we imported something into the debate to divert the channel of discussion. On the contrary, we imported nothing extraneous into the debate. It was when the hon. member for Cumberland had imported every conceivable kind of attack upon the Government that we were obliged to reply. Does the hon. member for Kingston really pretend that a prominent member should take advantage of an ordinary motion to make a general attack and that he should not receive a general reply? Is that the ground the hon. gentleman takes, and is that his idea of fair play? If it is his idea of fair play, I do not think that the House entertains it. I tell the hon. gentleman that he shall not make such an attack without its being replied to promptly; and, if he imagines that either one of his colleagues or himself shall take advantage of an ordinary notice of motion without the slightest intimation to the House that there is going to be a general attack on the Administration, and to carry out that policy with impunity, he must imagine we are very silly indeed. Proper notice should have been given, and the Government would have been prepared to repel it. We were prepared to repel it as it was, as we are always prepared to repel such charges. But the hon. gentleman even ventures to defend the extraordinary transactions of October and November, 1873. He says the appointments were for filling vacancies and for the good of the public service. Was it necessary for the public service that several appointments should be made under an Act which did not go into operation for four months after the hon. gentleman went out of office. I say, Sir, that they anticipated Acts of Parliament, and appointed men to offices not in force and which might never have been enforced.

Sir JOHN A. MACDONALD: My hon. friend is wrong there.

Mr. MACKENZIE: I am not wrong.

Sir JOHN A. MACDONALD: I am satisfied that the hon. gentleman is wrong.

Mr. MACKENZIE.

Mr. MACKENZIE: I will produce the authority to-morrow.

Sir JOHN A. MACDONALD: I suppose the hon. gentleman means the Inspectors of Weights and Measures Act.

Mr. MACKENZIE: No, I do not. Then they were building certain light-houses, some of them under contract and some of them not under contract. They could not possibly be used or lighted until the June following, but it was absolutely necessary in the hon. gentleman's opinion to make the appointments on the first day of November, 1873. Yet, Sir, they were necessary for the public service. Then, again, let me call attention to two other appointments—two appointments so scandalous that they outrage every feeling of decency. The hon. gentleman speaks of British Administrations of the past few centuries. Does anyone imagine that Lords Palmerston, Melbourne, or Derby, or any of the great men who have reigned as premiers of England, would assert they had a right, in anticipation of defeat, to appoint one of their colleagues as Lieutenant-Governor and another a Judge, and that the two gentlemen should sit here after the date of their appointments by Order in Council. Why, Sir, at the very last stage of their existence as a Government, they asked an adjournment of the House. They knew that they could not force an adjournment, and Mr. Tilley, acting as the leader of the House got up in this very spot where I now stand, and appealed to us to adjourn the debate on the ground that it could be continued the next day. They never met the House again. They adjourned the debate for the purpose of completing some business appointments that were completed and signed the next day. In order to bind that matter still further, I may say that we have the official books and the copies of those letters, with the date changed a day back, in order to put it right. This, Sir, is the high-toned morality of the hon. gentleman. This, Sir, is what he attempts to justify, as he says, by British practice. I have never denied, and do not deny now, the fact that an out-going Administration should fill every vacancy properly occur-

ring; but I do not admit, I do not believe in the propriety of that whole list of appointments, counting up several pages of that book—scores of them, that they made in one day—offices that were not required, which they had no business to fill and could not legally and properly fill; and then, Sir, after all, doing what was the nearest approach to selling the Bench that was ever done in this country, when they appointed one of their own followers, a political partisan, a member of the Government sitting here on the verge of dissolution. And yet that gentleman and another of their colleagues took two of the highest offices in the country, one, Mr. Tilley, being appointed, I think, on the 21st October, the day before the House met. And yet he sat right through that Session holding this appointment in his pocket. So much with regard to those appointments. The hon. gentleman says it was not denied here the other night that those three officers were dismissed for political reasons. It was denied, and I said I that defied the hon. gentleman opposite to find a single instance where an official was dismissed by us for political reasons.

Mr. WHITE (Renfrew): Mr. Harvey of Arnprior.

Mr. MACKENZIE: Mr. Harvey was not dismissed for political reasons, but for misconduct in his office, and if the misconduct had come to my notice he would have been dismissed earlier. But, Sir, I can point to offices that were vacated ostensibly for political reasons in the previous *régime*. Now, with regard to those three men. Two of them were simply past all use in fact to the public service. They were too old; they were not performing any duties that required their service. Another was engaged in mercantile transactions, although employed as a Customs officer; and everyone must recognize the impropriety of an official being engaged either as an assistant, or as a partner, or as a dealer.

Sir JOHN A. MACDONALD: Or as a Minister of Customs?

Mr. MACKENZIE: The Minister of Customs is not engaged in trade, that I am aware of. The hon. gentleman

has made an insinuation unworthy of him, and let me tell him it is far more unparliamentary than anything he has had to complain of. Now, with regard to the other point. I stated all that could be stated about the contractor, Mr. Ross. I stated that there was no communication with the Public Works Departments, or with myself, except the official communications. But I believe that Mr. Ross was always a supporter of the Government. I know he was in 1874. He supported his brother and voted with the Liberal party. I had no means of knowing whether he was a supporter or opponent of the Government, and I will not accept the authority of the hon. gentleman in that matter; he knows as little about it as I do.

Sir JOHN A. MACDONALD: I know nothing about it.

Mr. MACKENZIE: Precisely so. But one would never have thought that. I say that he had a perfect right to become a candidate if he pleased. I took no steps in regard to the matter; and I may say further that the contract is finished. The matter was referred to Mr. Perley, and he said there was no objection to releasing Mr. Ross from his contract if the sureties gave the necessary assent. That is done almost invariably. I might pursue this subject a little further. I might say, for instance, that I have known contractors—men who were really the contractors though nominally other names were employed—sitting in this House under the hon. gentleman. I might state, and there is no harm in stating the fact, that since the hon. gentleman went out of office and those parties went out of Parliament, I have happened to have to deal with the parties as contractors who were sitting in this House nominally as independent members, but really as contractors. I might go a great way into this sort of thing, and the hon. gentleman had better confine himself to actual facts instead of drawing upon his imagination. I am quite willing that every transaction in my Department, everything done in it, shall be subjected to a strict scrutiny by a committee of one, and that one the hon. member for Kingston.

Sir JOHN A. MACDONALD: In not one single remark that I made did I say there was any irregular communication between the hon. gentleman and Mr. Ross.

Mr. MACKENZIE: The hon. gentleman stated that it was nicely arranged at once that this contract should be given up, and that immediately after Mr. Ross was defeated the contract was restored. No one could do that but myself.

Sir JOHN A. MACDONALD: It was so, was it not?

Mr. MACKENZIE: It was not. I stated the facts here. I had the three letters which passed in my hands. One was asking that he should be released from the contract; the other was referring that to Mr. Perley, and the next was Mr. Perley's report. I also stated that on the 26th October a letter was received from Mr. Ross to the effect that he did not intend to withdraw from the contract. I stated everything, and the hon. gentleman has no right to make the insinuation that he did—that I, as head of the Public Works Department, had made arrangements with this gentleman so that he could come back to his contract. I deny that there was a particle of impropriety in the whole transaction. Besides all that, as I before stated, the contract has been practically completed for months.

Sir JOHN A. MACDONALD: Is it wound up.

Mr. MACKENZIE: It is not quite wound up.

Sir JOHN A. MACDONALD: That is all the difficulty.

Mr. MACKENZIE: It is no difficulty whatever. There might have been a difficulty in it some years ago, but there is none now. I protest against the hon. gentleman forming conclusions upon such premises. I only wish to say, further, in regard to the question immediately in dispute that I deny absolutely that the hon. member for Victoria, was treated discourteously. The hon. gentleman truly never complained of being treated discourteously. Every information was given him that could be furnished on the two motions, and some that

we were not called upon to give was given him on the first motion. I might have said that the papers would be brought down, but I stated their purport. There was no question of courtesy or discourtesy until the hon. member for Cumberland made a general attack upon the Government. Does the hon. member suppose that we are bound to listen to those attacks and make no reply? I can only say that if he thinks that is the policy to be pursued by this Government, he is mistaken. I shall reply to everything and on the spot.

Mr. TUPPER: I hope the House will accord to me the same indulgent consideration that it has given to the hon. the First Minister, who stands in precisely a similar position with myself. The complaint that I made was that the House was treated improperly, that the country was treated improperly, when one of the gravest charges and accusations that could possibly be preferred against any Government was pointedly preferred against one of the Ministers—a charge, which if true, would be sufficient to drive him instantly, not only off the Treasury Benches, but out of public life. I do not think that any one will hesitate to agree with me in that statement. What I complained of was that, an independent member of this House having made such a charge in his place here, not a word of reply was made. Were the House and the country not entitled to a reply, or was it to go abroad from one end of the country to the other that a charge of the most corrupt character which could be preferred against a public man should be allowed to pass without any explanation being offered? I simply recounted the statement that was made by the hon. member for Victoria. It was this: that an election took place in the county of Victoria—a vacancy occasioned by the appointment of the member for that county to sit on the Bench. While this question as to who should be the candidate was pending, a gentleman who was a contractor, and who was therefore ineligible to run, and who was known to be hostile to the Government, was approached by the hon. the Minister of Militia with a view to getting him to run as a Ministerialist candi-

Mr. MACKENZIE.

date. I have in my hands the report of a speech made by the hon. member for Victoria in the presence of the contractor, Mr. Ross, in the face of the whole people on nomination day, in which he said :

“ When William Ross was turned out of office without warning, every right-minded man was insulted, and not one of you, I am sure, felt that his brother John would to-day be running, if not as an avowed supporter of the Government, at least as a man pledged, should he be returned, to support them during the rest of the term against the men who built the lighthouses and public works he spoke of in his speech. I make no charge against Mr. Ross, but only allege that this transaction of suddenly relieving him from an unfinished contract, and the current report that \$50,000 of the people's money will be paid, demand the fullest information, particularly when the Government itself is the most corrupt that ever disgraced any country.”

Of course, Sir, I could not make that statement for myself. I would not like to say anything to hurt the feelings of the hon. gentlemen opposite ; I merely repeat what was said on the hustings by the hon. member for Victoria. Mark what follows—the statement being made in the presence of Mr. Ross :

“ This last fact I state on the authority of Mr. Ross himself, it not being a month since he abused the Government. Mr. Ross went to Truro an opponent of the Government, came back relieved of the contract on most favourable terms, and is now, I believe, a supporter of the Government.”

Now what my hon. friend stated, whether true or untrue, was certainly entitled to an explanation from gentlemen on the Treasury Benches. The hon. member for Victoria, Nova Scotia, said in language so strong that even I feel some hesitation in endorsing it that this avowed opponent of the Government, who was open-mouthed in his attacks upon them, met the hon. the Minister of Militia at Truro. I do not think that the hon. the Minister of Militia will say that that meeting was not brought about by a telegram from himself down to the county. That was the rumour there. It was no secret that the hon. gentleman had sent a telegram which induced this meeting at Truro between himself and a contractor known to be hostile to the Government. It was no secret that William Ross was induced

to go into office because his support was necessary ; and it is no secret that, when certain intriguers, not connected with persons in this House but with certain parties whose interests could be better served by the hon. the Minister of Militia than Mr. Ross, exerted their power, Mr. Ross was driven from the county in the most insulting and ignominious manner. He went out of the Cabinet breathing vengeance against the Ministry, and it was only his self-interest that compelled him to accept a position at their hands. That was the position he took and that feeling actuated his brother, who was also strongly opposed to the Administration. But he was a contractor, and when, the election came, the hon. the Minister of Militia tells this House that he went to the hon. the Minister of Public Works and spoke about his being a candidate, and the latter said he was ineligible. Now the hon. the First Minister says he had no communication with any one with reference to that election. How can the hon. gentleman say so when his own colleague, the Minister of Militia, states that he went and discussed the candidacy of that county with the hon. the Premier, who said that Mr. Ross was ineligible because he was a contractor. I suppose that the hon. gentleman had no need to go to the hon. the First Minister to find out that a contractor was ineligible. It appears that the hon. the Minister of Militia left his Department and travelled down to Truro for the purpose of having an interview, which is believed to have taken place—I do not assert it, but the facts will leave no doubt on the matter—in consequence of a communication between the Minister and the contractor. It is notorious that after that meeting the press in Halifax supporting the Government, the journals with which the hon. Minister himself is connected, in the most defiant terms challenged the Opposition to come out and meet the Goliath they had put in the field. The man who just before was an avowed opponent of the Government, and so declared himself on nomination day, was put forward as the Government nominee, and the Opposition were invited to try their strength if they dared. In the last

discussion, I simply drew the attention of the House to the fact that a grave charge had been made against the Government, a charge which would cover the Government with disgrace if not explained, and that the explanation given was unsatisfactory. The Minister of Militia in making his explanation forgot himself, as I believe no hon. member, since this was a Parliament, ever forgot himself. The hon. the First Minister occasionally ventures to state to the House that I use language unjustifiably strong and such as is considered by hon. gentlemen opposite as offensive. I will, however, call his attention to a report of the remarks of his colleague, the Minister of Militia, with reference to myself which were allowed to pass without any rebuke from you, Mr. Speaker, or any remonstrances from the hon. gentleman's colleagues, though the hon. the Premier is bound to take notice of any such unparliamentary conduct coming either from his colleagues or supporters. What did the hon. the Minister of Militia say? He said:—

“He was amazed the hon. member for Cumberland, with all his experience in public life, would dare to get up in this House in his presence and in that of the hon. member for Victoria and make such a statement.”

What statement did I make? I simply called the attention of the House to the fact that an unanswered statement remained against the Government which required to be refuted. The hon. Minister of Militia further stated that: “There had been a rumour before Mr. Vail left Ottawa for Nova Scotia that Mr. Ross, who became a candidate, intended to run for the county. \* \* He then thought it was incumbent on him to instruct Mr. Ross in the matter.” Did he suppose a gentleman of Mr. Ross's intelligence, who seemed to be able to gauge pretty well the amount of Government responsibility, did not know the fact of being a contractor made him ineligible? The Premier does not tell us that he got any information from the Minister of Militia, but that, when the election was approaching, on a certain day before the election, Mr. Ross applied to him to be relieved of his contract in order to become a candidate. The

Premier does not say “in order to become a candidate”; but I assume that was the fact. He says he took care—which was quite proper—to ascertain from Mr. Perley, the engineer, whether Mr. Ross could be released from his contract without injury to the public service. After receiving Mr. Perley's report, the Premier again took the very proper course of calling on Mr. Ross to obtain the consent of his sureties before he could be relieved from his contract. Does he tell us that Mr. Ross got the consent of his sureties? Nothing of the kind. He showed the House that Mr. Ross had never obtained the consent of his sureties, but that Mr. Ross, after being defeated as the Government candidate at that election, asked to be allowed to withdraw his application to be relieved of the contract. If Mr. Ross had been elected it would have been shown that he was not a contractor, but, being defeated, he is still a contractor. That is a state of things which should not be possible in this country. The Premier has informed the House that the present Government have no difficulties with contractors. But I want to know how the public interests are protected when contractors are relieved from contracts before they are completed. Even if Mr. Ross had obtained the consent of his sureties to be relieved from the contract, no one would have been more interested in its completion than he. In order to protect the public exchequer, a law was passed setting forth that contractors for the Government should not hold a seat in Parliament, and that law would be violated in spirit and essence if men with all the interests of contractors could sit behind the Government which depended on them for continuance in office. If the arrangement with Mr. Ross had succeeded and he had been elected, he would have sat in the House while still holding the deepest interest in the contract. The Government claim that they have changed the system pursued by the late Government with respect to contracts; but the past history of the country failed to furnish such a case of that of the Georgian Bay Branch contract, which cost the Dominion

\$100,000. During the debate, the Minister of Militia further said :

"If, after that statement, the hon. member for Cumberland would get up and repeat his allegation, he should take it for granted that his character for stating things that had no foundation in fact was so well understood that he might expect to see it developed at any time."

I am not able to find in the records of this Parliament language so indecent and insulting. After twenty-two years of continuous public life, it is not necessary for me to make any vindication of my public character on the floor of this House or in the face of the people of this country. But, when my character and record are referred to, I may remind this House that, having passed twelve years of public life in Nova Scotia, a large portion of which time I discharged the duties of a leading member, and, in later years, of the head of the Administration, I resigned my connection with the administration of the affairs of the Province on the passing of the Union Act, on 1st July, 1867, at which time I had the honour of being surrounded and sustained by a two-thirds majority in the People's House and in the Legislative Assembly. The record I left behind was one of which I have no reason to be ashamed. When I entered the Nova Scotia Government, the valuable mineral possessions of the Province were held by a close monopoly in London; when I retired from public life there, they were free to the enterprize and industry of the people of our own country. When I entered public life the representative of a community with only one hundred and fifty votes was equal to that of a large constituency, and the Representation Bill was passed by the Government of which I was a member. I found officers of the Crown standing all around me in the House of Assembly and the Legislative Council, but that was reformed by the passing of the Independence of Parliament Act. I was able to leave an Educational Act on the Statute book, to which the *Globe*, the organ of hon. gentlemen opposite, directed the attention of the Ontario Government, as one worthy of careful study, in con-

sidering the educational system of that Province. I may claim from the Minister of Justice the credit of having assisted in carrying a measure which he has proclaimed to the world as one of the most valuable boons ever given to the people of Canada—the Union Act. If I stood in the position of the Minister of Militia, I would not be disposed to challenge anybody's record. Those who wish to know what that hon. gentleman's views and sentiments are will find in *Morgan's Parliamentary Companion* that the hon. gentleman writes himself down or permits himself to be written down as a Reformer. What claims has the hon. gentleman to that title? What right has he to sit in any Reform Administration? The two great tests constantly applied by the First Minister to the question as to whether a man was a Reformer or not were vote by ballot and the trial of controverted elections by the Judges.

Mr. MACKENZIE: I never said so.

Mr. TUPPER: Has the First Minister not held again and again that vote by ballot was one of the principal grounds upon which he claimed the confidence of the people as a Reformer?

Mr. MACKENZIE: No; on the contrary, I never was an advocate of vote by ballot. I accepted it as the will of the people, declared by their representatives, but I have expressed an adverse opinion frequently.

Mr. TUPPER: I am quite aware of the opinion held by the hon. gentleman, but I am also aware that, when the subject came up for discussion, the hon. gentleman claimed that the measure was a Reform one for which he claimed the support of Reformers. The system of vote by ballot was introduced into Nova Scotia in opposition to the action of the Minister of Militia. Moreover, that hon. gentleman, after the system had been tried, induced the House to vote for the repeal of the Act and revert to the old system. And if, Sir, the ballot exists to-day in Nova Scotia, it is because the hon. gentleman was not able to defeat and destroy the measure, and because he was prevented by the Legislative Assembly from passing the repeal of

that law. Then, take the question of the trial of Controverted Elections by Judges. If any person wants to see every possible argument adduced with the view of preventing this being done, he has only to read the speech delivered on more than one occasion by the hon. the Minister of Militia, who was the bitterest opponent of that measure, and who was accustomed in the strongest manner to insist upon elections being tried under what the Premier denounced as the old, corrupt, and improper system of parliamentary committees. Yet, Sir, with this record, the hon. gentleman who proclaimed himself as a Conservative on the floor of the Nova Scotia House of Assembly, comes up here and writes himself as a Reformer, and as such this Administration is able to accept him. We have had a good deal of sham, spurious reform attempted to be passed off on the people of this country; but I will not detain the House any longer in referring to that matter. Let me tell the hon. the Minister of Customs, that I did not say that these parties were dismissed on the report of a pliant inspector, but I did say that, when a man was degraded in this country by the Government, and driven out of an office held under the Crown, the Government ought to be able to assign some reason other than the report of a pliant inspector. I do not believe that any such report exists, but, if the hon. gentleman had said that he had an inspector's report, recommending the removal of these parties, I would not question his veracity. If there was a report, it were an easy thing to read it; and therefore, until the hon. gentleman lays such a report on the table, I will take the opportunity of questioning the existence of any such document. Still I do not wish, for a single moment, to be understood as questioning the hon. gentleman's veracity. It is said that these men were old; then, the number of years which they have spent in the public service certainly entitled them to some intimation that the time had come when their services were to be dispensed with. The hon. member for Victoria has stated that these three gentlemen were driven out of office, dismissed, and superseded by other people, ap-

pointed at double the salary to perform the same duties, a fact of which, of course, I know nothing; that hon. member has personal cognizance of the facts he has brought before the House, and this is his statement, that these men were driven from office without a word of prior intimation from anyone. Now, I ask the hon. the Minister of Customs, whether the public service will be promoted by turning three men out, and putting another three in their places, without some other notification than the announcement "Go about your business! Your salaries have been stopped," and my hon. friend tells me that, up to the time when he left his county, these three men had never received the slightest intimation that any objections was entertained as to the mode in which they performed their duties. How does the Minister of Militia attempt to answer that accusation? I do not complain of the statement of the Minister of Customs, because he said that he had an impression that an inspector's report in this regard existed, but that he had not had time to read the papers. When he has had time, I will receive with great attention any statement he may have to make. As to the old men, they were entitled to some intimation, and, as to the young man, if he was in any business interfering with the due performance of his duties, would it not have been quite sufficient to have informed him that, such being the case, he would be obliged to resign. These men, who had long served the country, when the Government was desirous of dispensing with their services, should have had the option of tendering their resignations, avoiding thus the obloquy and injustice of being exposed to the comments of their neighbours, for having been summarily, and without notice, driven from office. How does the Minister of Militia answer that? He says that the Inspector was a brother-in-law of the hon. member for Cumberland. Suppose that I had made such a declaration, I would then have been gently reminded in the bland and suave and refined terms the hon. the First Minister so frequently uses, that there was a slight inaccuracy in my statement. The hon. the Minister of Militia ought to know

something of the facts. I rose in my place and explained to the House that the hon. gentleman was mistaken, and that the gentleman in question was not my brother-in-law or any connection of mine. And how was I met? One would have supposed that the hon. gentleman would have been covered with confusion, as would have been the case with most men under such circumstances. One would have imagined that this would have interrupted the eloquent flow of the remarks on which all hung so intently and delightedly, as they fell from the lips of the Minister of Militia. But not at all, Sir. He stopped, and having communicated with the Minister of Customs, ascertained that I had a brother who was Collector of Customs, and he says, the Inspector is not my brother-in-law, but my brother filled the vacancy made by the Inspector. And this is the statement which the Ministerial press boasts confounded the hon. member for Cumberland. I do not, however, see anything in it to confound anybody except the Minister of Militia, who, grasping after something in order to sustain himself in one of the most difficult and trying positions that a member of this House can occupy, had to resort to means so utterly beneath and unworthy of—I will not say, the hon. gentleman, but the office he holds. What are the facts? That Inspector in the Province of Nova Scotia became insane, and was sent to an hospital for the insane. For a year or more, I believe, the Government hesitated to fill up the appointment, in the hope that he would recover, he having been a valuable public officer. The vacancy existed for more than a year, and the Minister of Customs can learn from the permanent staff in his office—and very able gentlemen they are—that, out of many Collectors in Nova Scotia, none stood higher for accuracy and careful attention to duties, than the Collector at the Port of Amherst,—a barrister by profession, and an able and efficient officer. This was before the motion of vote of want of confidence was moved; at all events, it was previous to what is now known as that period. We do not forget what is called the throes of dissolution by the hon. gentleman opposite;

it is too painful a period to be very rapidly effaced from the mind of any gentleman who has to go through it. But, in any case, it was not during that period. We appointed the Collector, a barrister of ability, a painstaking officer of many years' public service, as Inspector of Customs, and I did commit the great crime of naming my brother as a suitable person to fill the office just vacant.

Mr. JONES (Halifax): At the same salary?

Mr. TUPPER: The same rule was applied to that Department and to that office that was applied to all Departments in the public service, with scarcely an exception. A sum of money was placed at the disposal of the Government by Parliament for the readjustment of salaries, and I can show my hon. friend, should he at any time desire it, that the salary assigned to that post—it was \$1,300 I think—it is entitled to by the collections.

Mr. JONES (Halifax): Did the previous Collector receive that amount?

Mr. TUPPER: The previous Collector's salary would have been arranged, under the same circumstances, at the same rate. The hon. gentleman, I suppose, knows that, with reference to the salaries of collectors the amount of the receipts of the office is the principle on which salaries are adjusted, and I think I can say with justice that this principle was not departed from with relation to the office under consideration. At the close of twelve years of public life, when at the head of the Government of Nova Scotia, I was able to say that, though, throughout the length and breadth of the Province, I had great numbers of relatives able and qualified and quite as ambitious, I dare say, to fill positions under the Crown as anybody else, you could not find a relation of mine in office from one end of the Province to the other. I give that back to the Minister of Militia as my answer when he says he confounded me; and I further say that it was the demand of the county which I have represented for almost twenty-two years continuously, the county in which I was born and where a considerable

portion of my life has been spent, that I should give my brother an appointment. In response to that demand, the office was conferred, and, though I went back to the county almost immediately, despite the heavy weight which the Government managed to bring to bear upon our shoulders during that struggle, a majority of 380 endorsed my conduct. I have also a word to say with reference to what has just fallen from the First Minister. He says that I charged him with falsehood. The hon. gentleman is mistaken. I said that the statement in the *Gazette* was false and misleading to the extent of over a million. Was I justified in stating this or not?

AN HON. MEMBER: No.

MR. TUPPER: I can give the hon. gentleman the figures, showing that the surplus up to the 1st of July, 1876, was over a million. I am prepared to go into that question of the examination of *Gazettes*, with regard to the statement of my hon. friend, and he will find that it was in accordance with the practice of the previous Government that these publications were made the first time. I recollect noticing any serious discrepancy in this statement of revenue and expenditure was with reference to the year 1873-4, after we had gone out of office. The Minister of Finance knows that the facts were the very reverse what was then published, for a very large deficit was intimated when in reality none existed. I went to Mr. Langton, drew his attention to it and told him I was satisfied that the capital expenditure had been confounded with the expenditure chargeable to the Consolidated Fund. Mr. Langton subsequently saw me, and I ascertained that this was the case, assuring me, moreover, that it would not occur again. As I said the other night, it was a false and misleading statement. I charged no falsehood. Falsehood requires to be intentional, while a statement may be false without the party who has made it having intended to mislead anybody. I did, however, charge negligence against the Minister of Finance, because such a thing should not occur. I do not believe that either Mr. Langton or

MR. TUPPER.

the Minister of Finance is capable of falsehood. We had a right to have information, and to have it accurate. Either the publication of the figures in the *Gazette* should cease, or they should be accurately given. The First Minister, in answer to my hon. friend, still refers to scandalous appointments and nominations made with relation to Acts which had not then come into force. I would like to know what the Acts were, and what were the appointments. Were any appointments made which were not required and contemplated by the public service? If these hon. gentlemen will bring down a statement of the dates of the appointments of Inspectors of Weights and Measures in this country, I will be able to show the House that they have paid salaries for twelve months before the men had any duties to perform. The way in which the Weights and Measures Act has been taken advantage of, has exerted a feeling of intense dissatisfaction and indignation against the Administration from one end of the country to the other.

MR. JONES (Halifax): It is raised against the measure.

MR. TUPPER: I tell him, Sir, that the hon. member for Hamilton strongly stated in this House, that it is not so much the Act, as the mode in which it has been administered, of which he had to complain. I draw from the statement of the hon. gentleman that the Government is open to a charge of the same character, only to an intensely greater degree. I think this ought to have concluded the discussion; also what took place in this House a year ago ought to have done so on the part of the First Minister, or any hon. gentleman connected with the Government. I then brought this matter before the House, and I said that, when I had the pleasure of visiting the North Riding of Renfrew in company with the Premier, he (Mr. Mackenzie) declared to the electors that, when the late Administration was in the last throes of dissolution, they had created some two hundred offices, and made some two hundred appointments. The hon. gentleman then pointedly denied having said so. I accepted the de-

nial, and that ought to close the subject, though I added, I was afraid that the electors, as well as myself, had misunderstood him. I proved from public documents on the table, brought down by the Government, that to the 35 appointments we had made in Prince Edward Island these hon. gentlemen had added 75; also that where we had made 25 appointments in the Customs, these hon. gentlemen, instead of finding any of them unnecessary, had replaced them; while we had appointed many parties who were never supporters or friends of our Administration, they appointed 66 Customs officers where I think we had appointed 25; and what was the answer of the hon. the First Minister? Not a word; and I consider that this ought to have terminated the discussion on the subject. I then, as now, further challenged the hon. gentlemen to show that they saved one thousand dollars to the country by the cancellation of appointments. But this they cannot do; nor can they give the names of five officers, appointed by the late Government, whom they have not replaced. The First Minister has a very great objection to hear any person repeat himself; this he cannot endure; it shocks him beyond measure; but he ought to remember that no hon. member of this House is open to that charge more completely than himself. He is in the habit of making stereotyped statements, which are frequently, I may say, moreover, clothed in identically the same words. There is another reason why the hon. gentleman should not complain. What did he say in reply to the statesmanlike comments my right hon. friend made at the opening of the Session on the occasion of the answer to the Speech from the Throne?

Mr. BLAKE: Order! Order!

Mr. TUPPER: My hon. friend, the Minister of Justice, is very much afraid of any violation of the rules of order; but this is never the case when my hon. friend at his right is addressing the House. It is wonderfully how astute, and how keenly alive, the hon. gentleman becomes—

Mr. BLAKE: I rise to a point of order.

Mr. TUPPER: Of course, Mr. Speaker, I would like to know when the First Minister made complaints; and may I not be allowed to say in my place in the House, when the hon. gentleman invites me to make criticisms—

Mr. BLAKE: I rise to a question of order: the hon. gentleman alludes to a former debate.

Mr. TUPPER: I am not repeating what I just stated, but what every person will remember equally well with myself. The hon. gentleman wishes to know if any other Government ever made appointments after it was known that they had not a majority in Parliament to sustain them. Is the hon. gentleman so ignorant of history as not to know that it is held to be one of the most solemn and sacred duties of every outgoing Administration to redeem all the pledges they have made, and that the highest function of the Crown—the appointment of Peers of the realm,—not merely life appointments, but those which go down to the latest time, and continue to be inherited,—is constantly performed by the Imperial Government under such circumstances? Does the hon. gentleman not remember that after the general election in which Lord Derby's Government sustained such an overwhelming defeat at the hands of the people of England, when it was known that they must go out of office as soon as Parliament met, having a majority against them of something like one hundred, one of the colleagues of Lord Derby, the Earl of Mayo, was appointed to the high and distinguished position of Governor-General of India with the enormous salary which is attached to it. Although there were people to be found, connected with the press of England, who said it would become a question for Parliament, no Statesman in the House of Commons or the House of Peers in England ventured to tarnish and destroy his reputation as a public man by questioning the right of the Government of England to make that appointment. Why has the hon. gentleman referred to the appointment of Mr. Tilley in terms which he should be ashamed to use of a gentleman in his

absence, and seeing the high position he occupied in the House and now occupies in his own Province. Does he want to degrade the office of Lieutenant-Governor in the eyes of the people over whom he presides, as if he had been guilty of something discreditable? What, Sir, was the fact? Mr. Tilley was appointed to that office, selected for it and the Order in Council passed, if my memory serves me, before he had returned from England.

Mr. BLAKE: That is so. He was appointed about the time of your first resignation.

Mr. TUPPER: What does the hon. gentleman mean?

Mr. BLAKE: I believe that these appointments were made—that Mr. Tilley was appointed Lieutenant-Governor of New Brunswick, Mr. Hugh Macdonald was appointed a Judge, and Mr. Crawford was appointed a Lieutenant-Governor—because the Government were at that time about resigning.

Mr. TUPPER: The hon. gentleman may believe what he pleases, but I think he has no right to make such a statement on the floor of this House. I state that the late Government, in their wisdom, selected Mr. Tilley to be the Lieut.-Governor of New Brunswick before his return from England. When he came back, I think I was the first who had the pleasure of telling him what the Government had done; and, as I think the then Minister of Marine and Fisheries will remember, he said he would require some time for consideration before he would decide. He never sat in this House, or gave a vote in this House, or contemplated such a thing after he had decided to accept the Governorship of New Brunswick. I do not suppose there was any impropriety in the present Government determining to select one of the most important and honourable of their colleagues, Mr. Dorion, for the position of Chief Justice. I think it was perfectly well understood in this House, and out of it, that he was selected for that position.

Mr. MACKENZIE: I deny it.

Mr. TUPPER: That public opinion subsequently received very cogent verification by the act of the hon. gen-

tleman himself, and no one complains that this was the case. Until Mr. Dorion had decided to accept the office, no one questioned his right to sit in the House. No one doubts that it might have passed through the mind of the late Minister of Justice that, on the consummation of a certain Act, he might possibly be induced to accept the high position of a Judge of the Supreme Court of Canada. At all events, the hon. gentleman did accept it, and no one has ever found fault with his carrying the Act through this House, and then accepting an office under it. And yet, in a question so nice, as it affects Mr. Tilley, some gentlemen seem to think that one doctrine should apply to one side of the House, and another to their opponents. Now, the hon. gentleman says that they have never dismissed any one from office, that they have never been guilty of the creation of offices, and that they have never dismissed any one for the purpose of getting an office to bestow upon a friend. They hold that to be corrupt—they hold that to take the public money of the country for the purpose of appointing a friend, when his services are not required, is an act of corruption which ought to drive any one from power. Let us try them by their own acts. When the hon. the Minister of Militia was in public affairs in Nova Scotia he was anxious to have a little arrangement made by which a member for the county of Halifax could be quietly got out of the way in order to put some one else in his place. They went about it by getting the assistance of the hon. gentlemen on the Treasury Benches in this House. The member of the Local Legislature was induced to accept the position of Superintendent or Warden of the Penitentiary at Halifax. The salary had been large enough for the previous Warden, who had held the office for years, but it was not large enough to tempt a member of the Local Legislature to make this convenient arrangement; so Estimates were introduced largely increasing the salary. The next step was an application from the Department of the Minister of Justice to the Inspectors of Penitentiaries, to report Mr. Dunkin, the Warden of the Halifax Penitenti-

Mr. TUPPER.

ary, for superannuation; but they said: "We cannot do it." Fortunately for the country they were honest men, and were not disposed to lend themselves to an act so unjustifiable as to burden the public revenue of the country in order to make places or positions for anybody. They said: "We cannot do it. If you want a report we will give it; but, in justice, we will have to say he is the ablest public officer we have in the Dominion,"—I do not speak of his age. But they were then told they need not make a report at all. I can establish that by one of these Inspectors themselves, who will come before any Committee of this House and testify to this statement. Look at these laws for superannuation. You find an enormous increase in the amount voted by Parliament for superannuation, and how is it disposed of? Mr. Dunkin is superannuated to-day, and at an enormous increase over the amount to which he is entitled by the Superannuation Act, because he must be got rid of for this purpose. In the first place, the whole spirit of the Superannuation Act, which requires men to continue to discharge their duties as long as they are able to discharge them, whatever their age, is violated; and, in the second place, a much larger amount is given than is required, in order to quiet this gentleman. My right hon. friend from Kingston was defeated some few years ago in carrying a vote through the House for the financial offices in Halifax. The hon. gentlemen opposite mustered their forces and attacked the Government on this. No sooner, however, did the Government change hands than it was found that this sum was not large enough, and a considerably increased vote was granted. It was large enough at that time to maintain the public service in the most efficient way, but it was not large enough to meet the wants of hon. gentlemen opposite in supplying places for their friends. Their first act was, therefore, to increase the vote on which they had defeated the late Government—a defeat which had been submitted to with that grace which the late Government always showed when their views were not supported by the House. Then, Charles Edward Ratch-

ford, who is now able to go into Mr. Langton's office and do his duty, a man physically and intellectually strong, and able and ready to perform any duty the public service may require, is pensioned off. He was Assistant Receiver-General at Halifax; he had been five years in office, and his salary was \$1,600 a year. The Public Accounts show that he, in the full vigour of his intellect and of his body, is put on the Superannuation Fund at between \$700 and \$800—double the amount that the law would allow. The reason given for his superannuation is age, and yet this very Government who superannuated him on account of age, and gave him double the amount of money he was entitled to by law, have made him the manager of the Savings Bank in the county of Cumberland, at the village of Amherstburg—an office, the duties of which, if he is not in the full possession of his intellectual vigour, he is wholly unfitted to perform. I think hon. gentlemen, under these circumstances, had better be careful about challenging these criticisms here, which they know have only to be presented to the free and intelligent electors of this country, in order to bring, day by day, that condemnation from the hands of the constituencies of this country which they know only too well awaits them.

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

### After Recess.

Mr. BLAKE: Mr. Speaker, I am sure that both sides of the House will join in the regret that I venture to express at that irregularity which has characterized a debate of this character on a motion such as that which is now before you. The motion which is before you is one for papers connected with the dismissal of three persons who held small appointments, I need not say not of a character involving all their time, inasmuch as all the emoluments connected with them were \$60 dollars a year, and, upon that motion, the hon. member for Cumberland thought fit to take occasion to refer to a motion which had been carried immediately before and to discuss in

very strong terms the representations which had been made by my hon. friend from Victoria upon the occasion of the preceding motion. To that irregular course it is due that the debate was subsequently adjourned, and that we have spent the better part of this day in the discussion of a matter which is not properly before the House. I venture to hope, Sir, that the great extent of inconvenience to which this irregularity has upon this occasion given rise will induce the House to sustain you for the future in confining hon. members to that which is more properly before the House upon the occasion of their speaking. I have also to express my regret at the tone in which hon. gentlemen opposite have thought fit to conduct this debate. I think it is unfortunate that it should have been conducted with such violence of language and such acrimony of temper. I had hoped, and I still hope, that the general current of our debates will be distinguished by opposite characteristics, and that we shall be able in the midst of all our political contentions, even when they come to that most disagreeable point of any hon. member's public duty involving censure upon another public man, to conduct them in a different spirit and in other tones than has characterized this attack upon the Government which the hon. members for Kingston and for Cumberland have been engaged in to-day. Now, Sir, before we go to what is not before you properly, let me touch on what is before you properly. The motion is for papers connected with the dismissal of these three officers. My hon. friend the Minister of Customs, in whose Department these officials were, stated to the House, in answer to the averment of the hon. member for Victoria, that these persons were engaged as boatmen, that two of them were men of advanced age—and he gave their ages—that they had for two or three years not been in a boat at all, that, being engaged as boatmen, they had not been in a boat, and that under these circumstances—their years unfitting them for the duty, and the duty not having been discharged—it was reported to him, either by correspondence or by a report—he said he could not tell which,

but one way or other the information reached him, by letter or report—that this was the state of things, and, for the efficiency of the service, these men were replaced by others. To the third no objection was alleged on the score of age. He happened to be a son of the hon. member for Victoria, and is, I believe, a young man; but the hon. the Minister of Customs stated of him that he was engaged in trade at the port of which he was also an officer in the Customs, in the boat service, and that it was inconsistent with his duty, as such officer at \$60 a year, that he should be engaged in trade, for very obvious reasons. He made no imputation against the officer of actual misconduct, but I am sure that every fair and candid man in the House will see that it is not proper for one dealing in imported articles at a port to be a preventive officer at that port. These are the three men who have been replaced by others, my hon. friend says, on information of this character and simply and solely for the efficiency of the service. The member for Victoria charged that they were dismissed because they had voted for him. The Minister of Customs stated in the House that he did not know and had never been informed for whom these men voted, or what were their political views, and, that distinct statement being made, the hon. member for Victoria not having been able to fortify the expression of his opinion by any evidence here to-day, not having as yet done so at any rate, I apprehend that, for the time at least, and I believe for all time, the House will be disposed to accept the statement of my hon. friend the Minister of Customs. At any rate we may ask the House to accept that statement until the positive statement of a Minister of the Crown that no such motives actuated him, and that he had no material on which to act on such motives, has been disproved. But two other things are to be remembered. If I am rightly informed, the vote in Nova Scotia at that election was by ballot. If that be so, it is very clear that it was not likely the Minister, or any one else, would know for whom these three persons did vote. Still more, amongst the alle-

gations which the hon. member for Cumberland made was this, that the hon. member for Victoria had been returned to this House as an independent supporter of the Government, and that that was his attitude while he was here; if that be true, and it was made in the hon. gentleman's presence by his friend, and, I suppose, present leader, the member for Cumberland, could there be any such motives? If a Minister of the Crown should so far degrade himself, should so far step down from the high position he occupies, should so far disgrace himself as to do what is alleged, could it be so when the hon. member came to Parliament to support the very gentlemen for voting for whom he says these men were dismissed? Under these circumstances, at this time, and in this state of the case, I think prudence, discretion and fair play would have left this matter where it was, seeing that papers had been asked for and promised, and that no evidence had been brought forward at the moment against the statements of my hon. friend the Minister of Customs, until the time when the evidence was brought forward, or the papers should give occasion for fresh criticism. But, Sir, the debate was enlarged. The tone and temper in which the hon. member for Cumberland conducted it led to a suggestion from my hon. friend the First Minister that these were not the persons to accuse. Now, Sir, I quite agree in the proposition of the hon. member for Kingston, who, this afternoon, abandoning all defence, for the moment at any rate, of the conduct and career of his Administration, agreeing that if we pleased we might consign him—I know not where, or at any rate I will not say—said that, while we might justly do so, that was no excuse for us. It is no excuse that, if one man does wrong, another man should do wrong; but men are so constituted ordinarily that the blush of shame will mantle the cheek of the accuser, who is convicted of having done ten-fold that of which he accuses his neighbour. It does not lie in the mouth of those who have committed enormous offences of the character of the trivialities they charge against others to be the ac-

cusers; and that agrees with the view, "Let him that is without sin cast the first stone." But, although I aver, and I believe the common sense of mankind will agree, that it is not notorious sinners who are to turn accusers of others, and that they had better, as I said this afternoon, if they believe and confess themselves to be publicans, and that to the name of publican which has made it reputable instead of infamous—repentance and confession; and, although the common sense of mankind will agree that such notorious publicans, not repentant or confessing, but glorying in their crimes, are not the persons to be the accusers of others, yet still we are contented to accept the accusation from the hands of any man, however much he ought to be debarred from speaking on any such subject, and to answer the accusation from whatever quarter it may come. We do not justify ourselves, acknowledging anything to be wrong, because the hon. gentleman was infinitely more wrong; and I should have thought it not worth while, under these circumstances, to discuss the hon. gentleman's defence, because I admit that, if he was wrong, that is no excuse for our being wrong, but that he stated certain general principles upon this subject in the course of his justification which I consider it is not fit should remain without discussion, and such an answer as I believe should be given to them. Sir, you will remember the condition in which the political situation of this country was in the month of October, 1873. You will remember that the excitement which had ensued ever since charges were made against hon. gentlemen opposite in the spring of that year, which had been increasing owing to various circumstances during the whole of that year in the progress of the developments which took place, was, about the 20th or 22nd of October, almost culminating in the expectation of the meeting of Parliament, which was summoned for the 23rd of that month. Now, Sir, before we discuss the reasoning applicable to the conduct of the hon. gentlemen in reference to the appointments, let us see a little what the facts were. Upon the 13th many persons were

appointed; upon the 18th a very large number of persons were appointed; upon the 21st many more officers were appointed. Among these were Mr. Crawford, a member of this House, to be Lieutenant-Governor of Ontario; Mr. Tilley, also a member of this House and Finance Minister, to be Lieutenant-Governor of New Brunswick; and Mr. Macdonald, also a Minister and member of this House, to be Judge of the Superior Court of Nova Scotia. It appears there also were appointed a number of persons as County Court Judges in Ontario. On the same day Mr. Kerr was removed from the Amherst collectorship and made Inspector of Customs for Nova Scotia, and with commendable promptness the hon. member for Cumberland recommended Dr. Waltham Tupper as his successor on that day. On the same day also Mr. Chalmer was appointed Shipping Master at Quebec and Mr. Higham Chief of River Police at Quebec. I state these appointments as samples; the full list is too long to weary the House with. The hon. member for Cumberland, reinforcing the argument of the hon. member for Kingston, stated that it was not a matter of privilege but a high and most solemn duty for an out-going Government to fulfil the pledges that it might have made to various persons to nominate them to office. He extolled it into a sort of sacred function to be performed at the moment of dissolution, to be performed at the time when the mind is filled with solemn thoughts, and animated by a desire to make amends for the sins of the man's political life, corresponding somewhat to the case of natural dissolution; and the high and solemn duties to be performed on the eve of political dissolution the hon. member sums up in these words, "You must take care of your friends under these circumstances." Just as, if the hon. gentleman were expecting to leave this sublunary sphere, he might feel it to be his duty to divide his property among his relatives and friends, so he says, when about to depart in a political sense, he felt it to be his duty to consider those relatives, friends and supporters, and dispense among them that portion of the good things of which he was—not the owner, but the

trustee for the public. That is the hon. gentleman's exalted notion of the functions of a retiring Ministry. Let us, then, apply these facts to what took place on the 21st and 22nd October. The late Government had not many votes to spare at that time, and they knew it. When about to meet Parliament they were quite aware that for some time previous they had been in a very critical position. On the day before the meeting of Parliament—I understand it met on the 23rd—they, it seems, determined to deprive themselves of three of their supporters in this House, including two Ministers, one of whom was the Minister of Finance, perhaps the most important officer in the Government next to its leader. The Government is determined in the discharge of this sacred duty to deprive themselves, I say, of the votes and of the assistance by speech upon the floor of this House of these three gentlemen. They determined to meet in the House a mutilated Administration, with two of its members lopped off and an important independent member out of his seat. They were so determined to do this, that they made the nomination of the chief among these three—Mr. Tilley—during his absence, before he had reached this place, while he was yet at sea, without communicating with him, and without knowing whether he would or would not accept the high office to which, by Order in Council, approved by His Excellency, he was formally appointed on the 22nd October, with the other gentlemen to whom I have referred. Now, that is their statement. They must pardon me if I am somewhat incredulous as to the accuracy of their recollection at this distant date. The fact is clear that they did determine to make these appointments, because we have an Order in Council showing they were made on that day, but my conviction has been that they were made on that day because at that time they had determined not to meet Parliament. That is my belief—that is my conviction. I cannot think that at that time and under those circumstances, they deliberately determined to pass an Order in Council appointing two leading mem-

bers of the Administration to offices which rendered their seats vacant, and also an important member of the House to an office which rendered his seat vacant, intending to meet Parliament and carry themselves through and sustain themselves. They then, I believe, intended to leave office, and it was in the agonies of that dissolution, afterwards protracted for a few unhappy days and finally consummated on the 5th November, in my opinion, these appointments were made, Strong though the evidence may be which the hon. member for Cumberland has given us of their carelessness with regard to political principle and their determination to make whatever use of the power with which they were entrusted, provided they could save themselves, I can hardly conceive that at the time they nominated these gentlemen, they determined this—which is the other alternative—to appoint these gentlemen, to meet Parliament with two vacancies in the Administration, and one in the House, to place these gentlemen so appointed before the public as members of Parliament still, two as Ministers and one as an independent member; to utilize them, and afterwards, when the struggle should have ceased, to announce the appointments. It is true that afterwards, having changed what in my opinion was their intention at the time the appointments were made, they were driven to that course. The Government could not spare the men. If they could have spared them, no doubt the *Gazette* would have shown the appointments; no doubt the vacancies in the House would have been announced, and the Ministerial changes which succeed vacancies taken place; but having altered their determination, and having in the meantime made the appointments, the Government concealed those appointments, presented to the House and the country those three gentlemen having a right to sit here as Ministers and members, and used them up to the close of the struggle, until ultimately obliged to resign; then it turned out that, during the whole of the struggle, we had phantom Ministers of Finance and Inland Revenue, and a phantom member for West Toronto, and

those gentlemen were not Ministers and members, but Governors and Judges forsooth. It was then and under these circumstances that these appointments were made; and I want to know how the hon. member for Cumberland can reconcile with the high views which he now enunciates with respect to the independence of Parliament the fact that these gentlemen should have been sitting here during that struggle. The hon. gentleman has discussed the question of the position which Mr. Ross would have occupied in the House had he succeeded in the contest in Victoria. He has pointed out that it would have been a most flagrant violation of the independence of Parliament if Mr. Ross had sat here. He has said that, although Mr. Ross was relieved of his contract, he would still have been interested in some way in it, and the spirit, if not the letter, of the law as to the independence of Parliament would have been infringed. If so, what was the position of Mr. Tilley, Mr. Macdonald and Mr. Crawford? The hon. gentleman says Mr. Tilley did not know anything about his appointment until his arrival here. Perhaps Mr. Tilley and Mr. Macdonald, sitting at the Executive Council Board, did not know what Orders in Council passed; had not the least idea they were Governor and Judge respectively; had not the least idea of the animated and exciting struggle in which they were engaged, and, as the hon. gentleman the Lieutenant-Governor of New Brunswick said, I recollect very well, in his speech after the opening of the House, on the question which caused the fall of the Administration, he had determined to stick to the ship. So he did for forty-eight hours longer, until the ship had got hard and fast aground, when he found he had a life belt around him, with which he got safe to shore. A part of the code of so-called honour in the days of the *code duello* forbade either of the contestants wearing a coat of chain-mail or a band of silk which might prevent the stab being fatal to him. That was not the situation in which those three gentlemen were placed. They were not to suffer, whoever lost; they were here to fight, but not to lose—they were here to win. Were these

the only terms on which their services could be retained? Or what was the reason which kept them here to fight that battle when they had no longer any right to sit in this House? The hon. member for Kingston justifies these and other appointments which were made at a much later date, and to a much larger extent by reasoning and by reasons. He says that an Administration in England has filled offices after they had resigned but before their successors were appointed, and he points to the case of the appointment of the late Lord Mayo. I do not remember whether anything was said in Parliament regarding it, but I do recollect that it was made the occasion of very considerable, extended and unfavourable criticism throughout the country in which it was made. But the right hon. gentleman's argument was that a retiring Government was bound and entitled to fill such offices as the exigencies of the public service require. In that argument I agree; we differ upon the question of exigency. Ministers are entrusted with the responsible office of advising the Crown as to who shall be appointed to situations in the public service. Their advice is, under our system, necessarily to be accepted; the Crown itself has no responsibility in this or in such like matters. The advice of the Ministers is accepted because they are responsible; it is the advice of responsible Ministers that is taken. The security of the country is that responsibility. Those hon. members who come from Ontario will recollect that a great part of the battle of responsible Government was fought out on this very point of the right of Ministers to nominate to office, and that this caused the discussion during which the leader of the Liberal Administration resigned and brought to the test the question whether the country should have some one who should be responsible to it for the administration of the patronage. Why should this not be? What executive act can be more important, what consequences more lasting, for good or ill, than these appointments to high offices. The tenure of political life is short and uncertain. The people can place and displace the politician at compara-

tively short notice. The good he accomplishes does not always save him from displacement; the evil he inflicts does not always secure speedy displacement. His position is entirely different from that of a person in a permanent office in the public service. And, therefore, while this is a high and an important function—a function the consequences of the exercise of which are very lasting for good or evil—it is necessary that it should be exercised with regard to that one condition which alone makes its exercise tolerable, viz., that it is exercised by Ministers responsible and feeling their responsibility to the country. What in these days and in this country is the measure of this responsibility? Simply this, that if Ministers fail to discharge their duties according to the view of the country, they are displaced from office and driven from power. The security consists in the power to drive the Minister from office, which is the extreme punishment that can now be inflicted for the abuse of the power of office. To what extent, Mr. Speaker, does that responsibility and that security exist in the face of an Administration then in the throes of dissolution, and on the point of resigning, and being punished for their crimes, or for other reasons? An Administration so situated should only make appointments until their successors are elected; and this, under such circumstances, is the only security that the people possess, and the only security which exists. Under that general principle, Sir, it falls, and no Ministry which has resigned should make a single appointment to office. I lay that down as a sound constitutional rule. A Government at such a stage of its existence should only carry on such things as are absolutely necessary to be done, and, as to such matters alone, they may give advice, pending the appointment of their successors. That, in my opinion, is the true and constitutional rule. The hon. gentleman adverts, it is true, to precedents, and says that in England Ministers, after having resigned, make peers. This is quite true, and the hon. gentlemen have that precedent, and, when they were in the throes of

dissolution, they too, Sir, accepted the resignation of one of our peers, and appointed a son, son-in-law, or some one, as a successor. In this they followed precedent, and Mr. Trudel sits now in the Upper House by virtue of that precedent to which the hon. gentleman has alluded. We should view precedents by the light of reason, and not by the light of expediency, and if they happen to be mischievous, let us not be bound by them. I suppose the hon. gentleman will not deny that there is some progress in the world, and some progress with reference to political doctrines and views; and I suppose he will not deny that transactions, which were esteemed honourable and indeed laudable in former days, under a different system, become dishonourable and blameworthy. I suppose he would not advance his private views, whatever they may be on the subject,—I would not presume to intrude upon them—but I do not think that he would to-day propose a recurrence to the “rotten borough” system. I do not suppose that he would think it right—openly and avowedly at any rate—to buy a seat in Parliament any more, and yet we know that seats in Parliament were once bought by honourable and honest men; and that in England some time ago—and not so very long ago—men who to-day are esteemed as venerable and worthy, complied with the customs of that time, and acted according to the light of that time, and purchased seats in Parliament, using the only means by which a Ministry could then govern the nation. They have, however, advanced in England a good deal, and those doctrines which prevailed in the time of Walpole, and in later times, no longer prevail. I would not say anything on this occasion, if I can avoid it, which should in the slightest degree injure the feelings of any hon. gentlemen, and I will not enter further on topics that may occur to the mind of any man touching this subject; but I do say, however, that upon the grounds I have stated, we are not at this time of day to be driven from the field of reason, right and common sense, by reference to precedents. The hon. gentleman has referred to the fact that

Earl Grey, a highly honourable nobleman, whose life was one long exhibition of political honour and virtue, thought it right to defend the practice, not merely to give offices, but to give offices to his relatives. Well, do we not know that such was the condition of the aristocracy in England at that time, and such their hopes of public service, that there had been developed a regular system of parcelling offices among Ministers' relatives, and the dependents of Ministers; and that this practice was then considered a justifiable custom; and, indeed, during a later period, the great families parcelled out the offices and the patronage and emoluments of State to a large extent among themselves. Such was the state of things then, but such is not the state of things in England now; therefore, Sir, whether the hon. gentleman sustains himself by the suggestion that an Administration which has resigned is justified in giving offices, or whether by the old rule of giving offices to the friends and relatives of Ministers, I say that common sense rebukes it; that the conscience should rebuke it; and that the sense of the House and of the country is against any such practice. Tried by this principle, and the general proposition that retiring Administrations have forfeited the security which alone justifies the exercise of patronage, Cabinets under such circumstances ought not to bestow offices, qualified by the exception that the service of the State may require some offices to be filled, when, these being the only persons who could advise the Crown, this may be done; but I say that, tried by these principles, the list which is contained in this book is a condemnation forever of the men who caused to be filled the offices of that day and of that time. Was the Lieutenant-Governorship of New Brunswick then necessary to be filled? Was that Judgeship, which had at that time been vacant so long, necessary to be filled? Was the Lieutenant-Governorship of Ontario, of which its respected incumbent was still in possession, necessary to be filled? and was the other Junior Judgeship necessary to be filled? Why, Sir, I had to answer the hon. gentleman with reference to one

of the Judges. He wanted to know why I had not filled the Senior Judgeship, and I had to tell him that the Junior Judge reported to the First Minister that he alone could discharge the whole judicial duties of the county, and that there was no necessity of having two Judges there. Let us go a little further. We have heard some talk of improper superannuations and of appointments to offices filled up at high salaries. Amongst these appointments I find the names of Russell, Higham, and Chaloner. There was an officer in Quebec who was Shipping Master and Chief of Police; and his salary was \$1,200 a year. He was superannuated, in the discharge of the high and holy duty the hon. member for Cumberland talks of; and two offices were created, Chaloner being appointed Shipping Master, with a salary of \$1,600 a year, and Captain Higham Chief of Police, also with a salary of \$1,600 per annum, involving an expenditure of \$3,200 to ensure the performance of duties which had been previously attended to by a single individual with a salary of \$1,200 a year. Well, now, if I had been in the hon. gentleman's position, I should have been disposed to consider whether it was not possible for Mr. Russell to have been retained a few days longer, until somebody really responsible to the people, and who might be effectually called to account for what they did, were in a position to advise the Crown whether Mr. Russell should be superannuated and replaced by two officers, each receiving a higher salary than the single incumbent who preceded them. Well, Sir, I have heard all that the hon. gentleman referred to in the case of Mr. Tilley, and of those other gentlemen sitting in Council, and passing Orders in Council, appointing themselves to offices; and he said, using the same *argumentum ad h minem* his colleague and leader repudiated a moment before:—"You criticise such cases; why, you are not in a position to do so; one Minister of Justice was appointed by you to be Chief Justice of Quebec, and another Minister of Justice, after having carried through the Bill establishing the Supreme Court, was, some months subsequently, appointed one of its Judges.

Mr. BLAKE.

These are parallel cases. If there was any impropriety in these two gentlemen occupying these benches with offices in their pocket, you, at any rate, cannot say anything, because the respected names of Dorion and Fournier are placed in the same category." No, Sir; far from it. Now, Sir, it has been said once and again in this House that there was some understanding with reference to Mr. Dorion's appointment during the Session of Parliament; and it will be remembered that the hon. member for Kingston, upon one occasion, indicated something of that kind across the House to my honoured friend Mr. Dorion, than whom no man has in our day stood higher in this country, or been treated with greater reverence by either foe or friend; and he answered openly and at once that there was no truth whatever in the statement. At that time, Sir, I was occupying the position of a private member, and I did not know what passed in the Councils of the Government; but I had formed a very strong opinion that it would be a fit and proper thing that Mr. Dorion should be offered the Chief Justiceship of his own Province. I was not in political life at the time, but I knew that on a former occasion, when, after a long struggle, he and his friends had succeeded to power, he being Attorney-General, the Chief Justiceship had fallen vacant; and that he had declined on that occasion to accept that high and honourable object of a lawyer's ambition, because he thought that necessity required him to remain in public life. Knowing that my honoured and beloved friend—and I am sure I speak for every man who knew him when I use that term—knowing, I say, that in 1872 he had desired to retire from political life and had left the country stating that he would not return to Parliament, and that he had been elected by his friends in his absence against his will, I thought it was a fitting thing that Mr. Dorion should receive the honour of the Chief Justiceship of Quebec; and he was invited to crown, if he so pleased, an honourable and a laborious political career by taking the highest seat of justice in his Province. I did not talk to him about it, but, being on intimate

terms with some of his friends, I spoke to them. I found that they shared these views. I was told by one of them who had mentioned the subject to Mr. Dorion that he understood no such appointment would be accepted by him. My own impression was, when I left Ottawa at the close of the Session, that, in case that offer was made—although it was never understood that it was to be made, or was agreed to be made,—he would decline it. These were the circumstances which my personal knowledge enables me to mention with reference to our friend who now fills that honourable position. It was perfectly right and proper that Mr. Dorion should receive that offer at a convenient and fitting season, as my hon. friend subsequent to the Session made it to him. And it was equally fitting that he should, as he did, on the representation of his friends, greatly regretted as was his retirement, accept the position. What is there in that transaction, in that honourable close of an honourable career, to compare with the transactions which we have been discussing this evening? As to my hon. friend the Minister of Justice who preceded me, I know I am enabled to speak with positiveness that there was no talk of his being appointed a Judge of the Supreme Court until very long after the close of the Session; and there is no pretence for insinuation that there was a design that he should fill the office. It was also fitting that he, a leading lawyer of Lower Canada, should have an opportunity at a convenient season of doing service to his country in the exalted position in which he is now placed. That is not a case to be mentioned in the same breath, on the same occasion, in the same discussion as that to which we have been referring. The hon. member for Cumberland mentioned by way of re-primination some other nominations of the Government, or rather some other superannuations. He referred to the case of the Warden of Halifax. That appointment is one for which the hon. gentleman, I suppose, is largely responsible. The law upon the subject of superannuations entitles the Government, without further cause, to place any person on the list who has attained

the age of 60, or who has become incapacitated by bodily infirmities from performing his duty. It was also indicated that the Governor in Council might deal with a servant by way of superannuation after ten years' service. But the attainment of the age of 60 or incapacity after a certain service entitled to superannuation. And why? Because, although the officer may not be absolutely incapacitated at 60 years, that was presumably the age at which incapacity might be expected.

Mr. TUPPER: A minimum?

Mr. BLAKE: No, because with bodily infirmity you could do so earlier; but it is discretionary at 60. The Order in Council, which hon. gentlemen passed not very long before the appointment of Mr. Dunkin, provided certain regulations. It provided, in substance, that an officer who had attained the age of 65 could only be retained in the service upon a special report of the head of the Department. There was a presumed incapacity at the age of 65, requiring an affirmative report of the head of the Department. And this order was of course repeated every year after the age of 65. Such was the state of the law in reference to superannuation of civil servants at the period of Mr. Dunkin's appointment. Parliament decided, at the instance of hon. gentlemen opposite, that it is quite likely at the age of 65 that a man is not able to perform his duty. Nevertheless these same gentlemen appointed Mr. Dunkin to office at the mature age of 67—seven years beyond the time at which, if he had been in the public service, he might have been superannuated without further proof, and two years after the time when it would require a special report from the head of the Department for him to remain in his position. The office was that of Warden of the Penitentiary, an office which I venture to say, with some knowledge of the requisites, demands very great physical as well as mental vigour. This is a position which ought to be filled by a man of great strength and commanding will. It is only a few months ago that the Warden of one of our Penitentiaries was attacked and might have been dangerously wounded; but, having those

special physical qualifications, he was able himself to suppress what might otherwise have attained to a general riot, occurring as it did among 400 or 500 convicts. I do not speak of what Mr. Dunkin's physical or mental abilities were. I know nothing of him; but I do say that, if the House will consider for an instant what the requisites of a Warden of a Penitentiary are, it will agree with me that he is a man that should be appointed at the prime of life, and such an officer should then be of vigorous constitution. True, Mr. Dunkin may have been of such exceptional character that at the age of 67 it was to be expected that he would retain for a reasonable number of years the qualities which a man is likely to lose at 60. But I shall not believe it until I have 'a well-authenticated surgical report of the fact. This is the gentleman who was superannuated at "three score-and-ten." My predecessor in office, if I am correctly informed, made a recommendation on which the superannuation was based. Although I have not seen the paper, I am told he referred to the supposition that there must have been some peculiar qualifications which led to the late Administration appointing a man 67 years of age to this particular office. I suppose that was the charitable presumption under the circumstances. Perhaps the right hon. member for Kingston will, however, seeing the corner in which he is placed, vindicate this appointment, and perhaps the late Minister of Justice will be disposed to say that this man of 67 had some peculiar qualifications which made this a proper appointment which otherwise would have been nothing less than scandalous. Of the other cases to which the hon. gentleman alluded I know nothing whatever, and, therefore, I will say nothing. My hon. friend the Minister of Marine and Fisheries informs me that this Order in Council of the 23rd October, 1873, to which I have alluded, included appointments under the Wreck and Salvage Act, which came into operation on the 1st January, 1874. And my hon. friend tells me that one of them, James Kerr, is the same James

Kerr who was appointed Inspector. This is a sample of the cases in which the hon. member for Cumberland says the exigencies of the public service, in the high and holy duty to which the hon. member devoted himself, absolutely required that the expiring Ministers should nominate under an Act not in force. These appointments were cancelled, and I do not believe, if the hon. gentleman was to move a resolution that they were justifiable, that he would find even the men behind him following him.

Mr. MITCHELL: Will the hon. gentleman allow me to ask what were the salaries attached to the appointments?

Mr. BLAKE: I know not; I believe they were paid by fees.

Mr. TUPPER: Hear, hear.

Mr. BLAKE: That is the point. It is then adjudged lawful to appoint an officer, if he was paid by fees and not by salary. I quite admit, Sir, that the officers could not draw for fees or salary until the 1st January, 1874, because the Act was not in force until then. I am obliged to admit they never received any remuneration, because they were turned out before the office could be legally filled.

Sir JOHN A. MACDONALD: They were wrecked upon this occasion.

Mr. BLAKE: You see what errors a man falls into who becomes a zealot and a bigot in the discharge of a high and holy duty. It is true they were wrecked; they did not escape, while the great fish I have referred to were able to get safely to land. The hon. member for Cumberland gave us an interesting and edifying account of his career as a Nova Scotian. I have addressed the hon. the Minister of Militia as a Nova Scotian also. I should have thought, Sir, the hon. member for Cumberland might have found enough, as a history, in the period since we have been more acquainted with him as a public man, after Confederation, without dragging us back to Nova Scotia, with which we have no more to do than with Ontario or Quebec before 1867. We are not discussing the legislation which Doctor Tupper—as the hon. gentleman was known

Mr. BLAKE.

before 1867—accomplished before Confederation. I am sure, from the tone and manner in which the hon. gentleman spoke, that he might have said much more in favour of himself. However, there was one public Act, very closely connected with Confederation, to which he did allude, and upon which he challenged my applause; and it is the only point to which I shall refer. I do not care who supported it, who voted for it, who is responsible for it. I never will admit any responsibility, for I never will defend the course pursued in making a change in the Constitution equivalent to a revolution, without the people having an opportunity of expressing their opinion upon it. There was a great concurrence of sentiment in favour of the Union. In the Province of Ontario the people were—I will not say unanimously, although appearances led almost in that direction—but preponderatingly in favour of the Union. But this was not the case elsewhere; and the existence of a preponderating majority in one or two Provinces, Ontario and Quebec, did not, in my opinion, render it right that that great change amounting to a revolution should have been adopted by Parliament without the people being called to signify their opinion upon it. Mischief did not ensue in Ontario, because the people in favour of it predominated. But mischief did ensue in Nova Scotia, and the mischief was not confined to Nova Scotia—mischief from which the Dominion has suffered, from which Nova Scotia has suffered, from which the prospects and hopes of Union have suffered, which has led to difficulties inevitable and inexorable. I believe, although the hon. gentleman was sustained by a majority in the House, that he did not go to the country because he apprehended, at any rate, that he would not be sustained by such a majority. I think all the circumstances, as far as I have been able to gather them in reference to Nova Scotia, were sufficient to indicate that the majority of the hon. gentleman did not reflect the public voice upon that particular question. And it would have been infinitely better for Nova Scotia, it would have been infinitely better for Canada, it would

have been infinitely better, for the cause of Constitutional Government and liberty throughout the entire world, so far as our humble example can influence the world, if that unfortunate precedent had not been set. I am assuming the worst. Defeated for a time, the measure would have passed in time. Does the hon. member for Cumberland say we ought to have taken Nova Scotia into the Union against her will? Yes, for he did it. But I blame him for it. It would have been infinitely better to have delayed the matter for a year or two. Look at what happened in your own Province, Mr. Speaker. There was a majority at first against Union, but that majority was finally decreased into a minority. A great constitutional change like this ought to proceed slowly; it ought to ripen by degrees; it ought to be accompanied and preceded by an ample discussion before the people as well as in the halls of legislation. These are my views upon that subject. I do not care whom they may compromise. I say it is no laurel upon the hon. gentleman's brow, no feather in his cap that he made use of his majority to drag Nova Scotia against her will into the Union, thus making heart-burnings from which we have not yet recovered. Now, Sir, I do not follow, as I have said, the hon. gentleman upon this subject. I do not enter into his Nova Scotia politics; I do not enter into that which I take was a laboured eulogy upon his acts in his former capacity. But I pass to the irregular part of this debate. I pass to the subject of the other motion which had been carried, and upon which the hon. gentleman's comments were made, and which has produced this discussion. The hon. gentleman was not satisfied with reminding the House of what hon. members had said in the House; he entered into what gentlemen said outside the House.

Mr. TUPPER: In the presence of the contractor.

Mr. BLAKE: The hon. gentleman preferred to read a report as evidence of the views of the hon. member for Victoria, although that hon. gentleman is very well able and not at all

reluctant to give us his views himself. It appears from the paper which has been put into my hands that some part of it referred to his sentiments towards the Government. I do not say all, but I do not recollect exactly what precise point the hon. gentleman read from the speech. I will not read all the letter, because it contains passages which it would be well not to apply in this House to an hon. member, especially when at the time they came from an angry man. There was a reference in the article in the *Herald* to the part of this speech of Mr. Campbell's, containing what the editor says was a serious charge against Mr. Ross, and which charge was repeated in the *Herald*. The letter in reply to these charges is signed by Mr. John Ross, the late candidate for Victoria. Mr. Ross says:

"I therefore state in terms as 'emphatic' as Mr. Campbell used that I have not entered into any arrangement, verbal or written, with Mr. Vail or any other member of the Government, for extras amounting to \$50,000 or even \$5. That no demand of this kind up to date was ever made by me, and no proposal of any sum of money was ever made by the Dominion Government or any other person in their behalf. I never wrote a letter or spoke to any official that would show any intention or application of this kind.

"It is due to Mr. Vail and to all the members of the Dominion Government that I should say that no pledge or even political support was asked, and none verbal or written was ever given by me. I resigned my interest in the Ingonish contract in a legal manner in order to become a candidate at last election, but my former partner and bondsmen are as much bound to finish that contract as the day it commenced.

"Unfortunately for them and for me, that contract is not finished, and from my experience in public contracts in Australia, extras would not be even asked till original contract was finished. The experience of other contractors from Nova Scotia, as often detailed in the *Herald*, would not make me expect anything from the Dominion Government except what I would be entitled to under the contract. Those who know me are already satisfied that this is all I expect to recover. No money, except what I was honourably entitled to, was ever received by me, and so far, not one cent received or promised except what is certified by the engineer for work done.

"A large portion of the contract was carried away last fall, which was this year rebuilt and completed to the satisfaction of the engineer in charge; and I did ask that the woodwork, being so finished, should be taken off my hands, but this was refused till

MR. BLAKE.

the whole contract would be finished. Such are the favours that I have received from the Dominion Government. Mr. Campbell and every man who chooses to do so may examine the public records and they will find no claims of this kind or any demands for extras made by me.

"I always understood that even extras had to be voted by Parliament before they could be promised or paid. I therefore state in the strongest and most 'emphatic' language that I can use, that the serious charge is—"

I will not read what follows. Now, the hon. member for Cumberland seems to impute to my hon. friend the Minister of Militia some wrong-doing in this matter—something which he ought to have done which he did not do, and something which he did do which he ought not to have done. My hon. friend the Premier stated plainly what the facts were: That Mr. Ross wrote to him a letter requesting to be relieved of his contract; that he was told that a report from the Engineer would relieve him provided that his sureties agreed, but that he could not be relieved if they did not agree; and that there was no other negotiation of any kind whatever between my hon. friend and Mr. Ross, or anyone on his behalf, until a considerable time later, when Mr. Ross stated that he had changed his mind and that he withdrew his application to be relieved of his contract. Now, Sir, upon that statement I want to know what there is which my hon. friend has done that he should not have done, what he has omitted which he ought to have done? Is it to be said that he was wrong in referring Mr. Ross's application to be relieved of the contract to the Engineer, and in obtaining the Engineer's report indicating that his relief would be proper if his sureties would assent, and then informing the contractor that he could be relieved upon obtaining the assent of the sureties, but not otherwise? Was that wrong? Is wrong to be imputed to us on that account? I say, no. I wait for the accusation. I cannot understand that there was anything wrong in making that statement. Mr. Ross, by this very letter I have read, assumed he had resigned the contract. He appears to have supposed he had got rid of it; but he never complied with the terms, and he never was in fact released. I say that, in

point of law, upon the statement of the Minister of Public Works,—which I suppose my hon friend opposite me will not deny—he never was released of his contract. Even if he remained a contractor, is my hon. friend responsible for that? Could he force him? If my hon. friend had been very anxious that Mr. Ross should be fit to present himself before the electors, he would have written him and said “Remember you are going to stand by our interests. Mark you, you will have to go further; you will have to give up your contract.” But he did nothing of the kind. My hon. friend did nothing publicly or privately in the matter. Mr. Ross asked to be relieved of the contract, and he was told the terms on which he could be released. No fair, honest, straightforward man could find anything fairer than that transaction, which the hon. gentleman opposite confessed he was unable to understand. The hon. gentleman presents to this House a theory of this kind. First of all, that Mr. Ross was a bitter opponent of the Government. Then he says my hon. friend the Minister of Militia went to him and bargained that he should be relieved of an onerous and difficult contract—released of something that was unfortunately hanging over him, if he would come out for Victoria as a supporter of the Government—that my hon. friend made this bargain with him that it was arranged he should come out; and then, after he was defeated, the hon. gentleman says he came back and got the contract again. Three weeks ago, he was to be bribed to the support of the Government by being deprived of an onerous contract. The hon. member, forgetting his argument of five minutes before, says he was bribed again by being returned to the advantageous position which he held first. I suppose it is entirely unnecessary to do more than state an argument which furnishes its own answer. There was one reference which the hon. gentleman has made to an entry in the Public Accounts on which I desire to say a single word of explanation. He indicated that a gross and flagrant abuse was established by an item in the accounts for the last financial

year, by which it would appear, as I acknowledge it does appear in the form of the accounts, that a sum of \$109,000 was paid to Mr. Foster on the Georgian Bay Branch. The hon. gentleman might have asked some explanation on this subject before making the charges, and using the very strong language which he did in reference to it, and, having asked for that explanation, the answer which would have been given to him would be this: There were, as the House will recollect, two different transactions which sometimes have been, and have in this instance in the Public Accounts, mixed together in the discussion—the Georgian Bay Branch and the Canada Central Extension. For the latter an Order in Council was ratified by a vote of this House authorising a subsidy of \$12,000 per mile upon certain conditions as to the payment of the moneys, which were that 75 per cent. of the value of rails deposited would be paid to the contractor for that Extension, the rails becoming the property of the Government on the completion of the enterprise or adjustment of the account. Of this amount of \$109,000, \$68,000 is an advance in the direct terms of this ratified order of 75 per cent. of the rails deposited on account of the Canada Central Extension and which are now the property of the Government, and \$41,000 only is applicable to the work done on the Georgian Bay Branch. The House will perhaps recollect that, in the report presented to Parliament last year, it was stated that the claim of Mr. Foster in relation to this work was \$38,000 at that time. His engineer had not then come in and all the accounts had not been presented. They were subsequently presented and examined carefully by the hon. the First Minister and the Chief Engineer, and the report was received to the effect that \$41,000, being a difference of about \$2,200, was justly due, and that was the total amount paid to Mr. Foster in respect to the Georgian Bay Branch, the sum representing all work done, explorations made, &c. In annulling the contract under the circumstances stated in the Order of Council—I am not called upon to defend that; it was brought

before Parliament last Session and the hon. gentlemen did not object thereto—in annulling the contract, I think it was not at all unfair or unreasonable that the contractor should receive the value of those works and explorations to the extent that the Chief Engineer reported would be serviceable to the Government. If I was disposed to indulge in any contrasts, I might remind the hon. gentleman that there was another contractor for another work; I might remind him that there was a Canadian Pacific Railway Company once—that there was a Company which contracted for the construction of the Canadian Pacific Railway, which deposited \$1,000,000 with the Government as security for the performance of the work; and that Company indicated to the Government its inability to fulfil its engagements, and asked the annulment of the contract and return of the deposit and obtained them both. I do not think that the hon. gentleman, who thought that a proper transaction in reference to the public interests, can much complain of the payment of the \$41,000. This concludes the observations I have to make on this occasion. If I had been disposed to adopt the tone of the hon. gentleman, many warm and bitter things might have been said, but I have endeavoured, as far as I could, to refrain from giving an acrimonious character to the discussion; I have endeavoured to state fairly what I conceive to be the facts with reference to the transactions brought before the House. It is necessary, if there be an attack, that there should be a response; it is necessary if principles we deem sound are condemned, that there should be a defence; it is necessary that we should not permit positions to be taken by public men on one side of the House without allowing the privilege of reply on the other; and, in sitting here in the position of Ministers charged with the public affairs of this country, in the position of Ministers having that executive control which the constitution has reposed in them, we should have consideration commensurate with the responsibilities which I have endeavoured this night to elucidate.

Mr. MITCHELL said he had not intended to take part in this debate,

Mr. BLAKE.

because he quite agreed with the views of some hon. members, that a large proportion of what had taken place was irregular. Still, as reference had been made to the administration of the Department over which he had charge before the present Government came into office, he thought he should be allowed to give such explanation as the circumstances would warrant. Insinuations had been made across the floor of the House that certain appointments of the late Administration had the appearance—he would not say of a job—but, at all events, were not warranted by the necessities of the public service. For instance, it had been charged that keepers were appointed to lighthouses, just before the Government went out of office, which were not in operation until the following spring. He had endeavoured to obtain the particulars of this charge from the hon. the Minister of Marine and Fisheries, but that hon. gentleman stated it was impossible to furnish the information to-night, and that he would try and do so to-morrow. To-morrow might be too late to answer the charge in the same manner in which it was made, and it would go to the country that it had been allowed to remain unanswered. He could only say—and he thought the records of the Department would bear him out—that he had no recollection of any appointments being made that were not absolutely necessary for the public service.

Mr. SMITH (Westmoreland) said that, since the hon. gentleman had spoken to him, he had tried to get the information. He could state now that a keeper was appointed for Covey Lighthouse, Cape Breton, in 1873, and the light was not put in operation until November, 1874.

Mr. MITCHELL said he heard that information for the first time now, and he was not prepared to say when the light went into operation. He was not aware of the circumstances under which the appointment was made, but if the facts were as stated by his hon. successor, he had no doubt there was some good reason why the man was placed in charge before the light was in operation. He could quite understand that it was necessary to appoint

persons sometimes to attend to and protect the public property while lighthouses were in process of construction. He asked whether, at the date of the appointment, the man's salary was paid.

Mr. SMITH: No, Sir; the appointment was cancelled.

Mr. MITCHELL said probably when the appointment was made it was thought that the light would go into operation at once; at any rate, it was necessary to have some one to supervise the work, and he had no doubt, although he could not remember the facts, that that was the reason of the appointment. The hon. the Minister of Justice had referred to the appointment of four persons as receivers of wrecks. He presumed that reference was made to all those appointments to create an impression that every place it was possible for the late Government to fill was filled before they gave up office in 1873. Hastily running over the legislation of that year, he found four Acts on the Statute Book,—one respecting wrecks and salvage, another respecting the Trinity House at Quebec, a third with reference to pilotage, and the other relating to the classification of vessels—all of which came into operation on the 1st of January, 1874. Now, he thought the insinuation of the hon. the Minister of Justice was uncalled for when he stated, in speaking of the appointments, that they simply wished to give remunerative offices to the friends of the Government. If that were their motive, why should they appoint men as receivers of wrecks, to which office no salary was attached, when they might have made numerous and valuable appointments under the Pilotage Act?

Mr. SMITH (Westmoreland): The pilotage authorities get no pay.

Mr. MITCHELL: They do get pay. The secretaries of the Pilotage Commissions are paid. My hon. friend is not as well posted as he might be on this question. The Secretary of the St. John Commission receives \$800 per annum, and the Secretary of the Halifax Commission the same.

Mr. SMITH: They did at that time, but not now.

Mr. MITCHELL: I will show my hon. friend. At page 206, sec. 11 of the Pilotage Act, he will find that a fit and proper person is to be appointed Secretary of the Commission at St. John, who shall receive \$800 per annum. The same provision is made in sec. 16 for the Secretary at Halifax. The officers under the Pilotage Act are paid, and if we desired to override the law in providing offices for our friends, we could have made many valuable appointments. But that was not the object.

Mr. MACKENZIE: My hon. friend cannot remember everything.

Mr. MITCHELL: But I remember too much for the hon. gentleman. The Act for the Classification of Vessels, which involved valuable appointments, came into operation in 1874. Those Acts were deferred, because it was necessary that rules and regulations for the whole scheme of reform embodied therein should be provided. The remuneration of the receivers of wrecks, to which the hon. Minister of Justice had referred with apparent exultation, was by fees, which were only payable under an Order in Council fixing their salaries and compensation.

Mr. BLAKE: The hon. gentleman had not time to arrange the matter.

Mr. MITCHELL said there was plenty of time, but there was no desire to do that. It would be well for the hon. the Minister of Justice if, instead of imputing bad motives to his opponents, he would exercise a little Christian charity. The hon. gentleman should bear in mind that members on their side of the House had some of the public spirit and patriotism which distinguished the occupants of the Government benches.

Mr. SMITH (Westmoreland): The fees the hon. gentleman referred to were prescribed by law, and not by Order in Council.

Mr. MITCHELL: There, again, my hon. friend is wrong. He will find the following section on page 246 of the Statutes of 1873:—

“There shall be paid to every Receiver the expenses properly incurred by him in the performance of his duties, and also in respect of the several matters specified in

the first schedule to this Act, such fees chargeable as herein mentioned, as may from time to time be directed by the Governor in Council."

Mr. SMITH (Westmoreland): Will the hon. gentleman now refer to page 250?

Mr. MITCHELL: It is unnecessary to refer to page 250. That is sufficient when it says that no fees shall be collected until after an Order in Council has been passed.

Mr. SMITH (Westmoreland): My hon. friend will find a memorandum of the charges on the page I suggested.

Mr. MITCHELL: Yes; but they were only to come into operation when the Order in Council authorizing them was passed.

Mr. BLAKE: There was no such hurry about naming the fees, because the Act did not come into operation until the 1st January, and no fees came into operation until then. But it was urgent to appoint men to receive the fees afterwards provided for.

Mr. MITCHELL: I can answer my hon. friend there too. A sufficient reply is that it was by an oversight in the passage of the Act that it did not come into operation until 1874. It was found that property was cast on the shores of Nova Scotia and there was no means of protecting except by that Act, which could not be put into operation. What did we do then? We appointed officers for the performance of that duty, who had been connected with the Department for years. But we had no desire to take money out of the public Treasury to pay them for the service. If, instead of casting his insinuations on this side of the House, my hon. friend had asked for an explanation, perhaps the information given in response would have been more satisfactory to him than it is at this moment. Mr. Mitchell then proceeded to give the history of the circumstances connected with the appointment of Messrs. Chaloner and Higham at Quebec. When he assumed the duties of Minister of Marine and Fisheries he found that Quebec was governed by several different heads. There were the Trinity House, the Pilotage Commissioners, the Harbour Trust, the River Police, and the Shipping Master.

Mr. MITCHELL.

His desire was to unite as many of those offices as possible under one head, without interfering with the efficiency of the Department. After several experiments he found that it was desirable to place Major Chaloner in charge of the River Police, and to give Captain Higham control of the shipping branch, and that arrangement had worked satisfactorily and for the good of the service. But reference had been made to the increased cost to the Department by these and incidental changes. Now, one or two of the principal officers were old men, and it was found advisable to employ young men when the service was reconstructed, and they could not be obtained at the rates which were considered fair 20 years ago. That was the reason for any increase that had been made, and he thought it was a perfectly reasonable ground to work upon. Was he to be taxed now to supply from memory the details of his Department? His hon. friend, with the able assistants that he had around him, might be able to trip him up on some little matter of detail; but he could state to the House that the explanation he had made was substantially true and correct. If the hon. the Minister of Justice had been as familiar with the circumstances as he (Mr. Mitchell) was, he would not have made the charge that he did. He appealed to the House whether the defence he had made was not satisfactory. He was not going to enter into a defence of the actions of the past Government. What he might say was, notwithstanding the insinuations and the charges made, that it was just as good a Government as, and indeed a great deal better and a more faithful Government than, that which existed at the present day, although no doubt it had its faults and had committed errors.

Mr. JONES (Halifax): Hear, hear

Mr. MITCHELL said he did not suppose that even the member for Halifax pretended to be perfect. Whatever were the faults of the late Government, to it was due the union of these Provinces in a Dominion, wielding power from the Atlantic to the Pacific. If

the present Government found the country prosperous, it was through no action of theirs, and, if it was not now prosperous, it was owing very much to their mismanagement. Referring to Mr. Tilley, he said he did not think it was manly to be constantly attacking the reputation and the acts of a public man who was not here to defend himself.

Mr. CARTWRIGHT said he rose in respect to one transaction especially affecting his department, which the hon. member for Cumberland had referred to, viz., the superannuation of Mr. Ratchford, at one time Assistant Receiver-General at Halifax. When he (Mr. Cartwright) came into office he found, as the public accounts of 1873-4 would show, that there were two gentlemen drawing salaries to the extent of \$1,800 each at Halifax, Mr. Ratchford and J. R. Wallace, who was entitled "Manager of the Savings Bank," both of whom were doing what could be performed alone by Mr. Ratchford. In accordance with the provisions of the Superannuation Act, Mr. Ratchford was superannuated, a course which promoted the efficiency of the public service, besides being more economical. He was put on the list at \$782 a year, and \$1,000 per annum was thereby saved to the country. If the Government were blameable at all, it was in that, owing perhaps to undue tenderness on their part, they had superannuated him. It was represented, if not by the hon. member of Cumberland at least by his friends, that he was an aged and poor man, and that the salary was an important matter to him, and so the Government appointed him to a small office in the county in which he resided at a salary of \$250 a year.

Mr. McDONALD (Cape Breton) said the hon. gentleman opposite had complained of a man who had been appointed to a lighthouse six months before the light was put in; but, immediately after the present Government came into power, they appointed a successor. He would ask the Minister of Marine and Fisheries if he would give the House to understand that he had not appointed any officers to lighthouses before they were completed.

He knew one case in his county where such an appointment had been made.

Mr. SMITH (Westmoreland): The first appointment referred to was made in October and was cancelled in November. I cannot recollect when the second appointment mentioned was made, but I will ascertain. But this I will undertake to say,—that the pay dated from the time the man took possession of the lighthouse.

Mr. McDONALD asked why had he discharged men because they were old and appointed men in other positions in the country who were equally old—one man, 84 years old, being appointed Harbour Master in Annapolis; another at Bear River, 73 years. An old man, in his own county, was appointed Inspector of Fish and Fish oils. In reference to the contractor and the election at Victoria, it was necessary that he should state the public feeling in that part of the country at the time. Immediately on the appointment of the County Court Judges in the Province, a newspaper which had hitherto supported the Government, and which was edited practically by an hon. gentleman who was a supporter of the Government, and who had now a seat in this House, stated in reply to the *Halifax Chronicle* :

“The good people of the Upper Province, who take any interest in Nova Scotia politics, are not probably quite so easily gulled as our contemporary imagines, and will no doubt fully understand that the elections in Victoria and Lunenburg will afford no criterion of the reaction which is actually taking place in this Province. ‘The good people,’ &c., know very well, if they have watched the course of events, that the ‘reaction’ in Nova Scotia has delayed for many months the appointment of the District Judges, and that the Government have been at their wits ends in their efforts to meet the claims of their supporters, and at the same time avoid opening up the disaffected counties; and after months of anxiety and doubt have had at last to go back on some of their supporters to whom they had promised the nice little sinecure of a District Judgeship, and appointed others who had little or no claim upon the party. Had the Government dared to open up Cape Breton county, the District Judges would have been gazetted long ago. They feel very sure of Victoria and Lunenburg, and probably will, in one way or another, by the expenditure of patronage and the influence always wielded by the party in power in an election, return their men, but the result will not be

any criterion whatever of the state of feeling throughout a large portion of the Province. The next general election will afford the best test of the matter. Two years will soon pass and then if the present patch-work Government is not hurled from power, we have not rightly read the signs of the times, or rightly gauged the feelings and resentments of an outraged people.<sup>55</sup>

No doubt the hon. gentleman who wrote this article must have been in a position to make this statement. When the election in Victoria was about to take place, the Government saw that their supporters hitherto were likely to desert them, and the Minister of Militia undertook to see Mr. Ross. Mr. Ross was a Government contractor. He was well known in the county of Victoria as being in opposition to the Government on account of the manner in which his brother, the late Minister of Militia, had been driven from the Government. This was not only generally known in Victoria, but throughout eastern Nova Scotia. They imagined great injustice had been done to that section of the country; they felt aggrieved that their representatives were passed by and that a gentleman not in the House had been appointed. This caused a reaction in the county and also eastern Nova Scotia generally. But perhaps the abilities of the hon. gentleman now occupying the position of Minister of Militia should overweigh this. The Minister of Public Works said that the election in the county of Victoria took place on the 21st September. On the 9th September the Minister of Public Works said that Mr. Ross applied to the Government to be relieved of his contract. Three days after the election, on the 25th September, he declined to be relieved of it. In the meantime the Minister of Marine stated to the Minister of Public Works that Mr. Ross, the contractor, was to be a candidate. The Minister of Public Works stated that he could not be a candidate because he was a contractor; and the Minister of Militia said he, as a friend of Mr. Ross', thought it well to go and instruct him. Accordingly, he went down to Truro to instruct Mr. Ross. He (Mr. McDonald) was surprised that the Minister of Justice did not attempt to defend the Minister of Militia. It seemed as if the hon. gentleman had overlooked

Mr. McDONALD.

him altogether. If Mr. Ross had been elected the matter would have been in his own hands; he would have been able to have dictated his own terms; but he was not elected, and so he got back his contract. There was a doubt that he had surrendered the contract. But the matter was not over yet. It would be found next year that a large sum was paid for this fraudulent election—fraudulent because the candidate could not have taken his seat, because, according to the Premier's statement, he had not been relieved of his contract. When the Public Accounts were laid before the House next year it would be found that a large sum of money had been paid for this election, in which the Minister of Militia instructed Mr. John Ross to run, knowing him to be a Government contractor at the time. This was a matter that should be thoroughly investigated.

Mr. RAY: I think I understood the hon. gentleman to say that a person had been appointed in the county of Annapolis who was 84 years of age.

Mr. McDONALD: It is so stated in the newspapers.

Mr. RAY: No such appointment has been made in my county, nor has any application been made for it.

Mr. McDONALD: What is the age of the Harbour Master at Annapolis?

Mr. SMITH: I will find out tomorrow.

Mr. RAY: The Harbour Master was appointed under the late Government.

Mr. CAMPBELL said that in moving for the correspondence in the two cases before the House, he did so fully appreciating the great responsibility he was undertaking. He must be either a bold or reckless man who would attempt to face the present Ministry with a charge of corruption, however well founded, for they held everything that was dear to men in their power, except their heads. Especially as he was familiar with the case of Mr. Woodworth, who was voted out of the General Assembly for attacking the present Minister of Militia, and although such treatment was condemned by the Courts of Justice, still the man was hounded to death by the press supporting the Administration of

which that hon. gentleman was the actual leader. With regard to dismissals, while he had objection to the Government dismissing subordinates, he preferred such a course to the present mode of dismissing on account of their politics, and afterwards, rather than acknowledge the fact, endeavour to find fault and disgrace and injure the character and reputation of respectable public servants. In the present case the hon. the Minister of Customs had stated that the two Preventive Officers were dismissed for old age, one being 65, the other 76 years of age, and comparatively useless. He would not wish letter fun than to see the hon. Minister of Customs in the grip of one of these men stated to be old and useless. He could not say what their exact age was, but he knew they had got old in the service, and he never heard a hint of their inefficiency. They were still strong men and quite competent to perform their duty as Preventive Officers or as boatmen. Why, he asked, were they not notified of the charges of old age and incompetency brought against them, and why were they not superannuated? They were considered below the notice of the present pure and liberal government. He would not believe the Inspector of Customs ever made such a report as the hon. Minister of Customs had asserted, but if he had, why was it not produced? If there was such a paper in the department, the hon. Minister for his own credit should have brought it down before this discussion was closed. The hon. Minister of Customs in answer to the charge of increasing, by fifty per cent., the salaries of the three men appointed in place of the three removed from office, had stated that he had reduced the salaries of other officials in the department in the port more than the increase alluded to. The costs of collecting the Revenue Customs in Victoria county for the past six years he found as follows: viz., 1871, \$1,166; 1872, \$1,586; 1873, \$2,067; 1874, \$2,067; 1875, \$1,908; 1876, \$1,905. It would thus appear that the cost had largely increased since 1871 and reached the highest figure in 1875. On making enquiry where the reduction was effected, he found the salary of the sub-col-

lector at the port of New Campbellton was reduced from \$240 to \$160. The Preventive Officer at St. Anns received \$240, or nearly as much as the Collector and the three Preventive Officers at New Campbellton, the most important port in the county as it lies at the mouth or entrance of the Great Bras d'Or. When a vessel passed that port, she could land her cargo without hindrance in any part of that inland sea, a navigable distance of over a thousand miles; yet the present Government boasted they had made a saving in the collection of the revenue by cutting down the salary of the Collector of that port—he presumed because his name was Campbell. They could not expect that a man living five or six miles distant and across the Bras D'Or could keep an office at the port for \$160 a year. The result was that the public service was not effectually performed. Formerly one Preventive Officer was appointed for the harbour and one on each side of the Great Bras D'Or, where they could sight vessels long before they got inside the entrance. Afterwards four men were appointed to replace the old officers and they were placed on the opposite side of the Bras D'Or where comparatively little trade was done, while the port and that side of Bras D'Or was left without an officer. An unwise saving of fifty dollars had been effected at the port of Baddock by the discontinuance of a boat and crew. At Baddock, a farmer about three miles away from the port, was in receipt of \$240 a year as Preventive Officer, although the Department could not afford to continue the grant of fifty dollars to a boat and crew at the port. The extra charge for collecting the revenue for the present year would amount to over \$9,000, although the amount to be collected was estimated below the ordinary sum. The hon. the Premier had informed the House that he did not know the reason why Mr. Ross gave up the contract, nor did he know the reason why Mr. Ross resigned in a month afterwards; but unfortunately for him the Minister of Militia contradicted him and told the House and the country that he consulted with the Premier on the subject of getting Mr. Ross to run as a

Government candidate. Of course, they could not expect either of those members to tell the pros and cons of the interview. But this the Minister of Militia admitted, that after this interview with the Premier, he, the Minister of Militia, posted off to Truro, and telegraphed to Mr. Tremaine to come on at once and meet him. It must be remembered that Mr. Tremaine was deeply interested in the negotiation, as his promotion depended on the result. The hon. Minister of Militia returned to Halifax overflowing with delight at the success of his diplomacy, and one of his journals came out on the following morning with the announcement that they had found Goliath and challenged the Dominion to bring out a man in the Opposition to fight him, and called on all good Reformers to rally around the man of their choice. He felt that no money would be spared to carry the county if they thought there was any danger, and that his best policy was to keep as quiet as possible till the last moment and, as military men would say, spring a mine upon them. Mr. Ross went back and was relieved of a bad contract, and his friends reported that he and his partners were to receive twenty thousand dollars each and be relieved of the contract. The hon. Minister of Militia accused him of spreading over the country the report that Mr. Ross was to receive fifty thousand for extras. He (Mr. Campbell) was only in the county two days before the nomination, and left immediately after the declaration. There must, of course, be two sides to the bargain. One main condition doubtless would be that Mr. Ross was to succeed in the election, but that was never doubted. Hon. gentlemen had denied there was any money paid improperly; of course no one gave them credit for so much simplicity. But the position had changed. Mr. Ross had not come to Parliament to support the Government. The Minister of Justice had read a letter from Mr. Ross denying any dishonest bargain with the hon. Minister of Militia, and stating that he would not keep any money except what was honestly due him. When the hon. Minister of Justice was compelled to come down to this House with such

Mr. CAMPBELL.

evidence to defend the hon. Minister of Militia, in the face of that Minister's own acknowledgement, the case was indeed desperate. Mr. Campbell having read from Mr. Perley's report the reference to the storms of the previous year carrying away a large portion of the work, he asked what could be more reasonable than that the Government would make good the loss that Providence had inflicted on that innocent but honest Mr. Ross, particularly if he would be a good, dutiful boy to the Ministry; and would it not be a most righteous act, after his condemnation of the Government. The funniest part of the negotiation was when Mr. Ross asked what was to be done with him (Mr. Campbell). "Oh," said the hon. Minister of Militia, "we had Campbell there once we and could make nothing of him; we must on no account allow him to go back any more." The hon. Premier would not admit as evidence what he (Mr. Campbell) said in Mr. Ross's presence at the nomination, and would not believe him when he said he had it from Mr. Ross himself—he made no secret of it—that he was strongly opposed to the Government, on account of the treatment his brother received at their hands. As the hon. Premier would not admit such evidence, he would be compelled to produce the next best evidence within his reach. But before he could do that, he must ask leave of the hon. Minister of Militia to produce correspondence marked private and confidential, and he would pause for a reply.

Mr. VAIL: I have not the slightest objection to the hon. member making use of any letter marked private and confidential in regard to this matter, it being understood that I shall have liberty to produce letters marked private and confidential from that hon. gentleman.

Mr. CAMPBELL said he would read a letter from the hon. Minister of Militia dated November, 1874.

Mr. VAIL asked as to what election the letter had reference.

Mr. CAMPBELL said it had reference to another election.

Mr. VAIL : I rise to a question of order. The hon. member asked for permission to read private and confidential correspondence on this question. I replied that I had no objection. The hon. member then rises in his place and proceeds to read a letter dated November 1874, two years before the election in question took place. I say that letter has nothing whatever to do with the transaction under discussion, and the hon. member has no right to read it.

Mr. CAMPBELL said it did refer to the subject under discussion—the fact that the Messrs. Ross were opposed to the Government. The letter was as follows :

“PRIVATE AND CONFIDENTIAL.

OTTAWA, 19th November, 1874.

MY DEAR SIR,—When I last had the pleasure of seeing you in Halifax you appeared somewhat undecided as to whether you would be a candidate for the seat in the Commons or not ; and my object in writing you now is to ask what conclusion you have arrived at. My own opinion is that you would rather enjoy the change, and I may say to you candidly that I would like to see you here for two reasons : first, because you were always a constant supporter of mine in the local House ; and secondly, because I think you could carry the county against the Ross influence, which I hear is not very favourable to the Government just now. I am informed that one great objection William Ross had to accepting the office of collector at Halifax, was, that it would leave the county in your hands, or in other words leave you master of the situation, which he could not think of doing \* \* \*”

He would not read the letter further as it did not refer to the subject ; but he thought that this evidence would be accepted by the House and by the country as showing that the Government were opposed by the Ross party. He regretted to have been compelled to ask leave to refer to private correspondence, but he was driven to it by the hon. the Premier, who would not accept anything less. Was it creditable on the part of the hon. Minister of Militia—the man whom the Government induced to resign his seat in the Legislative Council of Nova Scotia to come and help them to break up an influence which the hon. Minister had helped to create—that because that party had turned against the Government and he would not be their hum-

ble tool, the hon. Minister should endeavour to drive him out of the county for which he had fought for twenty-five years. The hon. the Premier had stated that the Government had not lost the confidence of the country. Those whom the gods want to destroy they first make blind. Let the Ministry look at their defeats in Victoria, Cape Breton county, Halifax, Prince Edward Island, and in constituencies in Quebec, British Columbia and Ontario. While the hon. Minister of Justice stated that Mr. Ross was not legally relieved from his contract, the hon. the Premier stated that he was so released. In his speech on nomination day he had declared that the present Government was the worst that ever disgraced any country, and he believed he had now proved the truth of the assertion, and every sentence in that speech he was prepared to substantiate. He would be glad if the hon. Minister of Militia would enlighten the House as to the bargain to which he had referred. It must be gratifying to the Reformers of Ontario that the Government were compelled to send to Nova Scotia for an old Tory and give him a seat in the Cabinet. The Dominion Parliament and Local Legislatures had passed laws to preserve the purity of elections, and when, in the face of such laws, the hon. Minister of Militia was charged with a gross infringement of those laws, the Minister rose in his place and said they were beneath his notice.

Mr. PLUMB proposed that the following words be added to the motion :

“Together with any reports or letters of the Inspector of Customs relating to said dismissals ; or any other correspondence on this subject.”

Mr. MACKAY (Cape Breton) : I would not have taken part in this debate, except for the fact that I feel compelled to answer a statement made by the hon. member for Cumberland, I do not recollect whether on his own authority or not, that a certain article had been published in a certain newspaper which he ascribed to myself. The article in question was not written by me or with my knowledge ; I did not see it until after it was printed, and I am therefore astonished that the hon. gentleman should have connected my

name with it. It need not be matter for surprise, however, that the hon. member for Cumberland should base a statement upon a mere rumour or statement made outside for the purpose of attacking members on this side of the House, for his course in that direction was well known. But the hon. gentleman, before he made the statement to which I refer, should have had some authority to do so, for his allegation had no foundation whatever. When the right hon. member for Kingston charged certain gentlemen on this side of the House with using unparliamentary language, he should himself recollect his action towards an hon. member, when he stated that that hon. member rose in his place for the purpose of making a personal explanation, and that he got the ear of the House under false pretences. That is a statement which is unparliamentary. No statement has been heard in the House this Session of so offensive a nature, and therefore it ill becomes that right hon. gentleman to characterize the remarks of hon. members as unparliamentary. When any hon. member alleged that there was a revulsion of feeling in the Province of Nova Scotia, which was indicated by the election in Victoria, he was very much mistaken, and the hon. member for Victoria had made too much of his triumph. It is well known that none of the supporters of the Government went into the county, while a large number of supporters of the Opposition went there and rendered their assistance to secure the return of the present member. The reasons were obvious, and since the hon. member for Victoria has seen fit to quote from a journal published in Cape Breton, I am justified in making a short extract from the well-known organ of the Opposition printed at Halifax. The article is dated September 16th, and affords a very good indication of the reason why the hon. member for Victoria holds his seat in the House to-day. In that article in the Halifax *Herald*, the writer says:—

“As will be seen by our despatch this morning, there is going to be a rather close contest in Victoria for Mr. Tremaine’s seat. Mr. John Ross has been nominated supposedly in the Government interest; but it is a signifi-

Mr. MacKay.

cant fact, illustrating the weakness of the Reform element in Cape Breton, that Mr. Ross, notwithstanding that he has supposedly the many influences of the two Governments to support him, besides his strong personal feeling in the county, did not care to define his position as a Government supporter. In a measure, the contest may be said to be between two Opposition candidates, for Mr. Ross’s declining to pledge himself to the Ministerialists shows that he is not an ardent supporter of the Reformers.”

That statement showed clearly the opinion entertained by the Opposition party with respect to the position occupied by Mr. Ross. After stating in that article that Mr. Ross was not a supporter of the present Government, that journal in an article published on the 23rd of September, after the news of the return of the present member for Victoria became known in Halifax, said :

“Victory has perched upon the Opposition banner once more. . . . Mr. Ross, the beaten candidate, did not dare profess himself a supporter of Mr. Mackenzie.”

Some HON. MEMBERS: Hear, hear.

Mr. MACKAY: The hon. gentlemen need not cry hear, hear. They will recollect that these were the utterances of their own organ. I do not say that they are correct. Far from it. I believe they have no foundation in fact, with the exception of the statement that Mr. Ross was not a supporter of the present Ministry. He (Mr. Ross) was an independent candidate. It was absurd to charge the Ministry with making a corrupt bargain with Mr. Ross, who, in fact, on election day, so conducted himself that Reformers of my own and adjoining counties did not see fit to give him the support they would have accorded him had he declared that he was a supporter of the present Government. If the Minister of Militia had made any such arrangement as was alleged, Mr. Ross’s conduct did not indicate it, and he was a very poor pupil, as shown by his utterances on nomination day.

Sir JOHN A. MACDONALD: It was a bad bargain.

Mr. MACKAY: The hon. member for Cumberland had eulogised himself in his speech as highly as the hon. gentleman’s warmest friend could desire, crediting himself amongst other

things with having, by his legislation, opened up the coal mines and minerals of Nova Scotia. Did the hon. gentleman not know that the credit of having broken up that monopoly was due to the late Judge Johnson, and to him alone? The hon. gentleman has evidently presented himself before the House, in this respect at any rate, under "false pretences," and I presume this is a parliamentary expression, since it has been used by the right hon. member for Kingston. His hon. colleague had undertaken to say that one person appointed by the Government in the county of Cape Breton—the office held, he believed, was the Inspectorship of fish oils and fish—was over the age of seventy.

An HON. MEMBER: Eighty-four.

Mr. MACKAY: If the hon. gentleman will look at the records he will find, I think, that the individual in question had not received his appointment at the hands of the present Government.

Mr. McDONALD (Cape Breton) said he thought that his hon. colleague from Cape Breton well knew that a reaction had taken place in Cape Breton as regarded the policy of the present Administration. He desired that the electors of Cape Breton should hear that this hon. gentleman declared that he had had nothing to do with the writing of a certain article which had appeared in the newspaper of which it was known that the hon. member was principal proprietor and editor. The office of this newspaper was in the building in which were the barrister's office of the hon. gentleman, as well as the office of the hon. gentleman's partner, and it was very singular that the article in question should appear in that newspaper without the knowledge of either the hon. gentleman or his partner. However, this might be the case. Nevertheless, a reaction against the Government was going on in the Island of Cape Breton, as well as in other parts of Nova Scotia; and the article to which he alluded, reflected the sentiments of the people in that section when it stated that the Government had for months delayed the appointment of County Court Judges, because

they were not able to secure a supporter of the Government in that quarter. The county of Victoria was the only constituency the Administration was confident of carrying, and it had sent to the House a gentleman opposed to the Government. The hon. member for Cape Breton had forgotten his first statement; he admitted that Mr. Ross did not dare to go to the people as a pledged supporter of the Government.

Mr. MACKAY: Mr. Speaker, I beg the hon. gentleman's pardon, but I said nothing of the kind. I stated that the Opposition organ of Halifax said so.

Mr. McDONALD said the hon. gentleman gave this statement as a reason for the defeat of Mr. Ross, who well knew the people of the county of Victoria; and much better than the hon. gentleman. Mr. Ross had represented the county for several years in the Local Legislature, and they all were aware what politicians would do to secure election. In his own hearing Mr. Ross had announced on the hustings that he was not pledged to support the Government, and admitted that the late Administration had done a great deal, and more than the present Administration, for the county of Victoria; and the Sheriff of the county declared that if Mr. Ross consulted his own private feelings and convictions, he could not support the Government, but that, under the circumstances, if returned, he (Mr. Ross) would be compelled to support them. He wished to ask the Minister of Justice, if the late representative of the county of Victoria, Mr. Tremaine, when appointed county Judge, promised to be able to return a supporter of the Government for the county.

Mr. BLAKE: Mr. Speaker, I was not in this country when any office was offered to, and accepted by, Mr. Tremaine; but I can say that I never heard until this question was asked, the suggestion of any communication having been made to Mr. Tremaine as to the possible consequences of his being appointed to office.

Mr. RYMAL said he considered that this debate, which related to the production of certain papers, a matter of very small importance, had taken a

very wide range. Much of it arose from the relations which existed between the hon. member for Cumberland and his last follower, whom the hon. gentleman wished to exhibit on every possible occasion with regard to the administration of public affairs. The hon. gentleman seemed to take the same pride in making this display as would a mother hen, who, having gone through the process of hatching for a long time, was rewarded with a single chicken, which she showed in the barn yard in such a way as if to say—"No other hen in this yard has such a chicken as I have got." But he feared that his disappointment would be as great as that of the mother hen, when, after a few weeks, she found out that her chicken was a young goose. There was an old fable which he had read when a boy: It was about a mother wolf, who, after great and maternal longings, was rewarded with the birth of a single whelp, which she handled very fondly. Her fondness for it was almost unspeakable, but, in her fierce affection, they were told, she hugged the whelp to death. Now, he trusted that the moral of this fable—the fate which befel all this handling—would never be the fate of his hon. friend from Victoria, whose pluck and determination he admired, though compelled to differ with him in principle. The hon. gentleman was bound to have his say, and he was glad to see men of that stamp in the House. He was not afraid of denouncing a good old Tory, and he had some respect for men of that class who had been born and brought up in the faith; but with men who changed their names and their principles so often that they did not remain the same for more than twelve months together, he was utterly disgusted. He believed that the papers for which the hon. member for Victoria asked, would be granted, and he hoped that so small a matter would not again be made the occasion for such a violent attack. If his hon. friends opposite chose—as they had a right to do—to attack the Government, they should not attempt in this way to steal a march on them. When they were in Opposition they had given the late Administration due notice of such assaults. But whether

Mr. RYMAL.

the Opposition desired to steal a march or not, he warned his friends that they might look out for squalls, because the Opposition meant business; and whether the Government desired, or were able to defend their actions or not, they would be called upon to give an account. The time was approaching when a record must be made, and the hon. gentlemen opposite were shrewd enough to know that the time was at hand when the record was to be prepared. These tactics would be continued, and if the Government had been guilty of any great dereliction of duty, or of the commission of any great political crimes, he knew that his hon. friend from Kingston, with whom he had been acquainted for many years, would ferret these acts out and drag them to light. He trusted, and firmly believed, that the Administration would be able successfully to dispose of the charges that would be brought against them. He hoped that they would see a little of the old fire that used to animate politicians in old Canada displayed, because for this he had great admiration. He did not believe in a namby-pamby way of conducting the debates; he liked to see men in earnest, laying off their gloves when they come into the fray; and acting as valiantly and boldly in the House as they did at pic-nics. More than a year ago, he believed, his hon. friend from Kingston rejoiced over the election of an hon. member for a Riding in Toronto, and expressed his pleasure at the new accession to his ranks, as one necessary to render him assistance when he met the beasts at Ephesus. A considerable time however had elapsed, and the battle with the beasts had not as yet come off, but he trusted that they would soon see the fight in progress.

Mr. VAIL said he would on a future occasion take the opportunity of replying to certain statements made during the debate.

Mr. TUPPER said in reference to a statement made by the Minister of Finance regarding the superannuation of Mr. Ratchford, that the late Government had voted a certain sum for financial offices at Halifax. This appropriation had been increased by the present

Government, and, having done so, they had superannuated one of the ablest and most efficient officers in their service. He was willing to refer his statement concerning Mr. Ratchford's qualifications to the Committee of Public Accounts, with the understanding that Mr. Langton was to be called before them; and if Mr. Langton did not then say that Mr. Ratchford had been entrusted with public money to the extent of a million dollars at a time, and, further, that he was one of the most accurate officers in the service, he would recall the eulogium he had passed upon that gentleman, who, in receipt of a salary of \$1,600 per annum, and a public officer of a few years' standing, had been superannuated at the cost of \$700 or \$800 per annum. The hon. the Minister of Finance had given this statement a contradiction, and he (Mr. Tupper) declared that the law had been violated.

Mr. CARTWRIGHT: I say that it is not violated.

Mr. TUPPER said he could not conceive how it was possible under the law to superannuate an officer of five years' standing, in receipt of \$1,600 per annum, with an allowance of between \$700 and \$800 a year; and he took it for granted that the law had been violated. The hon. gentleman said that a saving had been effected, two officers having done the work which one officer to-day performed; but it would be seen in the Estimates of 1873-4, those of the late Administration, that the appropriation for the offices of Assistant Receiver General and Auditor at Halifax was \$10,500, while for the year ending June 30, 1875, the appropriation was \$12,000, an increase of \$1,500 before the superannuation in question was affected; and for the last year, it was no less than \$10,877.80. If \$782.08, the amount awarded to Mr. Ratchford on his superannuation, was added, the cost to the country for last year was raised to \$11,664.88. The hon. member for the county of Cape Breton had challenged the statement he had made, that he was a member of the Nova Scotia Government, which broke up the monopoly in mines and minerals which had existed in that Province; but his statement was cor-

rect. The Hon. Justice Johnston was leader of that Administration, and he was Provincial Secretary. Mr. Archibald, a member of the Opposition and Mr. Johnston, went to England and made the negotiations, and, on their return, the Government, with the aid of Mr. Archibald, carried the measure through the Legislature.

Mr. CARTWRIGHT said that the hon. member for Cumberland, as usual, was entirely wrong as to the facts of the case. Mr. Ratchford was superannuated because he and Mr. Wallace were not both required and neither would be subordinate to the other. He believed that the Government had been strongly applied to, if not by the hon. member for Cumberland, at all events by his friends, to treat Mr. Ratchford with all possible liberality, and if he had no right at all to favour, the circumstances looked most suspiciously like a job. It had been said that Mr. Ratchford's qualifications entitled him, under the Superannuation Act to the special allowance for ten years' service.

Mr. TUPPER: I grant that.

Mr. CARTWRIGHT said it was possible that the Government had stretched a point too far in consideration for Mr. Ratchford, on the abolition of the position in question, but he would repeat that these officers were in each other's way, and that it was absolutely necessary in the public interests to have but one head for both branches. The complaint seemed to be that they had dealt too leniently with Mr. Ratchford, who was brought by the hon. member for Cumberland to Halifax at the time of Union, and for whose special benefit the office was created. In no other part of the Dominion was there a Deputy Receiver-General and the head of a Savings Bank at the same place. Mr. Wallace was a perfectly competent officer of thirty years' service, having charge of the Savings Bank, and he should have been Deputy Receiver-General as well; but this arrangement would not have suited the hon. member, because he had a place to find for a friend from his own county. These officers had concurrent charge of the public money, and it had been brought to the notice of the late Government that it was advisable in

the public interests that only one man in Halifax should be responsible for the public money. Shortly afterwards, this arrangement was carried out, and Mr. Ratchford was superannuated; and the charge was now made by the hon. member for Cumberland that the Government had dealt with that gentleman too leniently and too generously.

Mr. TUPPER: The charge is that the Government has violated the law.

Mr. JONES (Halifax) said he thought the Minister of Finance was perfectly correct in saying that influences were brought to bear upon certain parties in the public offices, in order to create the impression that Mr. Ratchford was a most valuable public official; and that, if the office was to be abolished for special reasons, this officer should be generously dealt with. He would ask the hon. member for Cumberland whether Mr. Ratchford had not previous to going to Halifax filled the position of Weigh-Office Keeper in the hon. gentleman's own county.

Mr. TUPPER: I think I am correct in stating that Mr. Ratchford had previously held no office which entitled him to a grant under the Superannuation Act.

Mr. JONES: That is not an answer to my question.

Mr. TUPPER: I am not aware of Mr. Ratchford ever having been Postmaster, or of his having previously held any office of a Dominion character that would entitle him to a grant under the Superannuation Act. If this was the case, it was without my knowledge, and I do not believe it to be the case.

Mr. JONES said the hon. gentleman should have been aware of the circumstance, because the representation was made that Mr. Ratchford had been in the public service of the country under the branch entitling him to a grant under the Superannuation Act for five or seven years before he was sent to Halifax, and these years of service in Cumberland had been taken advantage of by the gentleman's friends. He thought the Government was open to censure for having given Mr. Ratchford such a large retiring allowance.

Mr. CARTWRIGHT.

Mr. CARTWRIGHT: I will have the opinion of the Minister of Justice as to the legal point, and of course if the law has been violated, and any error committed, the allowance can be reduced to the proper figures.

Mr. JONES said he thought the Government was very much to blame for granting such a large allowance; and if, on investigation, it was shown that this was in excess of that which Mr. Ratchford should have received, he considered that the amount should be reduced, and all that had been paid in excess deducted from the payments that would yet be made. He was glad that the hon. member for Cumberland had brought this before the House, because they wanted, when their public servants were superannuated, for them to be superannuated on a proper basis without any undue influence being exercised, and he was glad to hear from the Minister of Finance that it would be placed in the position it ought to be.

Mr. COFFIN said that, as far as he understood, the Opposition blamed the Government for dealing with this gentleman too leniently. When the question of superannuating Mr. Ratchford came up, the view taken by the Treasury Board was to give him all that his case would allow, and he had applications from Mr. Ratchford's friends to do the best that could be done for him. He considered that he had been dealt with leniently, and that everything was given him that the law would give him, and possibly more. If there was any dissatisfaction about this, the matter should be investigated and the amount reduced to that to which he was strictly entitled. He thought it was disingenuous for the friends of Mr. Ratchford to accuse the Government of giving him more than he was entitled to.

Mr. TUPPER: I am quite content to adopt the suggestion of the Minister of Finance, to settle this question by having it referred to the Committee on Public Accounts.

Mr. CARTWRIGHT: No, no.

Mr. TUPPER: To have it determined whether the statement I made was correct or not, that the gentleman is

said in the Public Accounts to be superannuated, not to consolidate the offices, but on account of age. I showed the absurdity of superannuating him, and then appointing him to a Savings Bank. I showed that the law had been violated. The hon. gentleman stated he had been superannuated strictly in accordance with the law, but now, while I think the law was broken, he thinks it was only stretched. I think it was stretched so far that it snapped. I think a gross injustice was done Mr. Ratchford in depriving him of the office without any pretence of saving any public money, but the Government have no right to take friendship into consideration in administering the law, and they had no right to exceed the amount allowed by law. Having, however, obtained his office by giving him a certain amount, it is doubtful how far they have the right, without a breach of faith, to deal with it as they propose. If the Minister of Justice suggests that they should adopt this course and the Government is willing to do it, they will confess that this is a job, which is a word the hon. gentleman opposite has placed in my mouth; I say his superannuation was a job—not his appointment.

Amendment agreed to.

Motion as amended agreed to.

House adjourned at  
Twenty Minutes to  
Twelve o'clock.

## HOUSE OF COMMONS.

Friday, 23rd Feb., 1877.

The Speaker took the chair at Three o'clock.

### BILLS INTRODUCED.

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

Bill (No. 28) Respecting the Niagara Grand Island Bridge Company.—(Mr. Thomson, Welland.)

Bill (No. 29) To amend the Act passed in the 39th year of Her Majesty's Reign intitled: "An Act to incorporate the British Canadian Loan and Investment Company (Limited)."—(Mr. Young.)

Bill (No. 30) To incorporate the Union Marine Insurance Company of Halifax, Nova Scotia.—(Mr. Jones, Halifax).

Bill (No. 31) To authorize and provide for the winding up of the Metropolitan Bank.—(Mr. Workman.)

Bill (No. 32) Respecting La Banque Jacques Cartier.—(Mr. Jetté.)

Bill (No. 33) To incorporate La Société de Construction St. Jacques, as a permanent Building Society; and for other purposes.—(Mr. Jetté.)

Bill (No. 8) To change the name of the St. Francis and Megantic International Railway Company, to the International Railway Company; and for other purposes.—(Mr. Brooks.)

Bill (No. 34) To amend the Act to incorporate the Ottawa Agricultural Insurance Company.—(Mr. Rochester.)

Bill (No. 35) Concerning the Ottawa, Vaudreuil and Montreal Railway Company.—(Mr. Hagar.)

## THE INLAND REVENUE ACT.

### RESOLUTION TO BE REFERRED.

Mr. LAFLAMME moved:—

"That the House will on Tuesday next resolve itself into Committee of the Whole to consider the following resolution:—

That it is expedient to amend the Act respecting the Inland Revenue and to provide for the imposition of a license duty of fifty dollars on each importer or manufacturer (not a manufacturer of beer, wash or spirits, or a rectifier of spirits) of stills, worms, fermenting tuns or other apparatus suitable for the manufacture of beer, wash or spirits."

Sir JOHN A. MACDONALD called the attention of the hon. the Minister of Inland Revenue that his notices on the motion paper were insufficient. The Bills should be introduced at once, as it was an idle form to resolve the House into Committee of the Whole to amend the Bill. Every proposition should be introduced and carried out formally before this stage. Then, as a matter of notice, the order paper should show what the amendments were.

Mr. LAFLAMME said they would be set out in full.

Mr. MACKENZIE said there was no doubt but that the hon. member for Kingston was correct. The object of going into Committee at all was to discuss the actual change to be made.

Sir JOHN A. MACDONALD said he would not press the point, but he hoped the Minister of Inland Revenue would put the particulars at once on the Votes and Proceedings so that the House would know what was before them when they came to consider the resolutions. His hon. friend the Minister of Justice had taken care to specify the points of the propositions which he wished to amend.

Mr. BLAKE said he understood the rule to be that the substance of the proposition should be given. He had been a little minute because he happened to draw the Bill. It was not necessary to give all the contents.

Sir JOHN A. MACDONALD: Oh, no; the basis of the Bill is sufficient.

*Motion agreed to.*

### ADULTERATION OF FOOD, DRINK AND DRUGS.

#### RESOLUTION TO BE REFERRED.

Mr. LAFLAMME moved:—

“That the House will on Tuesday next resolve itself into Committee of the Whole to consider the following resolution: That it is expedient to amend the Act to impose License dues on Compounders of Spirits, to amend the Act respecting the Inland Revenue, and to prevent the adulteration of Food, Drink and Drugs.”

*Motion agreed to.*

### INSPECTION OF GAS AND GAS METERS.

#### RESOLUTION TO BE REFERRED.

Mr. LAFLAMME moved:—

“That the House will on Tuesday next resolve itself into Committee of the Whole to consider the following resolution: That it is expedient further to amend the Act to provide for the inspection of Gas and Gas Meters.”

*Motion agreed to.*

### SALARIES OF JUDGES.

#### RESOLUTION TO BE REFERRED.

Mr. BLAKE moved:

“That the House will on Tuesday next resolve itself into Committee of the Whole to consider the following resolutions:—

1. That it is expedient to amend the eighth section of the Act passed in the thirty-seventh year of Her Majesty's reign, intituled

Mr. MACKENZIE.

An Act to amend the Act, thirty-six Victoria, chapter thirty-one ‘for the readjustment of the salaries of Judges, and other purposes, by striking out the words ‘for fifteen years’ in the said section contained and substituting therefor the words ‘for ten years.’

2. That it is expedient to provide that the said amendment shall extend to the application of the amended section to the County Court Judges in Nova Scotia by virtue of the second section of the Act passed in the thirty-ninth year of Her Majesty's reign, intituled An Act to provide for the salaries of County Court Judges in the Province of Nova Scotia, and for other purposes.”

*Motion agreed to.*

### LIFE INSURANCE BILL.

#### FIRST READING.

Mr. CARTWRIGHT moved concurrence in the following resolution:—

“That it is expedient to amend and consolidate, as amended, the several Acts respecting Life Insurance; repealing for that purpose the unrepealed portions of the Acts of Canada, 31 Victoria, chapter 48—34 Victoria, chapter 9—37 Victoria, chapter 48—38 Victoria, chapter 21—part of the 23rd section of 38 Victoria, chapter 20—and chapter 52 of the Consolidated Statutes for Upper Canada.”

*Motion agreed to and report concurred in.*

Mr. CARTWRIGHT introduced a Bill founded on the said resolution, intituled “An Act to amend and consolidate the several Acts respecting Insurance.”

*Bill read the first time.*

### SUPPLY.

#### III.—CIVIL GOVERNMENT.

House resolved itself into Committee of Supply.

(In the Committee.)

3. The Department of the Queen's Privy Council for Canada..... \$15,000
4. The Department of Justice. 11,600

Mr. TUPPER asked for an explanation of the decrease from \$16,200 last year.

Mr. BLAKE said the House was aware that almost immediately before the resignation of the late Government, the Mounted Police was organized, or at least the organization had commenced. The business of the Mounted Police

was then placed in the hands of the Department of Justice, but it had been since transferred to another Department. This enabled some reduction to be made. Circumstances had also enabled him to make arrangements for removing the more highly salaried officers, and replacing them with officers of a lower grade, at less salary. The Department was now, he thought, as economically managed as it could be without its efficiency being impaired, although the amount of business had been rapidly increasing for some years, and was now, and it could only be efficiently performed by the diligent supervision of the heads of the Department. The hon. gentleman would observe that notwithstanding the total decrease, an increase was proposed in the salary of the new deputy, the successor of the late deputy, who was superannuated. It was impossible to obtain a deputy able to discharge the duties of the office at a less salary than was proposed. The amount specified in the Estimates as the salary of the deputy was not the total amount received by that officer. Being also Chief Clerk to the Attorney-General, he received from the Indian fund \$400 as Solicitor. It might be stated that the new deputy had received \$6,000 as professional income, which he left for \$4,000. Some comparisons had been made which were not exactly accurate, between the expenditure in former years of the Department of the Minister of Justice and the expenditure of late years. He had, therefore taken occasion to make a comparative statement of the expenditures since 1873, from which it appeared that in November, 1873, the amount was \$13,202.50, as against \$11,600 which was proposed for this year.

Mr. BLAIN called attention to the appointment of a gentleman to correct Private Bills. The hon. member for Chateauguay and some other gentlemen of the House were very anxious that an officer should be appointed, whose duty it would be to endeavour to reconcile the private legislation of the House. He asked the Minister of Justice if it was intended to appoint such an officer, the necessity being

generally conceded on both sides of the House.

Mr. BLAKE said the Estimates showed that no additional appointments were proposed. He thought, however, it would be of the highest consequence that such an officer should be appointed who would no doubt save thousands for every dollar he received. An arrangement might be made by which he could assist the Attorney-General during the recess. However, until his hon. friend the Finance Minister was enabled to present a picture more agreeable to the hon. member for Cumberland, he was afraid he could not recommend the appointment of such an officer.

Mr. PALMER: Do the Estimates include the whole expenses of the Department?

Mr. BLAKE: Yes.

Mr. PALMER: Do I understand that this includes payments made to deputy Ministers?

Mr. BLAKE: Some persons assume the title of deputies of my office who are not.

Mr. PALMER: Still they get paid, do they not?

Mr. BLAKE: They do not.

Mr. PALMER: Do I understand that they work without pay?

Mr. BLAKE: The gentlemen who call themselves my deputies in some Provinces are really my legal agents; and they are paid by fees.

Mr. PALMER, Where do the fees appear?

Mr. BLAKE: The fees are paid in the various Departments in whose service the gentlemen are employed. The amounts vary according to the amount of business the Government has to do.

Mr. KIRKPATRICK—Have you any agent of that kind in Ottawa?

Mr. BLAKE: I have not precisely an agent, but Messrs. Walker & McIntyre are employed to conduct that portion of the Government's legal business. The late Ministry employed the same persons.

Mr. PALMER: Where is the estimate of fees?

Mr. BLAKE: There is no such estimate. In fact there could not be. Is not the hon. gentleman a lawyer, and does he not know that lawyers' services are inestimable.

Mr. TUPPER: I see by the Estimates of 1876-7 that the appropriation was \$15,200, and for 1877-8 \$11,600. Then I find charged to the Mounted Police Branch, formerly in the Department of Justice, \$2,700, and, making the necessary deduction, I find that the reduction on the whole is \$1,900.

Mr. BLAKE: Even that is not correct. The fact of the matter is, that the staff of the Minister of Justice was not sufficient to supply a proper degree of attention to the Mounted Police Force, and the staff as now organized with reference to this Force in the Secretary of State's office has \$2,700 a year more than was contributed to it formerly in the Department of Justice. I estimate that there has been a saving in this Department of about \$35,000.

*Vote agreed to.*

5. Department of Justice, Penitentiary Branch..... \$3,850

Mr. BLAKE said the new items related to the Bill of last Session for the appointment of Assistant Inspectors of Penitentiaries in Manitoba and British Columbia. These officers were not yet appointed, but shortly would be; and then the expenditure would be incurred. There was also a slight increase in contingencies to cover the possible travelling expenses of two Assistant Inspectors, as well as in the salary of the Inspector of Penitentiaries. Urgent representations had been made as to the inadequacy of the salary paid under that Act. Undoubtedly the functions of Inspector were very important, and, although the officer was supplied with an efficient clerk, they were very responsible. On the whole, the Government had deemed it not unnecessary to invite an increase in this respect of \$250, making \$2,250 instead of \$2,000. Arrears had accumulated in the office, and it had been found requisite to appoint a clerk of superior standing to overtake them.

*Vote agreed to.*

6. The Department of Militia and Defence.....\$3,750 00

Mr. PALMER.

7. The Department of Secretary of State.....	31,990 00
8. The Department of Minister of the Interior..	42,700 00
9. The Department of Receiver-General... ..	21,050 00
10. The Department of Finance... ..	49,800 00
11. The Department of Customs .....	28,450 00
12. The Department of Inland Revenue.....	26,967 50
13. The Department of Public Works.....	48,884 00
14. The Department of Post Office.....	85,950 00

Mr. CARTWRIGHT said the increases in question were, he believed, all statutory increases.

Sir JOHN A. MACDONALD: Is there any increase in the Money Order Office?

Mr. CARTWRIGHT: No; I think not. I believe that the total numbers are rather less than formerly.

Sir JOHN A. MACDONALD: There are rumours in the air about losses and irregularities in this connection, but I do not know what truth there may be in them.

Mr. CARTWRIGHT: The fact of the matter is, that we have found it necessary to institute a very much more rigorous law in this regard. For a considerable time we have had suspicions that irregularities might occur and were occurring; and my Department is now charged with the special audit of the Money Order Office. No doubt some serious irregularities in certain cases have been discovered, leading to the dismissal of officers, and perhaps more serious punishment. The precise details, of course, I am hardly in a position to give, and perhaps it would not be expedient to discuss them.

Sir JOHN A. MACDONALD: I quite agree with the hon. gentleman that it may not now be convenient to make an enquiry into these matters, but perhaps when the enquiry is over, we may be informed to what extent the irregularities have gone, and what may be the estimated amount of loss, if any, and what precautions are to be taken in the future. That is

a matter which I think ought to receive, as no doubt it will, the serious consideration of the Government. Although the Money Order system is a very convenient one, and though I would be very sorry to see it closed, still, unless these irregularities can be stopped, the public revenue cannot go on sustaining serious losses, if any have been experienced. I know that irregularities occur from time to time in this Department, and I remember that in our time the hon. gentlemen opposite found them to exist; and some legislation it seems to me, must be provided, by which every postmaster must know that, under such circumstances, he is committing a felony. And if any error is once found out, except it be one that can be suitably explained, no matter how dependant the guilty party may be, or how anxious his friends may be to cover up the irregularity and return the money, no such return should be allowed. Such a man should not be forgiven his offence or retained in office. I know perfectly well, from old experience, what is done with regard to such cases, and I do not allude to the Post Office in particular. Every Government is subject to such pressure. In this branch, where implicit confidence must be reposed in the Postmaster having charge of the money order system, the punishments for irregularities, which are due sometimes to carelessness and sometimes to causes far worse, should be certain, and there should be no condonation of the offence. I dare say that this subject has occupied the serious consideration of the Government, and I think that the Minister of Justice should introduce a Bill in this relation, making the punishment so severe and so prompt as to override any temptation to use the money so often placed in their hands.

Mr. CARTWRIGHT: I quite agree with the remarks which have fallen from the right hon. gentleman. My own opinion always has been, that far too much indulgence has been shown to people who have so abused the public trust, and these cases the Government has had for some considerable time under consideration; and my own Department has now assumed in a special manner the auditing and charge of this Branch. Regulations have also

been introduced tending to greatly diminish the temptation and opportunity for that kind of crime to which the right hon. gentleman has alluded. As to the point on which the hon. gentleman has laid most stress, that parties should be punished without indulgence if they choose to abuse positions of trust, I entirely agree with him, and undoubtedly the head of the Department and the Minister of Justice will take very prompt steps in all cases henceforward that come under their notice, to protect the public interests in that direction.

Mr. HUNTINGTON said the right hon. gentleman had very properly called the attention of the House to the great and growing importance of the passage of this vast amount of money through the Post Office, the aggregate being as much as the expenditure of the nation. Some re-organization had been found necessary, and no doubt, the Government would be in a position to explain the changes to the House during the Session.

Mr. MITCHELL said he understood the Ministers to state that the increases which had been made, were statutory increases; but he found that salaries had really been increased to a very considerable extent. The expenses for the Post Office this year were set down at \$85,950, while, for the fiscal year ending in 1874, they were \$66,410. The Public Works Department would cost this year \$48,884, while for the other year mentioned, the amount was \$41,360. The figures for the Department of Justice this year were \$11,600, although in this the expenses for the Mounted Police, were not included, while for the year ending June, 1874, the amount was \$9,550, in which the cost of the Mounted Police was included. The figures for the Department of Militia and Defence were, during the present year, \$35,750, and for 1873-4, they were \$30,480. In connection with the Secretary of State's Department, \$27,000 odd were appropriated for the year 1873-4, and this year, the sum was \$31,190. The Department of the Interior would this year cost \$42,760, and in 1873-4, it cost \$16,920. The Receiver-General's Department during 1873-4 cost \$17,000, and this

year the appropriation would be \$21,000. The Finance Department cost \$45,460 during 1873-4, and this year the amount would be \$49,800. The appropriation for the Customs Department would this year be \$26,900, and during 1873-4 it was \$19,775. The Public Works Department during 1873-4 cost \$41,360, and this year it would cost \$48,800. The cost of the Marine and Fisheries Department during 1873-4 was \$20,015, and this year it would be \$25,000. The Contingencies Fund during 1873-4 amounted to \$150,000, and this year the appropriation would reach the figure of \$170,000. He did not mean to imply that the increases indicated were not necessary, but, under the circumstances, he did not think the Ministers should claim so much credit for a reduction in the working expenses, since it was so obvious, that two years ago the transaction of the Executive business cost the country so much less than it did to-day.

Mr. CARTWRIGHT said that under the Statute, as it now existed, the great bulk of the employés received every year increases of \$50 each, provided they had done nothing to forfeit them, and until these gentlemen attained the maximum of their class, the expenditure of Departments must continue steadily increasing; and they must do one of two things—either suspend the augmentations to these gentlemen's salaries, as well as the promotions, or be prepared to establish on the average a certain annual increase varying from \$500 or \$600, to \$1,200 or \$1,400, according to the size of each Department. If the hon. gentleman would compare the Estimates for 1877-8, with those of 1873-4, he would see that, in the great majority of cases, the increases established amounted to a matter of \$3,000 or \$4,000 a year in the larger Departments, and of about \$2,000 or \$3,000 in the smaller ones; and therefore the sums now paid were precisely the sums paid during 1873-4, making the necessary deductions for the ordinary statutory increases. The only exceptions, of any importance, to this rule, were the Departments of the Post Office, and of the Interior. In the latter Department, as everybody knew, the work had prodigiously increased during the last two or three

Mr. MITCHELL.

years, and if his memory served him aright, this Department was organized during the last year the hon. gentlemen opposite held power. Of course, it was quite impossible at that time to say what organization or what expenditure would be required.

Sir JOHN A. MACDONALD: The Department was organized before, but the name was then changed.

Mr. CARTWRIGHT said that, at any rate, everybody saw that the increase of expenditure in this Department must necessarily be large. The whole work of Committees, and the duties connected with surveys had increased enormously.

Mr. MITCHELL: The surveys are not so much as they were.

Mr. MACKENZIE: They are more than they were in 1875.

Mr. CARTWRIGHT said that, in any case, the Post Office Department, as the Public Accounts showed, was constantly in the habit of overrunning its appropriations. A great number of people had been paid out of contingencies in former years; and it had been impossible to carry out, without augmented expenditure, the improvements introduced under the administration of the present Lieutenant-Governor of Ontario, although he believed that these ameliorations had been loudly called for in the country. They had given great satisfaction, but nevertheless they were somewhat expensive, and they inflicted upon the Government the necessity of making large additions to the staff of the Department. As to contingencies, it was quite true that for the year 1873-4, the vote was \$150,000, and the same vote had been made in 1872-3, but if the hon. gentleman would look at the Public Accounts, he would find that the departmental accounts always exceeded this appropriation by about \$30,000 or \$40,000. He had consequently thought it very much better to ask the House for the sum likely to be expended, than to be invariably bringing down Supplementary Estimates to cover these matters, which were largely connected with the employment of extra clerks, &c., especially during the Session, when a great number of returns were moved

for. As to the increase from \$150,000 to \$175,000, this was purely nominal, because the previous practice had always been, he supposed, to take a supplementary vote upon these expenditures. Some complaints had been made as to the hardship to which the Civil Servants were exposed, and he deemed it well to call the attention of the House to the fact that a very great number of salaries had been increased under the regular operation of the Statute, extending at least to the sum of \$200 over the sum formerly received.

Sir JOHN A. MACDONALD said that, while the statutory increases were made yearly to salaries, compensation was obtained by young men entering the service at low salaries and replacing the officers at high salaries who left the service.

Mr. CARTWRIGHT said he had found that remarkably few officials dropped out of the service. After a number of years, a considerable body of officials would retire from natural causes. The Civil Service and Superannuation Acts had been in operation only a few years, and the Government were losing a good deal more than they gained, as would be the case for some years.

*Vote agreed to.*

The Department of Agriculture.....\$28,290 00

Mr. POPE (Compton) asked if provision were made for the salary of a Secretary to the Minister.

Mr. CARTWRIGHT said there was not, as the present Minister had not yet appointed a Secretary.

Mr. POPE (Compton) said the Estimates did not therefore show the total expenditure. Every Private Secretary appeared now to receive the full amount of \$600. The Private Secretary to the late Minister of Agriculture received the \$600 and a Clerk's salary, raising the amount to over \$1,600. When he (Mr. Pope) occupied that position, his Private Secretary only received a gross salary of \$750. Similar increases appeared under the head of all the Departments.

Mr. CARTWRIGHT said the hon. gentleman was in error; the Private

Secretary of the Minister of Justice received \$350, and the Secretaries of the Ministers of Inland Revenue and Customs \$400.

Sir JOHN A. MACDONALD said there might be occasionally other reasons for granting increased salaries. While the Post Office Department contained many competent officers, he understood an officer had been brought from outside into the Post Office Department at a salary of \$1,650 a year. It was desirable that the House should know whether such was the fact.

Mr. HUNTINGTON said the officer was brought into the Department from outside, and he had proved very efficient. The position was created on the report of the Superintendent of the Department, and was entirely at his suggestion. In consequence of that appointment, the services of two clerks had been dispensed with. If the hon. member for Kingston would examine the circumstances, he would be satisfied that a first-class man was necessary to assist the Superintendent in the discharge of his responsible and onerous duties.

Sir JOHN A. MACDONALD said from his acquaintance with the Post Office Department he knew it contained a great number of officials on the permanent staff who were qualified for almost any service. All the qualification needed was to be a good accountant and an honest man.

Mr. HUNTINGTON said another first-class clerk in the Money Order Department was appointed from outside for the same reason. In administering the Department, aided by the judgment of its responsible superintendent, he would use the best means to secure efficiency.

Mr. JONES (Leeds) said that where there was an efficient man in the outside service he should be brought into the Department when opportunity offered, more especially in the Customs Department.

*Vote agreed to.*

16. The Department of Marine and Fisheries .....\$25,070 00  
17. Treasury Board Office.....\$4,050 00

Mr. CARTWRIGHT said the increase of \$750 was caused by the

appointment of an official to audit the accounts of the Money Order Branch.

Sir JOHN A. MACDONALD said the Money Order Office might be placed under the Finance Department.

Mr. CARTWRIGHT said the money order business appeared to be so mixed up with post office regulations that he did not perceive how it could be placed under the Finance Department.

*Vote agreed to.*

18. Departmental Contingencies.....\$170,000 00

Mr. TUPPER said the item for contingencies appeared to be creeping up.

Mr. CARTWRIGHT said there had been an apparent increase from \$150,000 to \$175,000. The former sum was, however, always exceeded; in 1872-73 by \$30,000, in 1873-74 by \$40,000 and \$50,000. He saw no possible advantage in having to bring down a Supplementary Estimate, and he had therefore inserted a sum which would cover the actual expenses. In 1873-4, in two cases under the head of "civil government," the bonuses were charged with the regular salaries.

Mr. TUPPER: How was the year 1873-4?

Mr. CARTWRIGHT: It was larger still than 1872-3—\$220,000, I think. The contingencies have been steadily increasing since 1873-4. Last year the total expenditure was \$172,500.

*Vote agreed to.*

20. To meet the possible amount required for new appointments by an extension of the staff, or any other change.....\$10,000 00

Mr. CARTWRIGHT said the expenditure had been largely reduced, partly because a large number of salaries had been augmented by the operation of the Statute, or by increases granted by heads of Departments; partly because of some readjustments, and partly because, owing to the present condition of the revenue, they did not feel justified in asking for any large sum.

*Vote agreed to.*

Mr. CARTWRIGHT.

#### IV. ADMINISTRATION OF JUSTICE.

21. Miscellaneous Justice, North-West Territories \$20,000 00  
22. Travelling expenses of Stipendiary Magistrates in North-West Territories.....\$4,500 00

Sir JOHN A. MACDONALD asked how those expenses were regulated.

Mr. BLAKE said there had been, as yet, no regulations. The law provided that the expenses should be regulated by Order in Council, but it was deemed expedient to wait for time to demonstrate what the actual expenses were, before arranging the matter,

Sir JOHN A. MACDONALD asked, as a matter of information, whether the travelling expenses of the officers appointed had been paid.

Mr. BLAKE said he believed as a rule they had been paid, or some allowance made. Unless the officer was paid a small salary under exceptional circumstances, in his opinion the practice ought to be done away with.

Sir JOHN A. MACDONALD said the English practice was that when a man was appointed he should go at his own expense to the future scene of his labours. Afterwards, if his duties involved travelling, his expenses were paid.

Mr. BLAKE said he knew that was the practice there. There was a great difference in the distances in the two countries. Travelling was very high when Winnipeg was reached.

Mr. SCHULTZ asked where the stipendiary magistrates would be stationed.

Mr. BLAKE said that it was provided that their posts should be fixed from time to time as directed by the Governor in Council. Only two magistrates had been appointed as yet. One who was at Pelly, would be ordered to remove to Battleford as soon as the Governor removed there; he would act as the legal adviser of that official. The residence of the other magistrate was fixed for the present at Pelly; but it was obvious that should be changed according as they found the settlement extend and according to where they would be useful.

Sir JOHN A. MACDONALD: Who are the Stipendiary Magistrates?

Mr. BLAKE said Mr. Ryan, formerly of Montreal, was one, and Mr. Hugh Richardson the other. The vote was taken for three, but there was no intention of appointing a third unless necessity arose.

*Vote agreed to.*

23. Circuit allowance, British Columbia ..... \$15,000.

Sir JOHN A. MACDONALD said the vote appeared to be for a large sum.

Mr. BLAKE said it was a large vote, but the Government were engaged in trying to obtain statements which would enable them to reduce the expenses. Of course travelling in British Columbia was expensive, but representations had been made which led him to believe that there had been a considerable degree of liberality in this respect, and that long Circuits were made with very small results in the administration of justice. They had only a concurrent power in this matter, and while the Local Government determined where the Assizes should be held, it was difficult for the Dominion Government to intervene. If the Act was disallowed they would have to provide for the expenses of the Judge.

*Vote agreed to.*

24. Circuit allowance Manitoba..... \$1,500.

Mr. SCHULTZ asked why, as \$3,000 was voted this year, the amount had been cut down one half?

Mr. BLAKE said they had found from experience that \$1,500 would be sufficient, and it was not thought necessary to ask Parliament for a larger sum than would be required.

Mr. SCHULTZ asked if the estimate was made on the same basis as that for British Columbia.

Mr. BLAKE said the allowance had been changed once or twice in Manitoba. The amount was now fixed upon the consideration that it was a fair remuneration for the expenses incurred. The condition of things in British Columbia was unsatisfactory. The account was vouched by the Judge, but there was no means of declaring to the Judge

that the sums charged were confined to such as ought to be charged. Of course, there was no reason for thinking there was anything wrong, except from the enormity of the amounts charged. There was reason to believe that the services of an officer, a registrar or clerk, charged as travelling expenses, ought not to be charged.

Mr. RYAN asked if it was intended to place a sum in the estimates to provide for the payment of the Commission to try disputed titles in Manitoba.

Mr. BLAKE said the remuneration was fixed by Order in Council at \$1,000, with such salary as might be fixed by the Minister of the Interior for the Clerk.

Mr. BUNSTER said he did not think the allowance was a fair one. Manitoba was a large country and it was difficult to travel over. He did not think \$3,000 too much for the service.

*Vote agreed to.*

25. Precis-writer of the Supreme Court of Canada and the Exchequer Court..... \$1,850.

Mr. MITCHELL asked how the increase was intended.

Mr. MACKENZIE said the clerk was entitled by statute to the increase if he remained in the office.

Mr. BLAKE said this officer's salary was voted last year, and the terms of his appointment were \$1,800 for the first year, with an increase of \$50 per year for four years. He was a kind of superior officer in the court, and had to prepare the reports of the cases.

26. Clerk of the Supreme Court of Canada and the Exchequer Court... \$425.

Sir JOHN A. MACDONALD said there was a very great discrepancy between the two salaries.

Mr. BLAKE said this office was dealt with just as they thought the exigencies of business required. When the appointment was made the salary was only \$300. An advance of \$100 had been made, and the other \$25 was statutory. There were three officers and a messenger connected with

the Court, and he possibly might have to appoint another messenger.

*Vote agreed to.*

28. Contingencies and Disbursements, including Judges' travelling expenses and printing and binding reports, also salaries of officers to be appointed in the Supreme Court of Canada, and the Exchequer Court..... \$8,000.00

Mr. MITCHELL said he supposed, looking at the large expenditure for Judges, that where it was found more convenient and less expensive, the Court would go to Halifax and British Columbia to collect evidence.

Mr. BLAKE said under such circumstances the Judges would at any rate go to Halifax and Quebec, but it was not proposed that they should go to such a distant point as British Columbia. In case it was necessary to obtain evidence at British Columbia ample provision was made for obtaining it by commission, and transmitting it here.

*Vote agreed to.*

29. Salary of Registrar of Vice-Admiralty Court, Quebec,..... \$666.66

Mr. JONES (Halifax) asked why a salary was put down for the Vice-Admiralty Court of Quebec, and nothing for the Halifax Court. He thought it was a new item.

Mr. BLAKE said this was nothing new, it had appeared in the accounts for several years. He found on investigation lately, that the Court Registrar received fees. He had transferred the item from where it was before to the present place in order that it might be properly understood by the House. The system of fees was first introduced by Sir George Cartier during the absence at Washington of the right hon. member for Kingston. He had caused a return to be made, from which it appeared that the Registrar's fees amounted to a considerable sum. He would ask the House to pass the item this year, and before next year he would cause a full examination to be made.

**Mr. BLAKE.**

Mr. MITCHELL said the whole Court required considerable reformation. From his experience in the Vice-Admiralty Court, he judged that the system was most cumbersome, involving great delay and expense.

Mr. BLAKE said it was due to the learned Judge of that Court to say that the hon. member must be mistaken, or he would not cast a reflection upon the Judge's conduct.

Mr. MITCHELL said he did not mean to cast any reflection upon the Judge of the Court. On the contrary, he thought he was a very able man. The system of taking evidence and the obtaining of witnesses was very cumbersome, and the delay was very great. He desired not to be understood as passing any reflection upon the Judge or any of his officers; they were all very courteous and gentlemanly. He did not find fault with them, but with the system, and as some changes were contemplated, he hoped that the entire system would be investigated and improved, both as to fees and the manner of taking evidence.

Mr. CARON said Parliament could not interfere in the matter, the arrangements having been regulated by an Imperial Act. The Court was one of the best conducted in the country. All the officers were always ready to do their duty, and he could bear testimony to their zeal. He thought the question of fees was regulated altogether by the Imperial Act.

Mr. BLAKE said he did not propose to interfere with the fees, but to regulate the salaries, as having some relation to the fees. It was not within the competence of the Dominion Parliament at present to alter the form of business in the Admiralty Court, which was established under a Imperial statute, and its rules were in force under the authority of that statute. Representations had been made to his predecessor by the Judge of Quebec, and by the officer of the Admiralty Court of Halifax, to the effect that the procedure was so cumbersome as to deter litigants from applying to the courts. He had an opportunity upon a recent occasion to place this matter before the Imperial authorities, and it

was agreed to modify the arrangements. The system in force in the Admiralty Courts in Canada was antiquated, the modern improvements introduced in England, not having been extended to the outlying Admiralty Courts. He had learned that it was the intention of the Imperial Government to give Canada the benefit, he hoped at not a very remote time, of those improvements.

Mr. JONES (Halifax) said the point he wished to make was, why the Court in Quebec was paid by fees and not the Court of Nova Scotia and New Brunswick.

Mr. BLAKE said his view was that no Court officers should be paid by fees.

Mr. JONES (Halifax) said the Judge presiding over the Court in Halifax had been obliged to pay the crier and messengers of the Court out of his own pocket. He thought the time had arrived when the item under discussion should be struck off.

Mr. BLAKE said the House would observe that the officers had been paid for the last six years.

Vote agreed to.

- 30. Salary of Marshal of Vice - Admiralty Court, Quebec,..... \$333.34.
  - 31. Salary of one Stipendiary Magistrate or County Judge to provide, if necessary, for the vacancy created by the death of the late A. T. Bushby,..... \$2,425.00
- Resolutions to be reported.  
House resumed.

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

**After Recess.**

**PRIVATE BILLS.**

**SECOND READINGS.**

The following Bills were severally read the second time :—

- Bill (No. 9) Respecting the Canada Southern Bridge Company. - (Mr. *Aspy*.)
- Bill (No. 10) To amend the Act incorporating the London and Canada Bank.—(Mr. *Brooks*.)

Bill (No. 13) To incorporate the Dominion of Canada Civil Service Mutual Benefit Association.—(Mr. *Wood*.)

Bill (No. 14) To amend the several Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. *Baby*.)

Bill (No. 17) To extend the provisions of Section 56 of the Act 34 Victoria, chapter 5, intituled "An Act relating to Banks and Banking," to the Bank of British North America.—(Mr. *Fraser*.)

Bill (No. 20) To amend the Act of Incorporation of the London and Ontario Investment Company (Limited).—(Mr. *Macdonald*, Toronto.)

Bill (No. 22) To Incorporate the Dominion Grange of the Patrons of Husbandry.—(Mr. *Rymal*.)

**SUPPLY.**

**V. POLICE.**

House resolved itself into Committee of Supply.

(In the Committee.)

32. Dominion Police, \$11,000.

**VI. PENITENTIARIES.**

33. Kingston Penitentiary, \$127,167.57.

Mr. MASSON said he hoped the Minister of Justice would see the propriety of leaving these Estimates for a future occasion, as the report was not before them in a printed form. He invited the attention of the Prime Minister to the matter.

Mr. MACKENZIE said he had known occasions when the Estimates were passed without any reports at all being in possession of the House. At present every report that could be presented was before them, and the items were given with the utmost possible detail.

Mr. BLAKE said that, under the law as it now stood, the report of the Inspector of Penitentiaries could not be made until the 1st of February; consequently it was utterly impossible to have it now before the House in printed shape. It was presented at the earliest possible moment; and he was informed that it could not be printed at all during the session. He agreed with the view of the hon.

gentleman that the report should be printed, and for this and other reasons he was prepared, and hoped, to introduce to the consideration of the House on Monday a Bill making certain changes, such as arranging for the presentation of the annual Report, in future, in October, for the preceding fiscal year up to the month of July. He hoped that the House would accept the modification, and remedy the inconvenience of which complaint was made.

Mr. MASSON: I think the Report concerning Penitentiaries was before us two years ago, and if we cannot get it now we are retrograding.

Mr. BLAKE: I merely state what the wisdom of Parliament unanimously agreed upon a few years ago. Perhaps this wisdom was in error, and a change may be made in the manner I have suggested. As to the appropriation, hon. gentlemen will observe that the amount is considerably increased. The increases for the maintenance of convicts have almost or entirely amounted to \$19,000, and this is almost entirely due to the augmented number of prisoners. The Estimates last year were based on a prison population of 625, owing partly to a great increase of crime throughout the country, and partly to the circumstance that we are obliged to send large numbers of Quebec prisoners from St. Vincent de Paul, in consequence of its lack of accommodation. The Estimates are not based upon a prison population of 770. The increased expenditure is almost entirely due to that fact, although, to a certain extent, it is owing to the increased cost of some of the articles required. Hon. gentlemen will observe that I have distinguished the items this year—a sub-division that did not exist last year—and I intend next year to introduce still further sub-divisions. The vote, \$55,000, for maintenance, was made *en bloc* last year, but it is now distributed among officers' clothing and the maintenance of convicts, buildings, implements, &c. It is not to be understood that officers' clothing is a new item; it was embraced in former estimates, and I intend next year to make an item of the vote for salaries. Another item relates to gratuities to retiring officers. It is apparently an

Mr. BLAKE.

increase, but it was omitted by error last year. I hope that the whole of that vote will not be required to be used during the approaching year. There is further, an item for additional farm land and a small item for fencing. The number of prisoners is very largely increased. The old contracts for labour are running out in one case; in another case the Company failed, and in the third case the contractor has given notice it is utterly impossible to obtain any new contracts, although every effort has been made in this direction. Under these circumstances, the mode of employing the labour has been a source of very considerable anxiety. We have procured from the various public departments any work that could be got, but it is obvious that we ought to make an effort to secure further employment. With this object in view it is proposed to purchase a farm, and add to the grounds, the price being in my opinion moderate. I hope the investment will prove profitable, besides giving good and wholesome labour to the convicts.

Mr. MASSON said that if he understood the matter aright, the increase in the expenditure had been proportionately greater than the addition to the number of the convicts, having advanced from \$55,000 in 1876-77, for 625 men, about \$88 per head, to \$75,000 in 1877-78, for 770 men, so that for 145 convicts more, it would cost \$20,000, which would make for the 145 men, \$127 per head.

Mr. BLAKE said the item of buildings, furniture and implements was larger than in the former year, and also the item for maintenance, which led to an item being proposed last year in the Supplementary Estimates. The cost of living was also higher.

Mr. MASSON asked if the hon. gentleman expected to have 770 prisoners, exclusive of those that would be sent to St. Vincent de Paul?

Mr. BLAKE said he had no expectation of being able to send any to St. Vincent de Paul during the present financial year. On the contrary, he estimated for 60 from St. Vincent de Paul.

Mr. MASSON pointed out that there was a great difference between the amount asked for gratuities to retiring officers at Kingston and at St. Vincent de Paul. In the latter case, the total amount for gratuities was put in a lump sum of \$1,000.

Mr. BLAKE said the law and regulations provided in certain cases for gratuities, but these must depend on the number of convicts discharged. There had been a rather irregular system as to the officers, but he had adopted a regular system. If an officer retired who had behaved well, he recommended the Council to grant a month's salary for a year of service. In these cases, however, he took the estimate of the amount required from the Warden, but the same principle was applied in all the Penitentiaries.

Mr. MASSON said the amount for gratuities at St. Vincent de Paul was estimated at \$1,000 in all for both convicts and officers, while at Kingston another system must prevail, because there \$2,000 was asked for officers' gratuities alone. Still, there were only 14 more officers in Kingston than in St. Vincent de Paul.

Mr. BLAKE said these things depended upon circumstances. Last year, St. Vincent de Paul was in a considerable state of disorganization. He had had to retire quite a number of the officers, and he supposed the Warden imagined that the present staff would remain for some time. He (Mr. Blake) should not hesitate, if the exigency of the public service required it, to retire more officers, and he should trust to Parliament to indemnify him for the cost. He could only take the estimate of the Warden.

In answer to Mr. LANGEVIN.

Mr. BLAKE said the item for St. Vincent de Paul was applicable to both officers and convicts. As to criminal lunatics a vote of \$3,500 was taken for them under the head of the Rockwood Asylum.

Mr. KIRKPATRICK said an important subject was the utilization of convict labour. They found that every year there was a considerable loss by the Penitentiaries in the different

Provinces, while in the neighbouring Republic convict labour was employed advantageously, and, in some cases, at a profit. It was a difficult question, and he thought it was very undesirable that convict labour should be brought into competition with the honest mechanic and labourer outside the prison walls. He thought some system might be devised by which convict labour might be utilized without bringing it into competition with the labour outside, and he hoped that, as in England, the labour might be made remunerative and might make these establishments self-supporting.

Mr. BLAKE said he confessed he was unable to conceive of a plan by which he could propose a remunerative system of employing the labour of convicts without to some extent displacing the free labour outside. It was clear that, if convicts did the work, someone outside who would otherwise have done it, must be deprived of it. He thought there were considerable disadvantages in the contract system, and quite agreed that, if they could find another system, it would be more advantageous. But, as that system had always been adopted at Kingston, and as he had no other means of doing the work, he had thought it his duty to let the labour for a reasonably short time if he could. He accordingly advertised for tenders, but failed in obtaining them. He had, therefore, asked the Departments to give him any work they might have to do. The Postmaster-General had given him a contract for some mail bags, and he had also obtained work from the Minister of Militia, and for boots for the Mounted Police; but in none of these cases could he discover that he was not displacing an equivalent amount of free labour. In order to obtain a useful and healthy employment for the convicts, he had thought it desirable to ask for a sum to add to the farm land of the institution. He hoped the convicts would be engaged in producing vegetables for the prison, and perhaps for the market, but he was afraid that, if they did not do so, some farmers would be producing the supplies, so that there again they would be entering into competition with free labour.

Mr. DYMOND said he quite agreed with the remarks of the hon. member from Frontenac as to the desirability of adopting the best system of convict labour. He did not sympathise with him in the objection to convicts being trained in the arts of honest labour, and he fancied that, although the honest labourer might in one way find a disadvantage by the work being performed by convicts, he gained in the long run by their being trained to useful avocations. He had a strong opinion that convict labour could not be made profitable. He did not believe that people working under the conditions under which convicts worked were likely to produce results of the profitable nature that would accrue from the work of free men. He would suggest to the Minister of Justice another point—that of securing employment for persons who, after they had undergone the reformatory process, which they should desire to see carried out in the prisons, were turned adrift upon the world. There could, he supposed, be nothing more inimical to a sound, economical system than turning adrift men who had no avocation, who had lost their character, and who were most likely, almost perforce, to return to the place whence they came. It was the more serious when they saw that in one year the Minister estimated an increase of our criminal population by something like one-third. But, when they found that the total number of persons in the Penitentiaries did not exceed something like 1,300, the problem ought not to be one very difficult of solution. There could hardly be any greater duty devolving upon them than to prevent the increase amongst us of a criminal population. He had seen too much in the crowded population of the old country of such a class growing up not to desire most earnestly that we should endeavour to avert such a result in this country. It was very difficult to obtain employment, even under the most favourable circumstances, for persons who had been known as inmates of Penitentiaries, but it would be strange indeed if they could not hope that, in many cases, reformation would succeed the salutatory treatment they had been providing for these persons during so

Mr. BLAKE.

many years. In Great Britain, a Society had been established, which though not in an official position, was recognized by the authorities as an earnest coöperator with them, under the name of the Discharged Prisoners' Aid Society. It was the duty of this Society to take in hand those persons who showed a desire to lead an honest life after being discharged from prison, and to endeavour to find them employment where they might be treated judiciously and removed as far as possible from temptation, so that in the course of a few years their history might be forgotten and they might become useful members of society. He should think in a community like ours, where the population was sparse, where there was a great demand for labour, where, in fact we were importing emigrants from Europe in order to provide the labour that the manufacturers and farmers required, that the Inspector of Prisons might devise some scheme whereby a percentage of those persons might be provided with employment on their discharge from prison. He knew something of the difficulties of the system and the prejudices which prevailed in regard to it; but those difficulties and prejudices were not altogether insuperable if they endeavoured to deal with the subject on a small scale at first, enlarging it in proportion to the success which might follow.

Sir JOHN A. MACDONALD said the hon. member for North York had said truly that the question was surrounded with difficulties, and one of the main difficulties was as to the mode of employing convict labour. The contract system was objectionable on many grounds. It was to a great degree destructive of, or prejudicial to, the discipline of the prison, and thwarted the efforts of the officers in effecting the desired reform. The contractor's only object was to get as much work out of the convict, and make him as profitable as possible. As a body, he believed contractors to be respectable men, but inducements were held out to the prisoners, by little bribes or otherwise, to get as great an amount of labour out of them as possible and to keep them in good humour. Besides they got improper information with

respect to what was going on among their families and the outside world, which they ought not to get, except through the constituted authorities. The system was bad, and had been utterly condemned in the old country. The greatest authority on the question said it was injurious, if not destructive, to any Reformatory. During his Administration, the effort was made to employ some of the convicts, without the intervention of a middle-man or contractor, through the officers themselves. But there were great difficulties surrounding that system. It was almost impossible to make the men labour profitably. There was not the same inducement to make them work as if they were under a contractor. The labour was mere routine, and was unprofitable. One of the great aims of the establishment of Penitentiaries, as distinguished from the ordinary prisons, was to attempt to reform, as well as to punish the men. While the law was vindicated and the crime punished, the convict was to undergo a sort of treatment, severe and stern, yet paternal that he might leave the institution a wiser and better man, with something of the milk of human kindness toward his fellow-men in his breast. The great object was to attain that, but as to how it was to be done, one could see the difficulty rather than suggest the remedy. But the remedy was, he thought, to employ them under the direct supervision of the officers as much as possible and in those branches of trade which would, as little as possible, interfere with the honest artisan outside the Penitentiary. To a certain extent, the hon. gentleman was correct in stating that every pound of work done within the Penitentiary walls displaced a certain amount of work done outside. That, however, was not strictly the case, for, in this country, where we were importing articles for use that we did not manufacture, articles which were not yet introduced as ordinary branches of industry might be manufactured in the Penitentiary under the direct supervision of the officers and would displace and disturb as little as possible the labour of the outside artisan. In England, it was admitted by political economists to

be unfair to run convict labour against honest labour. They held it was granting a bounty to the criminal, who was fed, clothed, doctored and otherwise attended to, and it was not right to place him in competition with the honest artisan who had his family to look after, and other expenses and difficulties to meet. In this country the system has not had the same injurious effects. We have a sparse population and wanted more labourers, and he did not think, the system would have as injurious an effect here as in England. He had no doubt, however, it would cause a great deal of uneasiness and discontent, as it was now one of the means used by agitators to arouse workmen against the Government both in the United States and in Canada. He scarcely knew how to suggest any remedy, except that new industries not yet introduced should be introduced in the Penitentiaries, and that as much as possible of the work should be done under the direct auspices of the officers rather than by contractors. Would the hon. the Minister of Justice say what progress had been made towards acquiring the land required for the Penitentiary?

Mr. BLAKE said the offer which had been made appeared a very reasonable one, and arrangements would be made to complete the bargain subject to the approval of Parliament. His hon. friend from North York had properly said that the great object of the Penitentiary system was the reformation of criminals, but the hon. gentleman added that they ought not to lose sight of the convict after he left the prison, but endeavour to find him honest employment. That would give the duties of the Government a very wide range, and he did not think that at present he could see his way to inaugurating such a system. His hon. friend from Kingston seemed to concur in the general view of the question taken by the hon. member for North York, and they all three agreed that Government ought, even if it did not attempt to undertake to find employment for the convicts when they left the Penitentiary, to try as far as possible to fit them for profitable and remunerative employment, or to make the Penitentiary instruction conducive to their chances of obtaining an honest living

after the term expired. But it would be utterly inconsistent with the object of enabling those men to earn an honest livelihood if they were trained in some trade or employment which they could not follow when they left the Penitentiary. He did not know what particular trades or employment the hon. member for Kingston would suggest, but he could understand that the introduction of the manufacture of articles which were used but not produced in Canada at present would involve a large outlay of capital, extensive machinery, skilled workmanship, &c. He did not mean to say that we had not some such trades, but roughly speaking, that was the kind of industry which was surrounded with the difficulties he had mentioned. The ordinary mechanical trades were those which could be most likely carried on with the least loss and with the nearest approach to an equilibrium, and also the most likely to enable the convicts to earn a living after they left the prison. The hon. member for Kingston had adverted to the competition of convict labour with free labour, and pointed out that political economists had declared that the advantages the convicts possessed were unfair to the honest workmen outside the prison. But it was to be remembered that, with all the criminals' advantages, it was still a question of free against slave labour, and he believed the importance of this distinction could not be over-estimated. The net results of free labour, he thought, would always be found greater than those of slave labour. No one had yet suggested a scheme of employing the convicts which did not more or less conflict with honest labour. Some time ago they had a contract for the manufacture of boots and shoes by the convicts. The contractor had power to continue the contract, but before it expired he gave notice to cancel it. They endeavoured to get him to prolong the contract for a short time at reduced prices, as it was thought inadvisable to deprive the prisoners suddenly of occupation. But the manufacturer would not continue the contract on any terms, as he concluded he was better without convict labour. The prisoners did their work fairly well, but it could not

Mr. BLAKE.

be expected that they would do as good a day's work as free people who were animated by altogether different motives. But with our number of prisoners, modes of employment and state of labour in this country, the question was not likely to become a pressing one for some time to come. It might be agitated from time to time; indeed they had discovered that certain hon. members would avail themselves of the opportunity it afforded for agitation. The aim of the Government should be to make convict labour diminish the expenses of the Penitentiaries, conduce to the reformation of the men, and place them in the way of becoming useful members of society, without necessarily entering into competition with free labour.

Mr. KIRKPATRICK said he was not certain whether the hon. the Minister of Justice had insinuated that he had attempted to raise the question of free labour against convict labour. If that was the insinuation he denied it entirely and hurled it back across the floor of the House. Because the question was a difficult one, that was no reason why it should not be raised in this House, and debated fairly and calmly and without any insinuations being cast. He was not ashamed to say that the subject was a difficult one to him. Mechanics had spoken to him about it and said: "How can we compete in making boots and shoes with convict labour?" He brought up the question as a fair one. He brought it up in an endeavour to make these institutions as self-supporting as possible, while at the same time interfering with free labour outside as little as possible. He did not belittle the importance of the question, nor did he object to the convicts being trained to some useful trade; he believed that was one of the objects for which they were incarcerated; but he believed, at the same time, that there were some industries in which their labour might be employed without coming into competition with local trade or local mechanics.

An HON. MEMBER: How?

Mr. KIRKPATRICK said it was a difficult question to particularize, but he might venture to name one industry which, so far as he was informed, was

not carried on in Canada, and which did not require expensive machinery, neither would it interfere with free labour. It was an industry carried on in Penitentiaries in England, and he saw no reason why we should not import the raw material and carry it on here. He referred to the manufacture of mats.

Mr MACKENZIE: Mats are made in Canada.

Mr. SCHULTZ: At Cobourg.

Mr. KIRKPATRICK: I do not know to what extent, but I have my information from very good authority.

Sir JOHN A. MACDONALD: Another industry would be the making of canvas.

Mr. KIRKPATRICK said there were many other things. At all events there was no reason why the Minister of Justice should not tell the House that he had given the matter his attention, without casting across the floor of the House insinuations, as he had done. He (Mr. Kirkpatrick) desired to see convict labour utilized, but he wanted it done without injury to the free labourer or mechanic.

Mr. MILLS said the position taken by the hon. gentleman was a very extraordinary one. He argued: If we withdraw a few hundred people engaged in the ordinary industries of the country, and confine them where they do less than if they were free, thereby free labourers are unfairly competed with. He would ask him what was the difference by way of competition between a thousand men in Kingston Penitentiary and the same thousand engaged in the ordinary mechanical and industrial pursuits of the country, competing as free labourers. Were they in a worse condition? Certainly their labour was less efficient than it would be if they had the motives of free men, so they competed less as criminals than as honest citizens. The hon. member for Kingston had said these men did not really do a great deal of harm while they were at large, but the moment they were confined they were brought into conflict with honest labour. They ought then to try and remedy that mischief, and to leave these men at large. The logical

inference of the argument of the member for Frontenac was that the prisoners should do nothing. But what were they to do with them? If they must not employ their labour, they must pension them. There was one class of persons they pensioned for long and faithful work for the State; but here was a class of criminals whom they were to pension in order that the whole population might not suffer by their industry. That was a very extraordinary theory of political economy which the hon. gentlemen opposite adopted. When they occupied the Treasury benches they asked for money to enter into competition with the free labour of this country by bringing out immigrants, and yet they complained because the prisoners in the Penitentiary, by compulsion of the State, were made to do the very thing they put immigrants to do. Supposing that the views of the hon. member for Kingston were carried out—leaving out the objection which the hon. Minister of Justice had pointed out, that these men could not obtain employment after they came from the Penitentiary—if they engaged them at unprofitable pursuits, how were they to make up the loss which the State sustained? They would have to put a tax upon the industries of the country. These considerations were perfectly conclusive to his mind against, he would not say the arguments, but the clap-trap suggestions of the hon. member for Frontenac. He was glad to see that the opinions of the hon. member for Kingston had undergone some change. He remembered, on one occasion, that hon. gentleman telling the House that it was not the duty of the State to help but to hurt criminals; that it was not the part of the State, at all events not principally, to confine prisoners in order to secure their reformation.

Sir JOHN A. MACDONALD: I say so yet.

Mr. MILLS: The hon. gentleman's opinions have undergone some change.

Sir JOHN A. MACDONALD: Not in the slightest.

Mr. MILLS: I think so.

Sir JOHN A. MACDONALD said it was all very well for the hon. member

to talk that way. He had always held the same opinions as he had expressed to-night: first, punishment; but, after punishment itself, it had always been held by civilized Governments that there was a secondary, a more important duty, but still not the principal duty, namely, to attempt to reform the convict. To say that an attempt had been made to arouse the honest mechanic against the convict system was not worthy of the hon. gentleman. When he held the place of the Minister of Justice, he had stated the difficulty again and again, and he repeated his objections against the contract system again and again, but he did not see how they were to get rid of it at once, although he hoped this might be done by degrees. As to the argument of his hon. friend, he would only say it was against Mr. Mill, who said, "It is contrary to the first principles of political economy to subsidize convict labour against free labour."

Mr. MILLS: Just in the proportion as it is not self-sustaining.

Mr. CARTWRIGHT said the Government would listen with great pleasure to any suggestions which would diminish, in any way, the cost of this Institution. He had always felt that it was strange that, there being 1,000 people costing \$100,000, they could not obtain 20 cents per diem. Undoubtedly, this was an extremely difficult matter. He knew it was very difficult to get a fair day's labour out of a convict. After all said and done, the best solution of the difficulty was what the present Minister and the ex-Minister of Justice had suggested, viz., the cultivation of the soil.

Mr. HAGGART asked the reason of the great difference in the cost in the different penitentiaries throughout the country. He found that a Penitentiary prisoner in Ontario cost \$155 per year; down in St. Vincent de Paul, nearly \$300; in Manitoba and British Columbia \$600 or \$700. The latter was a very large sum for the maintenance of prisoners.

Mr. BLAKE: Hear, hear.

Mr. HAGGART: I would like to ask what is the difference in maintenance here and on the other side, say in

Sir JOHN A. MACDONALD.

New York, and whether these are self-sustaining.

Mr. BLAKE said the hon. gentleman had asked two different questions; the principle susceptible of a solution of the first would not apply to the second. It was true there was an apparently enormous discrepancy in the cost of the various Penitentiaries at so much per head, but this was attributable to several circumstances. In the first place he might lay down the rule, that the larger the number of prisoners in any institution the smaller per head would be the cost, because for a large number of prisoners the same proportion of guards and officers would not be required as for a small number; supplies could be more cheaply furnished in proportion; and then a building for a small number would proportionately cost more than for a large number, as it would have to be built with a view to its future necessities. On looking at the Estimates a cogent proof of this would be found. In calculating the presumed increase of prisoners in the Kingston Penitentiary, only two more officers had been appointed, and, although there was a much less population in the cities in Manitoba and British Columbia where the Penitentiaries were built, nearly the same number of officers would have to be employed as at Kingston a short time ago, for nearly the same number of gates, &c., would have to be watched. As to St. Vincent de Paul, the circumstances were peculiar. The building was not very well adapted for the purpose, and not being in the same place where most of the criminals come from, the provisions and general management cost more. He had reduced the guards to the lowest possible number to secure safety. As soon as the new building was erected the expense per head would be diminished, although not, he thought, to the same extent as at Kingston. These observations would apply to Halifax and St. John, with the additional observation that their expenses were even now smaller than at St. Vincent de Paul, where owing to an arrangement made before Confederation, a large number of short term prisoners were kept, causing a great expense and being to the detriment of the institution so far as its

reformatory influence went. The hon. gentleman would notice that a building was being constructed at Dorchester as a Penitentiary for the Maritime Provinces. That of course would be on a large scale, and he expected considerable economy to result from it.

Mr. CURRIER said he thought it ought to be considered whether there was not a larger number of prisoners sent to the Penitentiary than there ought to be. He knew four or five men who had got into a row through having too much liquor, on the other side of the river, who had been brought to this side and sent to the Penitentiary for five years. They were very respectable, decent fellows, all of them. His hon. friend who sat beside him and himself had tried to get them out for the last three or four years, but had not succeeded. He did not know what length of time they had to serve yet.

Mr. BLAKE: What did they do?

Mr. CURRIER: They got into a row; nothing very serious. They were decent fellows.

Mr. BLAKE: If the hon. member will give me their names I will see if I cannot take some steps to restore them to the society of his friends.

Mr. CURRIER said if hon. gentlemen were guilty of half they were charged with they ought to be in the Penitentiary.

Mr. KERR said he thought it was his duty to correct the misapprehension entertained by the hon. member for Frontenac, with regard to the mat factory. This trade had been extensively established in the town of Cobourg, and that municipality had given a very large bonus towards the encouragement of this important industry. He failed to see why convict labour should to any appreciable extent affect free labour prejudicially. He supposed that the object of all punishment was two-fold: to prevent the repetition of the offence, and to reform the offender. He could not conceive how this result could be so well attained as by teaching the prisoner some useful art or trade.

Vote agreed to.

34. Rockwood Asylum, \$3,500.

Mr. BLAKE explained that this small sum was asked in anticipation of the early transfer of the Asylum to the Province of Ontario. The agreement which had been completed would be laid on the table, and a Bill of which he had given notice in this regard would be shortly presented to the House.

Vote agreed to.

35. Halifax Penitentiary, \$28,824.63.

36. St. John Penitentiary, \$40,498.50.

Mr. LANGEVIN said he saw on page 48 of the Public Accounts that the following revenues were furnished by the Penitentiaries named: Kingston, \$12,600; St. Vincent de Paul, less than \$2,000; Halifax, \$9,205, and St. John, \$19,148. St. John gave the largest revenue, and, with Halifax, more than double the revenue of Kingston Penitentiary.

Mr. BLAKE said the explanation was very easy. If the hon. member looked at the bottom of the vote for Halifax, he would see a vote for materials and maintenance of plant; and at the bottom of the vote for St. John a similar item. They purchased each year a good deal of raw material; and at St. John pails and brooms were manufactured. He was sorry to say that this enterprise had been seriously injured, owing to the competition from the United States, of which so much complaint had been made by other employers of labour, and he, too, took this opportunity of saying that this was a severe grievance.

Sir JOHN A. MACDONALD: We will protect you.

Mr. BLAKE: I will be glad to put the hon. gentleman in a position to protect me, and to give him the opportunity of producing pails and brooms. I am sorry that the net result has not been more favourable, as far as profit and loss is concerned.

Mr. LANGEVIN read a short extract from an English work on contract labour, to the effect, that, although profit was not so narrowly looked after under such circumstances as by employers of other labour, still the convicts could be best employed upon work required by the Government.

Mr. BLAKE: That is the principle I would work upon.

Mr. LANGEVIN said such a system would have the advantage of saving much money to the public. It was the rule in England and elsewhere, that prisons were self-sustaining when they were not large. The matter required careful study, and as these institutions would, unfortunately, be permanent, for this there would be abundant time and opportunity.

Mr. BLAKE said the statements of the hon. member contained a great deal of truth. Overgrown convict establishments were not so desirable, in his opinion, as smaller ones. The increase of convicts during the past two years had been abnormal. This was due, in part, to the great depression, and, in part, to the large numbers of persons who had come from the United States to Canada. He believed that the Kingston Penitentiary would accommodate the prison population of the Province of Ontario.

Mr. MASSON said that he was very happy to agree with the Minister of Justice relative to the cost of maintaining large and small Penitentiaries. He was very glad to see the hon. gentleman had discovered the reason why the St. Vincent de Paul Penitentiary had proved so expensive; still it had been very difficult for his hon. friend from Chateauguay to understand this fact two years ago. In fact a committee of investigation was then appointed in this regard. It was absolutely necessary to have the same staff of officers for a small as well as for a large number of prisoners.

Mr. HOLTON: We found that out two years ago.

Mr. MASSON said he did not believe it was possible to have a Warden at the head of the Penitentiary who would conduct its management more economically and zealously than the officer appointed by the Hon. the Minister of Justice. The principal difficulty connected with the institution arose from the unsuitable character of the building. From a personal visit to the Penitentiary he was satisfied there was a constant danger of convicts escaping, owing to the Warden's quarters not being surrounded by a wall, and there being wooden cells. He hoped the Government would push forward the

Mr. BLAKE.

work of building the wall. As the Government had purchased stone quarries in the neighbourhood, the convicts might be employed there, and a tramway built for the transportation of the quarried stone. The employment of convicts on farm work, except for the necessities of the Penitentiary, was a dangerous undertaking, from the difficulties experienced in superintendence, and under such circumstances an additional number of guards would become necessary.

Mr. BLAKE said the convicts of St. Vincent de Paul were engaged in getting out stone for the new building and brick works had been established to provide bricks to be used on the building and for sale. The question of constructing a tramway had been under consideration for a considerable time, but no decision had been arrived at with regard to it. A few trades were carried on by the convicts at Kingston.

Mr. HAGGART inquired why there were two surgeons at Kingston Penitentiary.

Mr. BLAKE said the arrangement had been made by the late Government.

Sir JOHN A. MACDONALD said it happened there were two surgeons living in the immediate vicinity, an elderly gentleman possessing much skill and a young and energetic practitioner, and so the salary formerly given to one surgeon, \$1,200, was divided between them.

Mr. JONES (Leeds) said there were large deposits of iron ore at Kingston, and he would suggest that the manufacture of steel and iron rails could be carried on in the neighbourhood of the Penitentiary with great advantage. He regretted that the hon. the Minister of Justice had expressed himself in favour of carrying on the ordinary mechanical trades in the Penitentiaries.

Mr. BLAKE said he did not suggest that all mechanical trades should be carried on, but that he believed the convicts should be trained in such ordinary mechanical trades as they could find profitable employment in after leaving the Penitentiary.

Mr. JONES (Leeds) said he would regret very much if trades should be carried on which would compete with honest labour. Boot and shoe contractors failed because more goods were manufactured than they could find a market for in Canada, and they could not send their goods into the United States markets. But from every Penitentiary in that country goods came into the Dominion, and the consequence was that our manufacturing interests were ruined.

Mr. BLAKE said the contractor he referred to did not fail. He employed 75 hands in the Penitentiary. Now, the total manufacture of boots and shoes was estimated at \$16,000 and they could imagine what an appreciable difference the labour of 75 men would make in the interests of that large industry.

*Vote agreed to.*

37. St. Vincent de Paul Penitentiary .....\$78,164.13  
38. Manitoba Penitentiary...\$14,389.77.

Mr. BLAKE said they had considered the question of the Surgeon for this institution. There were difficulties attending the appointment of a practitioner residing at Winnipeg. The Penitentiary was situated about 16 miles from the city, and the doctor would have to drive in several times a week; it would also be inconvenient in the case of accidents occurring, which would require immediate attendance. It was thought best to have a man who would settle near the institution, in the hope of extending his practice as the country prospered. He thought \$800 was an economical sum for the service.

Mr. MITCHELL asked if it would not have been better to locate the Penitentiary near the city.

Mr. MACKENZIE said it was necessary to get near an abundance of stone on which the convicts could work.

Mr. RYAN asked whether the appointments of Wardens and others had been made.

Mr. BLAKE said Mr. Benson, an excellent officer, had been appointed Warden.

Mr. SCHULTZ asked why coal had been used instead of wood for heating purposes. The cost of the former was \$27 per ton, whereas wood could be obtained for \$2 per cord.

Mr. BLAKE said the House would readily realize the difficulty of administering the internal economy of an institution of that kind; and that was one reason why he had asked the appointment of an assistant inspector. A telegram was received from the Warden in the fall, stating that it was necessary that a certain number of tons of coal and eleven stoves should be purchased immediately. The message was so urgent that it was impossible to make inquiries, but he presumed the circumstances were such as to justify the purchase, and he therefore authorized it. He had, however, asked explanations from the Warden on the subject.

Mr. SCHULTZ said he could readily perceive the difficulties under which the Department laboured, which pointed to the necessity of a speedy appointment of an Inspector. He suggested the advisability of making a road from the Penitentiary to Winnipeg. It was partly the duty of the Government to build that road, because it passed through the reservations of the children of the half-breeds. No doubt telegraphic communication would also be necessary. The country was dangerous to travel in winter, and the telegraph posts would be of great service as guide posts.

Mr. BLAKE said there was no authority to employ the prisoners outside of the grounds designated as the Penitentiary.

Mr. MITCHELL asked how many prisoners there were in the Institution.

Mr. BLAKE said the Estimate was for 18 prisoners.

Mr. MASSON said it was very extraordinary that in a building for 18 prisoners, eleven coal stoves should be required.

Mr. BLAKE said the Penitentiary was not designed for 18 prisoners. It was expected that Manitoba would progress and furnish a large number of inmates for the institution in time.

Sir JOHN A. MACDONALD said the law provided that the Penitentiary should be useful for the maintenance of prisoners in the North-West beyond the boundary of Manitoba.

Vote agreed to.

39. British Columbia Penitentiary.....\$20,950.00

Mr. MITCHELL asked the reason of the large increase.

M. BLAKE said the note explained this. It was as follows:—

“The convicts have hitherto been maintained in the local prisons under temporary arrangements, pending the completion of the new Penitentiary. The increase is attributable to the extra cost of a separate establishment for a small number of convicts.”

Mr. BUNSTER said he thought if the Government allowed persons to take out the convicts at so much per day and utilize their labour as much as possible, a great portion of the expenses, as put down in the Estimates, would be saved. Where convicts in British Columbia now cost \$600 each a year, under the system he proposed they would not cost more than \$300. It was tried in Washington Territory and found practicable. They could return at night when the day's work was done.

Mr. BLAKE: That would be contrary to the whole Penitentiary system, and I am afraid it would go against the reformation of the prisoners.

Mr. BUNSTER: It was found to work well in Washington Territory.

Mr. BLAKE: I am sure if the hon. gentleman will make any practical suggestions, whereby the present great expenses can be reduced, nobody will be more grateful than myself.

Mr. BUNSTER: I think a person ought to be allowed to take prisoners out, at so much a day, and have the benefit of their labour.

Mr. BLANCHET: What would become of the building.

Mr. BUNSTER: The prisoners would remain there every night.

Mr. BLAKE: They are mostly Chinese and Indians.

Mr. BUNSTER: Yes; and they furnish an example of the way the Liquor Act operates in our Province.

Mr. BLAKE.

Mr. BLAKE: They cannot get liquor.

Mr. BUNSTER: But they can get it. The Indians make it themselves. The law is so strict that a man cannot sell it to them. If the law were thrown open they would be able to get a better glass of liquor than they get now. Hon. gentlemen may laugh, but I have seen it tried practically. In the Sandwich Islands the natives are not allowed to have it, but when they come as sailors to our ports they are permitted to go to taverns the same as other people, and they act like peaceable citizens. It would be wise to give this liberty to our Indians, or the majority of them. You cannot suppress liquor drinking. If an Indian cannot buy it, he will get a coal oil can, some sugar and molasses, and other materials, and make an intoxicating liquor for himself.

Sir JOHN A. MACDONALD: Yes, and the worst kind of spirits, too.

Mr. BUNSTER: Hence the reason for crime among our population. I think it would be wise to throw the trade in liquor open to the Indians.

Mr. McCALLUM: Then the Penitentiary ought to be turned into a distillery.

Mr. BUNSTER: I never suggested that.

Vote agreed to.

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Twenty minutes to  
Eleven o'clock.

## HOUSE OF COMMONS.

Monday, 26th Feb., 1877.

The Speaker took the chair at Three o'clock.

### FORM OF PETITIONS.

#### SPEAKER'S RULING.

Motion being made,

“That the Petition of Elias Tower and others, interested in the navigation of the St. Lawrence, praying for further improvements to facilitate the navigation of the River St. Lawrence, be now received,”

Mr. SPEAKER decided: That in accordance with Rule 85, which requires the signatures of at least three Petitioners on the sheet containing the prayer of the Petition, and the sheet of the prayer of this Petition not having any signature at all, it cannot be received.

## PROTEST OF INLAND BILLS BILL.

### FIRST READING.

Mr. JONES (Halifax) introduced a Bill (No. 37) relating to the Protest of Inland Bills in the Province of Nova Scotia. He explained that it was merely intended to extend to the Province of Nova Scotia the laws which existed in the other Provinces with respect to the protest of Inland Bills and notes of hand. The banks in Nova Scotia could not at present protest a bill of inland exchange, or a promissory note, at the expense of the defaulter, and the Bill provides, that in case of such default the banks can make protest in the same manner as they would concerning a foreign bill of exchange, at the expense of the defaulter, fixing the cost of the notarial certificate at one dollar.

*Bill read the first time.*

## PROCEDURE IN CRIMINAL CASES BILL.

### FIRST READING.

Mr. PALMER introduced a Bill (No. 38) respecting procedure in criminal cases in New Brunswick. He said the Bill was rendered necessary in consequence of a change in the law concerning criminal cases, or rather a change in jurisdiction with reference to such cases from the Supreme Court to the County Courts of the different Provinces. He did not exactly know what the procedure regarding appeals from decisions of Judges trying criminal cases might be in Ontario or the other Provinces, New Brunswick excepted, but in that Province there was no appeal whatever, save at the discretion of the Judge holding the Court. No practical difficulty in this regard had arisen so long as such jurisdiction had been confined entirely to the principal

Court of the Province, because the Judges had been accustomed to consult each other, and to reserve questions of law for the consideration of the Court, when any reason existed for such a course, but since the creation of County Courts jurisdiction in criminal cases—capital cases excepted—had been conferred on any single Judge, who did not have the same standing as a Judge of the Supreme Court, and it was a very serious jurisdiction and power to place in the hands of any County Judge without any remedy in the way of appeal. The general object of the Bill was to remedy this defect. He would go farther into the matter on the second reading, when he proposed to show, more particularly for the satisfaction of the Minister of Justice, why he thought that this or some similar Bill should be passed.

Mr. BLAKE said he was sure his hon. friend would agree with him that he should establish some cogent reason why a Bill should be passed, making the criminal procedure in one Province different from that which obtained in the other Provinces. He did not mean to say that such procedure was precisely alike in all the Provinces, but the endeavour had been made to assimilate it as far as was possible, and it was almost alike in all; therefore, unless some very special reason was applicable in the case of New Brunswick, he thought it would be difficult to sustain this Bill in the restricted form in which it was introduced.

Mr. PALMER said he did not think jurisdiction in criminal cases was identical throughout the Dominion. He might, however, be in error.

Mr. BLAKE: It is very nearly so.

Mr. PALMER said if the evil of which he complained existed in the other Provinces, of course he would have no objection to discuss the question in a more extended relation.

*Bill read the first time.*

## INSOLVENT ACTS REPEAL BILL.

### FIRST READING.

Mr. PALMER introduced a Bill (No. 39) to repeal the Insolvent Act of 1875, and all Acts passed in amendment thereof. He said he had prepared

the Bill during recess. He did not wish to interfere with a Bill having a similar title, which had been brought in by the hon. member for Richelieu, but, as he had drawn it up during recess, and as the Act in question had done more injury than he had attempted to point out would be the result on the occasion of the passage of the law, he wished to introduce the Bill. He had understood that the Minister of Justice intended to bring in a Bill to amend the Insolvency Act, but, as he was strongly of opinion that no amendment could cure the evil resulting from the existence of such a law, he preferred to obtain the independent opinion of the House as to whether the country really required such an enactment. The principle involved was not political, but one, he was sure, regarding which the Government would be ruled by the sense of the House. On a former occasion the hon. member for Kingston, the hon. member for Cumberland and the whole Government had opposed him, and still he had secured a one-third vote; and he thought that subsequent experience had justified the fears he had then entertained with regard to the working of the law. An able Committee had made the Insolvent Law as perfect as possible, but still, in his opinion, it had been an utter failure. The principle of the law was not suited to the genius of the country.

Mr. SPEAKER: Has the hon. member looked into the question of order with regard to this case. There is a Bill having the same title before the House.

Mr. BLAKE: According to the hon. member from St. John, a good many Bills could be introduced for the repeal of the Insolvent Act.

Mr. MITCHELL: The more the better, if they are only a success.

Mr. BLAKE: May I ask my hon. friend whether the Bill he has prepared during recess is very long?

Mr. PALMER: No; it is very short.

Mr. SPEAKER: It occurs to me that the introduction of this Bill must really be out of order. I find laid down in May a principle which I think is

Mr. PALMER.

applicable to it. It is there stated that the House should not permit any question or Bill, which is substantially the same—though the title be different—to be offered a second time during the same Session, when it was one on which the House had expressed its judgment during the current Session, otherwise the same question could be proposed again and again during the same Session.

Mr. BLANCHET said he differed with the Speaker. The principle in question only applied to questions which had been negatived during the same Session. It had, moreover, not been carried out for a great many years. During every Session hon. members moved for leave to introduce Bills having almost the same titles, and sometimes Bills upon the same question were referred to a Select Committee or to a Committee of the Whole House.

Sir JOHN A. MACDONALD said the rule in question did not apply to this case. Hon. members had a legal and moral right to introduce Bills on any subject they chose, and this was a matter of every-day practice. The hon. member at the head of the Government would remember that half a dozen Usury Bills had been introduced by various members having various views on the subject. He had never before heard of the question being raised.

Mr. MACKENZIE said he had no recollection of the question ever having been raised in this precise form. The Bills relating to the Usury Laws were not similar to each other. He had not seen the Bill which the hon. member had prepared during recess, but he took it that, as it had been drawn during recess there was something in it more than ordinary. He would be exceedingly sorry if the hon. gentleman was unable to avail himself of his labours during recess, and he supposed that leave for the introduction of the Bill had better be given.

Mr. SPEAKER: I will look into the question of order.

Mr. PALMER said he could not see why he was not at liberty to introduce

any Bill he chose, on any subject concerning which he had given proper notice.

Bill read the first time.

### ROCKWOOD ASYLUM TRANSFER BILL.

Mr. BLAKE introduced a Bill (No. 49) Respecting the transfer of the Rockwood Asylum to the Province of Ontario, and to amend the Penitentiary Act of 1875.

Bill read the first time.

### ONTARIO MARITIME COURT BILL.

#### FIRST READING.

Mr. BLAKE introduced a Bill (No. 41) To establish a Court of Maritime Jurisdiction in the Province of Ontario. He said the proposal was to establish a Court of Maritime Jurisdiction in Ontario, which should have, in a word, jurisdiction over all civil and maritime cases arising on the Great Lakes, in our inland waters, not embraced within the jurisdiction of any other Vice-Admiralty Court of Canada, or in the criminal or precise jurisdiction of the Admiralty Court, and certain jurisdictions with reference to revenue and customs, &c., concerning which we had not sufficient provision in the ordinary Courts of the country. His object in the first instance was to apply the Court only to that peculiar class of cases for which peculiar functions were required, leaving the existing jurisdictions unimpaired.

Sir JOHN A. MACDONALD said he hoped plenty of time would be given to enable the Bill to be seen by ship-owners, and the profession generally, in order that an intelligent opinion might be formed respecting it.

Mr. BLAKE said the Bill would be distributed within a few days.

Mr. PALMER said that, while the jurisdiction of the Admiralty Court in the Maritime Provinces was very valuable, yet the working of the system under the Imperial Act was very expensive and cumbersome. He was not at all sure but that a great benefit would accrue if the Vice-Admiralty Court was constituted under Dominion

authority, and made in all respects more adapted to the wants of the country.

Mr. MACDONNELL said he desired to ask the Minister of Justice whether he proposed to confer the admiralty and civil jurisdiction of the Admiralty Court upon the Supreme Court of Nova Scotia. At present the method of procedure in the Vice-Admiralty Court was not only cumbersome, as the hon. member for St. John had stated, but almost impracticable. Redress was seldom to be obtained in the great majority of cases in Nova Scotia. A vessel could escape to the United States before any proceedings could mature or any process be secured. Only last fall, a case of collision had occurred in the county he represented, and, before twenty-four hours had elapsed, the vessel which had inflicted serious injury on a British barque, was under sail for the United States, and it took a fortnight or more before the necessary process for the seizure of the vessel was issued. He had read with great pleasure the correspondence which, through the Minister of Justice, had taken place with respect to the Admiralty Court, but he had hoped that more active proceedings would have been taken to confer upon the Supreme Court of Nova Scotia admiralty jurisdiction.

Mr. BLAKE said no representation had ever been made in this House of any desire expressed on the part of any of these persons, as to obtaining a domestic quorum under domestic control.

Mr. MITCHELL: Until I did it the other night.

Mr. BLAKE: I was speaking anterior to the time when I had an opportunity of saying something in this regard. I know that my hon. friend is always more or less foremost in everything that is done or said; but before I had an opportunity of making any representations on the subject, I was myself very clearly of the opinion that we could best meet our own peculiar wants and wishes ourselves, and best mould our practice, procedure and remedies ourselves. The very fact that the

very cumbersome mode of procedure in force in the Vice-Admiralty Courts had been abandoned in England for a great many years I thought reason enough,—if there was no other—why some steps at any rate, should be taken towards improvement; but I was not authorised, Sir, by the Government, nor did I conceive that in the absence of any expression of opinion in this House, it would be prudent to press the matter further than I did, as will be observed in the correspondence, by stating my individual views upon it, which I believe to be shared by my colleagues; and I thought that the time was not far distant at which the Imperial authorities would be called on to consider the question of abolishing the admiralty jurisdiction with the view of having civil jurisdiction in this regard conferred by ourselves on local tribunals. What I had to deal with was then—not a grievance presented to me as to the Admiralty Courts of the Lower Provinces, but a grievance presented as to the absence of admiralty jurisdiction in our inland waters; and with the view of remedying that grievance, a question of policy had to be considered, whether it should be done by applying for a new Act or machinery, or for Imperial machinery, or by taking the power ourselves; and I was satisfied that it was better to take the power ourselves. The details give a very large power to the authorities to prepare rules and regulations and provide for the appointment of deputy Judges from time to time, as circumstances may require, with more or less limited jurisdiction, with the very view of meeting, as far as possible, that difficulty to which my hon. friend from Inverness has referred, as well as all cases occurring which may require instant action in some of our outlying ports, in order to prevent a failure of justice, my proposition will be founded, not in detail but in general, on the principle, which, I believe, will enable the Government from time to time, as they find business growing and the wants of the mercantile community, for whom the Bill is proposed, increasing, to provide for the nomination of deputy Judges at the different

Mr. BLAKE.

local ports. If the Bill should meet the approbation of the House and become law, that of itself will go a long way towards facilitating the object to which my hon. friends opposite have referred; and I have no doubt that a further expression of opinion in this House on this subject will be useful to the same end; therefore, I invite rather than discourage, any such expression of opinion.

Mr. MITCHELL said he was glad to find that a remedy had been proposed with reference to the difficulties of our marine jurisprudence. This was not the first occasion on which public attention had been called to the matter. In 1872, several prominent members of the House, representing shipping communities, called his attention to the want of some marine jurisdiction of a summary character which would enable grievances to be redressed in our inland waters. They found no jurisdiction outside of the ordinary civil Courts which would protect them from damages resulting from collisions or trespasses, or any accidents which might occur in our inland waters. His late leader had his attention drawn to the matter on more than one occasion, and he took it under his consideration. But it was one of those questions, as would be agreed by the hon. the Minister of Justice, which was surrounded by considerable difficulties, both as to jurisdiction and expediency, which it was necessary to carefully consider before entering into any such legislation. He (Mr. Mitchell) appreciated the manner in which the hon. the Minister of Justice had placed the matter before the House when he stated that he invited discussion and advice from those members who might have special interest in marine matters. It was to be hoped that the remedy would not remain confined to the inland waters, but would be extended over the whole admiralty jurisdiction in the Dominion of Canada. He quite agreed with what had been said as to the system now in vogue. It was a century old, and was obsolete, and the time had arrived when it should be amended, not only with reference to inland waters but tidal waters. He was satisfied the Minister of Justice would consider the suggestions made, and would

endeavour to frame a bill to make less expensive the onerous, troublesome, and inoperative system now prevailing. His hon. friend, in making the motion, had appealed to two or three legal gentlemen, as to their experience; but commercial and shipping gentlemen had a great deal more interest in the matter than legal gentleman, who rather liked delay and expensive litigation.

Mr. PALMER said in 1872, when the hon. member for Frontenac had a Bill before the House, the Government of that day did not do all in their power to remedy the matter. He had not had time to read over the correspondence between the Minister of Justice and the Imperial authorities, but he had seen, with great pleasure, the comments which appeared in the press. Whatever they might say as to the policy of this Government, Canada owed a debt of gratitude to the Minister of Justice for his action in this matter. If the correspondence had been rightly interpreted by the press, the Minister of Justice had done much good, which should be extended in a further direction. The admiralty jurisdiction created a maritime lien, which, in the colonies, was different entirely to that created by what was called the High Court of Admiralty Act in England. Under precisely the same circumstances, there might be a lien in England and not here, and *vice versa*; of course, we could not deal with the matter ourselves. In England, the County Courts had been granted jurisdiction up to £1,000, and the difficulty could be settled locally and inexpensively. We had not the same improvements as in England, simply because the Imperial Government could not possibly feel the same interest in our affairs. We had no representative there to point out these incongruities. In New Brunswick and Nova Scotia there was only one place at which redress could be obtained, although the vessels in question might be far away at another port. He thought we had a right to say when a lien or mortgage should be placed upon shipping or other property, and when it should not. It was also worth considering whether persons supplying materials should not have a lien upon the ships.

Mr. JONES (Halifax) said he understood the intention of the Minister of Justice to be that, if the present measure received a favourable opinion from the members from the Maritime Provinces, he would lay a Bill before the House extending the provisions to the Maritime Provinces.

Mr. BLAKE said it would be a matter of agreement between the Imperial authorities and our own Government, as otherwise there might be conflicting jurisdiction.

Mr. MITCHELL asked whether such a Bill could not be passed; its action, however, to be suspended until an agreement had been arrived at.

Mr. BLAKE: I think we shall get the law by waiting until our representations to the Imperial authorities are acted upon.

Mr. JONES (Halifax) said that if the Bill was desirable for Upper Canada, he did not see why it was not equally desirable for the Maritime Provinces.

Mr. BLAKE: There is no Vice-Admiralty Court in Ontario.

Mr. JONES said he was aware of that fact. But it was proposed to establish such a Court by the present Bill; and it appeared to him that it would be desirable to assimilate the law in the Maritime Provinces to it. He knew there had been a great deal of difficulty in Nova Scotia with regard to the Vice-Admiralty Court. It was a bugbear to the mercantile community, who often would rather suffer injustice than be put to the delay and expense involved in litigation in the Admiralty Courts.

Mr. MACKAY (Cape Breton) said he was pleased to hear the remarks of the Minister of Justice, and he trusted he would consider the shipping interests of Nova Scotia. He looked upon the Vice-Admiralty Court as a huge and cumbersome machine, of very little service to the litigants, and so expensive that some persons would sooner pay exorbitant claims than go into the Court at all. It was a Court which had existed for a great length of time, and it retained many of the old forms which certainly ought to be reformed. It was a system

which could hardly be followed up outside of the city of Halifax, where the Judge resided, and it was almost impossible for anything like justice to be had. If a vessel received injuries through a collision, reference had first to be made to Halifax before any process could be taken, and a large amount of expense must be incurred before the matter could be brought to a head or a trial. The present system was almost a blot upon the legislation of the country, in that it had existed so long. Something was certainly required to be done in the interest of shipping and of the public generally.

Mr. BLAKE said it was right, after the observations made in reference to Nova Scotia, that he should state that among the papers brought down in answer to the motion of his hon friend from Frontenac, would be found an earnest statement on the part of the learned Judge as to the extravagant nature of the fees and the cumbersome practice of the Court, which he thought would be largely redressed by the adoption of the more modern rules used in England. So it would be seen that the learned Judge himself was forward in pointing out the difficulty. The papers would also show that he (Mr. Blake) did not fail to press the subject, as one requiring immediate attention, upon the authorities in England with a view to redress, in anticipation of the change. As to the remark of the hon. member for Northumberland respecting legal gentlemen, he was sure it was to their interest that litigation should neither be dilatory or expensive. The true way was to make the law as cheap as possible.

Mr. MITCHELL said he only referred to his experience as a commercial man, and did not desire to cast any reflections upon the legal profession.

Sir JOHN A. MACDONALD: I think, if my hon. friend were a member of the legal profession, he would perfectly understand that they hold that "a nimble sixpence is better than a slow shilling."

Mr. MITCHELL: It is all very well in theory, but not in practice.

Mr. MacKay.

Mr. PALMER: You may not be aware that my hon. friend was a member of the bar in New Brunswick.

Mr. MITCHELL: And having left the bar twenty-four years ago to engage in commercial pursuits, I am the better prepared to give an independent opinion in the matter.

*Bill read the first time.*

## THE LIEUTENANT-GOVERNOR OF MANITOBA.

### REMARKS AND EXPLANATION.

#### *Orders of the day called.*

Mr. SCHULTZ said that, before the orders of the day were called, he desired to make some remarks in connection with the telegram from Lieut.-Governor Morris read by the Premier in this House on the 21st February. He would have made these remarks before but had been waiting for the Official Report of what had been said on that occasion. As this was delayed however, he would take the report as given in the *Toronto Globe* of the 22nd February as a correct account. He believed that the telegram then read by the Premier was consequent upon some remarks made during a discussion in the House about one week ago. The hon. member for Marquette had then moved, seconded by himself, for an Order of the House for returns of all cases tried and disposed of under the provisions of 30 Vic. Cap. 53, entitled an Act respecting conflicting claims to lands of occupants in Manitoba. The hon. member, in making this motion had pointed out the grievance which was felt at the delay in the settlement of these claims, and the long time which had elapsed since Mr. Morris had been appointed Commissioner, without anything having been done, and his belief that the appointment of Mr. Morris was objectionable because that gentleman's numerous and onerous duties rendered it impossible for him to attend to this matter properly, and that the appointment should be cancelled and given to the Judges or some other persons who had time to attend to it. He (Mr. Schultz), in seconding the motion, had agreed in the views expressed by his colleague from Manitoba, and had added that, as it was

currently reported and generally believed in the Province that the Lieutenant Governor had speculated largely in lands, the position of Commissioner for disputed claims was one which he thought the Lieutenant-Governor would not be likely to seek, and that it was ill-advised in the public interest to force upon him. Consequent apparently upon these statements, seemed to have come the action of the hon. the leader of the Government on the 21st of February, which was reported in the *Toronto Globe* of the following day in substance as follows:—

Mr. Mackenzie said that he felt bound to allude to a matter that took place a day or two ago here in justice to an official of the Government. The member for Lisgar had stated as a common rumour or his own belief, he forgot which, that the Lieutenant-Governor of Manitoba was deeply engaged in land speculations, implying thereby that he was not a suitable person for the Government to employ in the capacity of Land Commissioner for the settlement of claims in dispute. He ventured at the time from precise information, to contradict the statement, and said that the Lieutenant-Governor had now telegraphed him as follows:—

“It is absolutely false that I am largely interested in land speculations. I have no interest, direct or indirect, in scrip or half-breed claims. I own three quarter-sections, two farms and certain city property acquired from private owners. You are authorized to use this statement.”

The reading of this telegram seemed to have been followed by the member for Cumberland, who regretted that the Premier should have chosen to make this statement when the member for Lisgar was not in the House. Mr. Mackenzie then stated that he did not know whether the hon. member was present or not, but that the statement would be published. He had nothing to say in the matter, but simply to read the telegram. He did not think the Governor of Manitoba stood in the same position as a Governor of another Province, and would not think it the proper thing for a gentleman in his position to be speculating in lands which might be subjects of dispute.

Mr. Ryan, of Marquette, seemed then to have followed with this statement:—

“It gives me much pleasure to hear the statement just made by the hon. the Premier. Since the hon. gentleman and his Cabinet will, in all probability, have the opportunity of appointing a Lieutenant-Governor for Manitoba next summer, we may expect one who will not speculate. If the Hon. A. Morris does not speculate very extensively, report must in Manitoba do him a very great injustice. I myself was of the opinion that he speculated extensively. I know of my own personal knowledge one case, that of the Drever Estate, one of the most valuable in the City of Winnipeg, in which he not only made a speculation, but made one of the best and largest speculations made in the Province of Manitoba. Since the Hon. Mr. Morris telegraphs that he does not speculate, I suppose I must have been mistaken. but I regret that I had not a little time to enquire into the matter, as the belief relative to Mr. Morris' speculations is very wide-spread in Manitoba.”

As regarded the telegram itself, he (Mr. Schultz) said it unfortunately did not at all serve the purpose for which it was intended, for it contained a direct admission of the facts alleged. Two or three quarter-sections, and certain city property, seemed harmless enough for a Lieutenant-Governor to speculate in, even viewed in the rigid light in which the Premier seemed disposed to view such actions by Lieutenant-Governors. The member for Marquette told them what sort of a speculation one of these city properties meant. It was true that a purchase of property for \$15,000, which increased in value in two or three years to \$50,000, might not be considered by the Governor of Manitoba much of a speculation, nor be so considered by the Government; but in Manitoba, accustomed to deal with smaller figures and smaller interests, the view of the hon. gentleman from Marquette obtained, and it was considered a very good speculation indeed. The hon. gentleman from Marquette had stated from his place that he knew, of his own knowledge, of this one speculation. He (Mr. Schultz) did not know of it except by general rumour; but he did know, and had no hesitation in stating from his place in the House, that at this moment a portion of this Drever property was in dispute; was claimed by the City Council, and formed the subject of a dispute between the City Council and

the Lieutenant-Governor. The portion of it in dispute was small, but still it was in dispute. What action the city might take, he could not say; but, if the patent for the land was not issued, and the city pressed the claim in the usual way, how inconvenient it would be for the Lieutenant-Governor to act in his capacity of Commissioner. He regretted that the Premier should have felt called upon to make what looked like a Quixotic defence of the Lieutenant-Governor. The better way would have been to have made those quiet enquiries possible to the Department which had the matter in hand, and thus given that consideration to a matter on which, he believed, three out of four members of this House held similar views, and which were shared in also, he thought, by Manitoba's representatives in another branch of the Legislature.

### LUNENBURG SHIPPING MASTER.

#### EXPLANATION.

Mr. SMITH (Westmoreland) said he desired the attention of the House for a few minutes while he referred to a debate in the other chamber, in which the hon. Senator for Lunenburg (Mr. Kaulbach) made a serious charge against one of the officers of the Department of Marine and Fisheries. He (Mr. Smith) had in his hands a report of the speech the hon. Senator delivered on that occasion, which contained a charge of a grave character against Joseph Creighton, the Shipping Master at Lunenburg. According to this speech, the officer had been guilty, not only of arson, but of murder; but it was unnecessary for him (Mr. Smith) to dwell on that portion of the charge, which, it seemed to him, was a fit subject for the legal tribunals of the country to deal with, and not one which ought to be brought up in Parliament at all. On the 22nd October, 1873, Mr. Wm. Young was appointed Shipping Master at Lunenburg, and in May, 1874, the Order in Council appointing that gentleman was cancelled, and the duties of his office devolved upon the Collector of Customs of the port. That was in accordance with the law, which provided that, in the

Mr. SCHULTZ.

absence of a Shipping Master the duties pertaining to such office should be performed by the Collector. It was admitted by all parties concerned that the duties of the Shipping Master could be more easily performed by the Collector, because every captain of a vessel had to go to him to clear out, and it was more convenient that that official should attend to the business which devolved upon the Shipping Master. The hon. Senator stated in the course of his remarks, that Mr. Young was displaced after he (Mr. Kaulbach) had some conversation with him (Mr. Smith) personally. That conversation was of a private nature, and his recollection of it was that Mr. Kaulbach disapproved of the displacement of Mr. Young, who seemed to be a particular friend of his. The hon. Senator said, moreover, that he informed him during that interview that Creighton was a bad character. He (Mr. Smith) was not prepared to say whether such information was given during the conversation or not, but, if it was, he had no recollection whatever of the circumstance. The general tone of the hon. Senator's observations was a condemnation of the action of the Department in removing this man, but he attributed this more to politics than to anything else, because he was aware of the fact that the hon. member for Lunenburg and Mr. Kaulbach were politically hostile. The appointment of Mr. Creighton was made in May. The matter went on, and he heard no more of it. In March, 1876, the Collector of Customs wrote, asking to be relieved from the duties of Shipping Master, inasmuch as his ordinary duties were greatly increased, and he could not attend to both offices. He knew nothing of the Collector or his politics, but on inquiry he found that he was appointed in 1869 by the late Government. The letter requesting relief from the duties of Shipping Master was as follows:—

“CUSTOM HOUSE,

“LUNENBURG, N. S., CANADA,

“MARCH 21st, 1876.

“SIR,—I beg respectfully to bring to your notice that the duties of the Shipping Master of this port are now being performed by me, the office having been transferred to the Customs on the 24th of October, 1874.

"As the trade of the port is steadily on the increase, and as I am the only officer attached to the port (with the exception of a Preventive Officer) the duties of the Customs and Registrar of Shipping, to be efficiently performed, require the greater portion of my time; I would therefore respectfully request to be released from the position of Shipping Master at the end of the current fiscal year.

"I have the honour to be, Sir,  
"Your obedient servant,

(Signed,) "EDWARD DOWLING,  
"Collector.

"The Deputy Minister of  
"Marine and Fisheries,  
"Ottawa."

On the 30th March, a short time after the receipt of the above, he received the following letter:—

"HOUSE OF COMMONS, OTTAWA.  
"March 30th, 1876.

"SIR,—Referring to the letter forwarded to your Department by Edward Dowling, Esq., Collector of Customs, at the port of Lunenburg, N. S., stating that at the end of the present fiscal year he wishes to be relieved of the duties of shipping seamen, and recommending that then a separate shipping office be established at that port, I have the honour to respectfully request that his suggestion be carried into effect.

"I beg to add that before the time named, I will recommend a suitable person to fill the office of Shipping Master for the said port.

"I have, &c.  
(Signed,) "C. E. CHURCH.

"Wm. Smith, Esq.,  
"Deputy Minister,  
"Marine and Fisheries,  
"Ottawa."

On the 10th May he received another letter from the hon. member for Lunenburg as follows:—

"CHESTER, LUNENBURG COUNTY, N. S.,  
"May 10th, 1876.

"SIR,—In the month of March last, as you will remember, Edward Dowling, Esq., Collector of Customs at Lunenburg, N. S., in a letter to your Department, asked to be relieved of the duties of Shipping Master for that port at the end of the present fiscal year, and recommended that a separate shipping office be established there after that date.

"I spoke to the hon. Minister on this subject before I left Ottawa, and he expressed his willingness to grant the request. Since my return home, I have seen Mr. Dowling, and he desired me to press the matter, stating that his duties as Collector fully occupied his time.

"I now have the honour to ask that the separate shipping office be established at Lunenburg on the 1st of July next, and I have pleasure in naming Capt. Joseph

Creighton as a suitable person to be Shipping Master. Mr. Creighton has been a master mariner for a number of years, and I believe he will make an efficient officer. He resides in the town of Lunenburg.

"Please bring the subject to the notice of the hon. Minister. I beg to refer you to Mr. Dowling's letter, to which I have already alluded.

"I have, &c.,  
(Signed,) "C. E. CHURCH.

"Wm. Smith, Esq.,  
"Deputy Minister,  
"Marine and Fisheries,  
"Ottawa."

That correspondence would show that it was represented to his Department that it would subserve the business interests of the people of the Dominion that Collectors of Customs should be Shipping Masters, and he acted on that representation in respect to almost all the ports in the Dominion. He did not know Mr. Creighton, and it was not contemplated at that time that the office should be held for a short time by the Collector and that then the Collector should resign and another person be appointed. It was never mentioned or suggested, nor did he know such a thing was proposed. The matter so continued for one or two years, when, it would be seen by the correspondence, that the Collector of Customs desired to be relieved of the position on the grounds stated. That request was supported by the representative of the county, and Mr. Creighton was appointed, he being stated by the member for the county to be a respectable man, who had been a captain of vessels for many years, and who lived in Lunenburg. The hon. Senator for Lunenburg (Mr. Kaulbach) had represented Mr. Creighton as being an exceedingly violent man. If he were guilty of what had been alleged, he was certainly unworthy of holding his office, and he (Mr. Smith) would not allow him to continue in his position a single moment if the facts alleged were established. The grave charge was made against Mr. Creighton that he had been guilty of arson and murder. It was matter for surprise, however, that if the hon. Senator were justified in making that charge, he had not taken the necessary steps to have the offender brought to justice;

that he should go free, unwhipped of justice if there were evidence in support of the charge of crime; and if there were no evidence, he doubted the propriety of any hon. gentleman making a statement charging any man with a high crime such as murder. If there were proofs he failed to understand why the hon. Senator did not produce them before a proper tribunal. What he desired to state to the House was, that if Creighton had been guilty of the minor charge and if were proved he had said to the hon. Senator, as he had alleged, frequently, and not long before coming to Parliament this Session, that man had attacked him in the street and in infamous language hustled him and threatened he would finish him off if he spoke about him or used his name, every hon. member, irrespective of politics, would say that that man should be dismissed. What he proposed with the consent of his colleagues in the Government was, to institute an enquiry at once into the charge. If the result of the inquiry were to establish the charge made against that officer by the hon. Senator, Creighton would be at once dismissed.

Mr. CHURCH said that, in justice to himself and Captain Creighton, he felt bound to address the House briefly. The hon. the Minister of Marine and Fisheries had correctly stated the facts of the case in regard to the correspondence which led to the appointment of Captain Creighton. The Senator for Lunenburg had, in a speech delivered by him in the other branch of Legislature on 30th March, 1875, made serious charges against the character of Captain Creighton, who was not at that time an officer of the Government, the duties of shipping master being then discharged by the Collector of Customs who had been authorized to perform the same by the Minister of Marine and Fisheries. On the return of Senator Kaulbach, to Lunenburg, after the Session of 1875, he was met by Captain Creighton in the street and an explanation demanded of his remarks in the Senate. They had a *rencontre*, and Captain Creighton, he had been informed, had taken hold of the hon. gentleman, who afterwards entered

Mr. SMITH.

an action against him for assault and Captain Creighton was bound over to keep the peace, and called upon to pay a fine. Those were the circumstances as far as he knew them, though, as he did not reside in Lunenburg town, he did not know the circumstances of the case exactly as they occurred. He had made some inquiries into the matter, and several persons living in the town thought the provocation given to Captain Creighton was sufficient to warrant him in so acting, and some went a little further and thought a little more violence would not have been more than the case demanded. That of course was a matter regarding which he (Mr. Church) need not here express an opinion. But he wished it to be distinctly understood by the House that at the time the attack was made in the Senate on Captain Creighton's character, he was not an officer in any Department under the Government, and consequently he did not think the Senator should have attacked him as he had done on that occasion: and any gentleman upon whom an attack was made by a member of the other chamber, under such circumstances, would naturally like to have an explanation; and a *rencontre* might occur, such as was said to have taken place. In the speech lately delivered by the hon. Senator for Lunenburg, Captain Creighton was accused, not directly, perhaps, but yet very pointedly, as being guilty of both murder and arson. The house of the hon. Senator was burned some two or three years ago, whereby he lost nearly all his property and effects, in which misfortune he had received the sympathy of a number of persons in the county. He (Mr. Church) had not been aware that Captain Creighton had threatened the hon. Senator in the manner stated in his speech. His first knowledge of it was on reading the speech referred to. He would make no objection to an investigation of the charges being made by the Government; he trusted the enquiry would be thorough and the facts ascertained, and, as the representative of the county, he was willing to abide by any fair decision arrived at. As to the character of Captain Creighton, he had never heard

any serious accusation made against him; he had been an efficient sea captain for a number of years, and belonged to a respectable family, the President of the Legislative Council of Nova Scotia being a near relative of his. He (Mr. Church) would certainly not recommend any person as suitable for an office under the Government if he knew that the character and qualifications of the individual were not good. Captain Creighton was recommended to him by persons residing in Lunenburg town largely interested in the trade and shipping of the port—as a suitable man for the position of Shipping Master; and, consequently, he had recommended him to the Minister of Marine and Fisheries, and he was appointed as the hon. Minister had explained. He could not surely be expected to recommend a political opponent, and he felt bound to name Captain Creighton for the position, he having been recommended to him by gentlemen in whom he trusted and reposed full confidence. He would not speak further on this subject now, but if it should come up for discussion again, he would crave the indulgence of the House to make further remarks upon it.

Sir JOHN A. MACDONALD said it was quite clear that the party in question ought to be dismissed. It was said that this person went for an explanation to a Senator, called him to account for the language used in one of the Houses of Parliament, and then assaulted him.

Mr. MACKENZIE: He was no officer of the House.

Sir JOHN A. MACDONALD said that made no difference. The person of every member of Parliament was sacred; and the language he used in Parliament, on his own responsibility, could not be the subject of assault, to say the least of it, or anything further, perhaps, then remonstrance. It was quite clear that this man had no right, if the explanation was unsatisfactory, to assault a Senator for what he said in Parliament, no matter whether the language was strong or violent, or called for, or justifiable, or unjustifiable. It was absolutely requisite for members of Parliament that the person of

every member who made any statement on his own responsibility should be safe from attack. When he was attacked, it was plain that the other party was in the wrong, from the fact that he was bound to keep the peace. He was glad to hear from the Minister of Marine and Fisheries, that he was going to enquire into the matter. This ought to be done, and the guilty party ought not to be allowed to remain for one instant afterwards in the public service. He thought the hon. member from Lunenburg had spoken from information received.

Mr. CHURCH: I related the circumstances as I heard them.

Sir JOHN A. MACDONALD said he should not expect him to recommend a political enemy. He quite understood, of course, that he should recommend a political supporter. He thought the hon. gentleman would allow him to say that he thought he might have made more particular enquiries. It seemed to him that he was not quite immaculate, and he himself said he had not heard any serious charges brought against him.

Mr. SMITH (Westmoreland): I think it quite right to say with regard to the assault that it took place nearly two years ago, and that I never heard of it until the statement of the Senator was made the other day.

Sir JOHN A. MACDONALD: I am quite sure of that.

## INSOLVENT ACT REPEAL BILL

[BILL No. 2.]

(*Mr. Barthe.*)

### SECOND READING PROPOSED.

Mr. BARTHE said he would submit that the feeling of the people was more than ever adverse to the existing Insolvent Law. This was positively exact for the Province of Quebec as a whole, and particularly for the rural districts of which he had the honour to be one of the representatives. He might add that the feeling in some of the other Provinces was not less intense. The reasons why such a feeling existed were numerous, and he would try to indicate some of them. When the

Insolvent Act of 1864 was introduced we had been many years without such a law and the country had been prosperous. The commercial morality of the Canadian people was then proverbial. He did not pretend to say that the divers Insolvent Acts introduced since 1864 were the unique causes of the hard times we now had, but he did state that he was convinced that those divers laws had contributed, to a large extent, to demoralize the commercial community and the people generally. In former years it was an honour generally deserved and observed by Canadian commercial men to endeavour to succeed in paying their debts in full. Now, they saw to be an insolvent was not a stigma, but a kind of fashion, *la mode du pays*, as they say in French. He could not better state his view on this point than by citing the following remarks, written by a commercial man :

“Give to any community the knowledge that, should they err in judgment in the management of their business affairs, the law will step in and correct their mistakes and free them from the results of their blunders by granting a discharge from all liabilities, and what do we see as the result? A reckless mode of doing business, a total disregard of all sacred obligations of another's rights in property entrusted to their care. This is the effect of the present Insolvent Act when it grants a discharge to all who apply for relief from their liabilities.”

This feeling had been expressed by several newspapers in the country and several commercial men of high standing. The Quebec, Levis and Halifax Boards of Trade had passed resolutions for the repeal of the law. He had read the discussion on the subject at the last meeting of the Montreal Board of Trade, and several prominent members of the Board had pronounced against the law. So it was with the Dominion Board of Trade. By referring to the statistics supplied to them by the Select Committee appointed by this House at the last Session for the purpose of inquiring into the causes of the depression of the leading commercial interests, he found that from Jan. 1875 to Feb. 1876 there had been 1,391 cases of insolvency, representing an aggregate liability of \$26,933,709, upon which dividends to the amount of \$5,071,325 had been paid, the average

rate of dividend being 22½ cents in the dollar. This made a direct loss of \$20,852,381, being equal to 77½ per cent. These amounts had been classified in the statement. The largest failures had occurred in the following branches :—

125 dry goods merch'ts, liabilities...	\$4,880,106.
32 hardware dealers, do ...	3,004,159.
327 general merchants, do ...	2,339,942.
65 lumber merchants, do ...	2,182,145.
122 grocers, do ...	1,541,587.

These five branches of trade took up one-half of the aggregate liabilities of insolvents, and the balance was divided amongst 101 other trades, from the wine and spirit dealer to the undertaker. Those official figures, if applied to our population, showed that one-half of our people did not pay their legitimate debts, protected as they were by the law of the land called the Insolvent Act. Those figures showed that a half of our people speculated and lived on the energies of the other half of the population. One argument he had heard against the repeal of the law was that so many, having lost the greatest part of their earnings by the effect of this law, should not be themselves deprived of the benefit of it at a proper time. If this objection could stand, it would be better for this House to decree a general Bankruptcy Act than to wait by degrees such practical expectations. Some people, favourable to the existing law, said that nearly every country had its Insolvent Act, and they did not see why Canada should not. He did not intend to enter into the merits of this objection further than to say that, in France, it was a stigma; there was a kind of criminality attached to insolvency. In England, as well as in Scotland, the law was not known to be used as an encouragement to bankruptcy; the relax of commercial morality was not known to be there as we saw it here. Our country was young, and young nations as well as young children were more apt to be contaminated than the elder people or nations. But we had near us the example of the United States. After their last gigantic and ruinous war our neighbours adopted an Insolvent Act, in 1867, he believed. The result of the war was a reason for

the adoption of such a law. But in Canada, where we had lived in peace under the protection of the glorious flag of England, the same reason did not exist for the adoption of such a law. In fact, in 1864, when the first law was passed, there was no necessity for its adoption and the country had had since to suffer from its demoralizing effect. And what did they see now in the United States? The repeal of the law that had been necessary had been decided. He hoped that this example would be followed by the Canadian Parliament. He now came to an important point—how the law worked. This was explained in one way by an accountant writing to the *Montreal Herald*. He said :

“The method pursued is as follows, viz.: When an insolvency takes place, the wholesale merchant, whose calculations are based upon such insolvency, assumes the position of the friend of the unfortunate insolvent, helps him to obtain a favourable settlement, and when this is accomplished, sells him a large quantity of goods at profitable prices, obtains his notes for the same, and discounts these notes at a profitable rate of interest to the particular Bank whose capital protects his position, and everything is thus made pleasant for everybody immediately concerned.”

Well, this was one way by which things were done in insolvency matters, but there were many other ways not less disreputable. In many, and he dared say in most cases, before the insolvent assigned, there was some understanding either between the insolvent and his future assignee, or between the insolvent and some large creditors—future inspectors—in such a way that the law was made an instrument of speculation for a few instead of being a relief for all. The big fishes eat the small ones. Then came the scandalous run of assignees to have the estate. The practical result was that the insolvent's estate was either bought by the insolvent himself, at a few cents on the dollar, or the stock was sold by auction at a loss. What was the consequence? The honest merchant, a neighbour, who worked hard to pay twenty shillings in the pound, could not compete. He was forced to become an insolvent himself. So the ruin and the demoralization spread all round. He had no hesitation in saying that a

law which produced such results was a law that deserved to be repealed. Now, they had the assignment made. What went on? The writ was taken and the interim assignee was soised of the whole estate. So much went for the lawyer charged with preliminary proceedings, so much for the interim assignee, so much for the official assignee, so much for inspectors, travelling expenses, &c., so that at last the estate was all gone, and the creditor left was trotting after the assignee for his dividend when a dividend is advertised. He did not intend to throw any stigma on the assignees as a body. He supposed they did the best they could; but taking the results as they were, he must say that the way the law allowed them to manage the estates was equivalent, in many cases, to a legal robbery. He had read in several newspapers many illustrations of this. He found the following statement published in one of the newspapers.

“How to ‘Settle’ an Estate by Law.—Here is an Assignee's Bill for settling an Insolvent Estate in Nova Scotia:—

Total costs . . . . . \$2,785 87

And this is how the estate stood originally as between the debtor and his creditors:—

Assets (actually realized) exclusive of incumbrance upon	
Real Estate . . . . .	\$3,873 35
Total liabilities (less mortgage).	3,866 20

Surplus . . . . . \$7 15

It will be seen that, after paying off the mortgage, the estate was worth 100 cents in the dollar and was put into insolvency on account of the death of the insolvent under the belief that speedier and more economical closing up could be had for the debtor's orphan children than by the usual way of liquidation. We presume the creditors had not much experience of the sublime science of ‘addition, division and silence’ as practised in the office of an Official Assignee. The estate went into the assignee's hands, solvent, in October, 1874—and there wasn't one hostile creditor,—and it came out of his hands in October, 1876, thus:—

Net proceeds . . . . .	\$3,873 35
Assignee's account . .	\$2,785 87
Amount cancelled . .	172 00
	<hr/>
	2,957 87

Balance left for the creditors.. \$ 915 43

Representing 24 cents in the dollar—all the rest, ‘gone where the woodbine twineth.’”

And this was a solvent estate. Here was one case for Quebec city, found in a Quebec paper:—

“The following is a recent case in Quebec city, in which the Assignee had about \$4,000 assets to be divided among the creditors. They got only 33 per cent., 53 per cent. going for cost of liquidation. The total costs were \$2,207.96.

There was another detailed account found in the same paper for an estate in Three Rivers, in which the total costs amounted to \$2,207.95. A strange fact was that, in both cases, the expenses were the same, one \$2,207.96 for the Quebec case, and one \$2,207.95 for the Three Rivers case, being one cent difference. This proved that the tariff was uniform. He could cite many other cases, but he felt it was useless, because there was no hon. member of this House who, in his own district, had not some knowledge of such intolerable legal robberies. One of the grievances of the law was that the same disbursements existed for a small as for a large estate. The only difference was that the assignees having less in hand, their fees were necessary less, and that in the last occurrence nothing was left for the creditors. The following instance was from a Montreal paper:—

“Alas! for the poor creditors.—How an insolvent estate of \$800 in Montreal was distributed—costs of winding-up \$441.50!—the landlord, \$365.45; and the creditors, for \$2,270, get nothing!”

The following was another case:—

“Cost of winding-up an insolvent estate.—20 per cent. to creditors and 80 per cent. costs.—We have lately published some extraordinary accounts of assignees in connection with the winding-up of insolvent estates, but that to which we now request the attention of our readers eclipses all hitherto given publicity to. The winding-up costs *eighty* per cent. of the assets, whilst not *twenty* per cent. went to the ‘poor creditors.’ The question arises whether it would not be better to allow insolvents to keep their estates, and accept what they might offer, rather than allow the assets to be eaten up in costs?”

The following statement he found in the *Journal of Commerce*:

“It is surprising what ups and downs some people will have during a lifetime. Mr. P. B., a tailor, started business more than 23 years ago, with a small capital, but with youth and energy; after a run of five years failed and compromised at ten shillings in the pound. Having started again in August,

1866, he was a second time an applicant for insolvency, and again compromised at ten shillings. In March, 1868, he failed; in March, 1876, he settled at twelve shillings and sixpence; and now again for the fifth time he has been served with a writ of attachment. There is a saying that ‘it takes three failures to make a fortune.’”

Some people would say there was a remedy against such abuses. The discharge of the insolvent might be contested, as well as the discharge of the assignee. There was no remedy at all. It might be that, in many cases, it was the duty of the assignee to contest the discharge of the fraudulent and reckless insolvent, but the experience they had was that it was not done. The creditors were dispersed, and, for want of time or otherwise, they did not have the necessary control over the assignee, who, in many cases, was the nominee of the insolvent himself, to a large extent. Then they might add that the creditor had the right to contest either the discharge of the assignee or of the insolvent. This was no remedy at all, because the result for the creditor was null. The contestation of the insolvent's discharge by the creditor would not oblige him to pay his claim, and, furthermore, the trouble and expense of such a contestation was discouraging. He saw no remedy at all against the reckless and fraudulent insolvent. In fact, he believed it was nearly impossible to frame a law that would attain that object. Now, he would speak of the honest debtor, for whom the law might be said to have been framed. The reason that an honest but unfortunate merchant would be deprived of a relief by repealing the Act was, in his humble opinion, no reason, because an honest merchant dealing with honest creditors, by showing that he had been brought into difficulty by unavoidable circumstances, must have his relief from them. They could not suppose that honest creditors would not abide by the position. It would be their own interest to understand, and they must suppose, that creditors were human beings. In some Provinces, he understood that the common law was not sufficient to protect creditors against dishonest dealers. This was not the case in the Province of Quebec. They had a disposition of the law by which

an insolvent was bound to have his estate distributed equally to creditors according to their rights, *au marc la terre*, with less expense and time than by the Insolvent Act. Though not familiar with the machinery of the procedure in other Provinces, he submitted that this disposition of their law could easily be adopted in all the Provinces. He called the attention of the gentlemen of the legal profession in other Provinces to the few and clear dispositions of the Quebec Code regulating this matter, and he felt confident that they would come to the conclusion that they might be very easily adopted by all the Provinces. Those short and clear articles constituted the best Insolvent Act they could desire. How many of the farmers and others in this country, he asked, were there who could not take advantage of the law for themselves and had been ruined? How many men with large families had lost the earnings of many years of hard work and seen their families in want in consequence of having trusted a disguised insolvent without any resources, who had become legally, if not honourably, discharged of all his obligations. A writer on this subject said:

"Many are accustomed to look lightly and carelessly upon these frequently-recurring fraudulent failures because they see no actual personal distress and want and suffering growing out of them. John Jones fails and pays three cents upon the dollar, and yet John Jones' family retains the fashionable and expensive pew in the brown stone church, rides to it with the pair of greys that they drove last year, and the wife and daughters swing their long skirts up the broad aisle as proudly and gracefully as if they had been paid for, instead of having been cheated out of confiding dry goods retailers."

He could not better conclude than by quoting the following observation from another writer on the subject:

"When great mercantile houses make most disastrous and disgraceful failures—failures which reveal the fact that they have been worse than nothing through long years of good credit, and it turns out that all partners of the bankrupt concern have, during the years of their good credit, hedged against the future by paying for immense annuity insurance policies out of the money belonging to their creditors; when badly-failed merchants continue to live in magnificent houses which have been settled upon their wives not long before they went into bankruptcy, does there not seem to be something wrong about the

laws which permits such settlements? When a known swindler works his way through bankruptcy and gets what is called an honourable discharge, when everybody seems to be aware that he is a fraud, deserving gaol, is there not something wrong in the laws of bankruptcy?"

"And, finally, when we find these classes of bold swindlers, who have, through long years of trickery, fraud and the sharpest sort of practice, made their way to apparent financial comfort over the wrecks of the fortunes of worthy people, kindly and favourably received in good society, their past conduct apparently atoned for by lavish use of ill-gotten gains, must we not conclude that there is something radically wrong in our social system?"

Mr. SPEAKER: I feel it my duty to call attention to the fact that the hon. gentleman has read a portion of his speech. I did not interfere with him, because I felt the House would indulge him on this occasion. But I would like to warn hon. gentlemen that, unless there is some understanding in the matter, I will feel it to be my duty to prevent speeches being read. If it should become the practice to read speeches, it would lengthen the proceedings very much. I presume it is difficult for French members to make a speech in English without writing it; nevertheless, it is contrary to Parliamentary practice, and my feeling is that it will be my duty on other occasions to prevent speeches being read.

Mr. BARTHE: If I forget not, it was done last year.

Mr. SPEAKER: And the consequence was that towards the end of the Session a great many speeches were read. I think it is inexpedient to read speeches, and I shall deem it my duty to prevent this being done in the future.

Mr. WOOD said he did not know whether the hon. gentleman who had just addressed the House was a merchant, a lawyer, a professional gentleman in any way, or a farmer; but he thought, if he had been a merchant for the last twenty-five years in Canada, he would scarcely have taken the position he had to-day in favour of striking from the Statute-book the Insolvent Law so recently placed there. If the Bill were carried, we would be taken back to the position we occupied before 1864, when there was no such thing as an Insolvent Law in the country, and

when the merchant selling goods to a country dealer had to risk his goods being seized by another merchant on a preferential assignment, without the first creditor being paid for them. The repeal of the Insolvent Law would bring the country back to a state of chaos, and the wholesale merchants might as well cease doing business. He could remember that, when a young merchant, he had sold \$1,000 worth of goods to a country dealer on credit and then another merchant swept them all away for preferential claims, while he himself did not receive a cent. The present law prohibited such a law as that, and enabled creditors to get their share *pro rata* of the debtor's property. He admitted that hardships had arisen very frequently in compositions with debtors, and when a merchant failed merchants generally grew indignant and talked of imprisonment. The machinery of the law was ample today for the distribution of every estate, and, if there was not an equal and a fair distribution, it was not the fault of the law, but of the creditors. He contended, therefore, that to do away with the law would be to inflict a great injustice upon the commercial community of this country. The law prevented fraud, although the hon. member for Richelieu had said it was prolific of fraud. The machinery was provided for detecting the fraudulent debtor. If a merchant made the proposition to settle for ten or fifteen cents on the dollar, the debtor could be made to give a full statement of his affairs. But, if the law was not in existence, the debtor could hand over everything to his aunt or his mother, sister, or uncle, and the creditors could be cut off without a sixpence. He admitted that credit was too cheap; but the banks were largely to blame for this. If the law was well and fairly administered, it would give the creditors what the debtor had to give. He, therefore, moved:

"That this Bill be not now read the second time, but be read the second time this day four months."

Mr. OLIVER said he thought the arguments adduced by the hon. member for Richelieu were sufficient to convince the House that the repeal of the Act would result in much benefit

Mr. Wood.

to the people of Canada. This was the view he had taken of the Act ever since he had held a seat in the House, and at all times and on all occasions he had voted against it. The hon. member for Hamilton declared that the repeal of the Act would take us back to where we were twenty-five years ago. It appeared, by the statement of the promoter of the Bill to repeal the Insolvent Act, that in Quebec a law existed which enabled the assets of a debtor to be distributed *pro rata* among the creditors. If it was within the jurisdiction of the Province of Quebec to have such a law, the Province of Ontario could certainly pass a similar law; but that would not be done unless the Insolvency Act were repealed. But, according to the statements of the promoter of the repealing Bill, it would be of little consequence to the creditors whether or not we did go back to the condition we were in twenty-five years ago; as, according to the hon. member for Hamilton, the creditors did not receive any adequate proportion of the assets of the insolvent. That was ascribed to the neglect of the creditors to look after the assets. It was no wonder that they did not do so, for they had been looking after the assets for the last eight or nine years, and were now pretty tired of the operation. After spending days and weeks looking after the assets, the creditors obtained five, ten, or fifteen cents on the dollar, but the time consumed would be more valuable than the whole amount they could receive from the insolvent's estate. Even if we were to return to the state of affairs that existed twenty-five years ago, the result would be that the creditors who seized the stock of the debtor would get paid, while under the present state of affairs not one of the creditors obtained payment.

Mr. WOOD: They would all get something under the Insolvent Law.

Mr. OLIVER said it must be remembered that the time spent in obtaining the dividend was more valuable than the dividend itself. The official assignees and the officials connected with the insolvent's estate received something, but the creditors

got practically nothing. The law was supporting a set of officials from one end of the country to the other, which the people could well do without. It was stated by the promoter of the Bill to repeal the Act that, before the passage of the law there were less failures and less money lost in trading than at the present time. He believed it was truly stated that there were more insolvent traders in Canada in proportion to the population, than in any other country in the world. That was because there was a standing invitation upon the Statute-book for men to go into mercantile operations who had no substantial basis on which to expect success; and if they were not successful there was the means open to them by which they could get out of their difficulties. Men entered into mercantile business with very little capital and very little experience, and the result was that, at the end of five or ten years, the wholesale merchants who had been supporting them through that time came in and took the balance of what was left. It was stated—but he did not know how true it was—that if a wholesale merchant received a small amount of money paid upon the stock furnished to a young merchant commencing business without experience, and if the latter remained in business five years, and then failed, and the wholesale merchant obtained thirty-three cents on the dollar, he was paid by the operations of the five years. He knew instances of young dealers who were bound to trade only at certain houses, and who, if they changed, would have their stock seized. The fact was that wholesale merchants were much to blame for the large amount of insolvency throughout the country; inasmuch as they forced their goods upon country dealers, the result of which was that the dealers were compelled to go into bankruptcy. The hon. the promoter of the Bill had pointed out that the law was not only injurious to the commercial interests and to the consuming population, but it was a direct injury to the honest trader. A compromise was made with a merchant in the country to pay 50 cents on the dollar; he then went into insolvency, and re-purchased; or some of his friends

gave security to pay 33 cents on the dollar within a certain time. By such an arrangement, the trader was enabled to turn round and sell his goods at 25 per cent. less than cost. This was done time and again, and the honest trader who desired to pay 100 cents on every dollar, was compelled to stand behind the counter idle or go into insolvency. The honest trader demanded the repeal of the Act. During last Session—and no doubt the time would shortly arrive for its repetition—they heard a great deal of the sacrifice of foreign goods in Canada. It was this measure that had distributed those goods throughout the country, and caused the sacrifice. The stock of insolvents had been slaughtered in the Dominion markets, and so worked a vast amount of injury to the honest trader. It was unnecessary for him to enter more into details, as the Act had been fully discussed on previous occasions. There was no vote that he could give with more pleasure or greater satisfaction than that for the repeal of the Insolvency Act.

Mr. GIBBS (South Ontario) said he had hoped, in view of the arrangement made the other night between the hon. the Minister of Justice and the hon. member for Richelieu, that the amendments the Government intended to submit on this measure would have been before the House before they were called upon to pronounce as to the propriety of repealing or continuing the present Act. He felt very reluctant to vote for any measure which would effect the repeal of the Act without having an opportunity of considering the amendments which he understood the hon. the Minister of Justice intended to bring in. Candidly, he believed that the people as a whole desired the repeal of the present Act. If he spoke the sentiments of his constituency and the people in his neighbourhood, he would have no hesitation in saying that he would be obliged to record his vote for the Bill introduced by the hon. member for Richelieu. If there had been any necessity for an Insolvent Law in the past, he feared, notwithstanding the glowing picture of approaching prosperity presented in the Budget Speech the other day, there was still a necessity for its existence

In the interest of the trading community and the country generally, he thought it desirable that this law should be continued; but he did not wish to express any definite opinion on the question just now. The House was not in a proper position to pass on the question, since the amendments promised by the hon. the Minister of Justice were not before them. Speaking personally, he would, if the House was pressed to a division, vote for the amendment in the hope of gaining some amendments to the law; but if he was simply to pronounce on the naked, bald proposition before the House, he would feel it his duty to vote for the original motion of the hon. member for Richelieu.

Mr. McDOUGALL (Elgin) said he had listened with pleasure to the able speech made by the promoter of the Bill; but he thought that on reflection the House would agree with him that the objections taken by the hon. member to the present Act were more to its working than to its principle. Objection was taken first to the expensiveness of proceeding under the law, and to its operation so far as the proper distribution of the estate was concerned; but these objections applied rather to the operation or procedure under the Act, rather than to its principle. He thought the hon. gentleman would agree with him that, if a trader was not able to meet his engagements in full, his estate should be distributed among his creditors in proportion to the debts, and as speedily and cheaply as possibly could be done, compatibly with his interests and the rights of the creditors whose interests were involved. The law on the Statute-book proposed to dispose of the estate in this way. Probably in its operation it might not have had that effect, and hence the desirability of the House having before them the amendments to be proposed by the hon. the Minister of Justice before taking action on this subject. While regretting that such was the case, he agreed with the hon. member for South Ontario that there was some reason for the existence of a law for the adjustment and distribution of the estates of unfortunate debtors. Supposing, for the sake of argument, the

law was repealed, as proposed by the hon. member for Richelieu, what would be the consequence? The first creditor who happened to get judgment would have his claim satisfied, if there were a sufficient estate for the purpose. Directly this creditor had obtained his judgment, another would commence operations, and then another, until the whole of them had judgments recorded against the estate; and the result would be that the very evil which the hon. the mover of the Bill deprecated would exist to a much greater extent than at present. The hon. member for North Oxford told them they should repeal the law, and that then, no doubt, the Legislature of Ontario would take up the matter and dispose of it. This House, however, had sole control of the legislation in regard to insolvent estates, and it was no use for them to expect that a Legislature, over which they had no control whatever, would take up a difficulty with which they were unable to cope, and dispose of it satisfactorily to the people of one Province. It might be true that we should have no Insolvent Law, but it must be apparent and command itself to the common sense of all, that an estate must be disposed of in some way, so that the creditors could get some part of it at the smallest possible expense. Besides, the unfortunate debtors should be enabled as early as possible to recommence business, not only for the benefit of themselves and families, but for the benefit of the community at large. In 1857 and 1858, we had no Insolvent Law, but we had the old Insolvent Debtors' Court Act, which was not sufficient to meet the requirements of the time. The consequence was that many useful members of society and men honestly disposed were obliged to leave the country, for judgments piled up one after another until they could not meet their engagements, and they had to suspend. If the Insolvent Law were repealed, he feared that such would be the consequences in Ontario. The hon. member for Richelieu had stated that great expense was entailed in the administration of estates. That objection, however, did not apply to the principle of the Act; it was a difficulty that could be overcome by experience. The House, from the

Mr. GIBBS.

working of the law, would be enabled to remedy that objection; if it could not be met, of course it was a vital objection to the law. If the estates were eaten up by costs and the assignees did not discharge their duties, the creditors were themselves responsible. The principle of the measure was this: The estate was placed in the hands of the creditors and then disposed of as their own property in as easy, quick, and inexpensive a manner as possible. A misapprehension prevailed to a great extent, with regard to the functions of the assignees. They were simply appointed for the institution of the suit. As soon as the creditors met, they were at liberty to choose whom they pleased to act as assignee. If they did not do so, then the Government nominee became the Official Assignee; but at any time, if the creditors saw fit, they could dismiss that official. From the time of the first meeting the creditors had the affairs under their own control, and, if the assignee did not act properly, he was liable to be discharged; so that if the costs were increased or the estate improperly disposed of, it was the result of their own negligence or want of circumspection. Still, he thought amendments could be offered to the Act, which was of purely a practical nature, to improve its operation. If, after such amendments as experience suggested had been made, the law was found to be inoperative and expensive to meet the object for which it was passed, then he would gladly vote for its repeal; but he believed some such law was necessary, and that the present Act, which was the result of much care and deliberation, would be found sufficient to meet all demands after the amendments which experience would suggest were adopted. It was said that fraud was practised, but was there a law which was not sometimes broken? Wherever there was a law regulating the distribution of estates, or the disposition of money, there would be infractions of it, or fraud would be practised. Every possible provision that human skill and ingenuity could suggest was inserted in the Insolvent Law. If a debtor was found guilty of fraud, he was not permitted to have

his discharge, and he was likewise liable to the severest kind of punishment. Moreover, if the trader was proved to have been improvident in conducting his business, he was liable to be punished by his discharge being refused. Certain expenses were undoubtedly created in the operation of the Act which he thought could be avoided, but no doubt the hon. the Minister of Justice had had this objection under consideration, and would introduce an amendment to remedy it. He thought that the time which intervened from the convoking until the first meeting of creditors was too long, and that the fees of the assignees appointed by the creditors might be more fairly disposed of than at present. These, however, were faults in the operation and procedure under the Act. It was true that every man should be able to pay his deb'ts in full, but so long as our commercial system continued, so long as we had credit—and he did not see any possible way of carrying on the business of the country without credit—there would be more or less failures. Crises would occur in the commercial history of a country, and it was impossible to do without an Insolvent Law. It was to be expected that fraud would be practiced now and then, but that was no reason why the honest debtors should not have an opportunity of relieving themselves from pressure in regard to engagements which they were unable to meet, which embarrassed them and prevented them from being useful to their families and society at large. The great objection to the old law was that it allowed voluntary assignments to be made. But that system was abolished by the passage of the present Act, and the debtor, however willing he might be to go into bankruptcy, could not take the step unless the creditors put him in. Whatever objection there might be to the law, it must be admitted that it afforded every possible opportunity to the creditors to dispose of and administer the estate. Everyone knew that the Act was passed in the interest of the wholesale dealers. The hon. member for Oxford said there was too much canvassing for customers in the country, but that was an evil which would bring about its own cure. When

merchants found it was not profitable to force goods on country traders, they would soon cease the practice.

Mr. WOOD rose to a point of order. He wished Mr. Speaker's decision on rule 41, which provided that no rule relating to or altering the laws concerning trade was to be brought into the House until the matter had been before the Committee of the Whole.

Mr. COLBY said he thought Mr. Speaker would find numerous precedents for a decision on that point.

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

### After Recess.

Mr. BLAIN asked for a ruling upon the question of order raised before recess.

Mr. SPEAKER: I find it decided by my predecessor, at least once—and I think it was so ruled more than once, and I quite concur in his decision on the matter—that this does not affect trade in the sense of the rule of the House, or of the ruling on which the House of Commons of England acts.

Mr. McDUGALL (Elgin) resumed the debate, and said that the Government had provided for the appointment of an interim assignee, if the creditors so chose, at their first meeting; and if this person was allowed to become the assignee of the estate by virtue of no other nomination, then he proceeded to administer the estate, but if any other assignee was selected, then the interim assignee was to be paid for his costs and trouble, his fees being settled by the Court, or judge, so that he could not charge more than his services were really worth. Then, if the interim assignee administered the estate, the Act settled his fees. It would be recollected that the Act, before it became law, was submitted to the consideration of a large Select Committee, composed of members of both sides of the House, men of large experience in commercial matters, and leading members of the legal profession. He believed that all branches of trade and avocations were repre-

Mr. McDUGALL.

sented on the Committee. The result of their deliberations, as well as those of the Government, was the arrangement of the tariff of costs and the other details of the Act. So also with respect to the solicitors' fees; which were subject to be taxed by the Judge or Court, as in any other ordinary suit. He consequently deemed it unadvisable to repeal the Act. It was admitted that some law for distribution of debtors' estates was necessary, and the Act in question should be given a fair trial. He gathered from remarks made that the objections to the law were based on the operation of, and procedure under, the Act, and not on its principle. Moreover, at this particular juncture it was desirable that there should be some such law in force for the distribution of estates, by which honest debtors might have the opportunity of surrendering what they possessed, and of receiving discharges, which would enable them to continue in business if they could obtain credit, and by which creditors might have the opportunity of distributing such effects among themselves *pro rata*. These considerations induced him to think it unadvisable at this time to vote for the repeal of the law. He was not prepared to say that it should be permanent, but, at this juncture particularly, he considered it unwise to vote for its repeal.

Mr. BLAKE: Mr. Speaker, I intimated that I hoped it would be in my power to present my propositions concerning this law favourably before the House by to-day, although I gave no pledge. On Friday last I gave notice of the proposal, and notice of the Bill for to-day; and I should have availed myself of it, if it were not for the fact that, on the same evening, intimation was received by several of my friends that it was desirable, before bringing the Bill formally before the House, to wait some time longer, as the Montreal Board of Trade at that moment was engaged in considering several amendments to the Act, which they earnestly desired should be presented for my consideration before the Bill was brought down. In that relation, I desired to introduce a formal Bill, containing a great number of amendments of detail, if information concern-

ing the views of these gentlemen, which on such a subject are entitled to be received with considerable weight, had not reached me, and I consequently thought it better to wait until the appeal was made to me by the hon. member for South Ontario, with reference to what, after all, is the substantial question under consideration in this connection, as it, perhaps, would only confuse the mind of the House rather than otherwise, if any great number of smaller and subsidiary questions, although they are of considerable importance, tending to do something towards the relief and the removal of some of the difficulties under which those labour who come under the operation of the Act, whether debtors or creditors, were submitted, and as they are not of sufficient importance to be presented as an alternative proposal to that made by the hon. member for Richelieu. Now, Sir, before I proceed to state what that is which the Government thinks an important amendment and one to be considered by the House, as its alternative proposal, I desire to advert, although very briefly, to some of the views which have been expressed with regard to Insolvency Acts in general, and the operation of this Act in particular. The position of all Governments on this question, as far as I know, from the time when it first came before the Legislature of old Canada, and certainly since the Union, has been rather questionable, until a comparatively recent period, when the Government of my hon. friend undertook the amendment of the Insolvent Act. It was never promoted by the Government at all; the fact is that leading members on both sides of the House have entertained conflicting views on the question of this law, and that, whether for good or ill, it has been one on which political lines have never been drawn, and on which divisions of a party nature have never taken place. Whether that was advantageous or otherwise, whether it was right or wrong, my hon. friend from Kingston, so long as he led the Government of this country, did not attempt to undertake the management of this subject as a Government matter, although I think I am

right in saying that he always cast his weight and influence, as a member of this House, in favour of the proposition that there should be an Insolvent Law. Well, Sir, the House will recollect, that for a considerable period, the question whether there should be such a law or not was one of great doubt, so far as the question was to be determined by the votes of the members of the old House; and, at one time, my hon. friend from Stanstead was successful in obtaining a majority in favour of the repeal of the Act, but subsequent divisions were conflicting and the feeling of the country, or at any rate of those who were more actively or more largely engaged in trade, seemed to have changed from what it was formerly, and the general opinion of the country seemed to be settled down in favour of the proposition that there should be an Insolvent Act. That was the view which my hon. friend who leads the Government took on the question when he came into office, and before he appealed to the people he indicated that the Government would make an effort to introduce a law placing the provisions of the Insolvent Law on a more satisfactory footing. In conformity with that pledge, a Bill was introduced during the first Session of this Parliament, but not pressed; during the second Session a Bill was brought in by the late Minister of Justice, and submitted to a very large and influential Select Committee, owing to the mode in which these bills had always been treated, and correctly treated, thus differing from the ordinary Governmental measures. It made very great progress, and ultimately received the support of a very large majority of this House. Its leading provisions—in fact, I think all its provisions were exposed to the hostile criticism, and the propositions for its amendment were sustained, not only from the leading benches on this side but from the leading benches of the other side of the House. It is said, and I dare say with some degree of correctness, that there has been evoked—by circumstances which I do not think are altogether attributable to the mere fact of an Insolvent Law being on the Statute-book, but rather to the circumstances of the country, and, to

a very great extent, the commercial distress, and to the very large extent in which the Insolvent Law has been used—to some degree, a change in the public opinion on this subject. It may be so, but it behoves us to consider, before we take a step so decided as that for which the hon. member for Richelieu proposes, to consider very carefully and to determine whether it would be not acting altogether too hastily to reverse the deliberate judgment of Parliament on the general question of the law and its details before the law has really had time to be understood and carefully worked out, and before the difficulties which necessarily accompany the operation of the provisions of such a measure have had time to disappear, and to propose other amendments before they are removed. There are several grievances which are alleged, and I think that all of them may not be unfairly summarized by the remark made by an old member of this House, whose speech on the subject we all recollect when he said that no Insolvent Law would be entirely satisfactory, except one, providing for the payment in full of all creditors, and for the discharge in full of all debtors. I believe that no law will be entirely satisfactory that does not produce such result, and that such a law is altogether impossible. I conceive that perhaps no Insolvent Law will be entirely satisfactory. Now, Sir, the grievances which are complained of, as arising from this measure, are, as I understand them—in the first place, that there are fraudulent insolvencies, that there are cases in which men go into insolvency having made arrangements for the secretion of assets, and with the view of obtaining discharges by which creditors shall be cheated, and by which they themselves shall be practically enriched; and that there is a low state of commercial morality prevalent, under which it is not reckoned a disgrace or a stain, more or less, on a man's commercial credit, that he should have been obliged to go into insolvency; but these are difficulties which would exist independent of the natural operation of the Act. Then it is said that great difficulties are experienced with assignees, great difficulties with inspectors, and great

difficulties with lawyers; that the result is that estates are administered in a very expensive manner; that they are administered negligently; that the assignees and lawyers get the bulk of the estate, and that but a very small part indeed of that which existed at the time of going into insolvency is left. And, lastly, it is stated that discharges are obtained altogether too easily; that almost everybody obtains discharge and relief; and that there are many cases in which a discharge ought not to be obtained. Now, Sir, there will always be fraudulent debtors; whether you have an Insolvent Law or not, you will have devices by fraudulent debtors to secrete their property; such devices existed before an Insolvent Law existed in England; they have existed ever since in cases beyond the operation of such a measure, and they existed—and that to a scandalous extent—in the Province of Ontario before there was an Insolvent Law, and in connection with cases to which this law does not at all apply. As everybody knows, there have been many, many cases, in which debtors have secreted their property, in order to obtain fraudulent settlements, &c., and cheat their creditors, entirely irrespective of the question of an Insolvent Act. As to the question of a low standard of commercial morality, under which it is not thought a disgrace to make a failure, and even a bad failure, I admit that this is a very seriously difficulty; I think that it is a matter to be deeply regretted, that there should not be a better tone of commercial feeling in that respect throughout the country. I think it deeply to be regretted that men should not feel it a disgrace to fail, or to be obliged to allow themselves to be put into insolvency—a disgrace only to be palliated or wiped out by the clearest and most satisfactory explanations, showing that there has not been gross negligence or fraud to produce such distressing results. I do not mean simply the result of going into such insolvency, but the result of going into that condition with such a dividend and return to the creditors as ordinarily happens in the case of insolvencies in this country, of late years. With reference to the question

of assignees, of lawyers, and of fraudulent debtors, I must say that on this point I know no particulars in which the present law can be substantially amended. I do not say that there are not some amendments, of more or less importance, which I may be called upon to propose if the law is to remain on the Statute-book, but I do say that the law substantially does give to creditors the very greatest possible facility for the discovery of fraud by debtors, for the punishment of frauds by debtors, and for their punishment, not merely by the refusal of discharge, but by the operation, I will not say of too severe, but of a sufficiently stringent criminal law, if only it were invoked. Three years in the Penitentiary is a tolerably severe punishment, and that punishment the law, which is now under your consideration, awards for cases of fraud against creditors by an insolvent debtor. So with reference to assignees, every precaution has been taken to place them under the control of creditors; to make them their servants, their agents, and their employés; to prescribe their duties; to arrange their mode of discharging their functions in such fashion as the creditors shall elect, and to bring them in a summary manner before the judge, in case of any default of theirs; and the machinery by which the power, which would otherwise perhaps not be used by the creditors, being so diffuse as not to be practically taken advantage of, is given by the appointment of inspectors by the creditors. There may be appointed one or more inspectors, under whose operation the assignee is to act, one or more being chosen from their own number, but generally one is appointed, a creditor himself, who represents the creditors, in order to control the assignee with reference to the punishment of the fraudulent debtor, to the prevention of his discharge; and, with regard to the control of the conduct of the assignee, and the control of the expenses of the administration of estates, it seems to me, that if creditors only chose to avail themselves of the powers which this law gives to them, for these matters are as much in their hands and under their control as in the nature

of such things are possible. If any point, in which that does not exist can be shown, and if a practical difficulty of that kind, capable of being remedied by legislation, can be brought forward, I am sure that the House will be disposed to consider carefully any such suggestion, and to adopt the required legislation; and, although, as I have said, I shall propose some minor amendments more or less bearing on the question, I say, speaking in a general sense, regarding the matter to which I have referred, that the law if only the law were used by those for whom it is provided, is substantially satisfactory. But, Sir, I have always been of opinion that an Insolvent Law which did not make more stringent provision than this one, with reference to the discharge of debtors, was a defective Insolvent Law. Those who have taken the trouble to listen to the words which I have addressed to this House on former occasions on this subject, will recollect that the general principles which I ventured to lay down to the House, as in my opinion the sound one, was this,—the principle, I know, is not extremely popular, but I believe that it is sound, though I do not intend to propose anything but a modification of it to the consideration of the Chamber,—that it is the duty of the debtor to keep himself informed of the state of his affairs; that the trader debtor ought, to know how his business is going on, and to charge himself with that knowledge as a duty, and that he ought the moment he is unable to pay twenty shillings in the pound, to put his estate in such a position that the moment it has ceased in all due equity to be his, and belongs to his creditors, it shall be administered equally and justly between them. That, Sir, is my opinion. I think that, the instant a debtor is unable to pay twenty shillings in the pound, that instant his whole and sole care ought to be to see that his estate should go for the benefit of his creditors equally and justly. It may be that the best mode of accomplishing that result is possession; it may be that the best mode of accomplishing it is to sell the estate for the benefit of those whom it may concern; it may be that the only mode is to wind it

up; but, whichever way it is accomplished, that way ought to be the one which will realize the most for the creditors. If the estate is not in a position to pay twenty shillings in the pound, the debtor's care should be to pay the nineteen or eighteen shillings, or whatever it is, which remains, which should go to his creditors equally. In that view, it appears to me that we ought to give the debtor that opportunity, that we ought to couple that opportunity given to him with stringent conditions which should govern his discharge, so that if he too long forebore to hand over to the creditors his property, so that a mere nothing remained, then he should be punished for that by not getting his discharge. I do not intend to make any such proposal to this House, because I am aware the sense of the House was, and I suppose continues to be, decidedly adverse to it. But I intend to propose such a modification as, preserving the principle which has been consecrated in this character by very large majorities, *viz.*, that it is for the creditors, and the creditors alone, to throw a debtor into insolvency, would prevent his obtaining his discharge except upon more stringent conditions than those which now obtain. It will be remembered there was considerable discussion upon this subject during the passage of the present Act through the House, and the 58th clause was inserted after much debate in Committee—I am not sure whether there was any actual amendment proposed in the House, but that clause was adopted after much consideration in the very large Committee. That 58th clause is as follows:—

“Wherever it appears that the estate of the insolvent has not paid or is not likely to realize for the creditors a dividend of thirty-three cents on the dollar on the unsecured claims, and sufficient account is not given for the deficiency, the court or judge may, in its or his discretion, suspend or refuse altogether the discharge of the insolvent.”

The House will observe: first, that the dividend is fixed at 33 cents; second, that there is a loose provision about a satisfactory account not being given of the deficiency; and third, that the action of the Judge is discretionary. The practical result of this clause has been, so far as I have

been able to inform myself, nugatory. I do not understand that, in the great majority of cases in which creditors have objected to a discharge—and then alone does this become material,—there has been anything approaching to a 33 cents dividend. I am not of opinion, so far as my information goes, that there has been a satisfactory account of the deficiency given in such cases, in the sense in which I understand the Legislature to have intended, *viz.*, some reasonable account as to how it occurred that the estate came to pay less than 33 cents on the dollar, and as to why it was that the business was not so adjusted as to pay that much when the trader did fail. Lastly, I believe that the discretionary power given to the Judge has been exercised in a compassionate spirit towards the debtor which makes the law practically nugatory, so that it might as well be out of the Statute as in it. Before I state to the House the clauses I intend to propose, I wish to call attention to the difficulty which some of us felt with regard to this proposal of dividend and other provisions when the subject was before the House the Session before last. We had an Act which contained no provision to allow the debtor to go into insolvency, no provision to allow a debtor to notify his creditors in some such form that, if they did not choose to take advantage of the notification, he should be relieved of the consequences of his estate wasting after that time and thus becoming unable to pay a legitimate dividend. In such an Act I was then, as I am to-day, opposed to a stringent provision with regard to the amount of dividend, because, unless some such saving clause were inserted for the debtor, unless there were something which will point out his duty and provide some means of calling the attention of the creditors to the fact that he is insolvent, it does seem to me unjust that you should say to him: “You may tell your creditors you are insolvent, and call on them to put you in insolvency; they may decline, against your will, to take that step. Your estate may be eaten up by one or two creditors, by the actions or judgments; perhaps, from 60 or 70 cents on the dollar to 15 or 20 cents; they may, after a lapse of time, put

you into insolvency, and although the fact that your estate does not pay a substantial dividend is not due to your delay or default, but to the inaction of your creditors who can alone put you in insolvency, we will require you to pay a special dividend as the price of getting your discharge." That did seem, and now seems to me, to be unjust, but I believe we have found, and I hope the House will agree with me, an alternative proposition, which, while preserving the great principle to which I have referred,—that the creditors alone shall determine whether the creditor shall go into insolvency—will secure more stringent conditions of discharge, and yet not do injustice to debtors. I may remind the House of the provisions of the English Bankruptcy Act. They provide that a discharge shall not be granted unless a dividend of 50 cents on the dollar is paid, or unless it is proved to the satisfaction of the Judge that the creditors have passed a resolution that the failure to pay the dividend of 50 cents is due to causes for which the debtor is not justly responsible. I will now read to the House the clause which it would be my desire to see inserted in the Insolvent Act in this particular. It is as follows:—

"The Judge shall not grant any discharge under any of the provisions of the Insolvent Act of 1875, hereafter called the principal Act unless it be proved that one of the following conditions has been fulfilled, that is to say:

"(1.) That a dividend of not less than fifty cents in the dollar on the unsecured claims has been or will be paid out of the insolvent's property."

I desire the House to observe that, with the exception of the 58th section, which I propose to repeal, I do not take away any of the securities and restrictions which at present surround the ground for the discharge. This is a supplementary restriction and an alternative one; the Judge will not have the power to grant a discharge unless some of four conditions be proved to have been fulfilled. The first condition, as I have stated, is that a dividend of 50 cents on the dollar has been, or will be paid. The second is:—

"(2.) Or that such a dividend might have been paid but for the negligence or fraud of the assignee or inspector."

It would be obviously improper not to give a discharge if the assignee, who is the creditors' servant, or the inspector, who is their agent, were proved before the Judge to have been the cause of the default. In that case, the creditors, having the Judge's judgment that these officers have caused the default, will have their remedy against the assignee or inspector for the amount which the Judge had declared to have been wasted. The third condition is the one foreshadowed in my observations with respect to the relative rights and duties of the embarrassed debtor and his creditors, and is as follows:—

"(3.) Or that the insolvent had on some one day prior to the institution of the proceedings in insolvency mailed, prepared and registered, to the address of each of his creditors, so far as known to him, a declaration acknowledging his insolvency, and that no proceedings in insolvency had been instituted against the insolvent for more than one month after the mailing of such notices, and that such a dividend would have been paid but for circumstances for which the insolvent cannot justly be held responsible, arising more than one month after the mailing of such notices."

This gives the insolvent the power, and in a sense imposes on him the duty, when he finds himself to be insolvent, of mailing notices to his creditors acknowledging his insolvency. If, after receiving that notice, proceedings are not instituted by the creditors within one month, the other provisions apply and this provision is not applicable. As the debtor has no right to go into insolvency, that being a power which will remain as now entirely with the creditors, if the creditors do not choose after one month's full and fair notice of his inability to meet his liabilities, and if he proves before a Judge that the delay of more than one month has caused the deficiency in the amount of dividend, then the Judge shall have the power to grant a discharge, not holding the debtor responsible for the actions of the creditors or other circumstances beyond his control arising, more than one month after notice was given to the creditors. The last clause is to this effect:

“Or that the insolvent has obtained assent to his discharge or to the proposed composition and discharge, in accordance with the 52nd section of the existing Act, which allows a majority in number, comprising three-fourths, in value, of the creditors to sign a written assent to a discharge.”

That point there is no difficulty about. It allows a majority in number and three-fourths in value of the creditors to sign a written assent to the discharge, and, if that is signed, subject, of course, to all the provisions as to fraudulent obtainment by the personification of creditors or otherwise, I am sure the House will agree with me that a recalcitrant majority of one-fourth in amount and a minority in number ought not to prevent the discharge being granted. These, then, are the four conditions, I think, we may fairly expect, if the House will favourably receive this proposition, that the debtors will, as I have always urged, feel that it is their interest as well as their duty, when they become unable to meet their liabilities to see their creditors, to disclose their position and place their creditors in such a position that they may, without any difficulty, avail themselves of the benefit of the Insolvent Act. It will certainly be their interest more than it has ever been before, because, as we know, under the present system fifty cents is not paid. A very small dividend is paid. The practical result is—although I quite admit that assets may be badly handled, and there may be very considerable losses in the winding up—that men's difficulties are not now disclosed to their creditors until a period long subsequent to that at which they ought to be disclosed. This is the real difficulty. Men go on, through carelessness or ignorance, hoping against hope, contracting new liabilities, piling up the old ones, getting through their credits as long as they can, bad debts growing worse, and old stocks growing older, their difficulties accumulating; and then they go into insolvency without anything practical being accomplished except that the insolvent gets his discharge, when really there is nothing left to the creditors. In reference to some of the observations made, I believe the results, so disastrous as to

windings up, are more apparent than real. You find that a man gives his book debts when he makes a statement, and we all know he makes his books appear a great deal more favourable than they really are. He values his stock at a great deal more than it is worth. An apparent balance is produced, which, under the most careful management, if taken into the creditors' own hands, would never be actually produced. The real condition of the estate is almost always worse than the exhibit discloses. But, if a debtor knows that the actual test of results is to be complied with, if he is aware that in order to obtain his discharge he must be able to pay fifty cents on the dollar, then that delusive hope which he hugs to his breast, while he knows the assets to be false, will disappear, because he will not dare to run the risk of being stripped of his property. Such, I hope, will be the working of the proposed amendments, if they commend themselves to the favourable consideration of the House. It is perfectly clear that all the securities which creditors now have against fraud will practically remain in the subsidiary provision, which prohibits the action of the Judge in a case which does not fall within the four conditions to which I have called the attention of the House. I deem it my duty to advert to just one point which I should have been glad if I had been able to propose this Session, it being something which I think would be an important further amelioration of this law. I believe that in some instances considerable difficulties are created by the persistency of a particular creditor against sanctioning any arrangements, contrary to the express will of the majority of the creditors, both in number and in value, before insolvency. My attention has been called to the expediency of making provision by which a proper majority of creditors, in number and value, should, even before insolvency, be enabled to settle a composition which would be binding on the minority. I have prepared clauses with that view, but I find it impossible to adapt them to the Act without, in effect, recasting it. They require, in order to secure their proper execution, a very considerable degree of elaboration

in detail as to claims and to various topics with which I do not care to worry the House, and I find it impossible, with due regard to what I owe to the House, to bring down a measure which I should wish to be responsible for in that particular. But I think the subject eminently deserving of the attention of those members of the House who pay particular regard to this branch of the law; and I shall be able, if the law be preserved, to introduce such an amelioration at an early day. I may submit for the consideration of the House, and more particularly of those who are disposed to oppose the Insolvent Law, whether the present is an opportune time for repealing it? I have heard many gentlemen say that the law ought not to be a permanent one on the Statute-book, but that it ought from time to time to be placed on the Statute-book when necessity arose. I do not myself concur in that view. I believe we ought, if the law be a good one at all, to have it working in good times as well as in bad times. But to those who talk of a temporary Insolvent Law, as suitable to a time of commercial stringency, I beg respectfully to represent that this is a time of commercial stringency. So it is not, from their point of view, a time fit to remove the operation of the Insolvent Law. I think, if it were now removed from the Statute-book, it would open a very great number of sores which are now closed lately, and would open up also a great number of evils which will not exist under the operation of the law, at any rate as I propose to amend it. But no law of this description will ever work effectually unless the creditors are prepared actively to supervise its workings. If they choose to say: "We are throwing away good money after bad money, and we will let the assignee and lawyer work their sweet will and pleasure on the assets, and we will take the few cents which come to us and will not try to make it more," of course the law will not work well. But, if the creditors make it their business to watch the assets, if they properly employ the power given them over the assignee, if they properly utilize the power to appoint an Inspector, if the Inspector makes it

his duty to inspect, to counsel and to advise, then I believe the country will gain far more on the whole under the operation of this law than it would gain by the repeal altogether, and the substitution of the old system of "grab," to use a vulgarism, which existed before we had such a law. Therefore, speaking my own sentiments, which, as the House knows, have always been in favour of some Insolvent Law, I would suggest to the House that no circumstances have occurred to really alter that decided opinion which was expressed not a long time ago in favour of the introduction of an Insolvent Law, and particularly in favour of the passing of this Act. And I suggest whether the evils complained of cannot be ameliorated by legislation, because they will exist anyway, and by the amendments I propose to introduce, whether creditors will not receive better dividends than they have had heretofore. I must say that I deem it my duty to support the amendment of my hon. friend from Hamilton.

Mr. MACDONALD (Toronto) said he had no hesitation in saying that the amendments proposed by the Minister of Justice would tend materially to improve the Insolvent Law, and to make it alike beneficial to the debtor and creditor. The law of 1868, to which the Minister of Justice had referred, gave a debtor his discharge after the payment of 33½ per cent.—the discharge, however, being in the discretion of the Judge. The result had been that, at a meeting of creditors in a county town, all the creditors not being present, instead of having to pay 33½ cents, the debtor received his discharge from the Judge on payment of 10 cents on the dollar, thus causing immense demoralization throughout the country. He regretted that he had not heard all the remarks of the hon. member for Richelieu, because he could scarcely conceive that the hon. member had purposed pressing his motion to a division. But he gathered from his remarks that the hon. member virtually said that the Insolvent Law had made traders dishonest. He referred to the period of by-gone honesty and golden days when all men were honest, before this Insolvent Law came into

operation. But he (Mr. Macdonald) ventured to say that, for every debtor who now absconded to the United States, ten absconded then; because now they had the hope of settlement, while then they had no hope. He understood the hon. gentleman to refer to official assignees getting the cream of the estates and to friends of the debtor entering into collusion and thereby obtaining the whole of the estate in their own hands, and to the fact that the great bulk of the estate only paid 22½ cents on the dollar. He would ask the hon. gentleman and every member of the House if these facts, if they were all true, resulted from the Insolvency Law. He claimed that they did not. And he would ask the hon. gentleman whether these men who paid 22½ cents on the dollar under the Insolvency Law would have paid more with no Insolvency Law.

Mr. BARTHE: They would pay in full.

Mr. MACDONALD said no law passed by the House could prevent any dishonest man from evading it. A man thoroughly dishonest would find some means by which to defraud his creditors. He was at a loss to understand for whom the hon. gentleman sought to repeal the law. It could not be for those who had paid 22½ cents on the dollar, because they had compromised already. It could not be for the honest traders, because their condition would be immensely worse without the law than with it. It could not be for the lawyers, because they claimed that they were most prosperous when the country was most prosperous. It could not be for the wholesale merchants, because it would ruin them. And he must take it for granted that the motion was made on behalf of those who thought 22½ cents in the dollar too much, and that they could make a better settlement for themselves when the law was repealed. He observed this faulty feature in the hon. gentleman's remarks: It was proposed to repeal the law, but what was proposed to put in its place? Did the hon. gentleman wish them to go back to the law of preference when everyone caused a confession of judgment and obtained an advantage over

Mr. MACDONALD.

his neighbour, thus causing universal distrust throughout the whole country? Whether the hon. gentleman intended that or not, he (Mr. Macdonald) contended that it would be the result of the repealing of the law. He did not claim that the law was perfect; he did not claim that there might not be a law that would give the creditor more speedy access to the assets, and the insolvent more speedy distribution, and a more equitable distribution both to the debtor and creditor. But, if the law was faulty, let them better it; if it was wrong, let them amend it. Under all circumstances let them keep the law on the Statute-book until there was something better in its place. If merchants would but take the trouble to attend the meetings of creditors and act under the law; if a few healthy examples were made of fraudulent tradesmen throughout the country, a decided improvement would be noticed amongst that class. His hon. friend the member for Ottawa had said there were men in the Penitentiary worse than the men on the Ministerial side of the House.

Mr. CURRIER: The hon. gentleman is mistaken. What I said was that if the hon. gentlemen on the other side were half as bad as they were represented to be by gentlemen on this side of the House they would have been in the Penitentiary.

Mr. MACDONALD said he begged the hon. gentleman's pardon. If there were men in the Penitentiary who, perhaps under the influence of hunger, had unhappily committed a crime, how much better were the men who, deliberately and coolly, when they could pay 100 cents on the dollar, planned how they need only pay 25 cents on the dollar, so that they could put the rest in their pockets? The clause as to the 50 cents would prove beneficial as to the working of the Act. Let it be borne in mind it was a very different thing to have an estate merely showing 50 cents on the dollar and one yielding 50 cents on the dollar. And, if a debtor was to pay 50 cents on the dollar, he would consider whether he had not better work the whole problem out and pay 100 cents on the dollar. Had the hon. gentleman any idea of

the amount wholesale men had invested in this country?—it could not amount to less than \$90,000,000. But this would be jeopardised if a measure such as that proposed were passed which would cause derangement and distrust.

Mr. WORKMAN said he had listened with pleasure and gratification to the lucid explanations of the Minister of Justice and the amendments he proposed making to the present Insolvent Act. It was a time when stringent amendments should be added, because he was convinced the Act had become in its working very unpopular. When the Act first came into force, it was looked upon as a great boon by the commercial community of Montreal at least. There it was probably better understood and worked than in any other part of the Dominion. For one or two years very fair results were obtained from an insolvent estate; indeed he was so much satisfied with the working of the Act that he opposed its repeal on the floor of the House, and frequently spoke in favour of it. But now, had he not heard the amendments proposed by the hon. Minister of Justice, he would have been compelled, owing to recent experience, to have voted for the Bill of the hon. member for Richelieu. He was quite willing to give the law a fair trial of another year at least; it would be much to be regretted if it should be wiped off the Statute-book at present. He would give an instance of the condition of things in Ontario prior to the passage of this Act, when the old system of preferential assignments was in force. A large ironfounder at Toronto failed. The debtor selected a certain banker and his own father-in-law and made them preferential creditors of his estate. After they were paid in full, the balance was divided among the other creditors. The estate was carried on under an assignee or agent for ten years before being wound up. It was originally worth \$75,000 in genuine assets. The banker and father-in-law were paid in full, and the other creditors did not get a dollar. He would regret exceedingly if they were thrown back on such a system as that. The discharge he considered one of the weak points of the law. A

majority, or three-fourths of the creditors, could give a discharge to the bankrupt, no matter how his business might have been carried on. True, the law was not supposed to allow that, but it was within his own knowledge that dishonest debtors got favourable settlements, and procured their discharges, because they produced documents signed by three-fourths of the creditors, a number of which were obtained under false representations and statements. It was this state of things which had disgusted the merchants with the working of the Act, and he hoped the clause to be introduced to correct this evil would be of the most stringent character. He doubted very much the policy or even the necessity of conferring upon the majority of the creditors the power to compel the minority to accept a settlement of less than 100 cents on the dollar. He had attended a great many meetings of creditors previous to the introduction of this Act, and never knew an instance, when an honest, straightforward statement was made, where the debtor was not granted a liberal discharge. Small dividends were frequently accepted from an honest man who made a struggle to pull through, and he had often known resolutions of sympathy to be passed. But the system under the working of the Act for the last two years was a legalized conspiracy to rob the honest creditors. Assignees and debtors had become so well posted that they knew exactly what to do and how to do it; and often the assignee became a partisan of the debtor—he sold himself to the debtor and entered into a conspiracy to defraud the creditor. He knew that remark would not apply to a great many of the assignees in and around the city which he had the honour to represent, for many of them were of the highest integrity and principle, but it would apply to a great number of assignees in the rural and country districts. In those districts they were friends and relations of the debtors, and they had no compunction in entering into arrangement against the rich merchants of Montreal, Toronto, and Hamilton, and securing a settlement at 10 cents, 20 cents, and 30 cents on the

dollar. Those were some of the reasons why the Act had been so unpopular of late. He knew, however, that where the Act had been given fair play, very beneficial and favourable results had been derived from insolvent estates. In the city of Quebec, a man of wealth and a large amount of property, entered into a conspiracy to deliberately rob his creditors. The creditors got information of the scheme, and were able, under the Act, to have their man tried in Court, and he was now in jail suffering the penalty justly due to him. But, where there was one dishonest debtor punished, a hundred escaped; and in all his experience he had only known of two or three men being sent to jail. The Judge, as a rule, sympathized with the debtor, who was often a friend or an acquaintance. This question was one of great importance, and deserved the most careful consideration of the House. He was present at the meeting of the Montreal Board of Trade, to which allusion had been made, and it was at his request that an expression of opinion was given on the subject. While some of the members were violently opposed to the working of the Act, a large majority of those present were in favour of its continuance with certain improvements. A Committee was appointed to inquire into the subject and to prepare a report, which would be submitted to the hon. the Minister of Justice. The gentlemen on that Committee had given the subject a great deal of study and attention. One or two were originally opposed to the Act, but since they were placed on the Committee they had come to the conclusion that it would be wise to continue it. For the reasons he had stated and many others, he should vote against the Bill of the hon. member for Richelieu.

Mr. PALMER said he wanted hon. members distinctly to understand that, if they voted for the resolution of the hon. member for Hamilton, the law would remain on the Statute-book for one year more, and could not even be debated again this Session. He felt under great obligations to the hon. the Minister of Justice for the way in which he had treated this matter. He thanked the hon. gentleman for so fully indicating the amendments he

proposed to the Bill. He thanked the hon. gentleman for another thing—that the Act was a curse to the country, and in his (Mr. Palmer's) opinion would always be a curse to the country. What was proposed to be done with the Act? He understood the hon. the Minister of Justice to say that the amendments ought not to stand in the way of the consideration of the question of repeal or not. The hon. gentleman was quite right in that, and, while he (Mr. Palmer) was inclined to differ with him, there was no doubt the country owed him a debt of gratitude for his endeavours to make the law perfect. The first amendment proposed was that the debtor should not be discharged unless the estate paid 50 cents on the dollar, or unless it was the fault of the assignee or inspector that the estate would not pay that amount. That was no great improvement in view of the time required to wind up the estate, and he would tell his hon. friend that the law was bad from foundation to top. No good had ever proceeded from it, and he did not think that any little cheese-paring amendments would effect any good. It was claimed that the law was prepared with great care and that every device for the protection of creditors that human ingenuity could suggest, was inserted. There was no denying, however, that the Act had not worked well, and that it was not likely to operate better in the future than it had done in the past. An hon. gentleman pleaded for more experience of the Act before talking of repealing it, but how much more time was required? Surely, eight years was enough experience of the working of a bad Act, and he hoped they would not have much more experience to suffer before the law was got rid of. Some of his hon. friends opposite had argued the matter on a wrong basis. They assumed that because a man had no property he had no ability to pay his debts. That was scarcely correct. A man had a certain amount of personal power, the destruction of which took away a great portion of the energy and power within him. The denial of that principle was one of the radical wrongs in the Act. But it was urged a dreadful

calamity would happen to the country if the law were repealed; the wholesale dealers would have to shut up. Well, he thought the country would get along just as well if those dealers were shut up. His hon. friend from Montreal West said the assignees were honest in his neighbourhood, but that those in the rural districts connived at fraud. He would ask that hon. gentleman if he or some of his friends had never received a note endorsed by some honest farmer, who was rather rural when he attached his signature thereto, and if he had ever let the man off. The wholesale merchants sent commercial travellers who were known as bummers around the country, to force trade on the inhabitants of the rural districts, and it was not to be wondered at that insolvency was often the result. The law was exclusively in the interest of the wholesale people and the farmers obtained no benefit from it. He thought the less these bummers went round the rural districts the better it would be for the farmers. The belief of the men in the rural districts had been that it was a piece of dishonesty, a crime, a sin for a man not to pay his debts. The new way was to pay the debt through the Insolvent Court; at least, that was what the big bugs did. He knew villages where men would scorn to owe anything, and think it a crime if they did not pay their debts, but the present law had made many a dishonest man. Some hon. gentlemen spoke as if all the rogues in the country were lawyers—

Mr. BLAKE: No, as if all the lawyers in the country were rogues.

Mr. PALMER: I was going to say—and *vice versa*. He wondered if many of the assignees were lawyers. In St. John they had a gentleman for assignee who was a lawyer appointed by the present Government, but they could not have made a better selection, as far as he knew, in the Province of New Brunswick. He was a highly honourable man and it was no fault of his that the law had not worked well. The Minister of Justice said it was the fault of the creditors because they did not look after the matter. Let them take the case of a creditor for \$200—a very serious matter for him—the man who

went into insolvency might be 100 miles away; the creditor had to support his family, and yet he was compelled to go and look after this debt from time to time, and he might spend more than the \$200 in doing it. Surely, they would not have done more under the old law than they did under the present. His hon. friend from Montreal West was in favour of the amendment. Now, by getting a majority, they could override the honest man.

Mr. WORKMAN: You have to pay 50 cents now, formerly only 10 cents on a dollar.

Mr. PALMER: You do not understand. These are the people who do not pay a single cent.

Mr. BLAKE: If the majority of a man's creditors in number and three-fourths in value agree, not only to a composition, but to a discharge, the Judge has power to discharge him although the compromise to which they have assented is less than 50 cents.

Mr. PALMER said that was really the worst feature of the Bill, and yet the hon. member from Montreal West was perfectly electrified with the proposed amendment. He had stated that the Bill was unpopular among his constituents. He (Mr. Palmer) supposed the fact was that all the hon. gentleman's constituents were not wholesale dealers. If he made them all wholesale dealers he would get their vote notwithstanding his course on the Insolvent question. He hoped he would see that the best thing was to do away with this law, which had not done any good, and to which his constituency was so much opposed. As to the lawyers, he held that they were not as a class more disposed to make litigation or trouble than other people. The number of lawyers in the House, as compared with the number of lawyers in the country, showed that the people generally had confidence in them as a class. He could tell them why the expenses were so much. The moment the estate passed out of the hands of the man whose interest it was to pay, it did not matter to him how much the estate paid, and the result was that every one who had a fictitious

claim of any kind to which he could stretch his conscience to swear, trumped up that claim against the estate. The result of all this was a number of lawsuits, and they could not expect lawyers to work professionally without being paid. The result was that a great sea of law was caused by the transfer of the estate. It was all the creature of the Insolvent Act, and the result was that the expense was piled up and had, in numberless cases, taken fully half the estate. If he thought that the Act could be worked better, he would be willing to let the country suffer a little longer, but he did not think any harm would come from the repeal of the Act. It was said that it was hard for an honest debtor not to be able to discharge his debts and begin the world again, if he had met with misfortune. The hon. member for Montreal West had stated that he knew no case in which, if an honest man could fairly show that he could not pay, his creditors would not sign off his discharge. The result of that was to prevent all this sea of law and to enable the creditor to deal with the man himself. He would like to know where was the merchant who would undertake the odium and trouble that would necessarily be involved in prosecuting a dishonest debtor. There was not one man in a hundred in trade who would face the odium of such a prosecution. All these people had a great circle of friends and a man did not desire to stir up a hornet's nest about his ears. He supposed that, if there were any money in this law for the lawyers, he would get it as well as anybody else, but he scouted the idea that anyone in his profession ever took money from a man without rendering him an equivalent service. If he thought the contrary, he would at once withdraw from his profession. If any hon. gentleman were to be falsely accused, and were to be tried for his life, he would place his case in the hands of some trusted lawyer. The matter presented another difficulty. If it was right to have such a law for the trader, why should it not be extended to other classes, and particularly to the farmer. It was said that there were reverses and uncertainty in trade in excuse of the policy adopted,

Mr. PALMER.

but he held that the farmer was equally open to the loss of money from no fault of his own. The agriculturalist might sow, but it depended upon Providence whether he should reap; he might sell, and the merchant to whom he sold might fail. The Act should be abolished altogether. It encouraged reckless trading. He warned the hon. gentlemen who were in favour of repeal that, if the amendment of the hon. member for Hamilton passed, the result would be that the Act could not be again touched, in the way of appeal, during the present Session.

Mr. DOMVILLE said the question interested merchants to a greater degree, perhaps, than lawyers. In New Brunswick, the Act practically worked against the honest trader, and the amendment proposed by the Minister of Justice would not, he thought, do away with the difficulties experienced in this regard; he presumed in other parts of the Dominion the first difficulty lay in the clause enacting that the word insolvent should mean a debtor, and, in the next place, if a debtor ceased to meet his liabilities generally as they fell due, it was almost impossible to place him in the Insolvent Court. The Judge was clothed with immense power under the Act, and he might consider that a debtor brought before him had the right to continue in trade, and he was sole judge in the matter. In one case a debtor had ceased to meet his liabilities for some two years; a well-known merchant applied for settlement; but the man said that he could pay nothing; he might however pay ten per cent. and he would renew his paper. He had no goods, and his book debts amounted to a trifle. The merchant said; "You have eaten up the estate, and frittered away the assets"; and he applied to a Judge in order to have the debtor declared insolvent. On the case being heard, the Judge said; "It is true that he has no goods, and that he is deeply in debt, but he avers that he has promissory notes and book-debts, which, if collected, will enable him to meet his liabilities." Although it was patent that the promissory notes were worthless, the Judge, who was compassionate, held that the man only wanted time to meet his engagements, and

discharged the case. The debtor in the name of himself and partner then filed a suit against the merchant to recover \$10,000 damages; and, although the man afterwards became insolvent, compromising at ten cents on the dollar and never paying anything, continued the suit, and, as the Judge before whom it came ruled out evidence touching the insolvency, on the ground that the court had previously held the then plaintiff to be solvent, a verdict against the defendant, in accordance with the charge of the court, was found. The question had been since appealed from court to court. This was a very hard case. The alteration proposed by the Minister of Justice went to make the law more stringent, but it did not go far enough. He would cite another instance regarding the working of the Act. A large American firm in New Brunswick failed for millions, in court they showed that they were solvent at the outset, having assets to the amount of one and a half millions of dollars, but, through the assignee, this whole property was sold for \$60,000 or \$90,000. Suppose some of the creditors had been in England or British Columbia, how could they have attended the sale, of which only thirty days' notice was given. If the property was sold in small parcels, a very fair dividend might be obtained, but it was disposed of *en bloc* to the highest bidder. He was not in favour of putting so much power, as was the case at present, in the hands of the largest creditors. There had been too much talk about dishonest men and dishonest lawyers, so much so that a stranger would think that there were very few honest men in the country. A really honest trader would easily get his discharge under any circumstances. A case might now and then occur when a man would refuse his consent to the discharge of a really honest debtor, but friends would come forward and get rid of such an obnoxious creature. The merchant, if trade ever again became sound, could, as in Great Britain, make a purchaser place his position in writing, so that if this proved incorrect he could prosecute him for obtaining goods under false pretences. The number of traders would then be considerably diminished and

trade would be established on a more satisfactory basis. The retailer suffered as much from the reckless credit system as the wholesale merchant. He knew of goods having been sold at twenty cents below cost in large quantities; and how could the honest trader import under these circumstances. He was willing to submit to any law putting these matters on a better basis, but he was not prepared to accept an amendment which provided for a fifty cent compromise, and which allowed the Judge to use his discretion. Besides, if this amendment were adopted, instead of the creditor getting a larger dividend the assignee would secure a bigger slice of the estate. He did not think that the assignees were dishonest, but, if they were, they were appointed by the present Government. He would vote against the Act and for its repeal.

Mr. MITCHELL said he could not give a silent vote on a question of so much importance to the mercantile community of the country. He had always opposed the continuation of this bankrupt law; and, in 1875, he had taken some part in pointing out the monstrosities of the 1st section of the present Act. His experience during the past two years, and the intercourse he had had with leading business men in Montreal and other cities of the Dominion, had led him to the conclusion that, if a vote was to be polled to-day, two-thirds of those who, five years ago, favoured this law would now declare that it had done nothing save positively injure the trade of the country. It encouraged reckless trading; the wholesale merchant forced goods on the retailer, and the retailer in turn forced them on the farmer and the mechanic. What was the result? Last year, fully one-half of the business transacted throughout Canada had led to embarrassment, either on the part of the wholesale merchant, of the retail trader, or of their customers. The *Herald*, *Gazette*, *Mail* and *Globe* published lists of bankrupts day after day, and week after week; and in place of 50 cents, he durst say the average dividends were not 25 cents on the dollar. He was not opposed to granting relief to the poor man, and

the remedy he proposed was not founded on mere theory, but upon experience obtained in New Brunswick. Whenever the necessities of trade and the wants of the country required a considerable amount of relief to be afforded, a bankrupt law was placed upon the Statute-book for two or three years; and then it was allowed to expire. He believed that the Insolvent Law had done its duty, and that there would be no end to the misery and suffering and losses occurring daily until this Act was wiped off the Statute-book. The amendment of the Minister of Justice was a step in the wrong direction. Were they to punish a man's misfortunes? If the law were to continue, he desired to afford more liberty, more opportunity, and more facility in the way of securing relief from liabilities, enabling men who were in difficulties to make a fresh start in the world, and to accumulate fresh means. The only argument in favour of a bankrupt law was that it should furnish relief to the debtor rather than protection to the creditor. The latter class were generally wealthy, and they were able to refuse credit. He would impose upon creditors the responsibility of giving credit to such classes only as were able to conduct business properly, or who possessed means. The system advocated by the hon. member for King's, which was that adopted in England, was based on sound principles. Under it, a trader was able to ask his customer who desired credit to make a statement in writing of the position of his affairs, and a false statement made therein was deemed to be a false pretence, and liable to heavy punishment. An examination of the evils which had grown up in connection with the Insolvent Act satisfied him that it should be swept from the Statute-book, and that it were better that two or three debtors should suffer than the whole class. With respect to the remedy proposed by the Minister of Justice to compel debtors to pay 50 cents on the dollar, or deprive them of any benefit under the Act, it was well known that many estates which at first showed 100 cents on the dollar would not pay when wound up 50 cents on

account of shrinkages in the value of property. The proposed legislation of the Minister of Justice amounted to punishing the misfortunes of bankrupt traders. If the proposals were carried into effect the law would be made worse, and a system would be created tyrannical in its character, and detrimental to the true liberty and independence of the people. The Insolvent Law had carried out its object; it had enabled, or should have enabled any unfortunate trader to have become free from his difficulties before now; and the effect of the existing Act was to cause a class to grow up in the community who were trading on the existence of the bankrupt law, by which, though possessing facilities for obtaining credit and goods, they secured goods and afterwards made a composition at the rate of 20 or 30 cents on the dollar, and serious injury was inflicted on the honest trader by goods being sold at sacrifice prices. This compelled the honest trader to sell goods at ruinous prices, and the result was that other traders became bankrupt. Under these circumstances he held that the Insolvent Law should be repealed and the country obtain a clear bill of health. The farmers suffered an injustice in that, while they had to bear losses through insolvent traders, they could not themselves avail themselves of the Act in case of meeting with difficulties. He would vote against the motion of the hon. member for Hamilton and afterwards in favour of that of the hon. member for Richelieu.

Mr. YOUNG said the question of an Insolvent Law was an important one, and a mistake made by the House with regard to it might have a serious effect on our commercial interests. He had always favoured an Insolvent Law; but he must confess that some very serious evils had manifested themselves in working the law during the last two or three years. Those evils had not been confined to creditors alone. The creditors, under the operation of the law at present, had the whole matter in their own hands; they could manage the insolvent estate as they pleased, and, if they did not manage it in their own interest, the blame rested with themselves. There were, however, another class of whom he had heard

very little during the debate, who had suffered very much from the operation of the Insolvent Law, namely, solvent traders. That evil did not apply simply to cases of failures. In such cases, very frequently, the trader's estate was wound up, and he went out of business, and the solvent trader did not suffer any very injurious effect. But a great evil had arisen of late years in the extensive system of composition carried on, which was actually more injurious than the absolute failures which occurred. They knew well the effect that system had had on solvent traders. When a trader compromised with his creditors at 50 cents or 25 cents on the dollar, and continued in business, it had an unfortunate effect on the adjoining trader, who, perhaps, found it difficult to meet his payments and who would thereby be rendered less anxious to make the necessary exertion to pay one hundred cents on the dollar. While he desired that amendments should be made in the law, with the view of protecting solvent traders from this unequal and undue competition, and to prevent fraudulent debtors from getting discharges, he would not like to support the proposal to repeal the Act altogether. In a commercial community, an Insolvent Law in some form was an absolute necessity, and, if the law was repealed, evils would follow ten times greater than those which had arisen in the working of the law. Some feeling had, of course, been manifested against the Insolvent Act, but a like result occurred with regard to other laws. If the law were repealed altogether, the table of the House would in all probability be covered next Session with petitions praying for its re-enactment. One of the greatest evils in connection with legislation of that class was the constant changes which took place, and the uncertainty that prevailed in the public mind as to the course which would be pursued by Parliament with respect to the question of insolvency. If the commercial public thoroughly understood the working of the provisions of the law, the evils which had manifested themselves would have been decreased 50 per cent., but the Act had been amended so that it was not generally

understood, and while the people were thus unacquainted with its working, the hon. member for Richelieu asked, as he did in a previous Session, that the law should be repealed. It would be derogatory to the character of Parliament if, after much time had been devoted two years ago to framing the measure, the most able members of the House having composed the Committee, it were repealed without having received a fair trial. He was convinced that the Act had not yet had a fair trial. Those who were most connected with the working of the law—chiefly creditors, did not fully understand its provisions; but, when they became acquainted with them, creditors would find they had entire control of debtors' estates falling into insolvency. The hon. member for Northumberland had depicted the evils of the Insolvent Law, and spoken of the failures and consequent sufferings which had resulted from it. It could not, however, be supposed that if the Act were repealed, the country would get rid of failures in business, losses through failures and frauds. It was well known that before the enactment of the law there were quite as many failures, losses and frauds as there had been under its operation. In 1857-58, when there was no Insolvent Law in force, there were more failures, greater losses and more frauds than during the recent period of depression under an Insolvent Act; and it was not correct to say that, under ordinary circumstances, when the wheels of commerce were moving freely, insolvencies increased under the operation of the old Insolvent Law. He remembered having laid statistics before the House some years ago to show that, under the operation of the law of 1864, during a time of commercial tranquility, failures had decreased, and the circumstance of their recent increase was due to the commercial depression existing throughout the country. The only effect of repealing the law would be that, while it would not get rid of the loss, creditors would thereby be placed in a much worse position than at present to realize the assets of estates. That would be one of the first effects of the abolition of the law. Other results would follow. They would find that many of those

who failed—some of them enterprising men—would betake themselves to the United States, having no hope of engaging further in business or doing anything more for themselves or the creditors to whom they were indebted; and many men, honest men, too, who had failed because of their enterprise, and not because of their dishonesty, would in that way be driven out of the Dominion. He did not, therefore, believe that the trading community would be placed in one whit better position if the Act were repealed, as proposed by the hon. member for Richelieu; for, while failures, losses and frauds would not be prevented, creditors would not occupy so favourable a position to quickly realise the assets of an estate as they did under the operation of the present law. He took it for granted that the House would not take the extreme step proposed after the law had been tried only two years, and after the statement of the Minister of Justice with regard to the important amendments which the Government would propose, and probably the hon. Minister had not stated all the amendments which he would submit to remedy the evils which had arisen under the Act. It should be remembered by the House, in considering the question of repealing the Insolvent Act, that of late years the business of our leading merchants and traders had become very much more extended than before Confederation took place. It was now not uncommon for merchants in the Provinces of Ontario and Quebec to send large quantities of goods to Manitoba, British Columbia, Nova Scotia, and New Brunswick, and merchants in those Provinces to send their goods to distant Provinces of the Dominion. If the Insolvent Act were repealed and the country fell back on the old system of confession of judgment and preferential assignment, the local creditors would lay hold of the estate and creditors at a distance would be placed at a great disadvantage. That was an important matter, because it struck at the foundation of all credit, which was of much consequence in a young country like Canada. In the young Provinces, especially in the new districts, it was absolutely necessary

that business men should have credit to a greater or less extent in the older Provinces. If the measures by which the creditors could at least obtain a share of the debtor's estate in case of failure were removed, a serious blow would be struck at all credit, and injury would be inflicted on the people of the distant Provinces and the commercial community as a whole. He was not an advocate of long credits, because he believed short credits were desirable in the older Provinces, but, in the new Provinces of the Dominion, where money was scarce and the people struggling, credit was an essential element of success and progress, and the repeal of the Insolvent Law would deal a fatal blow to reasonable credits being given in those newly formed Provinces. The amendments to the law which had been foreshadowed by the Minister of Justice should at least have a fair trial, and possibly, before the subject came before the House finally, other points might have suggested themselves to that hon. gentleman's able mind. Personally, he would have preferred that, instead of raising the amount of dividend to obtain a discharge to 50 cents on the dollar, the rate should have remained at 33 cents, but that other and more difficult restrictions should have been imposed upon dishonest insolvents getting a discharge. He could easily understand cases occurring in which a trader would be unable to pay 50 cents on the dollar, though perfectly honest. Experience had proved that, in order to realize 50 cents on the dollar, the estate must be worth at least 60 or 65 cents. He could, therefore, easily understand that a trader, by being burnt out, by the shrinkage of values, or by endorsing notes for a friend, might be unable to pay the dividend proposed to be inserted in the law. The measure was one that did not affect the general public, but only the trading community. He had not found in the press any evidence that the commercial men of the country did not desire the Act to continue in force, and the Dominion Board of Trade had invariably passed resolutions in favour of its continuance. While they had suggested frequent amendments,

they had always expressed themselves in favour of an Insolvent Act, and, therefore, the House should hesitate before it endorsed the proposal of the hon. member for Richelieu and repealed the Act. Let them make all possible amendment in the law so as to secure a more perfect system; let them surround the obtaining of a discharge with more restrictions, and render it more certain that fraud should not be perpetrated, but let the House not repeal an Act which, he believed, on the whole, was required by the interests of the commercial community.

Mr. PATERSON said he would not have addressed the House except for the fact that the sentiment appeared to be so strongly in favour of the motion of the hon. member for Richelieu. While he did not think hon. members were in the temper to adopt the motion offered by that hon. gentleman, there was nevertheless a strong feeling in its favour. Viewing the question as one of great importance to the commercial community, he felt that, if he could say anything that would tend to produce a result contrary to that sought by the hon. member for Richelieu, it was his duty to address the House. He had felt, in common with the wholesale trade, that they had suffered from the working of the Act, not because of the Act, but notwithstanding it. Casting aside for the time the proposed amendments of the Minister of Justice, the question was simply this—Shall Parliament repeal the Insolvent Law and return to the state of things which obtained prior to the passing of the Act, or shall the law remain on the statute-book? Although aware that some business men of large experience and means took a contrary view, it nevertheless seemed strange that any intelligent business man could contemplate the repeal of the Insolvent Law at the present juncture of the country's affairs, without a feeling to awe. He supposed there never was a time when an Insolvent Act was needed more than at the present time. We were passing through a period of great commercial depression, and the repeal of the Insolvent Law would aid mightily in increasing the depression. He would shrink from the responsibility of throwing such a

disturbing element into the business of the country. If the law were repealed, the debtor would be at the mercy of his creditors, and innumerable suits would be the result. Without wishing to cast aspersions upon the trading community, he thought he was justified in saying that fully one-half of the traders were being "carried" to a greater or less extent. Repeal the Insolvency Law, and the "carrying" would cease. Any creditor that could rush to the lawyer's office and get confession of judgment first would secure something, while all the other creditors would lose their honest dues. The law should not be repealed in the interest of the creditor more than in the interest of the debtor. It had been agreed for years in that Chamber that an Insolvency Law was a necessity, that it was right in the interests of justice and mercy. It was necessary to enable the honest debtor, who, through a combination of circumstances, was unable to pay all his debts, to have relief, in order that he might have that opportunity which the hon. member for Northumberland was so desirous he should have to retrieve his fortunes. The present Act did this, and under the proposed amendments the creditors would have a larger proportion of the assets than they could under the 33½ per cent. clause. If the Insolvent Law were repealed, honest or solvent traders would not be less free from the unfair competition which they now complained they have through the sale of bankrupt stock. The Sheriff would be put into possession, and the goods would be sold by auction, and traders would have precisely the same difficulty to face. There was only one way in which the thing could be managed, and that was to have the law so stringent as to compel a man winding up his affairs to put his stock into other hands and realize something like 75 cents on the dollar instead of the goods being sacrificed at 40 cents. Under the proposed amendments, a tradesman, in order to be sure that his assets would cover 50 cents on the dollar, would have to take stock frequently, and would have to ascertain that his stock of goods was worth 75 cents on the dollar; else his book debts, not being all good, would not allow him 50

cents. It being determined that it would be disastrous to repeal the Act, he hoped the amendments proposed by the Minister of Justice would receive that consideration they deserved. He approved of the amendment as to 50 cents, although its operation might now and then be harsh upon a debtor; say, for instance, a man who had a large stock of goods on credit in his store which caught fire; but he held that no man should have such goods without insuring them. He considered it to be the duty of the House to ponder well before they cast their votes upon the question. He ventured to predict that, if the law were repealed, results most disastrous would follow. He would feel it his duty to vote against the repealing of the Act.

Mr. DYMOND said the discussion had mainly related to the interest of the trader, either as creditor or debtor, with some indications that the interest of the lawyer was not altogether forgotten. He ventured to say there was a fourth party to this controversy that might be considered in this connection, and that was the House itself. He supposed, if they were to go back to first principles, no Insolvency Law would be needed, because there would be no credit, for, by the adoption of a rigid system of political economy, he maintained that credit could receive no protection at the hands of the Legislature. He was glad to believe there was growing up in Ontario a disposition greatly to abridge the credit system. They were all cognisant of the Granger movement. That movement had established a cash competition, which had had the effect of inducing many traders to lower their ordinary prices in return for cash payments. The ultimate effect, he thought, would be to greatly decrease the number of insolvencies in certain districts. The present time seemed to be one eminently unsuitable for no settled policy with regard to the question, because trade was in an abnormal state; and there could be no doubt that a large proportion of insolvencies had occurred in consequence of the prevailing depression, whilst it was probable the number had also been increased by persons who would not, under other circumstances, have adopted the

practise of providing settlements, but who had availed themselves of what was regarded as the new Insolvency Law. He did not think, therefore, they were justified in thinking that the evidence before them was sufficient to warrant them in moving in a retrograde direction. If there was to be credit, it would seem only natural that there should be some system by which the proper guarantees against fraud and for the equitable distribution of the assets of debtors should be obtained. He did not think justice was done to the debtors if account was not taken of the responsibilities of the creditor in connection with the frequent insolvencies. He believed the wholesale house and the banks were far more responsible than a large number of the unfortunate persons who had fallen under the provisions of the Act. It was a notorious fact that wholesale houses had for years bolstered up their credit whilst in a state of helpless insolvency by inducing persons dependent upon them for credit to grant them accommodation papers, and by drawing \$500 and \$1,000 where the trader owed them \$100; and it could not be in utter ignorance of this system that a large quantity of this paper found its way into the banks, and then the banker became alarmed, and the wholesale dealer became insolvent, and his creditor became nominally his debtor on the estate. This law had only been a year and a half in operation. The Act was not a Government measure, but was forced on the House by a powerful majority of gentlemen on both sides of the House being responsible for it. It was almost re-cast by a large Committee, and there was a long and exhaustive discussion upon it in Committee of the Whole. That being the case, the honour and dignity of the House was committed to giving the Bill at all events a fair trial. He believed, if the Bill were repealed, the House would make a confession in the face of the whole world which would be humiliating to the last degree; in fact, if the House were to repeal it at the present time they would acknowledge that such was the insolvency of our political constitution that an honourable discharge would be utterly hopeless.

Mr. PATERSON.

Mr. CAMERON said he felt it his duty to support the amendment of the hon. member for Hamilton. If lawyers consulted their own interests, they would undoubtedly vote for the repeal of the Act; but this question was entirely beyond personal interests. The result of the Act had been to take business out of the hands of lawyers and to place it in the hands of assignees, and other officers. It would be a public calamity, in the present circumstances of the country, if the Insolvent Act were repealed. Previous to taking such a step, they ought to satisfy themselves that the law was wrong in principle. It seemed to him that, in a country which carried on an extensive commercial business, and especially where credit was almost entirely its foundation, such a law was a necessity. The principle of the Act had not been attacked by any hon. gentleman who had spoken, but objection had been taken to its mode of administration. In this respect, as the hon. member from King's County, New Brunswick, had pointed out, the injudicious carrying out of its provisions was wholly due to the neglect of creditors to look after their own interests, or to the errors of Judges, which could have been corrected on appeal. The objections presented, the amendment offered by the Minister of Justice would tend to a great extent to remove. Again, if the law had done a great amount of harm, as some hon. gentlemen had affirmed, petitions would have been offered to the House against the Act, but this had not been the case. On the contrary, the Dominion Board of Trade, and almost every other Board of Trade had endorsed the Act. Before its repeal was resolved upon, they ought to be thoroughly convinced that the country desired a step of this grave character to be taken. He did not think that any evidence in this direction had been submitted. It had been said that the agricultural class was opposed to the law, but he did not think that this feeling existed; nor did he believe that any general feeling in the country had been aroused in opposition to the Act. The farming community would find that the greatest evil possible would accrue were the

law to be applied to them, as no allowances would be made for bad harvests and other unavoidable misfortunes. So long as business was carried on by credit to such a large extent, we must have an Insolvent Act. It seemed to him that hon. members would be only performing their duty in giving the Act a further trial before it was condemned.

Mr. MACKAY (Cape Breton) said, as hon. gentlemen from other Provinces had given their opinions, he ventured to speak in regard to Nova Scotia. As far as he knew, there was no dissatisfaction with the Insolvent Law in that Province. It worked not only to the benefit of the solvent trader, but also of the creditor. The main feature of this Act was that, in the first instance, all the goods of an insolvent debtor passed into the hands of the creditors, they having complete and full control over it. There was no better way in which the interests of creditors could be protected. He thought, in the majority of cases where no satisfactory result had been arrived at, it was the fault of the assignees or creditors. There was one point, however, which he thought might be amended. Certain acts of the insolvent constituted a penal offence, but there could be no prosecution unless one of the creditors made it his own private business, and was prepared to sustain all the legal expenses. He did not understand why there should be any distinction made between this and other penal offences. The prosecution should not be at the instance of the creditor alone, but arranged so that any person should be able to prosecute, and the expenses should be arranged as were those connected with the trial of other penal offences. The Act should remain on the Statute-book for this year at least, especially as there was no other proceeding which could supply its place. If the law were repealed, the creditor nearest to the debtor would naturally be the first to obtain redress in case of an insolvency. This would prevent those creditors living at a distance getting their share of the assets, and sometimes they would get nothing. It would be seen, therefore, that the attempt now being made to stimulate inter-provincial trade would be a

failure, for no merchant in the West would give credit to a trader in the Maritime Provinces, or *vice versa*, unless their interests were protected.

Mr. DAVIES said he had a lively recollection of the time when there was no bankruptcy law. The unfortunate debtor was stripped of all he possessed, and then treated as a criminal and thrown into jail. He thought some hon. gentlemen were too harsh upon the unfortunate debtor. The operation of the Act in his Province had been satisfactory on the whole, and it would be a retrograde step to repeal the law. If honest traders suffered from dishonest debtors, they must put up with it. Merchants need not credit their goods unless they liked, and if they did so they must run the risk. A great deal of the trouble was to be attributed to banking accommodations. There was a great deal of rivalry among banking institutions, and money had been scattered among people who otherwise would not have gone into trade, and the result had been commercial disasters. He thought they ought to have a bankruptcy law on the Statute-book. He did not think the amendments proposed by the hon. the Minister for Justice would improve the Act much, and he would therefore support the motion of the hon. member for Hamilton.

Mr. ROSS (Middlesex) said, as it was evident that no decision could be arrived at for some time, he would move the adjournment of the debate.

Mr. BARTHE hoped that the remarks he was about to make, though in French, would be understood sufficiently by Mr. Speaker, and by the majority of the hon. members of the House. In reply to the arguments adduced during the very interesting discussion which had taken place during the evening with regard to his Bill, he begged to say that he had acted in the interest of his electors; and he was convinced that, not only the electors of the county which he had the honour to represent, but also those of the great majority of the counties, in the rural districts particularly, favoured the repeal of the law in question. Numerous arguments had been brought forward against its

repeal, but the experience obtained in this relation since the law was first enacted in 1864, had condemned its continuation. The Act had been amended at nearly every subsequent Session of Parliament, but nevertheless in all the Provinces of the Dominion, and especially in the Province of Quebec, a general sentiment of indignation had been aroused against the measure, which had, to a large extent, ruined and demoralized the population. During the speech he had made on moving the second reading, he had cited cases going to show the mischievous operation of the law. Nobody would deny that the American people were eminently commercial, eminently practical, and possessed of great aptitude for business; and in the United States, three times, under exceptional circumstances, had a bankrupt law been tried, and on each occasion, after a comparatively brief trial, had it been abolished. In connection with the civil war, which had been so ruinous in its nature, a bankrupt law had been introduced in the United States, and recently petition after petition had been presented against it by business men, and finally the American Legislature had resolved upon its abolition. In this House, not one petition had been presented in favour of the Act, and if his memory served him well, the hon. member for Montreal West, in 1869, signed and presented a petition praying for the abolition of the law. He was convinced that the people of the Dominion were satisfied with their unhappy experience in this regard, and that they were generally of the opinion that the law should be abolished. By means of the statistics with which he had furnished the House, he had proved that during the space of a single year the insolvencies had amounted to twenty-six millions, occasioning a loss of twenty-two millions. No member of this House had more respect for the opinion and abilities of the Minister of Justice than himself, but, having examined the amendment which the hon. gentleman proposed, that the bankrupt should pay fifty cents on the dollar, he respectfully submitted that it would not meet the end which the hon. gentleman desired. In

fact, if a bankrupt was, in equity, obliged to pay fifty cents on the dollar, he could pay, on the average, one hundred cents. Such a bankrupt would not be a bankrupt at all—he would be solvent, because, in most cases, the cost would amount to nearly fifty cents. If a man was honest, and yet unfortunate, and not able to meet his obligations, how could he pay fifty cents on the dollar and the cost of liquidation? He could never obtain his discharge. For these reasons he found that the amendment of the Minister of Justice would not meet the object the hon. gentleman desired, he was convinced, in the best interests of the Dominion, which the hon. gentleman so usefully served as Minister of Justice. He thought that the representatives of the rural districts would faithfully represent the opinions of their electors in voting for the repeal the Act which was so unpopular, particularly in those sections of the country. Of course, other Provinces had a right to say that they must have a law for the whole Dominion, but he submitted very respectfully the articles of the Code which was in force in the Province of Quebec to the lawyers who represented, in this House, constituencies in the other Provinces. This was a matter of extreme importance, and he was sure, from the reputation borne by these hon. gentlemen, that, if they studied the provisions of this Code as carefully as it merited, they would eventually be adopted, for these provisions were so clear, and so simple, that they could very profitably be made applicable to the whole Dominion. The hon. gentlemen who sat in the House knew what was passing in their constituencies, and even before this debate had opened he was convinced that at least a portion of these hon. gentlemen had their opinions formed on the subject, and that the arguments, which had been given with so much eloquence and with such force by a large number of hon. members, had had little influence with respect to these opinions; therefore he would say no more than this—in proposing this Bill, which was perhaps a bold step, calculated as it was to change the existing condition of things, his only object was to hon-

estly fulfil his duty as a member of the House in the interest of his constituents as well as in the interests of the people of the whole Dominion.

Mr. CASEY said he thought it was unreasonable to insist on a division to-night. The question formally before the House was the repeal of the Insolvent Law, but that was not the real question to consider. There was an alternative proposition made by the hon. the Minister of Justice, who had presented to the House the amendments he was prepared to make in the present Act. He thought, as those propositions were new to most hon. members, that time should be taken for their consideration. Although the law was objectionable to many, yet it was quite possible that a consideration of the proposed changes would bring about a more favourable view of the law. He urged the hon. member for Richelieu and his friends to consent to the adjournment of the debate.

Sir JOHN A. MACDONALD said he thought the reasoning of the hon. member for West Elgin was unanswerable. This matter was of very great importance, and they had just heard from the hon. the Minister of Justice the details of his proposed amendments, which, so far as he could catch them, appeared to be in the right direction. It was, however, almost impossible to form an opinion from an oral statement made across the floor of the House, and the amendments were of so much importance, that one could not make up his mind in regard to them until seeing them in print and ascertaining their effect on the whole measure. If the objections were removed to the Act as it stood at present, hon. members now opposed might favour a continuance of the law as amended. He thought it would be well to adjourn the debate.

Motion to adjourn debate *agreed to.*

House adjourned at  
Ten minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Tuesday, 27th Feb., 1877.

The Speaker took the chair at Three o'clock.

## BILLS INTRODUCED.

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

Bill (No. 42) To authorise the town of Kincardine in the county of Bruce, to impose and collect certain tolls at the harbour in the said town. (Mr. Gillies.)

Bill (No. 43) To authorise the Union Forwarding and Railway Company to reduce its paid-up capital. (Mr. Currier.)

Bill (No. 44) To amend the Act to incorporate the Bridge Company of Riviere du Loup, in the County of Maskinonge. (Mr. Boyer.)

Bill (No. 45) To incorporate the St. Lawrence and Pacific Railway Ferry Company. (Mr. Jetté.)

Bill (No. 46) To incorporate the Union Cable Company. (Mr. Jetté.)

Bill (No. 47) To amend the Dominion Elections Act of 1874. (Mr. Richard.)

ALBERT RAILWAY COMPANY  
BILL.

## FIRST READING.

Mr. DOMVILLE moved for leave to introduce a Bill (No. 48) To grant additional powers to the Albert Railway Company.

Mr. MACKENZIE said this Bill was subsidiary to one which had been stopped in the House the other day. The Company in question had been incorporated by the Local Legislature of New Brunswick, and the Bill proposed to give certain powers to it, though it had never been incorporated by this Parliament. He was not prepared to say that this or the other Bill, on amendment by the insertion of a certain clause, could not be brought under the jurisdiction of this Parliament, but then some special reason must be assigned to justify this step. It was difficult to see what reason could be assigned to bring the Bill under the jurisdiction of this House, as the railway in question was one of the most

local character possible. He really thought that it would be very difficult to allow the Bill to take even the preliminary stage.

Mr. DOMVILLE said that this railway was a feeder of the Intercolonial Railway. Moreover it had received a donation or loan of old rails in furtherance of its completion. The plea on which the powers required were asked was the desire to issue debentures bearing seven or eight per cent. interest, which could not be done under the local law. The best legal talent in New Brunswick had advised application to this House for this purpose. The railway was in the vicinity of a coal mine, and it needed powers in order to enable it to carry on its business. He hoped the Premier would look into the matter.

Mr. PALMER said he could see no objection to the admission of the Bill. The legal interest in New Brunswick was six per cent.; and, besides, the railway might require to own shipping. Instead of resorting to the Courts, he thought it would be better if the powers required were granted by both Local and Dominion Parliaments. On the second stage it might be dealt with as the public interest demanded.

Sir JOHN A. MACDONALD said that, in his opinion, the Bill should be referred to the Railway Committee, to be afterwards considered by the House.

Mr. MACKENZIE said the rule by which they should be guided was laid down by law. Railroads passing from one Province to another were necessarily under the control of this Parliament, and railroads which passed only through one Province, having a terminus at each end in a foreign country or waters, like the Canada Southern, might very properly be under the charge of the Dominion Parliament, but he did not think that a Company, could obtain powers from both Local and Dominion Houses. If this railway were brought under the jurisdiction of this Parliament, it must remain there for the future. He was satisfied that both the bills which were in question had been introduced irregularly, but he would not object to their being sent to the Railway Committee. He would have a clause pre-

Sir JOHN A. MACDONALD.

pared for this Bill similar to that which was required for the Bill which had been the other day before the House.

*Bill read the first time.*

## DOMINION ELECTIONS ACT.

### FIRST READING.

Mr. COOK moved for leave to introduce a Bill (No. 49) To amend the Act respecting the election of members to the House of Commons.

In reply to Sir JOHN A. MACDONALD,

Mr. MACKENZIE: It appeared that the Bill, made some minor amendments to the general Election Law. The hon. gentleman had a perfect right to introduce such a Bill.

Mr. COOK said he had intended to explain the Bill on the second reading. Its object was to do away with the envelope, which afforded opportunities for the practice of corruption. He did not wish to say that the envelope had been wrongfully used in recent elections and that the majorities had been augmented in consequence thereof, but he would say that, if a candidate or his friends chose, they could commit a great amount of fraud under the present system. A voter could present himself at the polling booth, and after receiving the envelope and ballot could return to the recess to mark it in the ordinary way and hand the envelope to the Returning Officer minus the ballot. He would then be in possession of a blank ballot, and would be in a position to purchase votes by getting voters to return the blank ballot. He (Mr. Cook) would have liked to have gone further and exempted from punishment the party selling his vote in order that he might divulge the names of those purchasing the votes. Both parties were now liable to heavy punishments and both were interested in keeping the transaction secret.

Mr. BOWELL asked how fraud could be perpetrated in this way. If the voter returned the empty envelope and placed the ballot in his pocket, then no vote was cast. If the man went and bought another vote where was the gain?

Mr. COOK said the voter could continue that all day. Five votes could be purchased for \$5 in some districts, one of which, under the system he had explained, would be lost. Suppose, for instance, 30 polling places were operated; that would amount to \$150—a small sum of money, as some of his hon. friends knew—and would purchase 150 votes; but one vote in five would be lost, which would reduce the number by 30. Upon a division, that would give 240, and some of his hon. friends in the majority now would be decidedly in the minority as a result.

*Bill read the first time.*

## GEOLOGICAL SURVEY BILL.

[BILL No. 18.]

(*Mr. Mills.*)

### SECOND READING.

Mr. MILLS said it was unnecessary to make any lengthened remarks, as the Bill did not change the system of geological surveys that had been carried on for some years. The statute at present in force expired on the 1st of July next, and it was necessary to introduce some measure for the purpose of continuing the system. Under the circumstances, the Government thought that the geological survey should be made permanent and carried on as a branch of the Department of the Interior. The present law was but slightly changed. In some respects, the provisions were made more extensive than before, because the efficiency of the survey required such a step. The Bill, however, would not make much practical difference in the working of the survey. The conduct of the surveys and appointment of various parties connected therewith were provided for. It was deemed best not to name in the Bill the officers required in order to render the service efficient, as he found, on looking over the list of persons at present employed, it difficult to name those who would be required, and to state the duties they would be called upon to perform. This year it was intended to apply for a lump sum as before; next year, when the Branch was properly organized, it would be in

the power of the Government to state what would be required for salaries. The Bill provided for the appointment of a director, whose duty it should be to report from time to time to the Minister of the Interior, and appoint such other officers as necessary for the efficiency of the staff. The removal of the geological museum from Montreal to Ottawa was also provided for, whenever the Government thought it necessary and Parliament provided the requisite means. He thought the Geological Department would never be thoroughly efficient until it was removed here, and the representatives of the people were to some extent interested in the researches made in the public interests, which would not be likely unless the work was brought under their immediate attention. Provision was also made for the apparatus necessary for the prosecution of the survey. The Department was, to some extent, engaged in making assays for the purpose of testing the character of minerals found in various parts of the country, and for the purpose of preventing persons engaging in mining enterprises which might turn out unprofitably, and which they would not undertake if they possessed proper knowledge of the subject. Statements had been received from parties engaged in mining of the importance of the geological branch in this subject. Among the minerals found in this country were many which were found in other parts of the world, but as there was some difference in their chemical character the process of assaying was in many cases required to be different from that employed elsewhere. The experiments constantly being performed in connection with the survey, if performed as efficiently and extensively as was necessary, would no doubt contribute largely to the early development of the resources of the country. He had no doubt that in the immense extent of territory we possess there are mines of great wealth which would be highly profitable when properly worked; and it was of the utmost consequence that this branch of the public service should be made more efficient than it had been. To bring about that result, however, it would, no doubt, be necessary to obtain a larger amount of

aid from the public treasury than had been received in former years; but that was not asked at present. It might be in the interest of the various Provinces to co-operate to some extent with the Dominion in the prosecution of the surveys. The Bill provided also that the persons employed in one branch of the Department of the Interior might be directed by the Minister to perform any duties connected with another branch. That was a necessary provision, for the reason that persons connected with the department were engaged in making geological surveys, mapping out the topography of the country, etc., who might be utilised in this branch. He moved the second reading of the Bill.

Mr. MASSON said in the course of time it might be advisable to remove the Museum to Ottawa, but it was not a proper step to take at present. The majority of people who visited Canada, and were interested in her resources, went to the large centres, and it was necessary that the Museum should be in one of the large cities. When the Emperor of Brazil was here he did not visit Ottawa; he wished to learn something about the resources of the country, and accordingly visited the large cities. While at Montreal he went to the Museum, and was quite impressed with its contents. Members of Parliament would take very little interest in the subject, and the Museum should be where scientific men could avail themselves of it. It would be a mistake to remove the Museum at present.

Mr. DEVLIN said he had to thank the hon. member for Terrebonne for having so kindly called the attention of the House to the proposal of the hon. the Minister of the Interior to remove the Geological Museum from Montreal. He agreed with the remarks of the hon. gentleman, and he was at a loss to know what crime Montreal had committed against the hon. the Minister of the Interior that he should manifest this hostility so very early after his entry into the Ministry. His hon. friend from Terrebonne had given the reasons very forcibly why this removal should not take place. The Museum had been in Montreal for many years and

was a source of great interest and attraction to the great number of visitors who were in the habit year after year of going to Montreal. The removal of the Museum to Ottawa would, in his judgment, be a great and serious mistake, besides being—as he had no doubt it would be looked upon—an insult to the City of Montreal. The hon. the Minister of the Interior could assign no valid reason for the removal of the Museum. At this stage of the proceedings, he (Mr. Devlin) could do no more than to record his protest against the removal, and he was certain he would be sustained in his protest by the citizens of Montreal. He trusted the hon. the Minister of the Interior would, upon reflection, see that he would be committing a great injustice, and one that would reflect in no very commendable manner upon the Government of which he was a member.

Mr. McDOUGALL (Renfrew) said he did not see that this was a matter which concerned Montreal alone, as the Museum was supported by the people of Canada generally. The fact that Montreal had possessed it for so long was no reason why it should continue to possess it. The fact that Ottawa was the Capital of Canada was a good reason why the Museum should be removed to that city. It would then be under the immediate control and surveillance of the Government who could see that the money appropriated was properly expended, according to the wishes of the people of the country. He supposed that in the discussion of a matter of this kind, the fact that any member who spoke had any direct interest, or that his constituents had an interest in it, would cause his remarks to receive less consideration than the remarks of gentlemen who had no interest whatever beyond a general one. He, of course, represented a constituency not very far from Ottawa, while at the same time it was not so closely allied to that city that it made very much difference whether the Museum was located there or at Montreal. This was a matter which interested the students as much as the people who happened to visit the country. Ottawa was quite as well situated for the people of Canada as

Montreal or any other city in the Dominion. This fact, combined with the fact that Ottawa was the place where Parliament met, made the reasons stronger in favour of Ottawa than were the reasons in favour of any other city. The argument of the hon. member for Terrebonne was not a very strong one. As many people visited Ottawa as all the other cities put together.

Mr. DEVLIN: You are mistaken.

Mr. WORKMAN said he also thanked the hon. member for Terrebonne for his presentation of the claims of Montreal. It was quite true that strangers took a great interest in the institution. There were scarcely any men of natural or scientific attainments who did not spend a portion of their time there. He, himself, had accompanied gentlemen visiting Montreal to the Museum, and they had expressed the greatest gratification at what they saw. Were the institution removed to Ottawa, three-fourths of the people who now visited it would do so then. There were ten times the number of people who visited Montreal in their tour through Canada than visited Ottawa. In fact, he had once said that Ottawa was the *ultima Thule* of civilization, although a great change, he was happy to say, had come over the city since then. The House was told that there was a considerable deficiency, and yet it would be necessary to increase the expenditure by creating a building for the purpose of storing the collection, if it were removed to Ottawa. The Museum was a valuable means of education, and Montreal was the centre of education, with its large schools and colleges. It was also under the superintendence and surveillance of most experienced and excellent men.

Mr. CAUCHON: They would come up here.

Mr. WORKMAN said he did not think so.

Mr. CARTWRIGHT said he would relieve the mind of the hon. gentleman about the expenses of a new building at Ottawa. It was not the intention of the Government to bring down estimates for that purpose.

Mr. CHARLTON said he understood that the total number of visitors at the Museum during the year was 600, which was not very large. He understood also that the building in Montreal was not suitable for the purpose, as it was not fire-proof. He had no local prejudice in the matter, and he was satisfied that it was eminently proper that the Museum should be removed to the capital of the Dominion. It could not be a matter of much importance to Montreal, if only 600 persons visited the Museum in the course of the year.

Mr. DECOSMOS said he was one of those who agreed that there should be a Geological Museum at the capital of the Dominion. But he also agreed with the two hon. gentlemen from Montreal that it was desirable that all the great cities in the respective Provinces should have museums of geology. He looked at the cost as a very small matter, and he hoped his hon. friend would be able to establish a fine museum in Ottawa. While other places were being considered, he would ask that the claims of the chief mineral Province of the Dominion, British Columbia, be not overlooked.

Mr. DYMOND: We would require a guarantee against secession.

Mr. DECOSMOS: I think the best guarantee against secession would be for this Government to commence the Pacific Railway at once. I may say that science which comes up in this discussion is not connected with any particular nationality or Province more than with another.

Mr. CAUCHON said if every town was to come up as a claimant he would present the claims of Quebec, that being the oldest city in the country. There were museums in Quebec, but the chief museum ought to be at the seat of Government. Washington was the seat of Government in the United States, and the national museum was there; yet Washington was not a large city. If the Emperor of Brazil had known that the Museum was at Ottawa, he would have gone there and not to Montreal. He had seen larger cities than Montreal.

Mr. MASSON: But not in Canada.

Mr. CARTWRIGHT.

Mr. CAUCHON said the Emperor of Brazil had been to New York. The several Provinces might have their own museums, but they should have them at their own expense. In Quebec there was at first some objection to the Educational Department being removed from Montreal to Quebec, the capital of the Province, but there was nothing said about it now.

Sir JOHN A. MACDONALD said the proposition to make the geological survey a prominent branch of the Department of the Interior was one which would meet with the commendation of the House. But he was afraid that the scheme proposed was too large in its scope. The survey was instituted, as its name indicated, for the purpose of making a geological survey of the whole country and for other enquiries in the nature of physical sciences, but these other enquiries, including natural history, were merely subsidiary and incidental to the survey itself. The men employed in the survey were men of science, and their attention would naturally be directed to the various productions of the country, its *flora* and *fauna* and fossils, &c., but they would only treat them incidentally to the express object. These investigations did not materially delay or obstruct the survey. Yet hon. gentlemen now on the Ministerial side, who were at one time inclined to be rather economical, objected, and there was great difficulty in obtaining the grants necessary for maintaining the survey. If the proposal of the Hon. the Minister of the Interior were carried out, it seemed to him the expense would be much larger than was originally designed, and the primary object of the survey would be lost if so much prominence was given to what were before only secondary objects. The Bill said:—

“The objects and purposes of the survey and museum shall be, to elucidate the geology and mineralogy of the Dominion, and to make a full and scientific examination of the various strata, soils, ores, coals, oils and mineral waters, and of its recent *fauna* and *flora*, so as to afford to the mining, metallurgical and other interests of the country, correct and full information as to its character and resources. It shall be the duty of the persons in charge of the said survey to collect, classify and arrange such specimens as

may be necessary to insure a complete and exact knowledge of the mineralogical resources of the several Provinces and Territories of Canada; to carry on palæontological investigations, to study and report upon the *fauna* and *flora* of the Dominion, and to make such other researches as will best tend to ensure an exact knowledge of the climate, natural resources, and agricultural and industrial capabilities of the different portions of the Dominion; to continue to collect the necessary materials for a Canadian museum of natural history, mineralogy and geology."

While he did not object in any way to the geological surveys or the other branches being made auxiliary and within the scope of the survey, he thought, if those branches were to be followed up as it would seem, they would absorb the greater portion of the money. In reference to the question of the place where the museum should be established, he would be very sorry to see Montreal lose it, because that city was one of the chief cities in the Dominion. A great many persons went to Montreal first when they came to Canada, and it was a very proper point to have a Geological Museum. There was, however, a great deal to be said on the other side. The seat of Government was an eminently suitable place to have a Museum, and, if there was only one Museum, it should be at the Capital. When this question was before the late Government, some enquiries were made, and it was ascertained that the specimens at Montreal were so numerous and so rich that duplicates of nearly all the minerals could be obtained for Ottawa. At one time enquiries were made as to whether a building could not be erected contiguous to the Parliament Buildings at a moderate cost, without diminishing the real value of the Museum at Montreal. He thought it possible for there to be a Museum at Ottawa and at Montreal as well.

Mr. SCHULTZ said that, as it was evident from remarks of hon. members that there was a question as to where the Geological Museum should be finally located, he would offer a suggestion which would be fair to, if it did not satisfy, all parties. Clearly if the principle was admitted that the Museum need not necessarily be at the capital, then the fairest way was to choose the

geographical centre of the Dominion as its site. In the interests of the Province, a portion of which he had the honour to represent, he would be very happy to advocate his view. He felt, however, that at present it made little difference where the Museum was situated. The amount of money yearly appropriated was far too small for the purposes of the Survey. It was quite true that under the able management of Professor Selwyn a great deal had been accomplished; still the amount was far too small, and matters of detail had to be left, while only general information was obtained. It was asserted, especially since the acquisition of the North-West Territories, that we had in Canada a larger wheat growing area than the United States,—an important fact, if it could be established: important because of its influence in our immigration interests in Europe, and important in making any estimate of our possible future as a nation. This assertion had been demonstrated to be a fact by the researchers in connection with the Geological Surveys. It was found that we had really a very much larger wheat growing area north of the boundary line than south of it. It had been found that wheat, barley and other grains might be grown five degrees north of where it was thought possible; and some of the cereals shown at the Centennial Exhibition showed that far north of Peace River, countries supposed to be icebound for all but a few weeks in summer were susceptible of producing waving fields of grain. While the Geological Survey had demonstrated this important fact in regard to our agricultural capabilities, he ventured to predict that it would be found that our mineral resources were almost equal or superior to those of the United States. Much of the mineral producing country was not now known at all. On the Mackenzie River were found beautiful specimens of amber, immense beds of asphaltum, and deposits of sulphur almost as pure as that which was shipped from Sicily. On some of the rivers flowing into the Arctic Sea there were enormous deposits of nearly pure copper, while gold and silver were found in many portions of the country. Of more importance perhaps than any of these were the enor-

mous deposits of coal and iron in the richest agricultural portion of the North-West. Exact information on all these matters was needed, but unfortunately it could not be obtained on the limited appropriation of money which was yearly made. Of all the items in the estimates there were none upon which he voted with more pleasure than that for the geological survey. There was no way, in his opinion, that in the present condition of the Dominion money could be better spent, and leaving the question of the locality of the Geological Museum aside altogether for the present, he trusted that the hon. the Minister of the Interior would succeed in persuading his colleagues in the Government to double or even quadruple the amount proposed to be voted in the Estimates.

Mr. MILLS said all subjects of natural science were made subsidiary to the geological survey. No provision was made for independent investigation apart from those economic considerations which were specially mentioned. It was impossible to carry out with advantage a geological survey without considering its scientific side, and the provisions in the Bill with respect to palæontology were absolutely necessary in order to determine the mineral resources of the country, because rocks which might be considered upon a superficial examination to belong to a particular class, might on closer inspection of their palæontological features, be found to belong to an entirely different class and age. The mineral wealth of the rocks depended upon the age to which they belonged, a correct opinion regarding which could only be obtained from an examination of the palæontological features. It was therefore necessary, in the interest of economic geology as well as geology and science, that those features should not be lost sight of, and it was proper that provisions with that object should be inserted in the Bill. Questions concerning *fauna* and *flora* were also intimately connected with economic geology and the agricultural capabilities of the country, and it was of the utmost consequence, therefore, if the geological investigation were to be of any economic value that those mat-

ters should be carefully considered. In an interview with the Director of the Geological Survey, Mr. Selwyn gave his concurrence to the views he (Mr. Mills) had expressed. If the geological survey were to be of any real value and if the Dominion were to occupy a moderate, not to say respectable standing before the civilized world, it was necessary that those scientific subjects should be considered in the geological investigation. In view of the action of Parliament towards the survey in previous years, the country was safe against any lavish expenditure under that head. With regard to the Museum at Montreal, he assured the hon. member for Montreal Centre that he had no pique against that city. If the Museum, in so far as it was a public institution, were removed from that city, sufficient material would be left for the establishment of a Museum there as large as Montreal would desire. The Director of the Geological reported, however, that there was not accommodation in the Montreal building for the collections of specimens during several years, and that for that reason they were unavailable. The Government would be obliged, when the finances of the country would warrant the expenditure, to make an outlay somewhere, and the question would then arise as to where the expenditure for a National Museum should be made. It was a matter of very great inconvenience to have a number of officers connected with a Government department, over which in order to secure its efficient administration, the Minister should be enabled to exercise some practical supervision situated 150 or 200 miles from his office. In order that that part of the Geological Survey might be made satisfactory to the public, the National Museum must be established at the capital, while the Montreal Museum might remain in that city and fulfil its purpose as an educational agent. The officers of the survey had been engaged for years in collecting specimens, and the Department was prepared to supply educational institutions throughout the country with specimens upon application being made.

Bill read the second time.

## CRIMINAL LAW EXTENSION BILL.

[BILL No. 23.]

(Mr. Blake.)

### SECOND READING.

MR. BLAKE moved the second reading of the Bill to extend to the Province of Prince Edward Island certain of the criminal laws now in force in other Provinces of Canada. He said he did not deem it proper that Prince Edward Island should any longer occupy the position it held at the time it entered the Confederation. A great many of the criminal laws of that Island were not even modern English law; for example, the punishment for burglary was death, and several other criminal laws were equally antiquated. At the same time, in introducing into an old and long settled community, where there was an extensive local magistracy numbering, he believed, six hundred and fifty, a fresh code of laws, such as our criminal laws, he had thought it expedient to propose a somewhat distant day after the Act was passed, as that upon which it should go into effect, with the view that there might be a very full opportunity given to those called upon to administer the law to acquaint themselves with its provisions. Some years ago an edition of the Statutes up to 1874 was published and a number of those volumes would be circulated. The subsequent Acts were few in number, and he proposed, in case the measure received the favourable consideration of the House, to cause an equivalent edition of these few acts to be printed in order that they might be distributed amongst the Barristers of the Island, at the close of the Session, and then to allow a sufficiently long interval before the law itself went into operation.

MR. POPE (Queen's, P.E.I.) said he would, with great pleasure, support the Bill which the Minister of Justice had introduced. One of the terms with regard to the admission of the Island into Confederation provided for the establishment and maintenance of Penitentiaries; but up to this time, and nearly four years had since passed,

nothing had been done in this connection, and the whole expense in this relation had been borne by the Province. Penitentiary provision had, however, been made for the other Provinces; the present estimate for New Brunswick was some \$40,000; for Nova Scotia, some \$28,000; for Manitoba, some \$14,000, and for British Columbia, some \$11,000; but Prince Edward Island was not included in the list. He might be told that the Government intended to erect a Penitentiary for the Maritime Provinces at Dorchester, but he considered that this would be a very inconvenient and unsafe location, as the prisoners must be removed across the Straits, and passage was attended with very great difficulties. The expense of transit would also be considerable. During the past year, in Queen's County, the Local Government has been obliged to expend \$11,000 or \$12,000 to increase the size of the common gaol, and this expenditure might not have been necessary had the terms of Union been observed.

MR. BLAKE: Under the Criminal Law of Prince Edward Island there were no Penitentiaries established, nor any provision for any person being confined in a Penitentiary at all. Until this law is introduced into the Island, no local necessity will arise at any rate for such a question as the hon. gentleman has put, because until that time, the old laws of the Province will remain; and I may say that they will remain for some time. At any rate, in consequence of the suggestion made, it would be premature to introduce them, and there is now really no duty incumbent on the part of Canada to provide for the accommodation of such prisoners, the duty of Canada being to provide for Penitentiary prisoners only. There are not now, and there will not be until this Act comes into force, any Penitentiary prisoners in the Island. The question, as the hon. gentleman has put it, however, assumes another aspect. He points out the dangers of crossing from the mainland to the Island, and the risks the victims of the country's laws will suffer in being handed over from the Island to Dorchester; but as long as the Island's parliamentary representatives, and

men so valuable as my hon. friend, are exposed to the danger of crossing the Straits on either the ice boat or on the "Northern Light," I shall not feel called upon to build a Penitentiary to preserve convicts from the same dangers.

Mr. POPE: I alluded to the risk of escape.

Mr. BLAKE: I think that if they escape, it will be only an escape to a watery grave. That would be the principal description of escape, under those circumstances. I can assure the hon. gentleman that it would be a very great economical mistake to think of such a thing as building a Penitentiary for the Island. It has been supposed to be necessary, and perhaps it was, owing to the very great distance from us of Manitoba and British Columbia, to put the country to the enormous expense, as I mentioned the other day, of building these establishments in those Provinces, when a very small number of prisoners are confined in them; the cost is appalling, and the proposition—when there is an easy mode of collecting together a considerable number of prisoners at a definite place, such as Dorchester for the whole of the Maritime Provinces—of establishing a separate institution in Prince Edward Island, which would entail twice or thrice the expenditure per head that would be necessary at Dorchester, is one upon which, I think, the hon. gentleman will not, upon consideration, be disposed to insist. It is in that view, largely in an economical view, and also because better discipline can be preserved, and better reformatory results thus be obtained, that the Government, although such institutions exist at Halifax and St. John, are still proposing to abandon them, and have one institution for the whole of the Maritime Provinces—where such numbers can be collected, as within the limits discussed the other day, and referred to by the hon. member from Charlevoix, may permit economical and effectual administration and reformatory discipline. These were views upon which, some years ago, the determination was arrived at to have one Penitentiary for these Provinces, and there is no probability at all of it being altered. I

Mr. BLAKE.

have said that no legal claim exists on the part of the Island for the maintenance of prisoners under her existing Criminal Law, and because under this Law there are no Penitentiary prisoners. I may add that the Local Government—and my experience does not lead me to believe that Local Governments in general are very apt not to prefer claims which are tenable or even plausible,—has not, to my knowledge, presented any such claim, but I have thought for some time,—ever since indeed my attention was attracted to the position of things in Prince Edward Island—that there was some reason for such a claim being presented as to whether Parliament might not fairly be called upon to vote a sum equivalent to the cost of maintenance of prisoners who had been sentenced to terms longer than two years,—that being the Canadian term for Penitentiary prisoners—during the term prior to the establishment of the Dorchester Penitentiary. Certainly my intention, in case the Criminal Laws in Canada should come into force in Prince Edward Island before Dorchester Penitentiary is opened, is to propose to the authorities of the Island an arrangement for the maintenance of Penitentiary prisoners in the Common Goal in the meantime, we paying the expenses of maintenance, as was done for some time in Manitoba, and as is done to-day pending the opening of such an institution in British Columbia. That relates to the future; as for the past, I say, that there is no legal claim, but if the Local Government should prefer such a claim, it will be for the Government to consider how far they would be justified in submitting to Parliament a proposition to pay the expenses of maintaining prisoners sentenced for longer than two years' terms during the interval which has elapsed between Confederation and the introduction of the Criminal Law.

Mr. CAMERON asked whether the Schedule annexed to the Act embraced the whole Criminal Law of Canada.

Mr. BLAKE: These are the same Acts which were applied to British Columbia on its introduction into Confederation, and I believe that they are all

such Acts as apply to the whole of Canada. A distinguished legal authority of Prince Edward Island appeared to be satisfied with them. I am not aware that any on the list, applying to the whole of Canada, are excluded; but I did not personally go over the Schedule. I instructed the Law Clerks to adopt the British Columbia Acts, and I took the means to which I have referred, to ascertain whether they would be satisfactory on the Island.

*Bill read the second time.*

## LARCENY ACT AMENDMENT BILL.

[BILL No. 24.]

(*Mr. Blake.*)

SECOND READING.

Mr. BLAKE said he had explained, on the first reading, the object of this Bill. Representation had been made to him from several quarters concerning the inconvenience caused by the omission of the word "sheep" in clauses having reference to certain kinds of larceny. He intended to propose to the Committee of the Whole further amendments in the law, at the end of the 4th section, which made three years the maximum punishment for simple larceny, the old section concerning simple larceny in the Consolidated Statutes of Canada made the extreme punishment light, and it was obvious that, in certain cases of simple larceny, three years was an inadequate punishment in itself, and entirely inconsistent with other portions of the law. The proposal he intended to make to the Committee of the Whole was to substitute seven years as the maximum punishment instead of three years.

*Bill read the second time.*

## OFFENCES AGAINST THE PERSON BILL.

[BILL No. 27.]

(*Mr. Blake.*)

SECOND READING.

Mr. BLAKE said the object of this Bill was to abolish the punishment of death, and to substitute as the maximum

punishment imprisonment for life, with certain other punishments in the discretion of the Judge, for two classes of offences for which the sentence of death was now necessary to be recorded by the Judge in case of conviction. His hon. friend from Joliette had last Session called the attention of the House to one class of cases in which his own experience as Crown Prosecutor had shown him the evils resulting from maintaining on the Statute-book the punishment of death for that offence.

Sir JOHN A. MACDONALD: that relates to the 1st section.

Mr. BLAKE: The 1st section: the one touching assault with intention to murder. The result of the maintenance of the punishment of death for these crimes of assault, and poison with intent to murder, and for certain offences with respect to persons under a certain age, was that, the possibility of the result of conviction being that execution would take place, convictions were more difficult to obtain than otherwise would be the case; and in the experience of the hon. member for Joliette, it tended to prevent convictions, while on the other hand, such convictions were not, in point of fact, followed by capital execution or sentence, so that the other evil existed, of putting a law in the Statute-book which was systematically disobeyed. There was a written law, and at the same time an unwritten law. Several years ago, the punishment of death was abolished for this offence in England, and for many years, the punishments which he proposed to substitute here, or punishments nearly equivalent, the maximum being the same, were awarded in England for this offence. There was another class of offence, which the hon. member for Kingston had mentioned sometime ago, and for which the punishment of death was the only punishment capable of being awarded—that of rape. Although he had not thought fit on this occasion to propose a further alteration of the law in that particular, yet he thought it right to explain, shortly, the reason why he did not adopt the mode proposed by the hon. gentleman of mitigating the penalty of the law, or rather preferred to put plainly the punishment of imprisonment for life as the

maximum penalty in the Statute. He was quite satisfied that to award, in the discretion of the Judge, a penalty of death, was practically to abolish such penalty of death; and it seemed to him useless, therefore, and illogical, and contrary at any rate to the moving reasons for this alteration of the law, that it should nominally award to the Judge a power which no Judge would ever exercise.

*Bill read the second time.*

## INSURANCE ACTS AMENDMENT BILL

[BILL No. 36.]

(*Mr. Cartwright.*)

SECOND READING.

Mr. CARTWRIGHT said the principle of the Bill met with no opposition on the other side of the House, and, as the details had been fully explained on several occasions already, he proposed to refer it at once to the Banking and Commerce Committee for any further modifications, which might then be suggested and discussed, and, if advisable, adopted by the Committee, and afterwards submitted to the House. The only alteration of moment in this Bill, compared with the Bill submitted last year, consisted in excepting the operations of companies up to a certain date. The other alteration of moment had been inserted chiefly in compliance with the requests of English companies doing business in this country. It had appeared to him, on consideration, that there could be no opposition to it, and he had agreed to it.

Mr. BLAIN said he desired to draw the attention of the Minister of Finance to one or two matters connected with the Bill. The Bill did not now propose, he believed, as it did, in its most obnoxious feature last year, to be retrospective. Last year, when the Bill was under discussion, the gentlemen who were in favour of the principle of the Bill, as he had been himself, considered that one of its chief features was the 4½ per cent. clause; and he was not at all certain that this could not be altered with benefit. He found that some companies had issued their policies on the basis of three per cent., and some he was told, computed them at the rate of 3½ per

cent. and others at 4 per cent. If, therefore, the Government persisted in the 4½ per cent. clause, it was manifest that there would not be a sum in this country equal to the amount necessary to re-insure the policies, and this seemed to be the whole object of the Bill. He understood that some of the English companies carrying on business in this country calculated the rate of interest all the way from 3 to 4½ per cent., and it seemed to him that it would be proper for the Minister of Finance to consider the propriety of permitting these companies to continue to compute upon the basis of that contract, where the amount was less than 4½ per cent. There were several amendments which he thought would have to be moved in Committee, and he would refer to them when the Bill came up. He had very little doubt that, when the Bill was passed, a very considerable number of companies would withdraw from this country. He would suggest that the Government would probably take the whole question of insurance and the propriety of dealing with it as a Government business into consideration. The remarks he wished to make on the other points he would reserve until the Bill was in Committee.

*Bill read the second time.*

## SALARIES OF JUDGES BILL.

FIRST READING.

Mr. BLAKE moved :

“That the House do forthwith resolve itself into Committee of the Whole to consider the following resolutions:—

“1. That it is expedient to amend the eighth section of the Act passed in the thirty-seventh year of Her Majesty's reign, intituled: ‘An Act to amend the Act thirty-sixth Victoria, chapter thirty-one, for the re-adjustment of the salaries of Judges and for other purposes’ by striking out the words ‘for fifteen years’ in the said section contained, substituting therefor the words ‘for ten years.’”

“2. That it is expedient to provide that the said amendment shall extend to the application of the amended section to the County Court Judges in Nova Scotia, by virtue of the second section of the Act passed in the thirty-ninth year of Her Majesty's reign intituled: ‘An Act to provide for the salaries of the County Court Judges in the Province of Nova Scotia and for other purposes.’”

*Motion agreed to.*

Mr. BLAKE.

(In the Committee.)

Mr. BLAKE said the Committee would observe that the proposition of the resolutions was to alter the term in the existing law when the County Court Judges could claim the retiring allowance. Some years ago, the hon. member for Kingston proposed the law in regard to the retiring allowance of Judges, in which it was provided that County Court Judges should not be entitled to the allowance until after fifteen years service, even in approved cases of incapacity or inability to perform the duties. The reason assigned for that was that those Judges differed from the Superior Court Bench, since public attention was not so much drawn to the former that there was not so much scrutiny exercised by the public towards them, and that some person might therefore be appointed who was unfit for the office and might shortly afterwards retire on pension. To prevent such result the hon. member for Kingston proposed the measure accompanied by the limitation stated. The position taken by the hon. gentleman was not altogether logical, because, if carried out, it would result sometimes in the very mischief which it was designed to prevent, because people would not complain of a Judge who was not eligible to retire on the allowance. Notwithstanding that, he felt there was much force in the observations made by the hon. gentleman opposite in introducing the measure, and he did not propose to repeal the safeguard, but simply to modify it by prescribing a smaller term, which was the same as in the Civil Service, ten years. Practical experience had convinced him that the administration of justice was suffering very much from the circumstance that the Government was not in a position to retire Judges disabled by no fault of their own from discharging their duties. The shorter term would in a great measure tend to redress the evils which existed.

Sir JOHN A. MACDONALD said that, if the hon. the Minister of Justice had found the administration of justice was interfered with, he did not object to shortening the period. He

was glad, however, that his hon. friend intended to preserve that line between the County Court and the other Judges for obvious reasons, which it was unnecessary to discuss.

Resolutions ordered to be reported.

House resumed.

Resolutions reported, read the second time, and concurred in.

Mr. BLAKE introduced Bill (No. 50) To amend the Act 37 Victoria, chapter 4.

Bill read the first time.

## THE INLAND REVENUE ACT.

### RESOLUTION CONSIDERED.

Mr. LAFLAMME moved:—

“That the House go into Committee to consider the following resolution:—

“That it is expedient to amend the Act respecting the Inland Revenue, and to provide for the imposition of a license duty of fifty dollars on each importer or manufacturer (not a manufacturer of beer, wash, or spirits, or a rectifier of spirits) of stills, worms, fermenting tuns or other apparatus suitable for the manufacture of beer, wash, or spirits.”

Motion agreed to.

(In the Committee.)

Mr. LAFLAMME said the object of the resolution was, as much as possible, to check the illicit distillation of spirits. Most of the stills that had been seized had been imported from the United States, and it was proposed that manufacturers of stills, worms, &c., should make a declaration as to the destination of such articles. Information was also to be given to the officers when the manufacture of any worm or still was commenced, which would constitute a double check on the use of such apparatus. The measure was purely preventive, and would tend to bring about a better observance of the Inland Revenue Law. The duty was to be imposed on those who imported the stills, or those who manufactured them. It appeared that the revenue on spirits had fallen off considerably lately. As the consumption could not have decreased materially, the reduction in the duty collected must be attributable to illicit distilling. After search had been made, it was found that stills had been imported from the United States secretly, and

others had been manufactured in like manner. It was in order to prevent this practice that it was proposed to insist that a declaration should be made by any party intending to import or to manufacture a still to the inspector of the district, and that a return should also be made of the destination of the still. The Excise Officer by this means, would always be able to ascertain what had become of the still; and it was thought that this system would aid in correcting the evil complained of, and would render illicit distillation very difficult, and would consequently be a benefit to the revenue.

Mr. ROCHESTER said a common carpenter could make a tun or vat for a brewery or a tannery, but in order to do this he would have to pay a license fee of \$50, he understood.

Mr. LAFLAMME: No, he is only required to make a return as to its destination. There is to be no duty paid except the tun or vat is to be used for the purpose of distillation.

Mr. ROCHESTER said, under these circumstances, he had no further objection. He would only say he was always very dubious as to anything emanating from the Department of Inland Revenue. If the House had well looked into what had transpired before, there would not have been as much trouble as there was now, and the Act would not have been so inoperative as it was.

Mr. LAFLAMME said the officer at the head of the Department was competent. He did not deny that there were defects in the law, and in order to give effect to the law it was necessary that instructions should be given to the officers.

Sir JOHN A. MACDONALD said of course, until the House saw the Bill, it could not go into the whole question. But it should be explained why the \$50 was going to be imposed on manufacturers of machinery. The hon. gentleman said it was for the purpose of decreasing illicit distillation. He could not see how the imposition of \$50 on the manufacturers of vats and tuns would do this. This \$50 was a tax upon the manufacturer, and would increase the

revenue to that extent. If the Government meant to put a tax on machinery, all very good. But the reason the hon. gentleman gave was not sufficient. It seemed to him that the effect would be just the reverse of what was intended. Fifty dollars was a heavy tax upon any trade. Of course that \$50 must be added to the cost of the article, and there would be consequently an increased incentive to smuggle from the United States, because the articles could be got cheaper there, the American manufacturers having no tax of \$50 to pay. He thought it important that the measure should be before the House.

Mr. LAFLAMME: I have no objection to let the resolution lie over.

Mr. ROCHESTER said he was glad the hon. member had consented to leave the resolution over. It might be that the manufacturer who paid \$50 for his license fee would only make one or two stills or vats. It seemed perfectly clear to him that a man who wanted a still for illicit purposes would go to the other side for it, where he could get one cheaper than he could here, and where he would also be less in danger of being tracked.

Mr. CARTWRIGHT said unfortunately there was evidence of a great many illicit distilleries. The practical thing which his hon. friend was desirous of guarding against was the distribution of these vats throughout the country. The proposed Bill was similar to an English Act which had proved of service.

Sir JOHN A. MACDONALD said there was no doubt that these illicit distilleries ought to be put down with a strong hand. No legislation could be too stringent for this purpose, providing it did not interfere with personal liberty. The objection he had to the Bill proposed was that it would not at all effect the object. If he thought it would do so he would support it most heartily.

House resumed.

Progress reported.

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

Mr. LAFLAMME.

**After Recess.****SUPPLY.**

## VII.—LEGISLATION.

House resolved itself into Committee of Supply.

(In the Committee.)

*Senate.*

40. Salaries and contingent expenses of the Senate... \$50,918

*House of Commons.*

41. Salaries, per Clerk's estimate ..... \$59,850

Mr. SPEAKER said an officer had died during the recess, and, on consultation with the officers of the Department, they had come to the conclusion that they could get along very well without any re-appointment. There were nominally two increases in regard to junior clerks; one of these was employed in the French Department for a number of years, being paid by the day for nearly the entire year, and he had concluded that it would be better to put this officer on the permanent staff, a saving being thus actually effected. Another, an old gentleman, had been employed year after year, nominally as sessional clerk, and he had decided that in this case also it was desirable to place him on the permanent staff at a salary smaller than the sum he had received for some years previous. In each case, a saving had actually resulted. He had endeavoured this Session to obtain a return to enable him to submit to the House an exact statement of the financial condition of the Department, but he was sorry to learn that this was impossible, owing to the rather irregular manner in which the accounts had been kept. He believed that, if he had the accounts before him, he would be able to show that, notwithstanding the very material increase in the salaries, he had succeeded in effecting a very considerable reduction in the total expenditure.

*Vote agreed to.*

42. Expenses of Committees, extra Sessional Clerks, &c., \$3,560

21½

Mr. CARTWRIGHT said a reduction had been effected in the expenses of extra Committees. Of course, as to whether they would keep within that figure or not would depend on the number of Committees granted.

Mr. SPEAKER said he did not consider the amount appropriated for Special Committees, \$4,000, sufficient, and last year this expenditure had reached the sum of \$6,500. He had endeavoured to cut down the charges in this connection, but he had found it to be exceedingly difficult to do so.

Mr. CARTWRIGHT said that special causes had made the expenditure of last Session heavy. More economy would probably be shown if the amount was limited.

Mr. DYMOND said that a great deal of inconvenience had been experienced during the last two Sessions in consequence of not having competent shorthand writers available for Committee work; and he suggested the employment, in some of the Departments, of excellent shorthand writers or reporters, of whose services advantage could be taken during the Sessions of Parliament. Last Session they had been obliged to secure casual assistance in this relation; and he thought it would be desirable to take the step which he proposed.

*Vote agreed to.*

43. Contingencies..... \$20,100

Mr. SPEAKER said the Commissioners, as hon. gentlemen were aware, were members of the Government who kept a very sharp eye on the expenditure.

Mr. MITCHELL said that if this vote had not been expended last year it would be well to strike out the item.

*Vote agreed to.*

44. Publishing Debates of the House of Commons.... \$15,000

Sir JOHN A. MACDONALD: That item has been already adopted by the House.

Mr. ROSS (Middlesex) said that the publication of the debates last year cost \$12,288, and for the previous year \$13,400. Under the present arrangement, he thought the amount would not exceed \$12,280.

*Vote agreed to.*

45. Salaries and Contingencies  
per Sergeant-at-Arms'  
Estimate..... \$28,850

Mr. CARTWRIGHT said he was sorry to state that the major portion of the total decrease of \$6,600—\$6,000—was merely a transference from this account to the Public Works Department, as his hon. friend the First Minister had made a contract with the Water Works Commissioners of the city of Ottawa. The remainder of the decrease, \$600, was caused by the retirement of a permanent messenger.

Sir JOHN A. MACDONALD asked whether the maintenance and repairs of the building were paid out of the grant of Parliament, or by the Board of Works.

Mr. SPEAKER said he believed that the larger portion of the expenditure on the building itself was paid by the Board of Works, or the Minister of Public Works.

Sir JOHN A. MACDONALD said his impression was that everything of this kind was done by the Government, no money being expended save under the direction of a responsible officer of the Government. The Commissioner of Woods and Forests and of Public Buildings had everything of this nature under his charge, and the money was disbursed on his responsibility. He suggested to the Minister of Public Works whether it would not be well to adopt the English system. The Palace of Westminster, as it was called, was supposed to be the Sovereign's Palace, where she summoned the Houses to meet her, and the responsibility of receiving her and her officers, and of making them comfortable, was assigned to the Government as a portion of their duties.

Mr. MACKENZIE said that this was really at present being done. As the hon. gentleman knew, a good deal of the expenditure about the Buildings of Parliament had been connected with the original plan. Such changes as were material for the final completion of the Building, and the finishing of the front porch, had been effected under the special appropriation obtained for this purpose last year. The expense

Mr. Ross.

connected with furnishing the Buildings with water and gas was now taken in charge by the Public Works Department.

Sir JOHN A. MACDONALD: That is quite right.

Mr. MACKENZIE said that the expense of fitting up the old Library for the Supreme Court room had been defrayed out of the special vote for the Library and Buildings, but the ordinary repairs and changes were now, and would always be hereafter, charged to the ordinary vote for the grounds and repairs. The system to which the hon. gentleman referred he had himself always advocated, and he was now endeavouring to carry it into practice.

Mr. SPEAKER said that this expenditure was entirely under the control of the Sergeant-at-Arms. It would hardly work to be compelled to run to the Minister of Public Works, or to one of the Deputies, to obtain authority for the execution of slight repairs or changes; but of course, touching any work of an expensive character, this ought to be done, as he believed was now the case, under the authority of the Minister of Public Works.

Vote agreed to.

#### MISCELLANEOUS.

46. Grant to Parliamentary  
Library, including provi-  
sion for Law Books,.....\$10,000.00

Mr. CARTWRIGHT said he believed that the provision of a sufficient number of law books and books of reference for the Library to be attached to the Supreme Court would be a somewhat expensive matter. He understood that a very considerable number of books of reference was required for that part of the Library.

Mr. BABY asked if anything had been done towards carrying out the recommendations of the Committee in regard to the reorganization of the Library.

Mr. MACKENZIE said the Commission received the Librarian's Report as to what he considered necessary in the way of reorganization. The Librarian's salary had been increased and two junior clerks appointed. Mr. Todd was of opinion that the staff was amply sut-

ficient to enable him to conduct the business. They left it to the Library Committee, appointed this Session, to make such further changes as might be required.

Mr. MASSON said the officers ought to have been appointed according to the report of the Committee, which was to the effect that three competent assistants should be appointed.

Mr. BABY said he exceedingly regretted that the suggestions made by the Committee had not been carried out. The Committee had investigated the matter thoroughly and reported what they thought necessary for the reorganization of the Library. In many respects the Library was an institution to be proud of, but in certain departments it did not compare with other libraries on this continent. The historical department was lamentably deficient, especially in American works. Although the Librarian was an accomplished and efficient officer, yet he could not attend to all the details, and it was necessary for the efficiency of the institution that the recommendations of the Committee should have been carried out.

Mr. MACKENZIE said he was unable to understand the ground of the complaint made by the hon. gentleman. Was it because the Government had not expended enough money, or because more than required were not appointed? They had appointed only such officers as were reported necessary for the efficiency of the Library. The whole question had been remitted to a Committee of the Privy Council, and by them arranged upon its present basis. The object of the Government was to secure the best possible service at the least possible expense. Mr. Todd was one of the most efficient Librarians in the world, and if he had surrounded himself with an insufficient staff, the Library Committee would bring that to light.

Sir. JOHN A. MACDONALD said he understood the objection of the hon. members for Terrobonne and Joliette was that the report of the Committee had been adopted by both Houses, and the Government had disregarded it.

Mr. MACKENZIE said the House passed no such order. The Committee had merely expressed an opinion on the question, and they were not bound by it. He did not wish to shelter himself behind the Committee or any one, but was prepared to accept the responsibility of his action in this respect.

Mr. MASSON said his object was to say that the hon. Minister of Public Works had shielded himself behind the Committee. The hon. gentleman was so shielding himself.

Mr. MACKENZIE said he really must object to such observations. He had no need to shield myself behind anyone, as he had done nothing wrong. He would stand by his action.

Mr. MASSON: The hon. gentleman said he acted on the advice of the Librarian.

Mr. MACKENZIE: Why not?

Mr. MASSON: Well, then, the hon. gentleman is shielding himself behind the Committee and the Librarian. He was informed that the Library was deficient in old Canadian works. Now, the hon. gentleman himself would admit, that if Canada was to have any Library at all, the first effort should be to obtain works relating to the country. In the legal department an assistant conversant with law was required, to give advice in regard to legal books. Any one could point out where particular volumes were to be found, but more capable help in this particular branch was needed.

Mr. MACKENZIE said there was no legal knowledge required such as would necessitate the appointment of a legal expert. All that the Librarian and his assistants had to do was the maintaining of the Library in proper order, and seeing that there were the proper facilities for obtaining the books which might be required by persons who had a right to visit the Library. He understood that the Assistant Librarian was a legal gentleman, and probably as good a constitutional lawyer as some of the legal gentlemen in the House, and no doubt he was perfectly able to discharge his duties. He saw no reason why the Library should be divided into classes, and experts appointed for each. Moreover, the opinion of the Com-

mittee was not by any means so distinctly formed as was represented. The Committee said they were of the opinion that the Library should be divided into three departments, viz., the general, the French, and the legal, and that each department should be under the care and superintendence of an assistant librarian. These assistants could be called by any names the House pleased. But the real objection seemed to be that, whereas the Committee recommended three superintendents, the Government had found that two were sufficient.

Mr. MASSON: No.

Mr. MACKENZIE: And that there is less expense.

Mr. MASSON: No.

Mr. MACKENZIE said the Government had no object in making only two appointments but to save the public money. He believed they had saved the public money, and that the work had been efficiently performed.

Mr. BABY said that, despite the Committee, which had been appointed to assist in the organization and management of the Library, the Librarian was the only man who was consulted in the matter. Why should fifteen members of the House be called away from their ordinary work to sit in the Chamber and hear Mr. Librarian express his views. The thirty members of the Committee had examined minutely what was necessary, and they had come to the conclusion that the Library should be divided into three departments, with an assistant in each department. The hon. the Premier said the House had no right to complain when he had decreased the number of assistants; but it was possible to decrease the expenditure and impair the efficiency. He did not, however, impute any motives to the hon. the Premier. He hoped that the hon. gentleman would come to the conclusion, when he had read the report of the Committee, that the Committee only desired the efficient management of the Library.

Mr. MACKENZIE: Of course.

Mr. BABY said that, with regard to class legislation, the House had nothing to do. All that was wanted was that

Mr. MACKENZIE.

there should be a person of legal attainments in the Library. The members of the House were law-makers, and they required some official who could place in their hands any law treatise on the subject which they were discussing. Even the most learned gentlemen required reference books sometimes; and the most trained constitutional lawyers sometimes required to have their memories refreshed. But there was not a lawyer in the library.

Mr. MACKENZIE: We will trust to the hon. gentleman for the law.

Mr. MILLS said the hon. member for Joliette, would observe, if he looked at the Bill providing for the maintenance of the Library, that merely the Librarian and two assistants were mentioned. When the Committee last year recommended three assistants, they recommended what the law itself did not permit. It was impossible that the Government could have immediately carried out the instructions received from the Committee, even if they had desired to do so. When the Committee made their recommendation it was quite clear that they had not looked at the Statute. The hon. gentleman had asked that an assistant should be appointed who should be an expert in legal matters. Then why not appoint an expert in commercial matters and political economy? In fact the legislation was dependent upon their impressions regarding the commercial and industrial interests of the country. If the view expected by the hon. member for Joliette were correct, the assistants would in themselves form a perfect encyclopaedia, and they would supercede the necessity for a Library. In the department of political economy, the hon. gentlemen opposite would want a protectionist, and the hon. gentlemen on the Government side would want a free-trader. Instead of a Library, there would be an university with a staff of professors who would not be called upon to give statistics, but who would act as private tutors to the members, in order to qualify them for the positions to which they had been elected.

Sir JOHN A. MACDONALD said he was not desirous of destroying the ornate appearance of the Library, but,

as he understood that it did not hold the books that were now possessed, he would like to know whether any arrangement was proposed by which all the books could be placed away. He would ask the hon. the Premier whether there was any possibility of the space in the centre being utilized so as to make room for more books.

Mr. MACKENZIE said it was a matter of regret to him that the Library was not nearly large enough for its purpose. It was not until the interior was nearly completed that the Librarian called his attention to the fact that it would not hold more than 80,000 volumes. The side rooms, which it was intended should be used as reading rooms, had to be utilized for the storage of books. The Public Works Department took great trouble to retain a not less ornate appearance on the interior than the exterior presented. Various suggestions had occurred to him as to what should be done in regard to arrangements. The old Library was turned into the Supreme Court room, and a passage was cut from the rear rooms so as to afford an entrance into the Library without passing through the Court room. The Government were unwilling to go to the expense of erecting a new building for the Supreme Court when there was accommodation within the precincts of the House. Perhaps, some years hence the Court might be held in some other part of the building, and then the present room might revert back to its original use as a Library room. Another matter which should enlist the attention of the Library Committee was that fully ten or twelve per cent. of the new works were not books of much service in such a Library. They were very useful and very pleasant to the ordinary public, but they were not essential in a Parliamentary Library. It might be advisable that a considerable proportion of such books should be disposed of on that ground, and that means be taken to prevent the public money being invested in books of that class for the future. It would be observed that it was impossible to extend the new Library without ruining its outside architectural design. However much it was desirable to

obtain more room, he was sure that no hon. gentleman with any taste would be willing that what was perhaps the most beautiful edifice in North America should be destroyed. Although the Library had cost a considerable amount of money, he believed it had caused much pleasure to hon. members, Canadians generally and many distinguished foreigners, who pronounced it one of the most beautiful buildings they had ever seen.

Sir JOHN A. MACDONALD said it was quite true that a number of the books in the Library were not required for a Parliamentary Library. Still it must be borne in mind that we had nothing like a National Library, such as the British Museum in England. The Library here served the purpose both of a Parliamentary Library and a Library for the whole Dominion. He hoped that some day there would be a National Library, and then the Parliamentary Library could be confined more particularly to works of reference and treatises on general law, constitutional law, political economy, and the sciences, excluding that branch of literature known as *Belles Lettres*, the books treating on which, would be transferred to the National Library. But, until this could be accomplished, it was necessary to have books of a general character. Nevertheless, perhaps many of the books in the Library could, with advantage, be replaced by others of a more useful character.

Vote agreed to.

47. Printing, Binding and distributing the Laws.....	\$14,900
48. To meet the estimated expenses in connection with consolidation of the Laws.....	\$8,000
49. Printing, printing paper, and bookbinding.....	\$70,000
50. Contingencies of the Clerk of the Crown in Chancery	\$1,200
51. Miscellaneous Printing...	\$2,000
52. To meet the expenses in connection with the care of Archives.....	\$3,000

Mr. POPE (Compton) said he hoped that the collection of the papers and records in question would, in future, be pursued with diligence, as the matter was extremely important.

Mr. CARTWRIGHT said that he had brought the question on more than one occasion under the notice of his late hon. colleague, the present Lieutenant-Governor of Quebec.

Mr. POPE said that, if his hon. friend would look over the reports of 1872, 1873, and 1874 on this subject, he would find a large catalogue concerning manuscripts relating to this country which existed in London and Paris. Something had been done in this regard while he had had the honour of being at the head of the Department of Agriculture, but the work had not been completed. Mr. Brymner's report would be very useful for reference.

Mr. BABY said that peoples, like families, desired to have their records and archives kept in a complete condition. The Minister of Finance last year had promised to do everything in his power to have the papers mentioned by Mr. Brymner transcribed and placed in the archives of this country. The States of the American Union took a great pride in keeping the records relating to their early history complete, and it was a fact that in Boston and Albany could be found more of the history of Canada in manuscript form than could be seen here. He hoped that some one would be sent to England and France to collect the papers in question.

#### THE NEW MEMBER FOR KAMOURASKA.

Mr. LANGEVIN: The newly-elected member for Kamouraska is waiting to be admitted and take his seat; would the First Minister or the Minister of Finance be kind enough to move that the Committee rise, in order that this member may be admitted?

Mr. MACKENZIE: This is a rather extraordinary proposal, and one of which I have never heard before, but as the hon. gentleman has made the application, I shall not object.

Sir JOHN A. MACDONALD: Of course the newly-elected member has a right to take his seat; besides, he may wish to say something on the very questions which are at present under the consideration of the Committee;

Mr. POPE.

and, of course, the proceedings will only take a few minutes.

House resumed.

#### NEW MEMBER INTRODUCED.

CHARLES FRANÇOIS ROY, Esq., Member for the Electoral District of Kamouraska, having previously taken the oath according to law, and subscribed the roll according to the same, took his seat in the House.

#### SUPPLY.

House again resolved into Committee of Supply.

(In the Committee.)

Vote No. 52 agreed to.

53. To meet expenses in connection with the organization of the Patent Record. \$7,200

Mr. CARTWRIGHT said he was happy to state that, owing to the increase of business, the receipts for the Patent Record were very respectable, amounting last year, he believed, to \$35,000, more than clearing expenses in this connection.

Mr. MITCHELL: What is the object of the Record? Is it simply to keep a list of registrations and of patents?

Mr. MACKENZIE: It is a small journal in which are published all the drawings, and some of the specifications of patents.

Sir JOHN A. MACDONALD: And a very valuable record it will be hereafter. I am very glad to hear that the funds received enable the Government to meet the necessary expenses.

Vote agreed to.

54. To meet expenses in connection with the preparation of criminal statistics..... \$5,000

Mr. MACKENZIE said that these statistics were sent in by the officials of the various courts, who were remunerated for this work in accordance with a schedule of fees that had been adopted by an Order in Council.

Mr. ROSS (Middlesex) called the attention of the Government to the importance of making some arrangement whereby statistics of various

kinds could be collected for the use and benefit of the country. Anyone acquainted with the system of statistics which had been prepared by Edward Young, Chairman of the Bureau of Statistics at Washington, would see how vastly superior the American system was, in this particular, to the Canadian. Statistics in condensed form were issued quarterly from the office at Washington, informing the country with respect to the imports and exports, the duties and debts, and all statistical matters interesting both to legislators and to the public generally. Statistics of the same kind, affecting the Dominion, could only be found in our Library after a great deal of research, and he thought it was desirable that a department of this nature should be established. He believed that the Chairman of the Committee had called the attention of the House to this matter last year, and he did not see why some clerk could not be instructed to attend to this particular duty. For instance, at Washington, in the Educational Statistical Department, a Commissioner of Education could, in a few minutes, give information regarding the state of education in every State of the Union: the number of children between certain ages attending school, and the number of people in the States, individually and collectively, who were able to read or write; and give a bird's-eye view of the social, political and moral standing of every State. If one desired to secure similar information respecting the Dominion of Canada, he was obliged to examine the educational reports of each Province separately, and this could not be done without considerable labour and the devotion of a great deal of time to the task. He strongly and respectfully urged the Government to secure the services of a competent person, who, at regular intervals during the year, should issue a volume from the Department on Trade and Commercial matters, &c., in order that the House might yearly obtain reliable and satisfactory statistics of this kind.

Mr. JONES (Halifax) said he deeply regretted the omission of the vote for \$4,100, Salaries and contingent expenses of Statistical Office, Halifax, and \$1,880, Salaries of 316 Deputy Registrars,

Province of Nova Scotia, and allowance for getting marriage returns. The system in question had been established previous to the Union, and it had proved to be very valuable. He hoped that the Government, before Parliament rose, would adopt the course they had pursued last year, and submit these items to the House in the Supplementary Estimates.

Mr. CARTWRIGHT said that, if his memory did not fail him, notice was given last year that these items would not in any likelihood be continued for another year. There was a great deal of force in the statement as to the desirability of having such statistics for the whole Dominion, but their preparation would involve a very great deal of labour and expense. He did not think that they were now, or that they would be for a very considerable time to come, prepared to undertake any such work, and under the circumstances, it did not appear fair to continue the collection of a small portion of them in one Province. He did not consider it possible to justify the vote asked for, unless a general system was adopted, and this they were not at present in a position to do.

Mr. JONES said there might be good reason why the Government was not prepared to adopt a general system, but this was no reason why they should abolish the system already in force in Nova Scotia. He held that this would be almost a breach of faith with that Province, necessitating, in addition, the loss of the services of valuable officers, and the destruction of a system which had worked extremely well.

Mr. POPE (Compton) said he quite agreed with his hon. friend from Halifax. If there was one thing more than another to which the Government should give attention, and one on which the expenditure of money would be valuable to the country, it was the collection of statistics. In almost every country but Canada, a system of statistics was in operation. Such a system, however, could not be perfected in a day, and could not be carried out with a small amount of money. It was unfortunate, in view of the great importance of the subject, that this

Province should not be allowed to carry out the system until it was extended over the whole Dominion. If it was found impossible to extend the system to the Dominion at present, it was no reason why Nova Scotia should suffer. He trusted the system would be allowed to go on for another year.

Mr. CARTWRIGHT said the Government was not justified in entailing the expenditure which attached to the system of statistics at present, and would not be for a considerable number of years to come. He deeply regretted that they could not comply with the request, but he saw little chance now of gathering the vital statistics in such a way as to be useful. To some extent, no doubt, the system of Nova Scotia had been of value, but it could not be complete and extensive.

Mr. GOUDGE said he was glad the hon. member for Halifax had brought this matter to the notice of the Government. Because the Government did not feel able to introduce a general system, he did not think that the Province should be deprived of a system of statistics which, in the past, had enabled them to arrive at certain data and conclusions. It was a step backwards, he thought, for the Government to abandon a system which had hitherto worked well. Besides, the act would be regarded as a breach of faith, and he hoped, before the House rose, some provision would be made in the Supplementary Estimates for the continuance of the system.

*Vote agreed to.*

55. Immigration and Quarantine..... \$120,550

Mr. MASSON said the vote for this Department was about the same as last year, and it would therefore appear extraordinary to every hon. member that, notwithstanding the continual reduction in the number of immigrants coming to the country, the expenses remained the same. This was more striking when it was considered that last summer an extraordinary event occurred. Those immigrants whom we had taken so much trouble and spent so much money to bring to Canada were sent back to the country from which they came by the Government. Whatever might be the

explanations on this subject, every one must feel that it was a striking coincidence that at the very moment they were spending so much to induce people to come here, they were also spending money to undo the work they had been at so much trouble to do. He could understand that, if the Government could explain that the immigrants were sent here previous to the year 1874, there might be some excuse in returning them; but it would be within the recollection of every hon. member who had followed the report of the Minister of Agriculture, that every precaution had been taken in France since 1874 to prevent immigrants of a certain class coming to Canada, and that the Immigrant Agent, against whom a great deal was at one time said, had taken every precaution to send a proper class of immigrants here. He had even made every man desiring to come here sign a paper indemnifying the Government against any accusation of having been misled in coming to Canada. Under the circumstances he would like to know how the Government had decided upon giving such a blow to our whole system of immigration as to pay money to send 230 persons back to the country from whence they came. He understood the difficulty there existed in obtaining immigrants from France. The French people did not generally emigrate; they did not like to leave their country, and it was only in times of political commotion, or similar excitements, that they could be induced to emigrate, and it was not likely, in ordinary times, that that people would pay great attention to the representations of the emigration agent. The field for emigrants in Europe was, on account of peculiar circumstances, becoming temporarily exhausted, and it was time to look to other countries for the supply of population for Canada. They should look around, and see whether there was a field nearer our border which might be more productive in this respect than Europe. Two years ago he introduced a motion into the House to bring about the repatriation of our fellow-countrymen who had emigrated to the United States. At that time he met with rather a severe rebuke from certain members, and, unfortunately, some from

Mr. POPE.

the Province of Quebec; but he was glad to see that a strong reversion of feeling on that subject had taken place. There was a feeling now in favour of repatriation, and the Canadians across the border, having observed this disposition, were inclined to avail themselves of the opportunity to return to their future country. The report of Mr. Lalime stated:

"When I entered on my duties on the 22nd of April, 1875, the advantages which Manitoba has to offer to emigrants were not known, and in the United States there was but little said about emigrating in the direction of that Province. The Canadians of Worcester, Mass., where I reside, had alone taken the initiative of such a movement, and I should add that in several other centres of Canadian population, where the question had been somewhat agitated, the people were quite opposed to an emigration towards the Canadian prairies. But, when the news spread that your Government intended seriously to direct towards Manitoba a stream of Canadian emigration, and it was seen in operation, opposition ceased and the news was received with satisfaction."

This report was a justification of the position he took on this question two Sessions ago. If steps in this direction had been taken when the depression first came upon the United States, the results would have been very gratifying. There was no better class of immigrants for this country than the Canadians, Irish or French, who were compelled some years ago to emigrate to the United States. It was generally conceded that agriculturists were specially needed for Canada. On that point Mr. Lalime said:—

"The Canadian population of New England is essentially suited to colonise Manitoba; it is made up of the Canadian, French and Anglo-Saxon races, and is almost entirely composed of agriculturists."

The efforts so far in the direction of repatriation had been so successful that during the last season 350 French-Canadians residing in the United States were sent to Manitoba. Notwithstanding the risk and the difficulty they had on Lake Superior, and the fact that some of them arrived late in the country, they were not discouraged; and they were all satisfied with the country and had urged their compatriots in the United States to follow them. He knew of a gentleman who

was going to the United States, at his own expense, to find as many emigrants as he could for the North-West. A great many French-Canadians in the United States wished to go there, and they only required some one who knew Manitoba to go to them and encourage them. He was not speaking of French-Canadians in the United States only. He understood a large number of the Irish people wished to take the same step. He did not agree with the opinions of the hon. member for Lisgar, inasmuch as that hon. gentleman was opposed to what might be called "national" establishments or settlements. It was quite natural that a body of people going to, what was to them a foreign country, should desire to live together. It was very advisable to set apart one or two townships for French immigration, and he hoped the Government would not change the system it had adopted in this respect. As a proof of the necessity of the Government apportioning certain districts or townships for the reception of bodies of people of the same nationality, he referred to the proposal of a member of the Swiss Legislature on this subject. In fact, he thought it impossible to obtain any considerable emigration from any one country unless there was a hope of all the emigrants being near to each other. The proposal of the Swiss emigrants might be somewhat extraordinary, but he thought it might be modified so as to be acceptable to the Government. He did not speak in a hostile spirit to the Government, but at the same time he thought the Government ought not to take credit for what had been done in sending a large number of French-Canadians to the Province of Manitoba, because he believed if they had not been pushed they would not have done it.

MR. MACKENZIE: We all admit the hon. gentleman frightened us into it.

MR. MASSON: I do not think the hon. gentleman is frightened by anybody except his own supporters. In deference to the hon. member for Chateauguay, the Nestor of the House, and fearing evil consequences, the Government had to adopt almost the same proposition as I myself made.

Mr. CARTWRIGHT said the French who had come from France, and over whom the difficulty occurred, were not as desirable a class of settlers as was possible. A considerable number of them had to be sent back to Paris. He agreed with the last speaker that the movement in France was very liable to degenerate into abuse; but the moment the true state of affairs came to the notice of the Government, they stopped it. Unfortunately a great deal of money had been spent in this way.

Mr. POPE (Compton): How many were sent back?

Mr. CARTWRIGHT said he believed 230 were sent back, the expense being \$22 per head, amounting to something over \$5,000 in all. He entirely agreed with what the hon. member for Terrebonne had said about it not being the business of the Government of Canada to pay for people coming out here, and then to pay their expenses back if they did not like the country. A considerable amount of money had been spent by the Government for the purpose of inducing immigration into Manitoba. The aggregate amount per head was calculated at \$26, which was somewhat considerable. There was no doubt that the great depression which had extended all over North America had tended to considerably decrease the number of immigrants. Nevertheless, a great number had been reported as having settled in Manitoba during the past year. Looking at the amount expended on behalf of the Mennonites and Icelanders, and considering the circumstances, it could not be said that immigration had been abandoned. He agreed that it was desirable to encourage the agricultural class, and not the mechanical class, as the wants of the country, as to the latter class, were already amply supplied. Judging by the experiment with the Icelandic population, he saw no objection to setting apart a reasonable portion of land for persons of French-Canadian extraction who might wish to settle together.

Mr. JETTÉ said he wished to sustain what the hon. member for Terrebonne had said with reference to the Canadian agent in Paris. That gentleman had taken the greatest care to send out to

this country only such emigrants as were suitable. If he were deceived in some cases it was not his fault. When he (Mr. Jetté) was in Paris two or three years ago, he had occasion to see some of the correspondence on the subject, and he could bear personal testimony to the care which the agent took in only encouraging those to come who were suitable to the wants of the country. Some accusations had been made against that gentleman, he being charged with not being sufficiently careful what class of people he sent out on account of his getting so much per head; and therefore he thought it his duty to make that statement.

Mr. MASSON: The hon. gentleman may add, I think, that the agent in Paris has recommended that the system of giving so much per head should be abandoned.

Mr. PALMER said the vote asked for in connection with immigration was excessive, and it was not desirable that the policy of maintaining the expenditure at a high figure should be longer continued. It was no doubt important that during prosperous times, when there was abundant work and large public undertakings under contract, a liberal immigration policy should be pursued; but it was unwise to continue the system in full operation in the present dull times, when the Minister of Finance had announced a considerable deficit and additional taxes were about to be imposed. He did not charge the Government with being responsible for the existing system, which required to be changed. The immigrants would constitute the same class of labour as that which was now unemployed in the cities. Many persons attributed that distress to the policy of the Government, but, whatever was the cause, it was useless to bring into the country people who had no means and who could only be sustained by the capital at present in it. The immigration vote should be regulated each year by the needs of the country, and this year it should be reduced to a very small amount. When the statement was made that twenty thousand people had settled in the country within a recent period, it should be remembered that with the

present scarcity of labour, they would have displaced an equal number of persons formerly employed. The proposed vote of \$230,000 could be reduced by three-fourths, without injury to the country.

Mr. CARTWRIGHT said a portion of the proposed vote was connected with quarantine and protective measures for the public health, while \$187,000 properly belonged to immigration, of which a very large amount was required to meet the expenses of the Mennonite colony in case they chose to avail themselves of the contract or stipulation they had made with the Government. The question of the possible reduction of the amount for emigration travelling agents and others was now engaging the attention of the Government; if they were able to effect a reduction, they would be glad to do so. No doubt, in times like the present, it was not desirable to encourage any immigration other than agricultural, for which, nevertheless, there was in certain portions of the country a considerable demand, which was likely to continue so, and also for certain classes of domestic servants. The proposed vote showed a considerable reduction, as compared with the amount granted last year.

Mr. POPE asked the number of Canadian emigration agents in Europe.

Mr. BURPEE said there were thirteen.

Mr. POPE enquired whether the Government proposed to change the arrangement made with the Mennonites, which only extended to the years 1874-5-6.

Mr. BURPEE said it was not intended to change the system at present in force.

Mr. POPE said the time for which the arrangement was made had expired.

Mr. BURPEE said he thought that was not the case.

Mr. POPE enquired if the Government had made any arrangement with the steamship companies for reduced passage rates for immigrants.

Mr. BURPEE said the existing arrangement was being continued.

Mr. POPE said the arrangement was that up to 1876 immigrants should come out at the rate of \$30 per head; from 1876 the rate would be \$40 per head, to be extended until 1882, if the Government thought proper.

Mr. BURPEE said further explanations would be given.

Mr. POPE asked if Shipping Agents on the other side of the Atlantic were employed by the Government as Emigration Agents, and if so, what was their remuneration.

Mr. BURPEE said they had a *per capita* allowance.

Mr. POPE: Then they are employed.

Mr. BURPEE: No special employment is given them.

Mr. POPE said that according to Mr. Klotz's report of 1876, a large body of people in Russia composed of Mennonites, Catholics and Jews were about to emigrate. In his report Mr. Klotz said:—

“ Besides the so-called Mennonite emigration from Russia, a large German emigration from Eastern Russia, along the Volga, is to take place. The denominations of these people are Catholics, Lutherans, and some Mennonites. This impending emigration is said to be of very great dimensions. Delegates from these sections were here at Hamburg in July last on their way to the Brazils. With great difficulty I had several interviews with said delegates, with the object of inducing them to pay a visit to Canada, which, after frequent interviews, they promised to do. The particulars of said interviews, and how a large share of said impending emigration may likely be secured to Canada, I have communicated to the Department at Ottawa, through the London Agency under date 21st August, 1876.”

He desired to inquire whether any arrangement or representation had been made by the Government to induce those people to emigrate to this country.

Mr. BURPEE said no arrangement had been made.

Mr. POPE said the late Government determined to make the experiment as to what could be done in the direction of inducing emigrants to settle in Canada. A considerable number of agents were sent to Europe, as it was necessary that the Dominion should become as widely known as possible, at the same time he felt that in a few

years a smaller number of agents would be necessary, when the most efficient men would be retained. At that time, labourers were required who could obtain employment at the large public works then in progress. But the position of the labour market in this country had changed; nevertheless the Public Accounts would show that the expenditure by the late Government at the time to which he referred was only \$4,000 more than the Estimate for this year. Practically therefore, there had been no reduction effected by the present Government. In 1872 the expenditure of the Dominion for immigration purposes amounted to \$126,124, and the number of immigrants brought into the country was about 34,000, costing something like \$3.50 per head. Feeling the necessity of increasing their exertions in this Department, the late Government had employed a larger force of agents in 1873, and the actual number of immigrants who came from Europe during that year was 42,000, costing \$5.60 per head. In 1874, and the result in that year had been affected by the work performed during the preceding year, the number of European immigrants was 25,000, and the cost, under the administration of the present Government was \$10.50 per head. In 1875, the immigrants numbered 18,000, and the cost was no less than \$16.50 per head. In 1876 the immigrants from Europe numbered about 14,000, and the actual cost was \$20.60, so that the cost had been quadrupled since 1873. This was the manner in which hon. gentlemen opposite managed this Department. He had no complaint to make against the policy of those hon. gentlemen because they had generally pursued the same policy as the late Administration, but, whenever they had made a change, it did not last over one year, and the results were disastrous. The Agent-General, with all his paraphernalia, had been most expensive; but this officer had only followed out his instructions. He thought that the Agent-General, who he presumed had done the best he could, had been treated most unfairly. That official had been lauded as the best man that could possibly be found for the purposes the

Mr. POPE.

Government had in view, and great things were expected of him; but nevertheless, about the 14th of last February, as soon as House met, he was most cavalierly dismissed.

Mr. MACKENZIE: He was not dismissed.

Mr. POPE: It was tantamount to a dismissal.

Mr. MACKENZIE: No, it was not.

Mr. POPE said that the ex-Agent-General had been extravagantly praised. In fact they were told that he had written a book.

Mr. MITCHELL: Two or three of them.

Mr. POPE thought that the fault had not lain with the ex-Agent-General, but with the management of the Department here. Immigrant agents had not been kept at their work; they did not know what they had to do, and they had no particular instructions. This he saw was the case when he was in London. The ex-Agent-General had received very valuable assistance from the Hon. Mr. Macdougall; and in fact he believed that the former could have accomplished nothing without the latter's aid. It had been stated in a certain newspaper that Mr. Macdougall had been unnecessarily kept in the pay of the Department for seven or eight months, but this was wholly due to the present Administration. Mr. Macdougall's engagement expired before the late Government resigned, and he had to return to London to have his accounts audited and settled. Mr. Macdougall had been employed to encourage emigration from Norway and Sweden to this country, and he stated in his report that emigrants could be readily sent out in sailing vessels at \$7 per head if the Government would pay one-half of the passage money, which had previously been very high. He also made arrangements with various steamship lines in this connection. The present Government were entirely responsible for keeping Mr. Macdougall in London for seven or eight months after the term of his engagement had lapsed.

Mr. MACKENZIE: Hear, hear.

Mr. POPE said the hon. gentleman exclaimed "Hear, hear;" but they could not have done without the services of Mr. Macdougall, as the ex-Agent-General knew nothing at the time about his department, or about the system of emigration.

Mr. MACKENZIE: Mr. Macdougall gave no assistance.

Mr. POPE said that he knew better than that, because he had seen the contrary when in London, where he had met Mr. Matson, the agent sent to replace Mr. Macdougall, doing nothing—without instructions and without advice, though anxious to know what he was to do. And Mr. Matson was not alone in this plight; all the other officers had the same difficulty. The system was good enough, but it had been badly managed. He wished to be particularly understood to declare that the expenditure on 42,000 immigrants in 1873 was not \$4,000 more than the estimated expenditure of these hon. gentlemen for the current year, for which they claimed a reduction of \$60,000, while the expenditure on 14,000 immigrants during the last two years had been considerably more than it had been on 42,000 immigrants, who arrived in Canada during the last year of the existence of the late Administration. He considered himself entirely responsible for the arrival of all the Mennonites who had come to this country, bringing with them something over \$600,000 in money, and he hoped that the immigration of this valuable class of people, would be fostered. They had settled on the prairies, and were found to be very successful and very prosperous, and to have a very large extent of land under cultivation. He was delighted to learn that the French-Canadian repatriation scheme had been attended with good results. He had warmly promoted it, having sent Rev. Mr. Geniron through the United States to encourage it. Repatriation had cost about \$17 per head, while the expenditure on the Mennonites who came from Russia, had amounted to about \$20 per head. He saw that one agent was stationed at Chicago, and this person, judging from his report, had done nothing at all; and another at Detroit, who had

also effected nothing, though he had expended a considerable sum of money. When in office, he had examined into the question of sending paid agents to the Western States, and he had come to the conclusion that it would be useless. The Americans would feel that these men had no business to be there, and would obstruct their operations; while, on the other hand, he could well afford to pay a certain sum per head for all persons induced to emigrate thence into Canada. He thought that the Government had done a great deal to retard immigration. Immigrants required work, and desired to go to a prosperous country, and the Government had broken down the manufacturing interests of the Dominion. In 1873, he had found the factories and manufacturing establishments of Western Canada filled with immigrants lately arrived from Great Britain, but to-day this was no longer possible. Factories were either closed, or run at a loss, and all this tended to retard immigration. Again, merchants were abandoning our principal cities in consequence of the commercial policy adopted by the Administration, and seeking New York, and we were being taxed to bring immigrants into the country while the Government were practically sending people out of it. He hoped that the hon. gentleman at the head of the Administration would do better, and that the Government would come to their senses. What would Montreal, Hamilton and Quebec Centre say when it was found that immigrants were to be brought at great expense into the country, while its own people were being driven out of it. Under ordinary circumstances, if he was aware there would be even reasonably decent management and there was any indication of the hon. gentlemen opposite coming to their senses, he would entrust them with this money with great pleasure. But, on witnessing the feeling from one end of the country to the other, that the Government were not to be entrusted with this expenditure of money, he would be committing almost a dereliction of duty if he supported this vote. However, he was inclined to trust them a little longer as he saw a disposition to "hark back" in the hon. the Finance

Minister. Canadian immigrants ought to be brought into Canada; there was no reason for the distress which prevailed except the policy of the Government. In the expectation that the hon. gentlemen opposite would do right in this matter, and endeavour to find employment for the immigrants, he would favour the vote, although he would like more definite answers than he had received to his questions.

Mr. CARTWRIGHT said the Government were very deeply indebted to the hon. member for Compton for the generous and unstinted support, he was willing to give them on this question. He was sensible how large a sum would be put at their disposal, and how long they would retain this vote could the hon. gentleman do anything to deprive them of its management. He was really surprised to hear a gentleman of such good sense as the hon. member for Compton insinuate that the Government were to blame for the depression existing in the country. They were no more responsible for it than the late Administration were for the commercial prosperity which existed for some time while they were in power. It was ridiculous to hear any gentleman contend or insinuate that the late Government was the cause of the prosperity; they had just as much to do with it as any other set of flies on a wheel, and no more. It would be well, however, to compare their expenditure in this respect with that of the late Government. In 1873-4 the expenditure was \$327,000, whereas the amount now asked for was \$220,000. Of this, \$43,000 was for quarantine and purposes of health, and another large portion of the sum was on account of the Mennonite immigrants, for which the hon. member for Compton was responsible. He would ask hon. gentlemen opposite if it were such a serious thing not to bring immigrants to the country. If the Government were responsible, as the hon. gentleman alleged, for the state of the country, what would be said of the Government who ruled Canada from 1860 to 1870, when he told the House that during that decade no less than 370,000 Canadians removed to the United States. It was not going to enter into a comparison of the

Mr. POPE.

state of the country then and now, but he could tell the hon. gentlemen opposite that the Government had nothing to fear from such a comparison, and that, if there was any deficit, it was not one-third of the deficits which used to prevail during the term of the late Administration.

Mr. POPE (Compton): The hon. gentleman supported that Administration.

Mr. CARTWRIGHT said he supported them because he believed their policy was for the best interests of the country; but, when he found out that the contrary was the fact, he withdrew his support and gave full and fair notice of his intention and reasons for doing so. There might be something in what the hon. gentleman had said as to the desirability of reducing the salaries at certain of the agencies, and, if the Government could see their way to dispense with the services of certain gentlemen, no doubt they would be happy to do so. He must protest against the assumption that, because in times of great prosperity a large number were likely to emigrate to the country, it was therefore fair to take the *per capita* standard and estimate the work of the Department. The time might come, and he hoped it was not far distant, when we would require considerable immigration, and if they utterly broke up the system it would be difficult to restore it to efficient working order. He therefore thought that the best plan for the Government to adopt was to look carefully into all these expenses, to reduce where they could, to diminish the number of travelling agents if it appeared they were not doing good service, &c. That the Government were fully prepared to do, and any suggestions the hon. gentleman might make in that direction would be cheerfully received and carefully considered.

Mr. PALMER said he could not allow the declaration of the Finance Minister, to the effect that the Government had nothing to do with the depression or prosperity of a country, to go abroad without entering a protest. If that was the case they could save money at least by reducing the expenses of administration. He had

always been under the impression that the condition of a country depended largely on the administration of public affairs. The moment a Government confessed itself powerless to prevent depression or ameliorate a bad condition of affairs it abrogated its functions. At one time there was a cry raised by hon. gentlemen on the Ministerial benches that the late Administration was injuring Canada, but it would appear from the statement of the hon. the Finance Minister, that that was simply a party cry, and that Government could do nothing to effect a return of prosperity. He did not think that better times were to be brought about by immigration; the first requisite was to profitably employ the people at present in the country. If the hon. the Minister of Finance could effect the reductions he had suggested, it would be a step in the right direction, and, notwithstanding the hon. gentleman's declaration, would aid in the return of prosperity. He thought some little injustice was being done to St. John in not allowing the immigrants there the benefit of a chaplain and a matron, as was the case at Halifax.

Sir JOHN A. MACDONALD said he hoped the debate would be adjourned, as there were several hon. gentlemen who wished to speak. Besides, the hon. the Minister of Customs had promised further information in regard to the item.

House resumed.

Progress reported.

House adjourned at  
Fifteen minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Wednesday, 28th Feb., 1877.

The Speaker took the chair at Three o'clock.

### BILLS INTRODUCED.

The following Bills were severally introduced and read the first time.

Bill (No. 51) To Extend the Powers of the Montreal Loan and Mortgage Company—(Mr. Holton.)

Bill (No. 52) To further amend the Act to incorporate the Canadian Mutual Marine Insurance Company—(Mr. Domville.)

Bill (No. 53) To make further provisions for the establishment and management of Building Societies in the Province of Quebec—(Mr. Jetté.)

Bill (No. 54) To authorize the construction of Waterworks by Joint Stock Companies—(Mr. Jetté.)

## PRISON DISCIPLINE BILL.

### FIRST READING.

Mr. BLAKE, in introducing a Bill (No. 55) To make further provision for improvements in prison discipline, said the purpose of the Bill was to apply to prisoners in the Central Prison in Toronto that provision of the law which authorized in cases of good behaviour and industry a remission of the sentence by one-sixth. The Bill certainly appeared to make a difference between Ontario and the other Provinces in this respect, but it was to be remembered that the Central Prison was a prison of a different character to an ordinary common jail. It was, in fact, intermediate between a common jail and a Penitentiary. The Act would apply to the Province of Ontario as soon as the rules and regulations of the prison made by the Lieut.-Governor should be submitted to and approved of by the Governor-General in Council; and, in order to make no difference between Ontario and the other Provinces, the Bill provided that the provisions of the Act referred to could be applied to the other Provinces so soon as they should have a prison of similar character to the Central Prison, the rules of which had been approved of by the Governor in Council. He had not overlooked the fact that it was thought that on the whole the terms of imprisonment were quite short enough, as the maximum term of imprisonment in the Central Prison was two years. He had thought it well to make a provision in the Act by which, in case a Judge thought that a prisoner should not escape the maximum term, he could sentence him to two years and four months, so that in the event of good behaviour the prisoner would suffer no less than two years'

imprisonment, and in the event of a tendency to behave badly the prisoner would have the inducement of a remission of four months of his sentence if he behaved himself well, which he thought would be more effectual in making prisoners orderly than the fear of the dark cell.

Sir JOHN A. MACDONALD said he approved of the principle of the Bill, but he had a difficulty with regard to the provision giving power to the Judge to give prisoners a sentence over one-sixth longer than he really intended to inflict. He thought that the Judge would do that on the second conviction only, and when a party had once been in a Penitentiary it was quite clear that the only interest he would have in behaving well and reducing his term would be for his own comfort, so that his good behaviour would be no evidence of his reformation. The object of the Bill would therefore be lost.

Mr. BLAKE said it seemed to him they would come nearer to a similarity of punishments throughout the Dominion by giving the Judges the power to add one-sixth, not in all cases, but when they considered the probability of the prisoner by good behaviour reducing his term to its ordinary extent. With reference to second convictions, it was rather important that those convicts supposed to be more hardened than the others should not be rendered desperate by the solitary cell, the privation of luxuries, etc., but should have the benefit of the same humanizing influences as on the first conviction. The Government had another thing in view besides the reformation of the prisoner, viz., the good of the institution itself.

*Bill read the first time.*

### GAMBLING IN PUBLIC CONVEYANCES BILL.

#### FIRST READING.

Mr. BLAKE in introducing a Bill (No. 56) For the prevention of Gambling Practices in certain public conveyances, said his attention had been called by the managers of certain large railways to the necessity of having a law provided for the speedy

Mr. BLAKE.

bringing to justice and punishment of three card monte men. This Bill was designed for that purpose.

*Bill read the first time.*

### POST OFFICE IN ST. ROCH.

#### QUESTION.

Mr. THIBAUDEAU asked whether it was the intention of the Government during this Session to put a sufficient sum in the Estimates to build a Post-office at St. Roch, Quebec?

Mr. MACKENZIE: It is not the intention of the Government to erect a second Post-office in the city of Quebec.

### THE TRENT WORKS.

#### QUESTION.

Mr. BERTRAM asked whether it was the intention of the Government to retain control of the Trent Works, or if any arrangement had been made to hand them over to the Ontario Government?

Mr. MACKENZIE: No such arrangement has been concluded, but the matter is under consideration.

### EXEMPTION FROM DUTY.

#### QUESTION.

Mr. DOMVILLE asked when the roof tendered for under date, 7th September, 1874, was delivered at Halifax; if such roof was admitted free of duty; if not, did the Phoenixville Iron Works (Clarke, Reeves & Co.) pay the duty?

Mr. MACKENZIE: Up to that time and some time afterwards, all articles brought in for the railway were admitted free of duty. Last year, however, the duties had to be paid whether the goods were brought in by the Government or by private persons. The roof referred to was brought in under the old rule—duty free.

Mr. DOMVILLE: The hon. the Premier has not mentioned the date on which the roof was delivered at Halifax.

Mr. MACKENZIE: I did not observe that part of the question, but I will inform the hon. gentleman to-morrow.

## PROTECTION OF FISH.

## QUESTION.

Mr. BROUSE asked whether the Government had taken any action to secure assimilation with the United States respecting the protection of fish along our joint rivers; would the Canadians be prevented using nets to catch fish along the north side of the River St. Lawrence between Cornwall and Gananoque, while the Americans on the south side of the same territory were persistently netting and destroying the fish?

Mr. MACKENZIE: The Government has had correspondence with the Federal Government, but not with the State Governments. At present no assimilation has been obtained.

## CARILLON DAM.

## QUESTION.

Mr. McDOUGALL (Renfrew) asked at what time the contractors of the Carillon Dam and works were to have completed them, and what progress had been made?

Mr. MACKENZIE said he believed the time expired some months ago for the completion of these works. It was difficult, in answer to a question and in a few words, to state the progress that had been made. The foundation of the whole dam was laid, and perhaps the most difficult portion of the work had been completed, but not more than one-fourth or one-fifth of the dam was completed.

## CANADIAN PACIFIC RAILWAY.

## MESSAGE FROM HIS EXCELLENCY.

Mr. MACKENZIE delivered a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message, which is as follows:

“DUFFERIN,—

“The Governor General transmits to the House of Commons further correspondence having reference to the construction of the Canadian Pacific Railway.

“GOVERNMENT HOUSE,

“OTTAWA, 16th February, 1877.”

## FORM OF PUTTING QUESTIONS.

Mr. SPEAKER: I think it my duty to say that the way some hon. members put their questions is not the proper way. It is the rule of the Imperial Parliament—a rule which is very strictly carried out there, and ought to be carried out here—that no question should contain any matter that might possibly be the subject of argument, and no assertion either directly or indirectly. In the question put by the hon. member for South Grenville to-day, that gentleman violated this rule, though not very strongly. It asserts that the Americans on the south side of the St. Lawrence are “persistently netting and destroying the fish.” That might be a question of fact or a question of argument. In the Imperial Parliament any question that might possibly lead to argument is not allowed to go on the notice paper; in fact the Clerk of the House makes all questions conform to this rule before they are placed upon the paper.

## THE GEORGIAN BAY BRANCH

## MOTION FOR REPORTS.

Mr. McCARTHY moved for a copy of all Reports or statements made as to the construction or attempted construction of the Georgian Bay Branch of the Pacific Railway, under contract by the Hon. A. B. Foster; as also all correspondence between the Hon. Mr. Foster and the Government as to the said contract, or the work done thereunder, or the failure to perform the same, any Departmental Orders or Orders in Council passed as to the matter of the said Public Work, especially the order as to the cancellation of said contract; together with a statement of the service or services for which the sum of \$109,000.50 has been paid to the said A. B. Foster on account of said contract. He said hon. members would remember that a Canadian Pacific Railway Act was introduced on the present Government assuming the reins of power, and the construction of the Georgian Bay Branch of the road was then contemplated for the first time, so far as he knew. In that Act it was provided

that the contract with reference to the other sections of the road should be submitted to Parliament; but with regard to this branch, as also to the Pembina branch, it was not thought necessary by the First Minister that they should be submitted to the House or approved of by Parliament before the contracts took effect. He understood that the reason for this departure from the general principle laid down in the Act of Parliament, and from what he might term the general principle that was announced by the gentlemen opposite when in Opposition, was that it was necessary to proceed with the construction of these branches without any delay, and that the works would have to be under contract before the House met. No contract was, however, made in regard to this Georgian Bay Branch until late in the year, when, after tenders had been called for, a contract was made by the Department of Public Works with the Hon. Mr. Foster. The contract, a copy of which had been brought down to the House, provided very stringently for the performance of the work. It provided that the work should be commenced on the 1st June next, that was 1st June, 1875, and be completed before the 1st January, now passed. The contract provided that for this work the contractor should be paid \$10,000 per mile, and 20,000 acres of land per mile, and, in addition thereto, that he should get interest upon the sum of \$7,500 for the period of 25 years after the road was completed. Now it appeared from further papers brought down to the House that, although a survey was made under this contract, the contractor — either because he found he had taken the contract at an unremunerative price or that the work was impossible of construction — applied to the Minister of Public Works for an alteration in the terms of his contract, an alteration which was very material. One of the original terms was that the road should be built from the mouth of the French River to the proposed terminus of the Pacific Railway. But when Mr. Foster went upon the ground, he discovered that there was another "magnificent water stretch" which the hon. the First Minister had failed to discover, viz.,

Mr. McCARTHY.

from the mouth of the river to twenty-six miles up, which would do away with the necessity of building the road that distance. He wanted to make the river navigable for the twenty-six miles by removing some obstructions, and he modestly asked that he should receive the \$10,000 and the 20,000 acres of land for the entire distance, just the same as if he had built the twenty-six miles. This proposal was not acquiesced in. Then Mr. Foster sent in a bill to the Government which appeared to have been \$38,862, on which he demanded payment on account. The next step taken was that an Order in Council was made by which the contract was annulled, and it was decided that Mr. Foster should be paid the amount claimed by him for explorations, and for so much of the work as had been performed. But instead of being paid the \$38,862, he was paid \$109,000 according to the Public Accounts, for works performed under the contract, although the contractor had only applied for \$38,000, and although the hon. First Minister had thought that \$26,000 was all, at that time, which could be paid. The explanation might be that of this sum \$61,000 was not paid in the contract, but that \$41,000 was; but this explanation could not be deemed satisfactory to the House. He would ask why was the money paid? The contractor had not alleged that he had been imposed upon in any way, he had not alleged that there was any breach of faith on the part of the Government or the Department. So far as appeared, the contractor entered into the contract with a full knowledge of the location of the proposed line, its length and the difficulties he would have to encounter, and he should have satisfied himself that the amount of compensation was sufficient. The House had the right to assume that there was no imposition on the part of the Minister of Public Works. Then he would like to know upon what principle the contractor had been paid the \$41,000? When a person entered into a private contract he did not look to be relieved of it if he afterwards discovered that he could not make it profitable, and certainly he would not expect a sum

to be paid him which would cover all expenses with a very wide margin for profit on the actual work done, and a public contractor should be treated the same way as a private contractor. The articles of agreement contained the following:—

“The contractor shall diligently and continuously prosecute and continue the same, and the same respectively, and every part thereof shall be fully and entirely completed in every particular to the satisfaction of the Engineer, and fully equipped for working on or before the first day of January, in the year of Our Lord one thousand eight hundred and seventy-seven. \* \* \*

“If at any time during the progress of the works it should appear that the force employed, or the rate of progress then being made, or the general character of the work being performed, or the material supplied or furnished are not such as to ensure the completion of the said works within the time stipulated, or in accordance with the contract, the Minister shall be at liberty to take any part, or the whole work, out of the hands of the contractor, and employ such means as he may think fit to complete the works at the expense of the contractor, and he (the contractor) shall be liable for all extra expenditure incurred thereby; or the Governor in Council shall have power at his discretion to annul this contract. Whenever it may become necessary to take any portion or the whole work out of the hands of the contractor, or to annul this contract, the Minister shall give the contractor seven clear days' notice in writing of the intention to do so, such notice being signed by the Minister, or by any other person authorized by him.

\* \* \* The Governor in Council, in the event of his annulling this contract, may direct the Minister to proceed to re-let the same, or any part thereof, or employ additional workmen, tools, and materials, as the case may be, and complete the works at the expense of the contractor, who shall be liable for all extra expenditure which may be incurred thereby, and the contractor shall forfeit all right to the percentage retained, and to all money which may be due on the works or securities deposited, and he shall not molest or hinder the men, agents or officers of the Minister from entering upon and completing the said works, as the Minister may deem expedient.”

Parliament had provided that before any contract was entered into, the Minister of Public Works should satisfy himself, and the Council, that the contracting party had the means to carry on and bring the work to a successful termination. In addition, the deposit of a large sum of money by the contractor was required, and it was recited in this contract that this

deposit had been made, though he had been unable to discover where it had been placed. It was stated in the contract that the deposit had been made in the Ontario Bank, but if this was the case the amount had not been put in any way to the credit of the Receiver-General, and it was not entered in the accounts which he had seen; still, as to this he would not be positive. But assuming that the contractor possessed the means of carrying on the work, and that the deposit of \$85,000 had been made, he would like to know on what principle the contractor had been permitted to abandon the contract at his own option, simply because it was not profitable; and this appeared to have been allowed. The hon. gentleman who led the House was entitled to all the credit of originating the scheme regarding the construction of this branch of the Pacific Railway, to which at all events the Province of Ontario was very strongly opposed. They all were aware of the great burden assumed by this Dominion when it was agreed to build an all-rail route to the Pacific Ocean; and they all knew that this project was considered, by the hon. gentlemen opposite, one which should not have been entered into, and one of too gigantic a character for so young a country as the Dominion; and yet these same gentlemen who had proclaimed their opinions about the enormity of undertaking the Pacific Railroad, had assumed in addition the construction of this branch, the cost of which had been estimated by the First Minister at six millions of dollars. He trusted that this branch road would now be abandoned, and that the Government would devote their energies, means and abilities, to the building of the Main Line, leaving the branches untouched until the trunk was finished. If they got out of the contract with Mr. Foster simply with the loss of \$41,000—which was virtually thrown away as he understood it—the country, in his opinion, would cheaply escape from a bad bargain, and the trammels of a bad policy, which in his judgment should never have been entered upon. With the permission of the House he would limit the motion to papers not already brought down, and add the following words:—

“Also the advertisement for tenders for the said work; the evidence showing that the contract was worth \$4,000 per mile, as was recited in the contract, and the certificate of the Department respecting the deposit of \$85,000, also referred to therein.”

The House knew that the contract had been made, but it was not in possession of the advertisement calling for tenders, or the evidence showing that the contractor was worth the sum mentioned, and the place where the \$85,000 in question was deposited. He thought it was important that the House should obtain the information desired, in order to form an opinion as to whether the contractor had imposed on the Minister of Public Works, or the Minister on the contractor. It was also important to discover whether the latter was worth the sum required by the Act of Parliament, and to obtain the evidence on which the Ministry had assumed him to be worth that amount. If Mr. Foster was worth what the Act required, he thought that the country should not suffer the loss in question. The House was not ignorant of the fact that Mr. Foster was supposed to have conferred upon the hon. gentlemen opposite a favour, which had to be paid for; and, when they found that he (Mr. Foster) had been dealt with in a manner different from other contractors, and in a manner in which no private person would deal with a contractor, this knowledge was calculated to strengthen that suspicion, and therefore he trusted that no opposition would be made to the fullest enquiry being had, and to the submission of all the papers.

Mr. MACKENZIE: There is no objection to the fullest possible statement being brought down; although I am of the impression that there is nothing to be submitted; but, if there are any such papers, of course they will be presented. The hon. gentleman who moved the resolution has fallen into several errors. In the first place, he will find in no speech of mine any such declaration as he believes I have made regarding the general principle, that all contracts should be submitted to Parliament for ratification. Such a course would be so utterly impracticable that it would become absurd. I never made such a statement. I did, Sir, however, say that contracts for work like

Mr. McCARTHY.

the Pacific Railway, especially if let in one contract, should be so submitted, and I say so still. But if this principle were generally observed it would greatly inconvenience the whole public, and retard the progress of the country. I never took such a ground, though I am aware that it has been frequently so asserted, and the hon. gentleman who has just spoken has no doubt seen these assertions, and taken for granted that it was true. In the next place, the hon. gentleman is mistaken in thinking that we were required by the Act of 1874 to submit any tenders for branch railways to Parliament. The truth was, Sir, that the branches which it was proposed to construct were expected to be put under contract immediately. The Act was drawn advisedly in such a way as to leave the hands of the Government free in that matter. The two branches contemplated were the Georgian Bay Branch and the branch from Winnipeg to Pembina. The hon. member will recollect that the late Administration was anxious to have one of these branches constructed at an early date; and it was provided that the Winnipeg Branch should be absolutely completed to Pembina by the 31st of December, 1873. The clause referring to the submission of contracts reads as follows:—

“No contract for the construction of any portion of the Main Line of the said Railway shall be binding until it shall have been laid before the House of Commons for one month without being disapproved of, unless sooner approved of by resolution of the House.”

The contract for the Georgian Bay Branch was therefore not subject to the supervision of Parliament, and my impression at present is that I made a statement that any contract, even for branches, if made at a convenient time for submission to Parliament, should be so submitted. It also is true that I did lay this contract on the table of the House, and that it became ratified by lapse of time. I was looking in the Journals for the day of submission, but, as I did not find it, I make this statement subject to correction. Still I believe that I am right in this regard. The hon. gentleman also says I declared that this road would cost six millions of dollars; but I

think he will fail to verify that observation. It may, however, have been stated by some other person, but I have no recollection of having done so, nor can I conceive how I could have done so, as it could not be correct. With reference to the entry in the Public Accounts, my hon. friend the Minister of Justice has already informed the House that this was simply incorrect and that the real amount of money advanced, or paid rather, to Mr. Foster was \$41,000. This payment was made in accordance with the Order in Council, cancelling or annulling the contract, which Order was published last year in the Sessional Papers; and this stated that the sum of somewhere between \$38,000 and \$39,000 of work was certified by the Chief Engineer as available to the Government in completing the surveys of the line intended to be built. And this amount was exceeded by the difference between it and \$41,000. The total amount, \$41,000, was certified by Mr. Fleming for work available in the terms of the Order in Council relating to the prosecution of the undertaking. The other amounts were apparently paid according to the Public Accounts on the Georgian Bay Branch, but really to the Canada Central Railway Company under an Order in Council which is published on page 219 of the Journals of 1875. This Order also provides for payment on rails delivered at any point on the line which was to be constructed, to the extent of 75 per cent. of their value, such rails becoming the property of the Government until they were laid on the road for use. The amount of \$68,000 was therefore paid on certificates dated September or October, 1875, given by the Chief Engineer, certifying in the first place that \$23,000, and in the second case that \$45,000 could be paid, making a total of \$68,000 payable under this particular Order in Council.

Mr. HAGGART: On what was this money paid? On rails?

Mr. MACKENZIE: I have just mentioned what it was paid on. I was stating that the Order in Council provided for the payment of 75 per cent of the value of rails, as they were delivered at any point on the road.

Mr. HAGGART: But no rails have been delivered at any point.

Mr. MACKENZIE: The hon. gentleman says that no rails have been delivered at any point on the road. I can only say, in reply, that the certificates of the Engineer declaring that they were delivered are in the Public Works Department. I never made an examination to see whether the rails were delivered or not, but I am bound under the law to make payments upon receiving such certificate that they have been delivered, and these certificates were of course presented. This explains a seeming discrepancy in the Public Accounts. The entry in question should not have been made, as the Georgian Bay Branch had a distinct account of its own; as also has the Canada Central Railroad. One payment was made upon rails, and the other upon work certified by the Chief Engineer to have been performed, and to be available for the prosecution of the survey.

Mr. HAGGART said that no person knew better than the Minister of Public Works that the sum of \$41,000 represented an expenditure of nearly \$500 per mile for 85 miles of road; and no one knew better than this Minister that \$500 per mile would be sufficient to defray all the engineering expenses of this line. As to the statement of money having been paid for rails for building the road from Douglas to Burnt Lake, he had excellent information—of the accuracy of which he did not doubt—to the effect, that not one rail had been laid on that section of the road, or within ten miles of it; but 1,500 tons of rails were lying at Renfrew, ten miles from the town of Douglas. He had taken the trouble to have these rails counted, and an estimate of the quantity prepared, and he found that at the rate of \$33 per ton they would not represent within \$15,000 or \$18,000 of the value which the Premier had mentioned. There could be no mistake on this point. Besides, the rails were iron, such as never would be used on any main railway line; and those which lay at Renfrew would not complete more than seven miles of the road between that place and Douglas,

thus leaving the contractor within over three miles of the commencement of the work in question. He could not understand why the payment to which he alluded was made, unless the Government owed something to the Hon. A. B. Foster for furnishing certain valuable information, as had been reported throughout the country. The number of these rails was 7,764. He denied that they were in the neighbourhood even of the line, nor was there any such quantity of them as could represent the payment of \$68,000 under the terms of the contract. He also denied that any such amount as \$41,000 had been expended on engineering surveys between Burnt Lake and Georgian Bay; this was impossible, if he was rightly informed. The Premier had considered the sum of \$38,000 an exorbitant charge for surveys, when he (the Premier) made the payment of \$20,000 odd down. He desired to learn what quantity of rails was certified by the Chief Engineer to have been lying at Renfrew, and the amount per ton which had been advanced on them.

Mr. MACKENZIE: I can only state, in reply to the hon. gentleman, that the certificates of the Engineer will be produced. I was not aware that they were called in question. I do not know that I ever saw them. The certificates came in in the usual way, and were paid in the usual way by the officers of the Department. I have no reason to believe that Mr. Fleming, who is a very careful officer, would give false certificates. The hon. gentleman says that the survey of these 85 miles should not cost \$500 per mile; but we completed the entire survey, and I may remark that the survey of the Pacific Railway has already cost \$1,500 per mile, and a considerable portion of it is not yet finished.

Mr. HAGGART: Does not the Premier know that not one rail has been laid along this road?

Mr. MACKENZIE: I will not permit any hon. gentleman to insult me in this House.

Mr. COCKBURN said he took exception to the statement of the hon. member for Cardwell, that the Province of Ontario was opposed to the construc-

tion of the Georgian Bay Branch. Speaking for a large section of country, he was of opinion that it was a great misfortune the construction of the road by the Government could not be proceeded with, for it would have proved of great advantage not only to Ontario but to the whole Dominion. In regard to the remarks of the hon. member for South Lanark that the cost of the surveys should not have exceeded \$500 per mile, he was personally aware that much labour was devoted to an examination of the country, numerous trial lines made, involving large expenditure.

Mr. WRIGHT (Pontiac) said he regretted to learn from the hon. member for Cardwell that the Province of Ontario was opposed to the construction of the Georgian Bay Branch Railway. He had been under the impression that the representatives from Ontario had given to the project of building that road a very hearty support, considering that it would develop the internal resources of the Province, and give it a back line which it did not possess at the present time. But, if Ontario was opposed to that enterprise, the Province of Quebec was decidedly in favour of it, and, in consequence of the promises which had been held out, the people of the latter Province had incurred serious obligations in order to secure the construction of a line from Quebec to meet the eastern terminus of the Georgian Bay Branch road. He echoed the sentiments of regret expressed by the hon. member for Muskoka that the line was not now in progress of construction. He believed not only the Province of Quebec, but the eastern portion of Ontario, and especially the Ottawa Valley were strongly in favour of its construction, believing that it would develop the resources of the Province and prove a link in the Pacific road. He thought that probably a little error had been made in the location of the line. It had been shown to the First Minister, by two large and influential deputations from Montreal and Quebec, that the selection of Douglas and the proposal to reach the mouth of French River were disadvantageous. The great error in the location of the line arose of the fact that it was made without

Mr. HAGGART.

any proper survey having been made. There was no doubt the contract was let upon the verbal report of the Engineer, who was supposed to have walked over the country, but according to his own admission he did not complete the journey, for, becoming enveloped in smoke, he beat a hasty retreat to the river. When the Quebec and Montreal deputations waited upon the Premier and asked the Government to assist in the construction of the connecting road eastward, it was proved that the Georgian Bay Branch should have taken a more northerly direction. That was the result of the examination for which the country had paid \$40,000. In view of the declaration made by the Premier that the line on which the railway was located was only surpassed by the Canada Southern, and believing that the Public Works Department possessed information which could not be obtained, the people of Quebec proceeded to immediately construct the Northern Colonization, now the Quebec, Montreal and Ottawa and Western Extension, which was all under contract, and completed for two-thirds of its length. It was well known that the Quebec Government, which now had charge of that railway, only awaited the determining of the eastern terminus of the Pacific Road or Georgian Bay Branch, if that were to be part of the general railway, to complete the line through to Quebec. While he regretted that the Georgian Bay Branch line, to the completion of which they had looked forward as a means of developing the country, should be in such an unfortunate position, he could not agree with the hon. member for Cardwell, who had expressed the view that if the country got rid of that undertaking by an expenditure of \$40,000, it would be a good bargain. He hoped that, as surveys had been made and certain work done on the road, it would be pushed forward to completion.

Mr. KIRKPATRICK said that, lest the motion of the hon. member for Cardwell should be barren of results, as the Premier had announced from there being no papers to bring down, he would propose an amendment on a subject which was cognate to it. Some time ago the Premier stated boldly and defiantly that he was ready to have his

Department investigated from cellar to garret and to appoint a Committee of one for the purpose, and that one the hon. member for Kingston. He did not doubt the sincerity of that offer, but, when he asked the First Minister the other day for information regarding the subsidy granted to the Canada Central Railway, he failed to obtain it because it was asked in an informal manner. He, therefore, now brought forward the question in a constitutional manner. Having examined the Orders in Council, he would state to the House the conditions on which they were ratified whereby a subsidy of \$12,000 per mile was granted to the Canada Central. The Order in Council making that grant was dated November 4th, 1874, and to it certain conditions were affixed. That order was submitted to the House and ratified on March 13th, 1875. The conditions were such as if carried into effect would have accomplished the object in view—the construction of the Georgian Bay Branch, and the continuation of the Canada Central Railway. It was provided that the Company should, within one month from the ratification of the Order in Council by the House, satisfy the Minister of Public Works that they had entered into a *bonâ fide* contract or contracts for the building of the railway, and provided sufficient means with the Government bonus to secure the completion of the line before 1st January, 1877; and also that the Company should, from the date of the contract, make continuously such progress as would justify the hope of the completion of the line within the time mentioned. It was due to the House, which had reposed great confidence in the hon. the Minister of Public Works, that this subsidised work should have been carried on in accordance with the spirit of the Order in Council. He proposed to ask by the amendment that the hon. gentleman should lay before the House the evidence which satisfied him that the contractor had provided means for the completion of the work on or before the 1st of January, 1877, and also the reports made from time to time that such continual progress was being made as would justify the hope of the completion of that line by the time mentioned. It was upon those condi-

tions that the Order in Council was ratified. But, thinking that the hon. Minister of Public Works would require from the contractor the same security which any prudent business man would demand in a private undertaking, gave the House authority to make payments on account of the work from time to time, so that he should not have to wait for the meeting of Parliament for a vote. The hon. the Premier was authorized to make payments on account of "rails delivered at any point of the line to be constructed to the extent of 75 per cent. of the value thereof, all such rails to become the property of the Government until laid on the road for use." It had been stated that those rails were not on the line to be constructed. By the correspondence laid before the House last Session, it would be seen that, on the 20th December, 1875, Mr. Foster asked to have the Order in Council amended so as to make the commencement of his subsidised line at the village of Renfrew. That was an admission that it was not a part of the line to be constructed; but they found also that, before that date, in September or October, the contractor had been paid for the rails delivered at Renfrew. In February, 1876, the hon. the Minister of Public Works said that at a subsequent date he would take into consideration the propriety of amending the Order in Council. So far, however, no papers had been presented to the House showing that the amendment had been made. It would thus be seen that, not only had the letter of the Order in Council been disregarded, but its spirit had not been carried out. He would like the hon. the Minister of Public Works to give the evidence to the House that, when the payment was made in September or October, sufficient progress had been made to warrant him in hoping 120 miles of railroad, the first sod of which was not turned, which was not even located, would be completed within fourteen months from the date of the payment. The amendments which he wished to add were as follows:—

"All letters, correspondence and evidence laid before the Minister of Public Works to satisfy him, in pursuance of the terms of the Order in Council dated 4th November, 1874,

Mr. KIRKPATRICK.

and ratified by resolution of this House on 13th March, 1875, that the Canada Central Railway Company had provided sufficient means, with the Government bonus, to secure the completion of the line on or before the 1st January, 1877; also, reports made from time to time, showing that the Company were making such progress as justified the hope of the completion of the line within the time mentioned; also, a statement of payments made to said Company on account of the subsidy granted on the conditions mentioned in said Order in Council, and of the quality, kind and weight per yard of the rails delivered at any point of the line to be constructed; the value of said rails, the evidence or certificate of said value, and payments made on account of said rails, and the dates of such payments, and the place or places where said rails are delivered, and if not delivered on the line to be constructed, the distance or distances therefrom."

Mr. WHITE (Renfrew) said he had derived a good deal of information from the statement which had been made by the hon. the First Minister in reference to this matter, but he had hoped the hon. gentleman would have indicated to the House what course the Government intended to pursue respecting the Georgian Bay Branch. That the hon. Premier considered the connection of great importance was evident from the address he made when he went before the electors of Lambton for re-election in 1874, and from a speech delivered by him in the county of Renfrew, last year, when the hon. gentleman made the following statement:—

"The opposition offered by Dr. Tupper, on Mr. White's behalf, to the selection of the Georgian Bay Branch, which would open up the most direct, and by more than 100 miles the shortest route to be found from Montreal and Quebec to the navigation of Lake Superior, through the Ottawa county, was equally unintelligible, and it would require no argument to convince the people of the Dominion, but especially those of the North Riding of Renfrew, that such was the case."

The position of the hon. gentleman was well understood, and the fact that, in bringing down his Canadian Pacific policy in 1874, he took power to construct that as well as the Pembina Branch without submitting the contracts to the House for ratification was evidence that he considered the work should be prosecuted with the utmost vigour and dispatch. He (Mr. White) took exception to the statement that the whole Province of Ontario was opposed

to this branch line. The fact that the hon. the leader of the Government had obtained a large majority from that Province contradicted that statement. The construction of the line, moreover, received the support of the hon. members from Quebec; and he thought the hon. Minister, in view of all the circumstances, should have taken the first opportunity which offered to state to the House whether the road had been finally abandoned or not. Upon looking over the Estimates, he failed to find a single dollar for this road, which was somewhat extraordinary, considering the manner in which it was at first pressed. It was stated that the contract of Mr. Foster was annulled because that gentleman found it was one on which he could not make any money. In the locality from which he (Mr. White) came, there was a painful impression that, in cancelling this contract and returning the deposit of \$100,000, the Government had gone back upon their professions and statements when they condemned the right hon. member for Kingston for cancelling the contract of the late Government with Sir Hugh Allan. There was the following clause in Mr. Foster's contract:—

“In default of such completion as aforesaid on or before the last-mentioned day the contractor shall forfeit all right, claim, or demand, to the sum of money or percentage herein agreed to be retained by the Minister of Public Works, and any and every part thereof, as also to any moneys whatever which may be at the time of the failure of the completion as aforesaid, due or owing to the contractor, and the contractor shall also pay to Her Majesty, as liquidated damages, and not by way of fine or penalty, the sum of \$1,000 for each and every week, and the proportionate fractional part of such sum for every part of a week during which the works embraced within this contract, or any portion thereof, shall remain incomplete.”

Under all those circumstances, it was singular that the contract should have been cancelled and the deposit returned. With reference to the rails presumed to be delivered along the line, he could state from his own knowledge that not one of those rails for which the hon. the leader of the Government had paid \$68,000 of the public money had been delivered beyond the village of Renfrew, which was no less than ten miles distant from

the commencement of the line. Under these circumstances he thought all the information which it was possible to obtain should be brought down. It was quite possible that the hon. the leader of the Government desired to keep this matter in abeyance until another election. The present Government had made a great deal of use of their pretensions as to what they were going to do with reference to this line.

Mr. McDUGALL (South Renfrew) said it seemed to that the hon. member for North Renfrew might have curbed his party zeal in discussing a question which had been first advocated by the party now in power. This Government was the first which had shown any desire to meet the real wants of Central Canada, and the hon. gentleman might have displayed more anxiety for the good of his part of the country than for a fling at the Government. He agreed that the first duty of the members was to see after the interests of the whole country, but, when any part was systematically neglected by the past Government, and by the old Government of Canada, and was now attended to by the existing Government, he thought the hon. representative should show some satisfaction and appreciation. He did not see what a discussion on the Georgian Bay Branch had to do with the Canada Central extension from Douglas. That contract was not with Mr. Foster but with the Canada Central Railway Company. He must differ from the hon. member for Frontenac in saying that the Government should adopt a different route to the one which was adopted as being more advantageous for Quebec. He (Mr. McDougall) understood that the Legislature of Quebec had petitioned for a different route to the Bonnechère route. He must say, with all humility, that there was no evidence to warrant any change in the route. The interests of the Dominion being bound up in the best route being adopted, he believed that the Government would therefore adopt the best one.

Mr. McCALLUM said he would like it to be explained to him for what purpose the Georgian Bay Branch was to have been built at all. No person would take that route. He was there

last summer, and could not imagine of what use a railway would be. Vessels could not get to the mouth of the French River at night, and so barren was the country around that not soil enough to bury a man could be found in forty miles square.

Mr. MASSON said the present was not a proper time to discuss the Georgian Bay Branch, and especially what route it was to follow. His hon. friend from Renfrew had spoken for the Province of Quebec, and it must be supposed he was authorized so to speak. He himself would not discuss the question until the papers asked for had been brought down.

Mr. MACKENZIE said he wished to say to the hon. member for Frontenac that he did not intend to be curt with him, as it appeared it was thought he was. He only meant to show that necessarily he could not discuss with a gentleman across the floor of the House a policy of the Government before that policy was matured.

Mr. JETTÉ said, although it might not be the proper time to discuss the route of the railway, yet it at all events was the proper time to state that the Province of Quebec was in favour of some connection between her railway system and the Pacific Railway. The Province of Quebec had spent a great deal of money on railways with the idea of this connection.

Mr. COOK said he found in travelling over the country that there was a very harmonious feeling as to the Pacific Railway policy of the Government. The hon. gentlemen opposite assumed now to be great purists. Let him refer back to some transactions on the Intercolonial Railway. George and James Worthington had a contract for \$299,000, but they received \$60,000 more than this sum; Messrs. W. E. Macdonald & Co's contract was to have been finished in July, 1872, but, it not being finished at the end of 1873, the Government took it off their hands; Messrs. Wilson & McGaw were to have their contract finished in July, 1872, but it was not completed until the summer of 1875, and so on through a great many other cases. He thought it was unfair to the Government for

Mr. McCALLUM.

hon. gentlemen on the other side to impute any improper motives for the cancellation of the contract if it was to the interest of the country that this should be done.

Mr. BERTRAM said he did not think that this was a proper time to discuss the question whether there should be a Georgian Bay Branch or not. But, if the object was to be gained, he thought he could point out a route which would be much cheaper than the railway at French River. There was a charter in existence now of a railroad between Ottawa and Toronto. If the Government would grant a subsidy from Carleton Place to Peterborough, a communication with the North-West could be had by deflecting to the Midland Railway. The distance by this route would be not much longer than by the other, and would be much cheaper.

Mr. ROBINSON said two-thirds of the population of Ontario were of the opinion that were there no Hon. Mr. Foster, there would have been no Georgian Bay Branch. The members for Montreal, and other representatives of the Province of Quebec, had spoken of the importance of the Quebec system of railways connecting with the Pacific Railway, but he would ask whether this could be done by the construction of the Georgian Bay Branch. The railroads running west of Georgian Bay approached excellent harbours, and it was well known that the mouth of French River was not a harbour which, at certain seasons, could be approached with any safety. There was not one natural bay on the Georgian Bay which had not some settlement on its shores; and this the hon. member for Muskoka well knew. Besides, no good harbour could be made at the mouth of French River, as the reports of engineers and practical men certified.

Mr. MACKENZIE: No, no.

Mr. ROBINSON begged his hon. friend's pardon. What he stated was really the case. His hon. friend from Muskoka stated that two-thirds of the people of Ontario favoured the construction of this railway. Was this because it was a longer route than could otherwise be obtained, or because

it ran to a harbour inferior by far to the harbours approached by other railways running westwards? Ontario furnished, he believed, the means for building this branch, and he would like to know what advantage it would be to this Province when finished. It ran about seventy miles north even of Barrie. A deputation had waited in this relation upon the Prime Minister, who, in the interests possibly of the Province of Quebec, had positively refused to furnish any assistance whatever for the extension of any of the Ontario roads beyond this Branch of the Pacific Railway. Did this course meet with the approval of two-thirds of the Province of Ontario? His hon. friend from Pontiac of course desired the construction of this line, but it would be of no advantage, in his opinion, to Ontario.

Mr. BLANCHET said his hon. friend from North Simcoe had not made a fortunate comparison in contrasting this branch with the Intercolonial Railway. The contractors for the latter undertaking had not, at the outset, had proper information on which to base their estimates, as was intimated by Mr. Fleming, the Engineer-in-Chief, and the Government and Parliament were consequently bound to indemnify them for the cost incurred owing to this circumstance. A petition urging this course had been presented to the then Minister of Public Works, signed by over eighty members from both sides of the House. In this instance the same excuse did not apply. Very little had been done on this branch, and judging from what he had heard, he thought that its construction would not be in the best interests of the country. He considered that the best route would be by the north side of the Ottawa River, enabling the line to connect with the railway system of the Province of Quebec.

Mr. DESJARDINS had heard with pleasure the remarks of the member for Montreal East. It was some consolation at all events to find that, while the Quebec Ministers were silent, some members from Quebec on the opposite side of the House were inclined to say something in the interests of the Province of Quebec. The Liberals had

conducted the electoral struggle of 1872 on the question of the construction of the Pacific Railway, the establishment of its terminus, and the building of the Georgian Bay Branch; though, since that day, the Liberals from Quebec had said very little about these matters. In 1874, the Premier had changed his policy in this relation, but the Ministerial members from the Province of Quebec had not endeavoured to prevent the Prime Minister from acting, as they believed, against their Provincial interests, and it was very difficult for them to forget the manner in which they had been treated by the Ministry. The Liberals in 1872, and the Premier subsequently, had announced that the terminus of the Pacific Railway would be placed south-east of Lake Nipissing, as a compromise of the claims in this regard of the Provinces of Ontario and Quebec; and, under these circumstances, the latter was naturally surprised to find this decision changed without notice and without protest on the part of the Quebec Liberals, who did not seem even to be chagrined at this result. The contract for the Georgian Bay Branch had, however, been hastily given to Mr. Foster, and tenders had not been invited. He hoped that the example of the member for Montreal East would be followed by other Quebec members on that side of the House, and that the policy of the Ministry would, as a consequence, be so influenced that Quebec would receive just treatment at their hands. The Ministerial members from the Lower Province should endeavour to realize the promises which they had so liberally made on the hustings when seeking the suffrages of the people.

Mr. MITCHELL said that the member for North Simcoe had unjustifiably dragged the question of the Intercolonial Railway into the discussion. The contracts for three sections of the latter road had been awarded before proper surveys were made, and it had been deemed only fair that the contractors in question should be indemnified for the consequent loss, as it turned out that the cross sections had not been laid out. The country had demanded at the time that, as soon as the line of this great

national work could be located, the contracts should be given out, and a very large majority of the members of the House had asked the Administration of the day to indemnify the contractors, who had faithfully endeavoured to carry out their respective undertakings. The hon. gentleman from North Simcoe cited this case as an excuse for the Government having let the Georgian Railway Branch contract before a survey was made, but there was a great distinction between these two cases. The line of the Intercolonial had, in fact, been repeatedly surveyed during a period of twenty years, and pretty accurately, by Major Robinson and others, though the cross-sections of the sections mentioned had not been taken out, and the road had been brought to a successful completion at a cost within a trifle of the original estimate. He did not desire to shield the late Administration from any blame which they might have incurred; but he was not disposed to allow the unfair parallel which had been drawn, in order to shield the Government from censure, to pass without question.

Mr. BECHARD said the member for Montreal East was not the only member from the Province of Quebec on his side of the House who was in favour of the construction of this link between the Pacific Railway and the railway system of the Province of Quebec for which he had voted. He agreed with the hon. member for Levis that the Canada Central Railway should be continued from Pembroke, on the Ottawa, to a point communicating with the Northern Railway from Quebec.

Mr. McCARTHY said the hon. the Premier had misunderstood his remarks with reference to the contract not having been submitted to Parliament, for he had endeavoured to draw the distinction between contracts for branches and contracts for the construction of the main line. His statement as to the cost of the Georgian Bay Branch was made on the authority of the speech made by the hon. the First Minister when submitting his Pacific Railway policy to Parliament in 1874. With respect to the general

question, as to whether the Province of Ontario was in favour of the construction of the Georgian Bay Branch, considerable difference of opinion had been expressed by hon. members, but he had failed to hear a single hon. member address the House in favour of the proposition except those who were locally interested in it. He still, therefore, maintained that, with the exception of those localities interested, the Province of Ontario, which would have to pay a very large proportion of the cost of the work, was opposed to an expenditure which was looked upon as perfectly useless. The undertaking was to build a Pacific Railway, having its eastern terminus at Lake Nipissing, but it was never agreed to connect that road with the railway systems either of Ontario or Quebec; at the same time, if it was proper that the road should be connected with the latter, it should be also united with former railway system. If the Georgian Bay Branch were built, Ontario would have to connect its system at Lake Nipissing, while the Quebec railways would be united by a road built at the expense of the Dominion. He was glad the hon. member for North Simcoe had expressed himself in favour of constructing the Georgian Bay Branch as a Dominion work, which would involve an expenditure of \$6,000,000, and, when the hon. gentleman returned to his constituency, he (Mr. McCarthy) would have pleasure in reminding him of the policy he had enunciated on the floor of Parliament. He thought the expenditure of \$41,000 on the Georgian Bay Branch had been lost to the country, and he hoped the hon. the Premier would awaken to the condition of public feeling on the question.

Mr. MACKENZIE said he had no objection to offer to the amendment, because he had nothing to keep back regarding the question. He was not, however, aware that he or any other person had collected evidence in regard to the capacity of the Canada Central, and there was no such evidence to bring down.

Sir JOHN A. MACDONALD said it was the hon. gentleman's duty to have done so, because it was so laid down in the Order of Council.

Mr. MACKENZIE said he knew his duty as well as the right hon. gentleman.

Motion as amended, *agreed to*, as follows:—

“That an Address be voted to His Excellency, for a copy of all Reports or statements made as to the construction or attempted construction of the Georgian Bay Branch of the Pacific Railway, under contract by the Hon. A. B. Foster; also all correspondence between the Hon. Mr. Foster and the Government as to the said contract or the work done thereunder, or the failure to perform the same, any Departmental Orders or Orders in Council passed as to the matter of the said Public Work, especially the Order as to the cancellation of said contract; together with a statement of the service or services for which the sum of \$109,000.50 has been paid to the said A. B. Foster, on account of said contract; and also for the advertisement for Tenders for said work; the evidence showing that the Contractor was worth \$4,000 per mile, as recited in said contract, and the certificate of the deposit of the \$85,000, also referred to therein, so far as not already laid before the House; also all letters, correspondence and evidence laid before the Minister of Public Works to satisfy him, in pursuance of the terms of the Order in Council dated 4th November, 1874, and ratified by Resolution of this House on 13th March, 1875, that the Canada Central Railway Company had provided sufficient means, with the Government bonus, to secure the completion of the line on or before the 1st January, 1877. Also, reports made from time to time, showing that the Company, were making such progress as justified the hope of the completion of the line within the time mentioned. Also, a statement of payments made to said Company on account of the subsidy granted on the conditions mentioned in the said Order in Council; and of the quality, kind and weight per yard of the rails delivered at any point of the line to be constructed; the value of said rails, the evidence or certificate of said value, and payments made on account of said rails; and the dates of such payments, and the place or places where said rails are delivered, and if not delivered on the line to be constructed, the distance or distances therefrom.”

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

### After Recess.

#### PRIVATE BILLS.

##### SECOND READINGS.

The following Bills were severally read the second time.

Bill (No. 25) To amend the Act

incorporating the Canada Atlantic Cable Company.—(Mr. Thomson, Welland.)

Bill (No. 35) Concerning the Ottawa, Vaudreuil and Montreal Railway Company.—(Mr. Hagar.)

Bill (No. 28) Respecting the Niagara Grand Island Bridge Company.—(Mr. Thomson, Welland.)

Bill (No. 29) To amend the Act passed in the 39th year of Her Majesty's reign, intituled “An Act to incorporate the British Canadian Loan and Investment Company (Limited).” —(Mr. Young.)

Bill (No. 30) To incorporate the Union Marine Insurance Company of Halifax, Nova Scotia.—(Mr. Jones, Halifax.)

Bill (No. 33) To incorporate la Société de Construction St. Jacques as a permanent Building Society and for other purposes.—(Mr. Jetté.)

Bill (No. 8) To change the name of the St. Francis and Megantic International Railway Company to the International Railway Company, and for other purposes.—(Mr. Brooks.)

#### PICKERING HARBOUR AND ROAD COMPANY BILL.

[BILL No. 26.]

(Mr. Gibbs, South Ontario.)

##### SECOND READING.

Mr. GIBBS (South Ontario), in moving the second reading of the Bill (No. 26) To vest the property and powers of the Pickering Harbour and Road Joint Stock Company in Joseph Harris McClellan, said the Company was organized under the Act passed in 1853, and continued to do business until 1872. During that time, however, it became indebted in a large sum to the late hon. John Hillyard Cameron, who in 1862 got a Bill passed through the Ontario Legislature, vesting the property in him and giving him authority to dispose of it in the name of the Company. Mr. Cameron disposed of the property to Mr. McClellan, but objection was made that the title was defective because the Legislature had no jurisdiction over the tolls levied by the Company. The object of the Bill was to confirm Mr. McClellan's title.

Mr. MACKENZIE said the Bill had only this moment been placed in his hands. He would allow it to pass *pro forma* until he had time to look at it.

Bill read the second time.

### METROPOLITAN BANK BILL.

[BILL No. 31.]

(Mr. Workman.)

SECOND READING.

Mr. WORKMAN, in moving the second reading of this Bill said it provided for the calling of a general meeting of stockholders, when three trustees would be appointed to wind up the Bank and divide the assets *pro rata*. One of the stipulations was that not less than 60 cents on the dollar should be refunded to the stockholders.

Bill read the second time.

### OTTAWA AGRICULTURAL INSURANCE BILL.—[BILL No. 34.]

(Mr. Rochester.)

SECOND READING.

Sir JOHN A. MACDONALD, in the absence of Mr. ROCHESTER, moved the second reading of the Bill.

Mr. MACKENZIE said the second clause was a very remarkable one. It asked the House to confirm certain insurance upon property that appeared to have been effected irregularly. He was afraid that was not proper legislation.

Sir JOHN A. MACDONALD said the clause, he thought, was to provide that irregular policies should not be made obligatory upon the Company.

Mr. MACKENZIE said there should have been a clause explaining that.

Bill read the second time.

### SPRINGHILL AND PARRSBOROUGH COAL AND RAILWAY COMPANY BILL.—[BILL No. 12.]

(Mr. Domville.)

SECOND READING.

Mr. DOMVILLE moved the second reading of the Bill.

Mr. GIBBS.

Mr. BLAKE said, if the Bill was allowed to go to the second reading, it should be on the distinct understanding that the House in no sense committed itself to its principle, which seemed to be of a very objectionable and exceptional character. To grant the powers asked to a local railway would be to make a sort of double and divided authority. It was proposed to give this Company, the creature of another Legislature, certain specified powers only to be obtained from the Dominion Parliament. This was a peculiar procedure, although the conveniences of such double authority were obvious.

Mr. DOMVILLE said he had pointed out this to the parties who placed the Bill in his possession. They, however, did not want to make another application to the Local Legislature, as it might affect their subsidy. He could quite understand the objection to the Bill, and he hoped the hon. the Minister of Justice would look into the matter, and the House would be bound to accept the construction he placed upon it. The work was considered a feeder of the Intercolonial Railway and was of some public advantage.

Sir JOHN A. MACDONALD said there were serious objections to this divided authority, and he could scarce see how the difficulty was to be overcome except by a declaration in the Bill making it a Dominion work. He thought the principle of the Bill was fraught with evil, and the House ought to decline to interpose their power of legislation on such a matter.

Mr. JONES (Halifax) said he supposed the real object of the Bill was to enable the Company to issue debentures at 7 or 8 per cent.

Sir JOHN A. MACDONALD said perhaps the Legislature of Nova Scotia might not wish the corporation to have that power.

Mr. DOMVILLE said the Local Government had given full powers in this respect, but the legal adviser of the Company thought that Legislature had no right to grant such powers.

Bill read the second time.

BEAVER AND TORONTO MUTUAL FIRE INSURANCE COMPANY BILL.—[BILL No. 16.]

(*Mr. Bowell.*)

SECOND READING.

Mr. BOWELL, in moving the second reading of the Bill said the Companies were originally organized under the Act enabling the Mutual Fire Insurance Companies to do business in the old Province of Canada. Subsequently a union took place between the Beaver and Mutual Companies, after which they were advised that the Act of Union did not bring them under the clause of the Insurance Act passed previous to their union. The Company now asked for extended powers under the Act of Union, which he was convinced would be granted, and to be relieved from the operations of the general law, which he did not think Parliament would be disposed to grant. He was instructed to say that the Company were quite willing, if the Bill should pass the second reading, and be referred, to submit any amendment for winding up their affairs, to enable them to continue operations by making the requisite deposits, or to cease doing business altogether.

Bill read the second time.

INSOLVENT ACT REPEAL BILL.

[BILL No. 2.]

(*Mr. Barthe.*)

DEBATE ON SECOND READING RESUMED.

Order for the resumption of the debate on Mr. Barthe's motion for the second reading of the Bill to repeal the Insolvent Acts now in force in the Dominion of Canada, and the motion of Wood in amendment thereto, read.

Mr. ROSS (Middlesex) said he had moved the adjournment of the debate in order that the House might become better acquainted with the amendment. In 1869 an Insolvent Act was passed which formed the nucleus of the Act now in force. A Committee of the legal gentlemen from both sides of the House gave this matter their most careful consideration; and the draft Bill was also carefully revised by the Committee of the Whole House. An

Insolvent Act was absolutely necessary from the circumstances of the country. That body which took such a deep interest in everything connected with trade—the Dominion Board of Trade—had, for the last five or six years, given considerable attention to this question, and that body, as well as other Boards of Trade, had always decided in favour of an Insolvent Act. At the last meeting of the Dominion Board of Trade in Ottawa, in January, a large committee was appointed to consider the question of an Insolvent Act, and one of the first resolutions adopted was: "That the Insolvent Act should not be repealed." They accepted as a first principle the necessity of an Insolvent Act being retained upon the Statute-book. To-day a petition from the Montreal Board of Trade was presented praying that the present Act be not repealed. He thought, if the time for the final decision of the House were extended for a few weeks, petitions from all the Boards of Trade would be presented. The House having deliberated upon the matter so carefully before the Act was adopted, and the Act having been only such a short time in existence, it would be unwise to now suddenly repeal the measure. Had an election intervened it could be done with some show of propriety, but it was the same Parliament now as when the Act was passed. The great financial interests at stake rendered it necessary that some Insolvent Act should be on the Statute-book. According to the census of 1871, there was \$77,000,000 invested in manufactures. The products of this capital amounted to the value of \$221,000,000 annually. Besides, there was imported last year \$94,000,000 worth of produce for consumption, and an exportation of over \$80,000,000. Adding these sums together, there was the large amount of \$400,000,000 which stood in relation to both of the parties calculated to be affected, either as debtor or creditor. Looking at the vast amount of money to be summarily dealt with, he thought the House should pause before repealing the Act. When the small amount of the liabilities of insolvents was compared to the large amount of money invested in business, it did not appear to him that our commercial affairs

were upon such an uncertain basis as they had been represented in some quarters. We had \$500,000,000 invested in business, and only 5 per cent of this amount, according to the returns of Dun, Wiman & Co., came within the purview of insolvency, which was a very small percentage considering the many inexperienced persons who hurriedly engaged in business. It was alleged that the debtor was the last party that should make any complaint of there being no Insolvent Act. But should not the honest debtor have some protection? An Insolvent Act was found on the Statute-book of every civilized country. Provision was made for the honest debtor in the old country and in the various States of the American Republic; and there should be a similar provision here; or at least the Dominion of Canada should be prepared to give a reasonable amount of protection to the honest debtor. Perhaps the debtor was the most interested party, but the House had heard the statements of two hon. members of the House who were large traders and doubtless stood creditors to a great number of debtors, and both had urged the continuance of the Insolvent Act. They said that, although the Insolvent Act might have some imperfections, yet it would be disastrous to the trade of the country to repeal the Act. This testimony, by men of practical experience, should have great weight. Another standpoint from which the question ought to be looked at was, as the hon. member for South Brant had pointed out, that this was a time of great commercial depression, and matters would only be made worse by suddenly changing the relations of debtor and creditor. He ventured to say that there were many creditors who were struggling anxiously against difficulties, being "carried," as it were, by the benevolence of generous creditors, but who would be overcome with disaster were there no Insolvent Act, for, without it, the creditors would not feel that their interests were protected, and they could not afford to run the risk of allowing their claims to be forestalled by those who might be first to issue an attachment and secure the entire stock of the struggling debtor.

**Mr. Ross.**

Mr. COLBY said he had been endeavouring to persuade himself, notwithstanding his former convictions on the subject of the Insolvency Law, in consideration of the peculiar condition of the country at this time, and in deference to the hope held out that some beneficial change would be made by virtue of the amendments proposed by the Minister of Justice, to give a silent vote in favour of the continuance of the Act. But he had been unable to come to that conclusion. If this was simply an Act of 1875, if this was simply an Act of two years' experience, he would say that, considering the the short period of the trial and the peculiar circumstances of the country, it might be unwise to adopt so violent a change as would be involved in a total abrogation of the law. But they must remember that the Act of 1875 was the outgrowth of legislation dating back to 1864. At that time, the gentleman who interested himself most conspicuously in the introduction of the Act was perhaps of all men in Canada most competent to deal with it. He had before him the Insolvent Acts of other countries, and an Act was framed which it was thought would be adapted to the condition of this country. But that Act was not a success. It might have been correct in principle, but, in its practical workings, it was not satisfactory. And so, in 1869, the whole matter was reconsidered, and it was endeavoured to frame another Act which should be free from the objections which experience had shown attached to the Act of 1864. He had felt it to be his duty on two separate occasions to move for the repeal of the Act and the sentiment of the House of Commons in two Sessions was expressed against the Act. He mentioned these circumstances to show how unsatisfactorily the Act had worked. It could not be said that the objection which was found to the Act to-day was owing to the peculiar condition of the country, because, at that time, when the country was at the height of its prosperity, when there was no commercial crisis, when the Act had every opportunity of working, it was found unsatisfactory, and its repeal was twice voted for by the House of Commons. In 1875, with

all the antecedent experience, the Government submitted a Bill, which was first carefully prepared by the Hon. Mr. Dorion, and revised by his successor and the ablest legal and commercial gentlemen of the House conversant with this matter. Weeks were spent upon it, and the House had the benefit of the gentleman who was then President of the Board of Trade of Montreal, and now, or recently, President of the Dominion Board of Trade. The Act of 1875 was passed. Now, had this Act been satisfactory? He need not ask the question. No hon. gentleman on the floor of the House would say that the operation of the Act had been satisfactory.

Mr. MACDONALD (Toronto): Yes.

Mr. COLBY said this was the first expression of the kind he had heard. It was said that this was a good Act, but the merchants themselves, who were most interested in making it a success, did not find that it worked well. One attached the blame of its failure to the Act, and another laid it on the manner of its administration; but he heard no one, either on the floor of the House or outside of it, declare that it worked well. He believed that the House could not mature or perfect an Act which would give satisfaction to this country. In attempting to avoid one evil they fell into another; if it was devised for the benefit of the debtor, the result was fraud, dishonesty, over-speculation, and a great many other evils; and, if it was framed in the interests of the creditor, the debtor was oppressed. The difficulties met were inherent in the system. In some countries, perhaps, an Insolvency Act might work well, but in this young country this was not possible. The great fault of the age, of this continent and of this Dominion, was a tendency to over-speculate, and for men without capital or experience to go into business. The results were disastrous. He had endeavoured to look with favour on the amendment proposed by the Minister of Justice, but he had not found this possible. He hardly knew a solvent trader, not already over-rich, who would be able to obtain his discharge under our expensive Insolvent Act and pay fifty cents on the dollar;

and the enforcement of such a clause, under our present system, would lead to great injustice. The honest retail trader, under the Act, was placed in a condition of great embarrassment; bankrupt stocks were thrown on the market, and his difficulties were increased by the hardness of the times and the trouble experienced in collecting his dues. He believed that it would require an estate worth 150 per cent. to realize 50 cents on the dollar, if placed in liquidation under the existing Act. Nor did he believe that it would be right to wrest a man's estate entirely out of his own control, place it in the hands of an assignee to be managed or mismanaged, and at the same time to force the debtor to pay 50 cents on the dollar, before a discharge could be secured. In fact this would entail monstrous hardships. He quite agreed, however, with the proposition to require a certain amount to be paid, provided a man went voluntarily into insolvency. The proposition of the Minister of Justice would tend to create widespread ruin and disaster, and rather than submit to this alternative it would be better to wipe out the Act altogether. If this were done, he did not think that they would be thrown back on the old system of preferential assignments or any thing of that kind. Under such circumstances the Minister of Justice would see the necessity of enacting a law of broader application, by which arrangements between the creditors and debtors might be facilitated, and preferential assignments done away with.

Mr. HOLTON: In this Legislature?

Mr. COLBY, said this could be effected by adopting for the Dominion the practical and simple civil law of the Province of Quebec, where the system of preferential assignments was unknown; and by enacting with that law an addition by which a debtor might obtain his discharge with the concurrence of his creditors or of a certain majority of them in number and value, not as a matter of right, but as an arrangement effected between debtor and creditor. This scheme would provide an Insolvency Act

within the meaning of the Constitution, and free from the serious objections attached to the Acts that had been placed on the Statute-book in this country. These laws had encouraged reckless trading, induced inexperienced persons and men of too limited means to enter into business, seriously lowered the standard of mercantile honour, and driven honest and capable men out of commercial pursuits. Their tendency had been of an extremely demoralizing nature. It had been urged, that the useless and dangerous weeds would pass away in time, but the result of the operation of these laws had rather been to leave these weeds in full possession of the commercial field. He did not think that they were adapted to the true interests of the country, and their effects it was sad to contemplate. The amendments of the Minister of Justice, on the other hand, would make the law too stringent; it was all very well in theory; a nice and pretty thing in the closet; but, in practice, it would be most mischievous and a delusion and a snare. No honest trader would give notice to his creditors that he was in difficulties until it was too late, and then he would not be able to take advantage of the proposed clause which would relieve him from certain liabilities. Such a person would hope against hope, and defer action in that direction until he would be hopelessly involved. An estate thrown into insolvency might pay one hundred cents on the dollar, not immediately, but in time, if left under the insolvent's management; but, under the present system, modified, as was proposed by the Minister of Justice, how could it be made to pay fifty cents on the dollar, and how could the discharge be obtained? He could not see how this was possible; and was this a law they should carry home to the retail traders of this country? Such a law would be conceived wholly in the interests of the Shylock, if the commercial Shylock existed, and in the interest of the creditor, whether he were lenient or harsh. There was not a redeeming feature in it; it gave no opportunity whatever to the debtor to do anything on his own account, and the moment

any merchant throughout this broad Dominion failed to meet his obligations he would be exposed to the danger of having his estate snatched out of his hands and placed in alien custody, and, under these circumstances, if it paid only fifteen, ten, or five cents on the dollar—though in reality worth far more—he was obliged to pay fifty cents on the dollar before a discharge could be granted. He was not willing that such a measure should continue to be the law to be enforced for the next year, especially in the present hard times. Let the House consider with what difficulty honest traders were keeping themselves afloat. In these excessively and continuously hard times—with short crops in many sections of the country, and the state of things aggravated by insolvent traders dropping down to the right and left, with stocks thrown upon the market and sacrificed to such an extent that it was impossible for goods to be sold at honest prices—every trader in difficulty in this country was to be exposed to the operation of a law which gave him no gleam of hope, but placed him at the mercy of any creditor, whether friendly or hostile, and, unless his estate paid 50c. to the dollar, prevented him from getting his discharge. He knew of many estates that were ordinarily estimated at 100c. to the dollar that had not been able to pay 50c., or 30c., or 20c., or even 10c. to the dollar, while others had been entirely wiped out under the operation of the Insolvency Act that the country had been blessed with for the last two years. While he was not willing to open the door to all the frauds of voluntary assignments, on the one hand, he was not willing, on the other hand, to support a law which was entirely in favour of the creditor, and gave every disadvantage to the Insolvent debtor.

Mr. MACDONNELL said the member for Stanstead reminded him more of an advocate addressing a jury than of a member of this House taking a fair and impartial view of the question before it. He had first said that the Insolvent Law was perfectly fair in principle, and, to show that, he had remarked that, in an old country, where men were brought up to business, the law might work well. He afterwards

said that no law which discharged a debtor from paying his debts was right, thus contradicting himself. He said an unfortunate debtor should be allowed to make a compromise, but he could do that under an Insolvent Law as well as if there was none. The Insolvent Law was intended for the honest but unfortunate debtor. It was not originally intended for the benefit of the creditor, but, under the law of 1875, which compelled the debtor to pay 33 cents on the dollar, the interests of the creditors were considered and respected. The hon. gentleman said that this was the same law which had been on the Statute-book since 1864. He (Mr. MacDonnell) denied it. The law from 1864 to 1875 made no proviso that the debtor should pay any amount to the creditor. The hon. and learned member argued in favour of the debtor at one time and in favour of the creditor at another, when he said that the law enabled reckless or inexperienced men, without capital, brains, or competence in business, to enter into trade, thus defrauding their creditors and possibly the public; while on the other hand he declared that the law which enabled a creditor, at any moment when the debtor was in difficulty, to get process issued against him and bring him into court was an unjust law. The law had worked very well in the Province of Nova Scotia and he should be very sorry to see it repealed after such a short experience. He found the sentiment of the commercial men was in favour of the principle as well as the practice of the law. The hon. member said it was good in principle but was imperfect in practice. If the House adopted a right principle they should be able, by their wisdom and legislative ingenuity, to reduce it to practice and carry it out by legislative enactment, he admitted it was difficult to pass an Insolvent Law which would work well, but what law was perfect? From the first day that England had a Legislature down to the present, she had been amending and altering her laws, and, while they possessed no powers beyond human powers, they would not be able to pass a law which would be perfect in its operations. This was no time to condemn this law, seeing that we were passing

through a time of unprecedented stringency in trade and in the industries of the country.

Mr. LANDERKIN said he had supported the present Insolvent Act, as he believed at that time that it was a necessity. He thought so still. He did not believe it would be in the interests of the country to have the Act repealed at present. The objects of the Act, as he had then conceived them to be, were of a two-fold character—not only to relieve the debtor, unfortunate in certain cases, but to secure the creditor. By that Act, the creditor got possession of the estate of the insolvent in a more ready and in a cheaper method than he could otherwise have done. It had also been stated that the object of the Act was to prevent the continuance of the old system of giving certain creditors a preference in regard to the estate of the insolvent. The principles of the Act had commended themselves to his judgment, and he had resisted any amendments which had since been proposed, as he desired that a longer time should be given, in order to see whether the law had worked beneficially and had carried out the expectations which were formed when it came into force. It was well known that too many persons engaged in trade to the proportion of the amount to be done. That was to be regretted, but he did not think the Insolvent Act had anything to do with the fact. The Act was framed with great care, to protect the rights of every class engaged in trade, and if it secured the honest debtor's release, upon certain conditions, from his liabilities, and punished the dishonest one, its operation must have a beneficial tendency. It was required to protect the wholesale traders, who frequently lived a distance from those dealing with them, and it was impossible, in many instances, for them to get a share in an insolvent estate, unless there was a law of this character. There were many things which should be considered before attempting to remove the Act from the Statute-book. If they looked for a moment into the operations of the Act, it would be seen that the number who failed in 1876 was less than in 1875. Possibly, when the Act became better understood, and its operations more

effectually carried out, it might prove a great boon to the country. It was to be regretted and it was also unsatisfactory if a creditor did not receive the full amount of his account; but such a thing was one of the risks of trade, and it was difficult to legislate to prevent it. Country merchants and retail dealers, it was true, had difficulties to contend with, from the fact that when a man was forced into insolvency, the goods were sold at bankrupt rates, and brought into competition with the regular trade, whose interests were thereby injured. Cases of this kind frequently occurred, and were not unknown before the Insolvent Law. The Bankruptcy Act did not create this state of things. If the House would consider provisions for the regulation of trade, they might arrive at some solution of the difficulty arising from so many persons entering into business. If some standard were required by the House as a guarantee, it might be worthy of consideration, but, as things were, with the credit system in full force, it was to be expected that a great many insolvent cases would occur. But, notwithstanding all the difficulties which beset the retail dealers, many of them, who had started with small capital, had managed by industry and perseverance to amass considerable wealth. Failure, in a great many instances, was due to a lack of business training; and, if it could be arranged that incompetent persons could not enter into trade, he thought insolvency would be rare. No doubt much of the existing state of things was due to over-trading; there must be failures if a larger number of persons engaged in trade than was necessary for the requirements of the country. It was to be regretted that so many farmers' sons embarked in business, but it was difficult for the House to interfere in such a matter. As soon as it became understood that agriculture was better adapted for the young men of Canada than any other business, and would enable them to earn a competency and independence much quicker than any other walk of life, this evil would cure itself. He had given notice of a Bill to make some amendments to the Act, but upon consideration he

Mr. LANDERKIN.

concluded it was more desirable to watch more closely its operation than to interfere with it at present. After listening to the debate, he had formed the opinion that it would be unwise and impolitic to repeal the Insolvent Law, and he would, therefore, support the motion of the hon. member for Hamilton. There was no doubt that trade would revive, especially as the affairs of the country were being so judiciously managed, and, when that desirable result came about, there would probably not be so much need for a Bankruptcy Act. If the law were then found inadequate to the requirements of Canada, the propriety of its repeal would be worthy of consideration. If the Act was repealed now, perhaps the wholesale merchants would cease carrying the retail dealers, and the latter would force the consumers to pay, which would be hard all around at present. Perhaps, in another season, there would be a bountiful harvest, and the farmers would be better prepared to conduct their business on the cash system. When that result was attained, it would be time enough to talk of the repeal of the Act.

Mr. KERR said he was a firm believer in the maxim that silence is golden and speech only silver, and nothing but the strength of his convictions on the question before the House constrained him to break the golden silence and explain why he should vote in favour of the amendment of the hon. member for Hamilton. He would vote for that amendment, not as a lawyer, to show his unselfishness, but from a conviction of duty. He would not vote for it for the sake of vindicating the fair name of that ancient and honoured profession of which he was but a humble member; nor would he ever feel it necessary to vindicate the honour of that profession so long as its chief possessed the immeasurable talents and shining integrity possessed by the present Attorney-General of the Dominion. This was a larger question than one of self; it was one that affected the interests of the whole country; and, in casting his vote on this occasion, he rejoiced that he could not if he would, and would not if he could, give a vote which would be considered Provincial rather na-

tional in its character. He trusted hon. gentlemen would look at this question from a Dominion and not from a Provincial standpoint. He would not argue to show that an Insolvent Law could be framed which would be satisfactory to all the people of the country. Such a law could not be framed. They were not called upon to decide whether the Insolvent Law was a good or a bad law. His opinion was that it was an evil, but that it was a necessary evil; and that it was the least of two evils; and as such he intended to discuss the matter. That it was an evil to be without an Insolvent Law was evidenced by the arguments of those who favoured the amendment. The onus of proof lay upon those gentlemen who opposed the Bill. His experience was that the state of things before 1864, when the Insolvent Law was enacted, was eminently conducive to dishonesty and swindling. They were told that one of the effects of the Insolvent Law was that it was favourable to that kind of conduct. If this were the case, the same kind of conduct would be practised with impunity without the law. So much was this the case that, in 1864, a great many persons, with much wisdom, asked Parliament to place upon the Statute-book some law that would act as a check to these fraudulent operations. Even if the present law was defective, it would be better, before making any decided opposition or urging its repeal, to wait until the hon. the Minister of Justice brought down his proposed amendments. It was a significant fact that those gentlemen most interested in the law had spoken in favour of it. It was not in human nature to remain long under a grievance. If this country felt that the Insolvent Law was a grievance, that grievance would be fully set forth by petitions. Instead, however, of any petitions having been presented against the Act, all the representations from the public to the Government were in its favour. It would seem, from the remarks of some of the hon. members, that the Province of Quebec suffered somewhat from the operations of the Act. Quebec entered the Confederation as a man would enter into the marriage state—for better or for worse. If

Quebec had more of the worse than the other Provinces, it ought to bear it if the law was to the advantage of the Dominion at large; and, even if there were any disadvantage, it was more than outweighed by the advantages of Confederation otherwise.

Mr. MOUSSEAU said that he would record his vote in favour of the motion of the hon. member for Richelieu, and, when the occasion presented itself, he would with pleasure vote with the hon. member for St. John for the complete repeal of the Insolvent Act. It had been stated that the merchants generally of Montreal, Toronto, Quebec and other places, did not desire the abrogation of this measure. The debate during this evening, as well as during previous evenings when it had come up, had concerned one, the commercial interest, and it had been intimated that the agricultural class and the artisans were at the mercy of these honourable gentlemen; and that the legislation of this country, year after year, was only calculated in the interests of commerce, of great speculators, and of the large importers of Montreal, Toronto, &c.; but he thought that the time had at length arrived when the House and country should understand that there were more classes than one—the mercantile class—in the Province of Quebec, in the Dominion of Canada, and in the world. There existed other important and numerous classes of great productive power, which made nations prosperous by means of their toil, though they often became the victims of other classes of society. The sole interests of commercial men were not at present in question, but those of the country in general. Hon. gentlemen on both sides of the House had established the fact that the present law had produced enormous disasters, from moral, commercial and social points of view. The very principle of the law was immoral, because its tendency was to allow debtors to pay their debts with nothing; and, day after day, it continued working moral, commercial, and social ruin. It was an exceptional measure, and it ought to be only resorted to in the event of an absolute necessity existing for its being brought into operation. He thought that such a necessity had

for a long time past disappeared, and that it was now causing an immense and an incalculable amount of ruin, which could only be repaired after some ten or fifteen years of industry and economy. In fact, what were the consequences of the law? Statistics and figures had been laid before the House clearly proving the disastrous nature of its operations. It had been shown that a great number of bankrupts, perhaps nine out of ten, had paid such sums as five, ten and fifteen cents on the dollar; and more, in many instances which had occurred, in lieu of effecting reformation, this law had created great moral disasters, and men had become insolvent, not once only, but four or five times during the period of its operation. One of the causes leading to this unhappy result was perhaps due to the ease with which discharges were obtained. In the United States, such a measure had been introduced after the civil war; and, in this country, an irresistible desire for speculation, and for living beyond one's means, and for stock-jobbing was exhibited, such as had never been witnessed prior to its enactment; and men, as was done in New York, in Boston and other places over the border, aped a style entirely disproportionate to their actual resources. Another cause of insolvencies was this: a large number of young men, who lacked capital but did not longer wish to remain employés, aspired to be merchants, and their unfortunate inclinations in this respect were encouraged in consequence of the enormous importations that had taken place. The wholesale merchants of Montreal, Toronto, and other principal cities had imported perhaps ten times more than the country required, and what was the result? They sent their goods at any price to retailers not only in the cities, but in villages, even to the very outskirts of the settled portions of the country. And the consequence of such speculations, and of entry into business without either the requisite means or ability, had been a resort to the provisions of the Insolvency Act. Under such circumstances this was not surprising, and

the losses thus incurred fell rather upon the banks and capitalists than upon the wholesale dealers. This law was not necessary for the honest debtor, who, to speak frankly, was always protected under the old law. The honest debtor was not compelled to fail; he was always aided by the banks when in difficulty, and supported by his excellent reputation. Commercial disasters and misfortunes had occurred before this measure was introduced in 1864, but they had been repaired. He perceived that several members were disposed to vote against the Bill of his hon. friend from Richelieu, and in favour of such a course they gave excellent, nay, superb, reasons. They admitted that they were not satisfied with the Act in its present state, but then they awaited the amendments foreshadowed by the Minister of Justice. These proposed amendments appeared very fine indeed, and before them the hon. member for Montreal West bowed in evident admiration. It was proposed to compel the insolvent debtor to pay fifty cents on the dollar, but, as had been remarked, when such a debtor could make such a payment and meet the claims of the assignee, and of people who preyed upon such estates, he was under no necessity of becoming bankrupt. He respectfully submitted that the country at the present time required the repeal of this law. If the commercial disasters which had occurred since 1864 were carefully studied, it would be seen that commercial honour and morality had since that period been considerably lowered, and he was convinced that this was due to this Act. The ease with which, under its operations, debtors obtained compositions and releases from the payment of just debts and the results of extravagant speculations, and, above all, the expectation, in imitation of the example shown in the United States, that, no matter how recklessly business was conducted, creditors and expenses could thus be readily paid had lowered seriously the standard of commercial honour; and, he therefore believed that the time had at length arrived when the law which had contributed to this demoralising state of things, should be

offaced from the Statute-book. He would not dwell upon the losses due to the bad management of insolvent estates by assignees; this subject had been exhausted during the previous debate, but the mismanagement in question was undoubtedly frightful, and there seemed to be no way of remedying it; even the merchants themselves appeared incapable of suggesting any mode by which this could be done. He would not say that they were not prepared for a law modelled on the English and not ably on the French system; but still it must be admitted that an Insolvency Act provided excellent means for living at the expense of other people. He would quote the following appropriate remarks from the valuable work written on this subject by M. Bédarride, a distinguished French author:—

“This was, that at all periods of history, bankruptcy has given rise to the most odious speculations; that cupidity and unfaithfulness had regarded it only as a means of getting enriched to the detriment of public interest; that probity, up to this point the most exemplary, had not been able to continue before the future of misery, in the presence of which it found itself insolently thrown; and finally that interested solicitations, or that sentiments honourable in their origin, ably taken advantage of, concealed from the eyes of conscience the gravity of the acts which they determined.

“These frauds and these artifices, compromising the fate of creditors who were acting in good faith, were an extraordinary danger in business. The disturbance of confidence and the restriction of credit, which sprang from this state of things, could at least compromise, if they did not destroy, this first and most precious element of public prosperity.

“It was necessary at any price to remove this danger; and it was requisite to re-establish commerce on a sound foundation by means of an energetic and salutary protection, of a nature to weaken, if it did not absolutely remove the evil, by neutralizing its principal effects.

“The legislature of 1838 had not failed to do what the social interests required. The intervention of the public prosecutor *a l'incertain*, and his right to have, at any period, communication with the accounts, books and papers of the bankrupt, usefully controlled the reports, which the official assignee must address him, and presented an obstacle to influences calculated to relieve the bankrupt from the punishment which he merited.”

“More than thirty years had elapsed since the enactment of this law, and it could be said with truth, that these abuses, if they

had not been completely uprooted, had at least become less prevalent. Sufficiently guarded, the public and the private interests had been able to protect and defend themselves, and justice had not failed them, even when she was obliged to take the initiative.”

He further stated that the destruction of confidence among men engaged in commercial pursuits of credit, which was the result of this Act, formed a very grave feature for anxious consideration. In the presence of almost daily bankruptcies, of failures often repeated by the same person, and of continual losses, although the coffers of banks were filled with money, and capitalists were extremely wealthy, the system of credit was disturbed to its very foundations. The law favoured trade conducted on a suicidal basis and dangerous speculations; these people who lived at the expense of others were destroying credit, and it was necessary under these deplorable circumstances to reassure those engaged in trade, and take steps which would lead to the restoration of confidence. His only object was to subserve the public interests. If a law could be framed which would not cause in this country the evils he had instanced, he would support it; but this was impossible. The country was not prepared for so severe an enactment as existed in other countries, and the House did not desire it. In France, legislation in this regard was severe, and the results were most admirable. In France the honest debtor possessed satisfactory guarantees; the books of the trader must there be carefully kept; they must show the precise causes of failure and misfortune; it must be proved where the money had gone—whether it had been absorbed in private expenses or in unfortunate speculations. Besides, rigorous precautions were taken to prevent fraud and wrong-doing. The books and papers of the bankrupt were taken possession of by public officers, and subjected to a rigid and scrupulous examination. After thirty years' experience, it could be truthfully said, that if commercial dishonesty had not been uprooted in that country it had been severely checked. Public and private interests were protected and defended, and justice did not fail to be done. If the House was ready

and the country ripe for legislation of the same severe character, restraining commercial operations within the bounds of moderation, he would vote for it. He simply wanted to see the fraudulent debtor punished as he merited, and the honest debtor treated as he deserved. His hon. friend from West Northumberland had not looked at this question from a proper point of view, which was that of the general interests of the country; his hon. friend said it was strange that the people of the Province of Quebec and their representatives in Parliament should demand the abolition of this law; but he would inform his hon. friend that they did not make this demand more in their interests than in those of the other Provinces of the Dominion. They wished to see the law abolished, simply because it was useless and dangerous. His hon. friend the member for West Northumberland had not only fallen into a strange error with regard to their motives, but he had also committed another and a sufficiently serious mistake when he declared that the burden of proof fell on the shoulders of those who demanded the repeal of the law. He, however, offered with pleasure in this relation, the speeches made on this subject by his hon. friends from Richelieu and Stanstead. The proof required was complete, and it had been laid before the House. The same hon. gentlemen had invoked, he believed, the history of the past, declaring that, before the enactment of the Insolvency Act of 1864, great misfortunes had been inflicted on the country. He considered that this appeal was most ill-judged, because this country had never been really richer, happier or more prosperous than it was prior to that year. It was better to transact a little less business, and to have it transacted on a sound foundation. In reply to another observation made by the hon. member, he would say, it seemed to him that all the Provinces of the Dominion had made enough sacrifices in this regard; and he thought that the Province of Ontario was rich enough to submit to the sacrifice of seeing this law amended. The consequences entailed by the Act were ruinous and

discreditable; and, nevertheless, it was argued that they must submit to it, because Ontario did not wish to amend the law, for the reason that such a step would exercise a disturbing influence. He would vote with pleasure for the repeal of the law.

Mr. LAFLAMME said he thought that the House, before it arrived at a determination to repeal this law, which regulated most of the transactions between creditors and debtors, should ascertain the exact position in which the country, and in particular the trading community, would be placed if such a step were taken. He regretted the fact that his hon. friend from Richelieu had not thought proper to present to the House equivalent substitutes for those portions of the law which were acknowledged as, and accepted to be, of essential benefit to the whole community. He understood, from the tenor of the arguments adduced on both sides of the House, that objections were confined to the working of the measure; but as to its principles, he failed to discover any serious or valid objection. The essential objects of the law were—first, to obtain, when a debtor became insolvent, the control of the estate for the benefit of the creditors concerned. The second object was to realize the proceeds of the estate in the most beneficial manner for those to whom it naturally belonged, viz.: the creditors. The third object was to see that the honest and unfortunate debtor obtained relief. The law, as it had been prepared, was made for these objects. No one would deny that the creditors had absolute control over the debtor's estate, and, if the assignees absorbed the estate for their own individual benefit, it was by reason of the neglect and absence of attention on the part of the creditors. Unless the law was made with very stringent provisions to force the creditor to attend to his own interests, this could not be remedied. As far as he understood the law, and had seen it worked, and as far as the intention of the promoters of it went, that intention was to leave the whole matter of the debtor's estate in the hands of the creditors. The official assignee was merely an individual who took possession of the estate, after the debt-

or had been declared insolvent. Some hon. gentlemen had objected to creditors having the power to force a man into insolvency who was really solvent. The law provided a speedy remedy in that case. If the party was not insolvent, and had enough to pay his debts, he could go before a judge, oppose the demand of his creditors to put him into insolvency, establish his solvency, and then remain under the ordinary course of law. Some of his hon. friends who had spoken seemed to have forgotten the principles which regulated the regulation of creditor and debtor in the Province of Quebec. The principle of their law was that, the moment a man had not sufficient to pay his debts, and satisfy the whole of his creditors, that moment he was insolvent, and his property became the pledge of the whole of his creditors. This was principle which had been established by the Insolvent Law for the whole Dominion. They did not require an Insolvent Law in the Province of Quebec to establish that principle. It was already there, and had always existed. He was really astonished to hear gentlemen belonging to the bar of Lower Canada complaining of the costs accompanying the procedure under this Insolvent Law. What was the condition of the merchant or creditor towards his debtor before the establishment of this Insolvent Law? Unfortunately, most of the ancient principles of the French law had been done away with—by practice, not by legislation. There was in France, before the cession of Canada, a provision which allowed the creditor to go to the judge and obtain an order or attachment in certain cases. This, by practice, not by positive enactment, had been removed, and, instead of that, the creditor had, before he could attach the property of a fraudulent debtor, to go before a Court and swear that his debtor was secreting and doing away with his estate. Then, if he could not substantiate his allegation, he was liable to damages, and had to take an action in the ordinary course of law to obtain his debt. This would be opposed by the debtor, who, by retaining an intelligent lawyer, might delay the case for a year. Pending this action, the

debtor, being warned of the intention of his creditor to bring him to the hammer, would try to dispose of his property by some means, and when one creditor would take an action, the others would follow. He had some experience in commercial cases, and had known estates worth twenty shillings in the pound, which, after this process, would not yield enough to pay twenty shillings in the pound to the lawyers. There was not an action on a promissory note, where there was a contestation, that would not entail, without any appeal to a court of revision, expenses amounting to at least fifty pounds.

Mr. MITCHELL: Lawyers are a very bad lot.

Mr. LAFLAMME said everybody knew how, if there were twenty creditors who took action, the estate would be realized. The first judgment creditor would take an execution, and bring the whole chattel property to sale. It consisted of the man's stock, but it could not be sold in any place except where the man was trading. If he traded in a distant country part, the stock had to be sold there, yard by yard, and often there would be friends of the debtor to buy in the goods at a nominal price. Then the proceeds were brought into court, and every creditor was called upon, by advertisement in the *Canada Gazette*, and by notice at the church door, to file his claim. Every one of these claims was attended with a fee of \$10 or \$20, and, if contested, the contestation was equivalent to an action. Besides that, the most valuable of the debtor's estate consisted in his book debts. How could that be obtained for his creditors?

Mr. MITCHELL: Put it in the hands of the lawyer, and let him sue it.

Mr. LAFLAMME said that might be a benefit; but the only way of securing what was due to the creditors was by way of attachment or garnishing. The creditors had to take a writ of attachment in the case of every debtor of his debtor in order to force him to come to court and declare what amount he owed, and then he was forced by a judgment of the court to pay this amount over to the creditor.

The result was that, in most of the country districts, where the debts rarely exceeded \$10 per head, the cost absorbed more than the amount to be seized by the creditor, and there was a dispersion of the creditors who would not take the trouble to wind up the concern. The debtor, therefore, tranquilly enjoyed the benefit of his debts, and lived by his creditors. It would, perhaps, be said that the debt remained, that the creditor had still his lien on the property. But the fact was that when the creditor could not obtain his discharge, his wife would take action for *separation des biens*, and no court would refuse, because the moment a man became insolvent the court was bound to give his wife this separation. The wife would then begin business, and the debtor would laugh at his creditors. If he was an honest debtor and wished to arrive at a settlement, the only way was to stop action on the part of the creditors, and he had always found an invariable disposition to treat the debtor fairly. But, even then, when there was a chance of bringing the whole matter to a satisfactory conclusion, a few debtors might say they would not accept, and the arrangement would fall through. This was the actual condition of things before the Insolvent Law came into operation. He was personally opposed to the introduction of the measure, but he came to the conclusion that it was necessary to give a more speedy remedy to the creditors, to allow them to attach the whole estate of the insolvent, and then to allow them to arrange the final settlement. If those two provisions had existed previously, there would have been no necessity for the law. This system was no new thing; it had existed in France for 300 years. A man who had been unfortunate in his business could go into court and make an absolute assignment of his possessions and claim a discharge. True, there was a kind of infamy attached to the proceeding. The debtor had to go into court with a green cap on, and to fall on his knees and beg relief from his creditors, and the disgrace of that prevented many from seeking release from their liabilities. The man also who compounded with his creditors now in France was dis-

graced, and could not occupy the same position in society as he did before. He was astonished that persons of common sense in other Provinces did not acknowledge the sound principle of the law, because, the moment a man became insolvent, he had to give a lien on his property which no longer, in point of equity, belonged to him. He could not see what objection hon. members from Quebec had to the law, particularly at this critical juncture of commercial affairs. It would be impolitic to repeal a law which regulated the position of a debtor towards his creditors in the present condition of the country. There were provisions in the law which were essential to the prosperity and morality of a commercial community. The provisions regarding fraud were not new. Under the old French law, a fraudulent debtor was liable to be imprisoned until he had satisfied his creditors. He admitted that that was too strict, and our law had fixed the largest term of imprisonment at two years. It would also be well to remember that there was no legal definition of commercial fraud outside the Insolvent Act. He would remind hon. members from Quebec that the commercial community they represented had advanced large quantities of goods all over the Dominion, and, the moment the law was repealed, the nearest creditor would take out judgment, and the estate would be fastened up until the demands were satisfied. That would be a very unsatisfactory condition of affairs, and would lead to hardships which could not exist under the Act, because then three, or four, or five creditors would be found who would be willing to try and resist the desires of all the other creditors. There was no case where three-fourths of the creditors agreed unanimously upon a composition which was not the best that could be done in the interest of all. His hon. friend said the law, as amended, would become a law entirely against the creditor.

Mr. COLBY: I was speaking of the law of 1869, which contained the voluntary assignment clause.

Mr. LAFLAMME said he begged his hon. friend's pardon. The present

law left the whole thing in the hands of the creditors, with this advantage: that, if the debtor was not fraudulent, and could not afford to pay fifty cents in the dollar, three-fourths of the creditors would be able to give him his discharge.

Mr. COLBY: My understanding is that, in the proposition of the Minister of Justice, you are going from the Scylla of the law of 1869, to the Charybdis of the law as it will be with the general amendment fully in the interest of the creditor. I do not think either law is a law which can be worked.

Mr. LAFLAMME admitted that in many cases the wholesale merchant forced the goods upon the dealer. In that case, the debtor became more an agent of the wholesale merchant than his debtor; and consequently all that could be exacted from the debtor was to require him to show that he had fulfilled his agency and his trust with honesty, and that, having received the goods with a sort of compulsion on the part of the wholesale merchant, he had delivered them over to his purchasers, but had been unfortunate in the collection. Therefore, he was equitably entitled to more consideration than a man who borrowed £10 or £20 for the purpose of purchasing the necessaries of life. Although he was in principle opposed to any Insolvent Law, yet he believed this was an unfortunate time to repeal the present law. If his hon. friend from Richelieu, instead of bringing down a motion to totally and absolutely repeal the law, had substituted something, even the principles of the Civil Law in the Province of Quebec, then his motion might be supported. But, under the existing state of the country, a total repeal of the law would be disastrous. He did not believe there was an intelligent merchant in the community who would consent to the repeal of this law without some substitute being provided.

Mr. BARTHE: There is time enough for that. We do not know that we may not agree.

Mr. LAFLAMME: Let the hon. gentleman first show the principles he intends to substitute, and then we can compare them with the law.

Mr. BARTHE: If the hon. gentleman will vote for the repeal we will work together for a new Bill.

Mr. LAFLAMME: I would not like to leave the country in suspense. I want the amendment to be concomitant with the repeal.

Mr. GIBBS (South Ontario) said he had taken occasion to say that he thought the Act in different parts of the country was becoming very unpopular, and that there was a general desire that it should be repealed. While he made that statement, he had not hesitated to say that there was a great deal laid to the Act which was justly chargeable to other causes. He believed it was because the Act had been so frequently resorted to that year that it had become obnoxious. He agreed that an insolvent estate was entirely under the control of the debtors; but he suggested that there ought to be some more ready way of obtaining examinations of fraudulent creditors than that which existed. There was no difficulty in an honest debtor getting through all right; the trouble was in bringing the fact of fraud home to a fraudulent debtor without vexatious delay, trouble, and expense. While he would vote against the repeal of the Act, he did not think the amendment proposed by the Minister of Justice, as to the right of the creditors to exact 50 cents in the dollar before allowing a discharge, would be of any advantage. He said this upon the broad principle that creditors would not be hard upon the unfortunate but honest debtor, even though he could not pay 50 cents, while they would not be so willing to take 60 or even 75 cents from another debtor who attempted to get into insolvency from fraudulent motives. Another consideration was that, if a man went into the Insolvency Court when he was perfectly solvent, the expenses would be so great that he, perhaps, would not be able to pay more than 50 cents when he came out. He trusted that, with the revival of business, there would not be so many persons availing themselves of the Insolvency Law as there had been in the past.

Question put, and amendment agreed to, on the following Division:—

## YEAS :

## Messieurs

Appleby	Jetté
Archibald	Jones (Halifax)
Bain	Jones (Leeds)
Bertram	Kerr
Biggar	Killam
Blake	Kirkpatrick
Bolduc	Lafamme
Borden	Lajoie
Borron	Landerkin
Bowell	Lanthier
Bowman	Laurier
Boyer	Macdonald (Cornwall)
Buell	Macdonald (Toronto)
Burk	MacDonnell
Burpee (St. John)	McDougall (Renfrew)
Burpee (Sunbury)	McCraney
Cartwright	McGregor
Casey	McIsaac
Casgrain	McNab
Cauchon	Mills
Charlton	Norris
Christie	Paterson
Church	Perry
Cockburn	Pettes
Coffin	Platt
Cook	Pope (Queen's, P.E.I.)
Costigan	Ray
Cunningham	Richard
Davies	Robillard
De St. Georges	Robinson
Dymond	Ross (Durham)
Farrow	Ross (Middlesex)
Ferris	Ryan
Fiset	Scatcherd
Fleming	Schultz
Flesher	Sinclair
Flynn	Smith (Peel)
Forbes	Smith (Selkirk)
Fraser	Smith (Westmoreland)
Fréchette	Snider
Galbraith	Taschereau
Gibbs (South Ontario)	Thibaudeau
Gibson	Thompson (Haldimand)
Gillmor	Thomson (Welland)
Greenway	Trow
Guthrie	Vail
Hagar	Wallace (Albert)
Hall	White (Renfrew)
Higinbotham	Wood
Holton	Workman
Horton	Yeo.--103.
Irving	

## NAYS :

## Messieurs

Baby	Haggart
Barthe	Harwood
Richard	Hurteau
Benoit	Little
Bernier	McKay (Colchester)
Blanchet	McCallum
Bourassa	McQuade
Brown	Monteith
Bunster	Montplaisir
Campbell	Mousseau
Caron	Quimet
Cheval	Pinsonneault
Cimon	Robitaille
Colby	Ross (Prince Edward)
Coupal	Rouleau
Délorne	Rymal
Desjardins	Stephenson

Mr. GIBBS.

Domville  
Donahue  
Ferguson  
Gill

Wallace (Norfolk)  
White (Hastings)  
Wright (Pontiac).--41.

## PAIRS :

## For

## Against

Mackay (Cape Breton)	Palmer
Macdougall (Elgin)	Roy
Young	McMillan
Carmichael	Dugas
Brouse	Gaudet
Gillies	Oliver
Power	McDonald (Cape Breton)
Macdonald (Kingston)	Orton
Scrivner	McGreevy.

*Ordered*, That the said Bill be read a second time this day four months.

House adjourned at

Twenty-five minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

*Thursday, 1st March, 1877.*

The Speaker took the chair at Three o'clock.

## THE CHARLEVOIX ELECTION.

The SPEAKER laid before the House a certified copy of the judgment and decision of the Supreme Court of Canada in the Charlevoix contested election appeal case, declaring the election void.

Sir JOHN A. MACDONALD moved:

“That a writ do issue for a new election for the county of Charlevoix.”

Mr. BLAKE said the law provided that the Speaker should, at the earliest possible moment after receiving the certificate from the Court, give the necessary directions for the issue of a writ for a new election. If the Speaker delayed taking action, the House would still have the power to call upon him to obey the law; but it would be the better course to assume that the Speaker was about to execute the law and give him the opportunity of doing so, than to propose a motion as in the case of delay, until the delay had occurred.

Sir JOHN A. MACDONALD said he thought that, since the tribunal for the trial of election cases had been changed from the House or a Committee of the House to the Judges, in England the practice still obtained of proposing a motion for the

issue of a writ when a vacancy occurred during a Session of Parliament. He thought the English practice was similar to that in Canada. It was desirable that the practice of submitting a motion for the issue of a writ should be continued, so that the House should still retain power over the issue of the writ.

Mr. HOLTON said in his view the House should retain all its powers in its own hands. The report of an Election Committee was just as conclusive as the judgment of the Supreme Court, and yet a motion had always been made. Sometimes the reports of Election Committees were accompanied by a statement regarding matters connected with the election which called for the intervention of the House. The House possessed precisely the same privilege with respect to the judgments of the Courts trying controverted elections as it had under the old law in respect to the reports of the Election Committees.

Mr. SPEAKER said there was a very wide distinction between the present state of things and that under the old law. Under the old law, Election Committees could only sit during the Session and their report could only be made while Parliament was in Session. He did not think that the old law required the Speaker of his own motion to issue the warrant, but it was left to the House in that case.

Sir JOHN A. MACDONALD said he would withdraw the motion, and he hoped Mr. Speaker would, under the terms of the Statute, proceed to issue his warrant for a new writ of election forthwith.

Mr. KIRKPATRICK said that under the Election Act it was provided that, when a Judge reported that corrupt practices had prevailed, or there was reason to believe such had prevailed, then the Speaker was not to issue his order for a new writ save by order of the House. The right of the House to order the issue of the writ in that case was expressly reserved.

Mr. SPEAKER said he would order his warrant to issue.

*Motion withdrawn.*

Mr. SPEAKER: I have the honour to inform the House that I have, in conformity with the Act 37 Victoria, chapter 10, section 36, issued my warrant to the Clerk of the Crown in Chancery for a new writ of election for the Electoral District of the County of Charlevoix.

#### BILLS INTRODUCED.

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

Bill (No. 57) To authorize the Royal Canadian Insurance Company to reduce its capital stock, and for other purposes.—(Mr. Jetté.)

Bill (No. 58) To change the name of the Dominion Building Society to that of the City Mortgage Loan Company, and to change, amend, and in certain cases to increase the powers of the said Society.—(Mr. Ouimet.)

Bill (No. 59) To amend an Act incorporating the Union Life and Accident Insurance Company of Canada, and to change the name to the Union Insurance Company of Canada.—(Mr. Kirkpatrick.)

#### COMMERCIAL AGENCIES.

##### QUESTION.

Mr. BERNIER asked whether it was the intention of the Government to introduce a law during this Session to protect business men against false reports delivered by Commercial Agencies, which had the effect of injuring the credit of parties perfectly solvent.

Mr. BLAKE: It is not the intention of the Government during the present Session to propose any such measure.

#### QUEBEC AND LAKE ST. JOHN'S RAILWAY.

##### QUESTION.

Mr. THIBAUDEAU asked whether it was the intention of the Government, during this Session, to grant a sum of money in aid of the construction of the Quebec and Lake St. John's Railway.

Mr. MACKENZIE: The Government have not had the matter under consideration.

## THE GRAND TRUNK STRIKE.

## QUESTION.

Mr. SCRIVER asked whether, in view of the difficulties recently occurring between the Grand Trunk Railway Company and the Locomotive Engineers in their employ and the great injury to the public interest arising therefrom, it was the intention of the Government at the present Session to introduce any legislation having for its end the prevention of similar evils in future.

Mr. BLAKE: This very important subject has been under the consideration of the Government. I cannot see that there is any hope of preventing the evil by legislation; but it is in expectation to propose to the House some measure which may have for its end the prevention of some of the evils, or at any rate which would tend to their mitigation.

## TWENTY CENT PIECES.

## QUESTION.

Mr. CHEVAL asked whether the Government would be good enough to take into consideration whether the most expeditious mode of causing the twenty cents piece of money to disappear from circulation would not be to call it in and have it stamped as twenty-five cents, inasmuch as it would always be a real nuisance to the public.

Mr. SPEAKER: The questions are inconsistent with the rules of the House, which forbid debateable matter being introduced into a question. It is quite debateable whether twenty cent pieces are a nuisance or not.

Mr. CARTWRIGHT: Some considerable time ago there was a Government order issued that, when any of these twenty cent pieces were paid in, they were not to be re-issued. I was not aware that there was any considerable amount of twenty cent pieces outside but I will cause further enquiry to be made on the subject.

WEIGHTS AND MEASURES  
AMENDMENT BILL.

[BILL No. 7.]

(Mr. Bolduc.)

## ORDER DISCHARGED.

Mr. VAIL said some arrangement had been made with the Minister of

Mr. MACKENZIE.

Inland Revenue that this Bill should be dropped.

Mr. BOLDUC moved that the order be discharged.

Order discharged and Bill withdrawn.

INSOLVENT ACT AMENDMENT  
BILL.—[BILL No. 11.]

(Mr. Landerkin.)

## ORDER DISCHARGED.

Mr. LANDERKIN said he had stated the preceding evening that he did not intend to proceed with this Bill; therefore he moved that the order be discharged.

Order discharged and Bill withdrawn.

INSOLVENT ACT AMENDMENT  
BILL.—[BILL No. 15.]

(Mr. White, Renfrew.)

## ORDER DISCHARGED.

Mr. WHITE (Renfrew) said that his object in bringing this Bill before the House was to obtain such amendment to the Insolvent Act of 1875 as would make its provisions applicable to traders residing within the Judicial District of Nipissing, in which there was no official assignee, and no Judge having county jurisdiction, but nevertheless a number of traders, some of whom carried on an extensive business. These traders were subject to all the vicissitudes of their class, and he had presumed that, under the 14th section of the Act, an insolvent debtor residing in the district might make an assignment to the official assignee of the county of Renfrew upon demand being made upon him. It appeared, however, from a recent decision of the County Judge of the county of Renfrew, and also of one of the Superior Court Judges at Toronto, that a writ of attachment could not be obtained against an insolvent trader in this district if he refused to make an assignment under the Act.

Mr. MACKENZIE: I presume it would answer the purpose of the gentleman if such an amendment were inserted in the general Act amending the Insolvent Act.

Mr. WHITE: Certainly.

Mr. MACKENZIE: Then, if the Order be discharged, I will call the attention of the Minister of Justice to the matter.

Mr. WHITE: On that understanding, I move that the Order be discharged.

Order discharged, and Bill withdrawn.

## ONTARIO PERMANENT BUILDING SOCIETIES BILL.

[BILL No. 21.]

(Mr. Hall.)

### ORDER DISCHARGED.

Mr. HALL: I move that the Bill be read the second time, and referred to the Committee on Banking and Commerce.

Mr. MACKENZIE: This Bill, as I understand it, is simply and solely intended to facilitate the change of name on the part of these societies. I think it is probable that a clause might be introduced into the general Bill affecting Companies about to be incorporated or already incorporated under the general Stock Companies Act, which would accomplish the change the hon. gentleman desires.

Mr. BLAIN: I may say, with reference to this matter, that considerable difficulty has arisen regarding such changes of name. There are several Bills now before the House having this end in view, and I know of a Bill of this character which was passed last Session, sent up to the Senate and adopted. After it received the assent of the Governor-General, however, it was discovered that the name so authorized was identical with the name borne by another Company then doing business. It seems to me that some more convenient machinery should be devised for these purposes; and I think that the principle of this Bill might in some shape be adopted by the Government.

Mr. CARTWRIGHT: That point has already attracted the attention of the Government, and a special clause is inserted in the Bill, which will be introduced in a day or two, guarding against that particular class of errors.

Mr. MACKENZIE: The Bill had better stand as dropped in the meantime.

Mr. HALL: I have no objection.

Order discharged.

## PROTEST OF INLAND BILLS BILL.—[BILL No. 37.]

(Mr. Jones, Halifax.)

### SECOND READING.

Mr. JONES (Halifax) said he had explained, when he introduced this Bill, that he proposed submitting it to the Banking and Commerce Committee, in order that it might there be discussed. He therefore moved the second reading.

Mr. MACKAY (Cape Breton) said he had drawn the attention of the hon. member from Halifax to the first and, he believed, the only clause of the Bill, referring to the protesting of notes or bills of exchange. On this point, the wording did not seem to him to be sufficiently clear, inasmuch as it stated that, in the absence of a Notary Public, the Bill might be protested before a Justice of the Peace. He thought the wording of the clause was hardly sufficiently explicit. What did the hon. member mean by the absence of a Notary? Did it apply to cases in which no Notary lived in the county, city, village or place where a note happened to fall due and was not paid, or to be presented for acceptance and was not accepted? If the definition was not made more clear, he was perfectly satisfied that the fruit of the Bill would be a very considerable amount of litigation. He also considered that the Bill should be referred to a Committee of the Whole House, as it referred to matters of trade, particularly because the portion to which he had referred was so inexplicit and so ambiguous.

Mr. JONES (Halifax) explained that the Bill had been placed in his hands by bankers of Halifax, who had found themselves in the position of not being able to protest a note or bill of exchange at the expense of the defaulter. When it came before the Committee on Banking and Commerce, the hon. gentleman from Cape Breton could fully discuss the matter. His

attention had already been drawn to the point to which the hon. gentleman had referred, and another hon. member had suggested that the clause might be so altered as to allow notes to be protested by a Notary Public or Justice of the Peace.

Mr. MACKAY (Cape Breton) said he was under the impression that, as the Bill related to trade and commerce, it could not properly be before the House until they were in Committee of the Whole. He saw that, under Section 41 of the Rules of the House, a Bill of this kind should be submitted to the Committee of the Whole House.

Mr. YOUNG said he thought the Bill should be referred to the Banking and Commerce Committee.

Mr. SPEAKER said the hon. member for Cape Breton had taken an objection, which, if valid, would be fatal to the Bill in the present stage. He did not think, however, that the objection was valid. Bills relating to banks, banking and insurance, and other Bills of this class, had not been held to be Bills affecting trade in the technical sense of the word, or in the sense in which it was used in the Rules of the House.

Mr. YOUNG: Do I understand that to be your decision?

Mr. SPEAKER: Yes.

Mr. YOUNG said he would much prefer to have the Bill sent to the Banking and Commerce Committee, which was specially informed on questions of this kind, and to which, he was sure, no other Committee could be superior, it being under the able chairmanship of the hon. member from Chateauguay, for the consideration of clauses or measures of the description in question.

Mr. SPEAKER: It is laid down in May that the rule requiring Bills affecting trade to originate in Committee is held to apply not only to trade generally, but also to any particular trade. Bills respecting insurance and interest, for instance, are held not to come under the rule, and I believe the present Bill comes under the same category, and does not apply to a particular trade.

Bill read the second time.

Mr. JONES.

## AMOUNTS CARRIED OVER BY ORDER IN COUNCIL.

### MOTION FOR RETURN.

Mr. TUPPER moved for a return showing all amounts carried over by Orders in Council, at the end of the financial year, under the authority of Chapter 2 of the Act of last Session; with copies of the Orders in Council, and a statement of the amounts of such lapsed balances remaining unexpended at the end of three months from that date.

Mr. CARTWRIGHT said he would not object to the motion if a further clause were added. They had found that considerable amounts of unexpended balances brought forward by Order in Council had been expended, as far as could be discovered, without any Parliamentary authority. While this Government had been in office, it had sometimes been found necessary to use unexpended balances, but they had always asked the authority of Parliament therefor. He could discover no authority for the expenditure of two or three large sums in 1871 and 1872. He suggested the addition of the following words:—

“Together with a statement of all amounts carried forward by Orders in Council from the 1st July, 1867, showing the sums actually expended in each case and the Parliamentary authority sanctioning the same.”

He had not consulted the Minister of Justice on the point, but if, as he supposed, the expenditure of money in this way was a crime or misdemeanor, perhaps the hon. gentleman opposite would think it necessary to obtain an Act of Indemnity therefor.

Mr. TUPPER said he had no objection to the amendment proposed by the hon. the Minister of Finance. He was prepared to enter upon the discussion of the question of expending public money without Parliamentary authority at any time the hon. gentleman pleased.

Motion as amended, *agreed to*, as follows:—

*Resolved*, That an Order of the House do issue to the proper officer for a Return showing all amounts carried over by Orders in Council, at the end of the financial year, under the authority of Chapter 2 of the Act of last Session; with copies of the Orders in Council, and a statement of the amounts of

such lapsed balances remaining unexpended at the end of three months from that date, together with a statement of all amounts carried forward by Orders in Council from 1st July, 1867, showing the sums actually expended in each case, and the Parliamentary authority sanctioning the same.

## APPOINTMENT OF SENATORS.

### MOTION FOR CORRESPONDENCE.

Mr. MASSON moved for copies of all correspondence between the Dominion and the Imperial Governments from the month of October, 1873, to 31st December, 1874, relating to the appointment of Senators for the Dominion. He said his intention in making this motion was to draw the attention of the House to a very serious matter which had created no small excitement and surprise in the country. It was well known that during His Excellency the Governor-General's visit to British Columbia last summer there existed in that Province a deep-felt sentiment of dissatisfaction and bad feeling towards Canada on account of some alleged bad faith. That discontent had assumed such proportions that his Excellency thought it proper to interfere; and he most generously exposed himself to misunderstandings in order to allay the dissatisfaction which was threatening to become serious. They all knew that his Excellency's intention was to put Canada right with British Columbia.

Mr. SPEAKER: The hon. gentleman will be careful in that connection.

Mr. MASSON said he would be careful, and Mr. Speaker would have no reason to call him to order. His Excellency could evidently not remove the ill-feeling which existed without pledging himself as to the good faith of his own Ministers, hoping no doubt that, if British Columbians, on account of some extraordinary or unaccountable circumstances, could not extend full confidence to the Ministers, they would place confidence in himself. The great difficulty which stood in the way of those who pretended the Government was guiltless in this matter was the Esquimalt and Nanaimo Bill in the Senate. The general impression in the Province was that the Government had not done what they could to carry that

measure, which the hon. the Premier himself had proposed as an equivalent or compensation for delays in the construction of the Pacific Railway. His Excellency evidently desired to remove that feeling, and he did so by an unexpected declaration, which, having been printed in every paper in the Dominion, had become public property, and which, according to the rules of Parliament and constitutional rules, he was entitled to read to the House. Referring to the defeat of the Bill, His Excellency said:

"I saw Mr. Mackenzie the next day, and I have seldom seen a man more annoyed or disconcerted than he was. Indeed he was driven in that interview to protest with more warmth than he has ever used against the decision of the English Government which had refused, on the opinion of the law officers of the Crown, to allow him to add to the numbers of the Senate. When, soon after his accession to office, Prince Edward Island had entered Confederation, 'Had I been permitted,' he said to me, 'to have exercised my right in that respect this would not have happened, but how could these mischances be prevented in a body, the majority of which, having been nominated by my political opponents, is naturally hostile to me.'"

His intention in making the motion was also to obtain the reasons which induced the Government to make this extraordinary demand for more Senators. When he made use of those words "extraordinary demand," he was employing a mild expression, for it was a most unprecedented, a most unaccountable demand to ask power to increase the Senate at a time when it was not required. He also wanted to know what could have been the motives of the Imperial Government in refusing to accede to the request, whether it was considered in England that the hon. the Prime Minister had no right to make the demand, or whether it was thought that the request was improper and should not be granted. If they admitted the right, which, according to the law, they must, of the hon. the Premier to ask an increase in the number of Senators on his own responsibility, it was surprising that the requisite authority should not have been conferred upon him, unless the reasons he had suggested had actuated the Home Office in their refusal. In England, increasing the number of Peers was a serious question, and statesmen, even in times

of great difficulty, were always chary about elevating persons to the House of Lords; they found it preferable to forego their right of adding to the numbers of that House in times of emergency, and they would rather have their proposed legislation fall through than do anything which would be contrary to the dignity or independence of the House of Peers. If that reluctance existed in England, where the constitution allowed the number to be increased to an unlimited extent, there was more reason for it to be displayed in Canada, since the Act of Confederation limited the increase of Senators to six. The intention of the legislators was that, in cases of great crises, the Crown would, under the recommendation of their constitutional advisers, appoint no more than six Senators; and, at the time of the passage of the Act of Confederation, it was contended the Crown should not have the right to swamp the Senate or to reverse its decision by appointing a number of men in accord with the House of Commons. No less an authority than the hon. the President of the Council had written an able book on that subject, in which he upheld the position that the provision of the law was a wise one, inasmuch as it prevented the Government of the day from increasing the number of the Senate to bring it in accord with their views. That hon. gentleman said in his work:

“ On nous répondra sans doute : mais le nombre des pairs n'est pas fixé et le souverain peut l'augmenter à volonté. Cela est vrai en théorie, mais ne l'est pas également dans la pratique. Le souverain fait monter à la Chambre des Pairs les hommes qui, pour des services rendus à la nation, ont mérité des récompenses exceptionnelles, et non pour y submerger la volonté de la majorité, paralyser la libre action et anéantir la dignité et l'utilité de ce corps si important et si nécessaire dans la constitution.”

What reason had the hon. Premier to suppose that he should require an increase in the Senate? What reason had he to believe that the Senate would be hostile to him? The fact that the hon. gentleman had deemed it necessary to apply for such power was a slight on that hon. body. The hon. gentleman should have known that the Senate was composed of men who knew their duty towards their country

**Mr. MASSON.**

and would not offer any factious opposition to measures calculated to benefit the Dominion. Yet the hon. gentleman tried, by his action in this regard, to make the people believe that the Government could not expect fair play from the other House. Complaint was made by the hon. gentleman that the Senate was chiefly composed of his political opponents. That was a consequence of the Constitution which the hon. gentleman and his friends accepted; but he would remark that the Constitution practically carried with it the remedy for that evil. Those who framed the Constitution saw very well that on account of appointments or death the Senate would be continually renewed, and that no political party could be in the majority any considerable time unless it altered the membership of the Chamber according to its wishes. Since Confederation, 40 members had been appointed, and since the hon. Premier had been in power, only three years, from twelve to fourteen of this number had entered the Chamber. The hon. gentleman should have remembered that, in the natural course of events, he would have had a chance to renew the Senators in accordance with his views and opinions. The hon. gentlemen said that, if he had been allowed to increase the number of Senators, that unfortunate event, the defeat of the Nanaimo and Esquimalt Railway Bill, would not have occurred. He thought the hon. gentleman was mistaken. If he had received the authority for which he applied, he would probably have appointed men holding the views of the hon. the Ministers of Justice and the Interior, and they would have helped to throw out the Bill. Did the hon. gentleman think if he could not control those hon. members in the House he would be able to do it in the Senate, where it was admitted the Government had not so much power as in this House? There was no ground at all for the hon. the Premier to reproach the Imperial Government and say that the Carnarvon terms would have been accepted had they granted his request. It was impossible for the hon. gentleman to pre-judge in such a matter. When it was not necessary to augment the number of Senators, when there

was no important question before the country in regard to which it was necessary to have the two Houses in accord, the increase was asked for; but when it was the duty of the Government, in order to preserve the Carnarvon terms, in order to allay the dissatisfaction in British Columbia, in order to have carried out those measure which would have brought peace and tranquility to the Dominion, the hon. gentleman failed in his duty by not asking for the increase. He thought the hon. gentleman had an account to render to the country in this respect.

Mr. MACKENZIE: I have no objection to the adoption of the motion. I will not follow the example of the hon. gentleman and discuss the speech to which he refers, nor do I care a great deal when he asserts in a dogmatic manner what was or what was not my duty. The hon. gentleman has his opinion as to what my duty was, and he has expressed it, but I am not bound to act on it or accept it. I conceive it to be my duty to make this remark—that what I did was within the limits of the law upon my responsibility as a Minister. I accept the responsibility, and am quite willing to render the account to the country or to the House, which the hon gentleman says I must do.

Mr. TUPPER: I have no intention of prolonging this debate, but I take this opportunity to ask the First Minister whether the speech of His Excellency in British Columbia was not reported incorrectly in relation to a very important point, because there is an evident anachronism that requires to be explained. The report of the speech as it appeared, I think, in all the leading journals of the Dominion was to this effect,—that the First Minister had expressed very great annoyance at what had taken place in regard to the rejection of the Esquimalt and Nanaimo Railway Bill; that he had stated on that occasion that if he had been permitted to add to the number of the Senate, as he was entitled to do upon the admission of Prince Edward Island into the Union, this would not have happened. As Prince Edward Island was admitted into the Union and the Senators of

that Island were appointed previous to the hon. gentleman coming into power it was quite impossible he could have been deprived of the exercise of that power in connection with the Senatorial appointments which had been made at a previous time in accordance with the terms of Union. I direct the Premier's attention to what seems to be an inaccuracy, and give him the opportunity to explain.

Mr. MACKENZIE: Surely the hon. member for Cumberland does not expect me to explain the speech to which he has referred. I have no cognizance of the correctness or incorrectness of the report, and am not responsible for anything in it. I have no explanation to give respecting it, and until the hon. gentleman mentioned it I had no recollection of the matter referred to. I am unable to say anything in regard to it. It is quite clear, however, there is an inaccuracy.

Sir JOHN A. MACDONALD: I concur with the hon. gentleman that he cannot be responsible for the speech of another individual when he does not know of it. He is, however, responsible for every utterance of the Governor-General, except when that illustrious individual expressly states that what he states he says as an Imperial officer by Imperial command. It is important that that principle should be laid down if we are to be a free country. If responsible government is to be maintained, this principle should be strictly upheld, and I am surprised to hear an hon. gentleman, occupying the position of Premier of this Dominion, who boasts that not only is the country under responsible government, but that its Constitution is moulded after the same plan, and on the same line as the British Constitution, should aver that he is not responsible for the language of the illustrious individual who so worthily represents the Crown in this country. I remember when the doctrine was propounded long ago by the old Tories of Upper Canada, it was denounced by the whole of the Liberal party of Lower Canada, and it was after a long and severe battle fought by the Baldwin Reformers of those days that constitu-

tional and responsible government was obtained. There have been a great many fights between the old Tory party before it took the name of Conservative, and the Reform party, comprising the Liberals of Upper Canada, as to which deserved most merit for very many great reforms and changes; but there is one question in which the old Tory party has no right to claim any share, viz., the victory won by the Baldwin Reformers over the Crown Colony system. That victory was consummated under Lord Sydenham, in September, 1841, when it was decided that thereafter the Government of Canada was to be a responsible Government, and that everything connected with the public welfare, whether legislative or administrative, should be done only on the advice of responsible Ministers and advisers. This is the first occasion since 1841 that I have heard this doctrine denied and repudiated by the leader of what was the great Reform party. The representatives of the Crown can have no more rights in Canada than the Crown itself, and the Crown could not make any utterances on public affairs for which some Minister would not be responsible. Some Minister must be responsible for every announcement, every statement, every opinion expressed by the Sovereign, and, if that principle is once abandoned, then we shall return to the old system so much decried, and for which the old official party, both in Upper and Lower Canada, were attacked, and properly attacked.

Mr. MILLS: In November, 1873, a despatch came here which the right hon. gentleman repudiated.

Sir JOHN A. MACDONALD: What despatch do you mean?

Mr. MILLS: The despatch of His Excellency the Governor General to the Colonial Secretary.

Sir JOHN A. MACDONALD: Oh, yes; but the hon. gentleman cannot make any comparison between that case and this. The Governor General in the capacity of an Imperial officer can write to the Colonial Office what he pleases; he can carry on a confidential or a private correspondence.

Mr. MILLS: But that despatch was brought before Parliament.

Sir JOHN A. MACDONALD: He can communicate to the Colonial office what he pleases. The Ministry cannot know, and have no right to ask, what the Governor-General may write to Lord Carnarvon; but there are no utterances and no action in relation to the Government of this country which can be said or done except under the responsible advice of his Ministers. It will be remembered, for it is a matter of recent occurrence, that Mr. Lowe, a Privy Councillor, an ex-Member of the Ministry, took occasion to say that Mr. Disraeli had yielded to the personal request of the Sovereign in carrying the Bill declaring her to be Empress of India, when two previous Prime Ministers had refused to introduce the Bill. It will be remembered that Her Majesty, in order to vindicate the personal honour and position of Mr. Disraeli, now Lord Beaconsfield, was obliged to give him authority to state that the statement was utterly untrue, and one of the grave charges brought against Mr. Lowe by the press and in Parliament was this, that the Sovereign had been forced, in consequence of the charge he made, to speak personally, to remove the veil that hung between her and her people as regards her personal opinion, and to force her to make a declaration which was not on the personal responsibility of the Ministry and which was bringing her in person before the public. I therefore say that the statement of the hon. the Premier is an infraction of the great principle of responsible government. I hold that the Governor-General can write to the Imperial Government as an Imperial officer what he pleases; can send to the House what he pleases, if he takes the position of an Imperial officer under instructions from the Home Government. As a dependency of the British Empire, we have to hear what he says and pay respect to his utterances when he announces them as coming from the Imperial Government; but we are not bound by them; we may dispute them or we may yield to them. We may concede all that is

Sir JOHN A. MACDONALD.

asked, or we may refuse. We may disagree with Her Majesty's Government, or we may meet the requirements of the Government in regard to a matter of policy. But that is very different to the statement that hon. gentlemen opposite are not responsible for the utterances of the Governor General in his capacity as a constitutional Governor. So much are Her Majesty's Ministers in England responsible for the utterances of the Sovereign, that a member of her Cabinet is always with her, whether she goes to Balmoral, France, or the Isle of Wight, so that no question affecting the public weal, or the exercise of her power or prerogative as a Sovereign could be answered by her, except on the responsibility of one of her advisers. That is the principle which we acknowledge. We boast that our Constitution is based on the British Constitution, and that we have the same constitutional privileges, and that we are as free as our fellow-subjects in England. We have the right to believe that every utterance on public matters by the Governor General is held to be, and must be held to be, an utterance for which the Ministers are responsible, and we have no right to say or believe that any such utterance is made by him except upon the advice of his Ministers. If it should happen that the representative of the Sovereign should do here what the Sovereign would never do in England, namely, make a declaration for which his Minister were not responsible, then they had a plain duty to perform, to state that they would not be responsible for the statement, that they did not sanction it, and that it was made without their advice and they must take the constitutional privilege of relieving themselves of the responsibility. I will not say a word with respect to the motion, which is one for papers. I have no doubt that the papers when brought down will disclose the reason why the hon. the Premier urged that additions should be made to the Senate. It is rather a strong measure and it may be justified in the papers, though I have exercised my ingenuity to find a justification for it and have failed. I understand that in another place these papers have been promised, so that we will get

them down in a few days, and then we will be able to judge whether there were sufficient grounds to take that strong measure, which, at the first blush, appears to be an attempt to affect the independence of a co-ordinate branch of the Legislature.

Mr. MACKENZIE: The right hon. member for Kingston has entered with some warmth into the defence of the principle which he has spent his life in denouncing, and he has grown earnest in vindicating a principle which is not violated. The right hon. gentleman ventures to attack me because I said I was not responsible for the accuracy or inaccuracy of the statement in that speech. Does the right hon. gentleman intend that I must be held responsible for what the hon. member for Cumberland has called an anachronism? I admit the responsibility of the Ministers for every utterance made by the Governor-General respecting public affairs, or which has any bearing on public affairs, but I do not believe that either Her Majesty in England or her Representative here, is bound in every word or sentiment uttered to consult the Ministers or to have the Ministers at hand always to consult. I do not admit that. It is stretching the doctrine far beyond what any Reformer ever ventured to state. The Ministers are responsible for everything that affects the conduct of public affairs just as the right hon. member for Kingston was responsible for every despatch he brought down by order of His Excellency. It was the duty of the hon. gentleman to bring the despatches down, and, if he thought they should not have been brought down to Parliament, he should have resigned rather than have done so. But, having brought these messages down, he made himself responsible for the Act. The statement I made was that I was responsible for any inaccuracies in the Governor General's speech, that I was not responsible for any utterance in it of the nature referred to by the hon. member for Cumberland.

Sir JOHN A. MACDONALD: You said "I cannot be responsible for the utterances of another individual."

Mr. MACKENZIE: I say that yet—responsible for the utterances of another

individual on matters not affecting State affairs. My statement was with reference to the anachronism which the hon. member for Cumberland has pointed out. There is a continuous effort made by hon. gentlemen opposite to strain everything and to make it appear in the worst possible light. They will accept no statement, no explanation. A false colouring must be given to every statement made. This is the constant habit of some hon. gentlemen opposite, in criticising any statement. To prevent any possible misconception, I repeat that I believe now, and have always believed, that the Ministers must necessarily be responsible for every utterance coming from the Governor General, affecting public affairs. I mentioned that I was not responsible for the inaccuracies referred to.

Sir JOHN A. MACDONALD: The hon. the Premier has made the usual attempt to say "you are another." I am surprised that he has ventured to state that I have been vindicating a principle which I have spent the principal part of my life in opposing. The hon. gentleman ought to have reflected before he made that statement, and, if he had looked at history, he would have found that the question of responsible government was settled in 1841. I entered Parliament in 1844, and took office in 1847 as the responsible adviser of the Crown, and ever since that time the principle of responsible government has never been disputed, and I think it is as safe in our hands as in those of hon. gentlemen opposite. The hon. the Premier has stated that the Government must be responsible for every Message sent to this House by the Governor General. I can fancy a case, and probably such a case as has arisen in Lower Canada, when a Minister of the Crown would feel it his duty to bring down a Message from His Excellency sending a despatch from the Colonial Office and move that the policy pointed out in that despatch was injurious to the best interests of Canada. I can quite fancy that such a course might be taken. His Excellency had the right to send to the House any communication from the Imperial Government, but the Ministry and the

Parliament must deal with it according to the best interests of the Dominion.

Mr. MACKENZIE said he presumed the hon. gentleman opposite was as responsible for his actions before he went into Parliament as he was after. He was sure there was no more zealous supporter of the usurpation by Lord Metcalfe than the hon. gentleman, both in Parliament and out.

Sir JOHN A. MACDONALD said, respecting the course Lord Metcalfe took, he believed the principles of responsible government were as much infringed upon by those who attacked his policy as by those who supported it.

Mr. MACKENZIE: Of course you do; and consistently.

Mr. BOWELL said a short time ago the Government disavowed any responsibility in connection with the repleves of those who had been convicted of a certain crime in the North-West. Judging from the despatches, they were cognizant of everything going on, but they assumed no responsibility, and throw the whole responsibility upon the Representative of Her Majesty. Yet they brought down the papers in the blue books and placed them before Parliament, and the House was now to understand that the Government avowed responsibility in the matter. If the principle was good in the case referred to by the hon. gentleman, it must be good in reference to the point under discussion. One thing was evidenced, and that was, that the policy of the Government was on this occasion, as on all others, suited to the circumstances which might arise at any time.

Motion agreed to.

## QUEBEC GRAVING DOCK.

### MOTION FOR RETURN.

Mr. BLANCHET moved for the Report of Engineers and other documents relating to the proposed Graving-dock at Quebec. He said his object was to ascertain what progress had been made in the selection of the site. He hoped that the Minister of Public Works would not blame him for making the motion, as the Graving-dock was not only of interest to Quebec, but

to the whole Dominion. He did not wish to say anything for the purpose of affecting the decision of the Government, as the selection of the site would depend upon scientific reports made by competent engineers. If the hon. the Minister of Public Works asked for delay or said that the present was not a proper time to give the information, he was ready to withdraw his motion.

Mr. CARON said he did not agree with his hon. friend, the mover, as to the site of the proposed Graving-dock, but he was happy, nevertheless, to second the motion. He was not surprised that the question had come up this Session, and he would not be surprised if it were brought up again next year. Last year he had stated that the question had been used as a political engine to influence the election. Since that time nothing had happened to change his views, except by way of confirmation. The question was used as a political engine in the district of Quebec, but more particularly in the city of Quebec and county of Levis. Whenever an election took place on the Levis side, it was urged that, if a Government candidate were elected, the Graving-dock would be placed on that side; and, when an election was held in Quebec, across the river, the same kind of argument was used. This was not a question which affected Quebec alone; it was of such commercial magnitude that it interested the whole country. He thought it time that the matter was decided, and the work was proceeded with. As far as he was concerned, he had always tried to treat the question as one affecting the whole Dominion, as one of national importance, but its importance was diminished when it was made a party affair.

Mr. MACKENZIE said the hon. gentleman might have knowledge that the question was used as a political engine, but he himself had not. He was aware of no person who had used the question in that way. He was not aware of any delay in coming to a conclusion which could possibly be avoided. He stated last Session that the matter would be referred to the Chief Engineer or to some

engineers. It was submitted early last season for the consideration of Mr. Page, the Chief Engineer of the Department of Public Works. In reply to an Order of the House that gentleman had made a report, but a further report was necessary. If his hon. friend from Bellechasse looked at the information published in 1864, he would find that it was absolutely necessary in coming to a conclusion that the Government should have plans, specifications, the contract and other particulars regarding the proposed dock. The change of size entered materially into the question of whether it was possible to locate it in the St. Charles River or not. The engineers who had examined the harbour and made plans, now about being executed under the Harbour Commissioners, expressed an opinion that, in a commercial sense, it would be better to have the dock located in the harbour, that was, in the St. Charles River. But they also expressed the opinion that it would be more cheaply constructed at another point on the other side of the river, there being a difference in cost of £20,000 between the two sides. It rested with the Minister of Public Works and the Minister of Marine and Fisheries to recommend the adoption of a site. Of course, they had no personal knowledge of the ground, nor that scientific knowledge which would enable them to give an opinion of their own. They had, therefore, to depend upon the opinions of those who were capable, from their position, education, and acquirements, to give a valuable opinion, and upon that opinion, of course, the Government would act. In a few days it was expected that some further information would be presented to the House. His hon. friend from Quebec East informed him the other day that the engineer in charge of the works had arrived in Quebec, and it was expected that all the documents requisite to enable the Government to come to a decision would shortly be ready. He was not able to bring down the one report that had been made, because it had been submitted to the examination of another engineer, with the view of ascertaining whether he concurred in the view ex-

pressed by the first. At the present he must ask the hon. member for Bellechasse to withdraw his motion because it would serve no purpose to have it passed. He could not bring down the report now, but he could assure the hon. gentleman that from the very first moment the existing Government had taken the matter in hand until the present time, they had lost no time in trying to arrive at a decision. He did not admit that this was a Quebec question at all. It was a question affecting the shipping of the whole country; and he denied the right of the hon. gentleman from Quebec or those residing there to appropriate it to themselves.

Mr. CARON: We do not assume to do so.

Mr. MACKENZIE: It is a question of vast general interest, and any Government that would, for party purposes, or for the purpose of mortifying an individual, take a wrong step in this matter, would be subject to the just censure of the House and the country.

Mr. CAUCHON said, as something had been said in reference to the election in Quebec Centre, he wished to state that there was not one word of truth in the assertion that the question of the Graving-dock at Quebec had been used for political purposes. His opponent had sent him a programme requesting that he should promise that the Graving-dock should be in the River St. Charles; but he refused to make any such promise. At all public meetings which he attended, he distinctly refused to make any promise on the subject. The electors were to decide as to the merits of the candidates,—on the merits of the politics. He had not uttered one word by way of promise—not even insinuated one. Of course as a representative of Quebec he had always been desirous that the work should be constructed there; and he was still so desirous, if it was consistent with the interests of the country, and nobody could blame him for that. He could, however, understand why hon. gentlemen opposite wished to place him in a false position.

Mr. CARON said this was a personal matter, and he hoped he would be

Mr. MACKENZIE.

allowed to make some explanation. He had not mentioned nor referred to an election in Quebec Centre; but he was not surprised that his hon. friend should immediately think of that election. To use an expression which was occasionally used in the House, he must say that he was perfectly amazed at what the hon. the President of the Council had said.

Mr. CAUCHON: I would like to know whether this is an explanation. If it is not, I should like to reply.

Mr. SPEAKER: The hon. gentleman is not in order; of course he has a right to make an explanation, but nothing else.

Mr. CARON: My explanation bears upon this point. The President of the Council has stated that it was unfounded in fact that this question of the Graving-dock had been used in a political way in the election in Quebec Centre.

Mr. CAUCHON: I object to that unless discussion is to go on. That is not a question of privilege.

Mr. CARON: I did not say it was in Quebec Centre.

Mr. SPEAKER: The explanation ends there.

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

### After Recess.

Mr. MASSON moved the adjournment of the debate, as the President of the Council was not present in his seat, and as a question of veracity had arisen with the hon. member from Quebec.

Motion to adjourn debate *agreed to.*

### PILOTAGE AUTHORITIES.

#### MOTION FOR RETURNS.

Mr. McDONALD (Cape Breton) moved for a copy of returns from Pilotage Authorities for the year 1876—showing the names of all Pilots, and the amount paid to each; also the amount paid to the secretaries of the different Pilotage Authorities from Pilotage funds, also balance at credit of Pilotage Authorities on January 1st,

1877, where deposited, and what rate of interest, also copy of rules and regulations of the said Pilotage Authorities.

Mr. SMITH (Westmoreland) said he had no objection to furnishing the desired information. His hon. friend would, however, find a very considerable portion of it in the departmental report which had been laid before the House. If his hon. friend would state precisely what he wanted, he would very gladly meet his wishes, but to provide all the motion included would entail an amount of labour and expense which he did not think it desirable to incur.

Mr. McDONALD said he was quite satisfied with the reply of the hon. gentleman so far as obtaining information from the blue-books before the House was concerned. The statement he particularly desired referred to the Board of Pilot Commissioners for the county he represented. The pilots of this county had for a long time made complaints to him with respect to the distribution of pilotage money, and his object in making the motion was to ascertain the names of all the pilots in that district, and the amounts paid them by the Board of Pilot Commissioners, in order that he might see what the pilots' grievances really were.

Mr. SMITH (Westmoreland) said he would comply with the hon. gentleman's request.

Mr. SPEAKER said that, in this case, the motion should be so amended as to refer solely to the county of Cape Breton. An order of the House should not issue, and then be in part disregarded.

Mr. SMITH (Westmoreland): I and my hon. friend can easily agree as to the motion.

*Motion agreed to.*

### THE STEAMER "NORTHERN LIGHT."

Mr. POPE (Queen's, P.E.I.) moved for a return showing the total amount of cost of the steamer "Northern Light;" also a detailed account of any and all expenditure in connection with

the said steamer up to 31st January last.

Mr. SMITH (Westmoreland): I have no objection to the motion. I presume that my hon. friend does not want the total amount of expenditure, but the cost of the boat and the expenses incurred regarding it.

*Motion agreed to.*

### THE COAL INTEREST.

#### MOTION TO REFER PETITION.

Mr. MACKAY (Cape Breton) moved:

"That the petition of Henry Mitchell and others be referred to a Select Committee composed of Messrs. MacGregor, Norris, Flynn, Campbell (Victoria), Power, Robinson, Tupper, Fraser, Workman, McDonald (Toronto), and the mover, and that the said Committee have power to send for persons, papers and records; and report from time to time."

He also begged leave to amend the motion by placing the hon. member for Hants on the Committee. He said he did not think it desirable to make any lengthened remarks on the subject-matter of the petition, because, if the Order was granted, considerable light, which he was not then in a position to bring to the notice of the House, would be thrown on the subject. Still, inasmuch as the granting of the motion was a matter of grace, he felt it desirable to say something in connection with the most important subject of which the petition treated. He did not think that the coal interests of the Dominion had received at the hands of the House that attention which their magnitude warranted, though it seemed to him that on a great many other interests of very much less magnitude, a very considerable amount of attention had been bestowed. Every now and then applications were presented to refer to Select Committees matters relating to the agricultural interests, the lumber interests and also, he believed, the fishing interests. But this was the first time since Confederation that it had been proposed to submit the coal interests of the Dominion to the consideration of a Select Committee. The necessity of enquiring into the exact position of the coal trade of the Dominion was pressing itself very strongly on the notice of

the House and of the country, and when they remembered that one of the most important industries in the mother country was that relating to the mining of coals, that the basis of her prosperity, to a large extent, if not entirely, was dependent on the development of her mineral resources, and that in no portion of the Dominion, save in Nova Scotia, and near the Pacific Coast, did there exist any quantities of coal, they could readily conceive that a very considerable degree of attention should be given to this important interest, not only by the Government, but also by the House generally. The people of Nova Scotia were deeply concerned at the manner in which the House took this question into consideration. It was, he believed, pretty well known, that of the 1,260,000 tons of shipping owned in the Dominion, over half a million of tons belonged to the Province of Nova Scotia, and, as the coal and shipping interests were very closely related, the former could not be disturbed without also affecting to a very great extent the other. Our shipping interests depended largely for support on our lumber and fishing resources, but to a still greater extent on the coal trade. Nova Scotia possessed coal fields 120 miles square in extent, containing 15,000,000 tons of coal, and, when it was remembered that in this country coal was not a luxury but a necessity, it must be admitted that this interest in its depressed state should engage the serious attention of the House as well as everything concerning its future prospects and prosperity. The Provinces of Ontario and Quebec were entirely dependent on a foreign country—the United States—for their supply of this article, which was absolutely necessary for the comforts and to supply the wants of their people, and it seemed to him that, under present circumstances, this House should see what steps should be taken for the purpose of enabling the Dominion to obtain within its boundaries an article so essential to the country. A great falling off had taken place in the quantities of coal mined and exported from Nova Scotia to the United States, and he thought it desirable to enquire into the cause of this

Mr. MacKay.

state of things; and, if it were possible, the House should do something in order to revive the coal trade, which was in such a languishing state. For instance, in 1865, they had exported from Nova Scotia 465,194 tons of coal to the United States, and in 1876, this quantity had been reduced to 95,168 tons. On the other hand, in 1871, the Dominion imported from the United States 263,355 tons of coal, and in 1876, 595,480 tons, showing that, as the Nova Scotia exports of coal had decreased, the coal imports of the Dominion had increased. It appeared that the policy on the other side of the line was to exclude our coals from the United States markets, while a successful effort had been made by the Americans to open every Province in the Dominion to their exports; moreover, not satisfied with placing a duty of 75 cents per ton on the coal we sent to the United States, they also offered a drawback of \$1.30 per ton on all coal shipped from West Virginia to Baltimore, and from Baltimore to the Eastern States purposely to exclude us from their markets. The importance of our coal fields was very well illustrated by a report made by Mr. Randal, an American Consul, who had been in Canada, to the American Secretary, to the Treasurer, in which he stated, after dilating very fully on the vast resources of the island of Cape Breton:—

“The rich coal deposits of Cape Breton occupy not less than 120 square miles containing available seams for the working of bituminous coal of the best quality. The extensive and varied fisheries; the rich deposits of the finest coal, with the best iron ore, the superior quality of the timber and extraordinary facilities and conveniences for shipbuilding; the same advantage of inland navigation, bordered by good land for agricultural purposes; the existence also of abundant salt springs, lofty cliffs of the best gypsum and the finest building stone of all kinds; with the geographical situation of the island as the key of the St. Lawrence, and the position which commands the entire commerce and fisheries of the north-eastern portion of North America—all combine to render Cape Breton one of the most important and most desirable possessions of British North America.”

He might mention that, during the year 1873, \$120,000 was the average monthly payment to the persons employed in connection with the coal mines of Nova Scotia; and he found

that, during the past year, the number of people so employed was 500 less than during any previous time since 1873. This industry was, in his opinion, more unjustly treated than any other industry in the Dominion. Almost every other interest was protected, or at any rate looked after, or concessions made to it; but, when the coal question came up, it almost seemed to him as if there was a determination shown on the part not only of this Government, but also of the previous Administration, to stamp it out of existence. The Local Government of Nova Scotia collected a royalty of ten cents per ton on all coal mined and exported; almost every article that was consumed by the coal miners was taxed  $17\frac{1}{2}$  per cent., whilst the distilleries and tobacco manufacturers of this country were protected; while the boot and shoe trade, and the lumber, fishing and shipping interests were more or less considered in the same relation, the coal trade bearing more than its share of the burthens of the state. He could not understand how it was that articles which entered into the building of ships were admitted at 5 per cent. or 10 per cent., and in some instances free, and that an apparently hostile discriminating policy should exist against the mining interests of the country. Wire ropes for ships were admitted free, but the ropes of the same material for mines had to pay  $17\frac{1}{2}$  per cent. This was an anomaly which it was high time should be removed; and it was only one amongst many instances. The agricultural interests had also a certain amount of consideration shown them; indeed, the fact stared them in the face that almost every industry was favoured in this respect but that of the coal miner. It was humiliating that the United States should be allowed not only to cripple, but to destroy this most important industry. Whether it was desirable to place an import duty on coal or not was for the House to consider, but he did not see why, even for revenue purposes, coal should not pay something into the exchequer as well as coal oil. He hoped the House would allow the matter to go to a Select Committee.

When the report was presented, they would have possession of certain facts not properly before them now, and he would avail himself of the opportunity to bring the subject again before the House.

Mr. MCGREGOR said he hoped the House would grant the Committee. They wanted to prove to Nova Scotia and New Brunswick the exact position in which they stood in relation to the coal interests of the country. When the facts were brought out by the Committee the House would, no doubt, see that Ontario could not purchase coal from Nova Scotia. Ontario was peculiarly situated. Coal was delivered in Sarnia for \$2.75, Goderich \$2.85, Port Stanley \$2.85, Toronto and Hamilton \$3.50 per ton. With those low rates he did not think it would be difficult to prove the impossibility of improving the trade between Ontario and Nova Scotia.

Mr. OUMET said the hon. member for Cape Breton complained that the coal mines of Nova Scotia were not sufficiently protected by the present tariff. He (Mr. Ouimet) believed the same thing, but he thought the hon. member for Cape Breton should join the great party which was waving the flag of protection, and help on the movement to bring about a national policy of protection to all industries. Representatives of one Province should be willing to make sacrifices for the good of the Dominion. The trouble now was that everyone was asking protection for himself and refusing it to his neighbour. He hoped that, when the great scheme of protection was brought before the House, hon. members would make concessions to one another, and so inaugurate a system under which Canada was sure to prosper.

Mr. MACDONNELL said he thought it was time that the important industry in question received the careful and earnest consideration of the House. The House was not asked to do something to prosper the coal industry on the ground of protection. Only the other day the hon. the Premier said that we could neither have Free Trade nor Protection in its purity. We must have a system which would give

revenue and protection at the same time. The hon. member for Essex quoted the prices at which coal was delivered in Ontario, which were lower than those in operation in Nova Scotia. If he was rightly informed, however, the coal used in Ontario came from the United States, and it was simply justice to afford the Nova Scotia mines an opportunity to compete with American coal. The Committee should give this matter serious consideration. It was not Nova Scotia alone that was interested in this question. We were a united people, and the interests of one section were the interests of another, and he thought the people of Ontario ought to submit to the duty suggested.

Mr. McDONALD (Cape Breton) said he presumed the object of the hon. mover of the motion was to establish trade with the Province of Ontario in the matter of coal. He was glad to hear his hon. colleague, as well as the hon. member for Inverness, advocate a duty on American coal. These hon. gentlemen should have spoken to the Finance Minister on the matter when they heard him deliver his Budget Speech and state his intention of not recognising the coal industry of the country. He hoped these hon. gentlemen would vote for this matter even against the Finance Minister. The Finance Minister was opposed to the prayer of the petition. And if there was any doubt upon that question, the hon. the Premier himself would have already dissipated it when he referred particularly to coal. His hon. colleague, as well as the hon. gentleman from Inverness, need not have any hope on that point. He hoped that, if this Committee were appointed, its labours would not end as the labours of former Committees, and especially that celebrated Committee on Depression; and he hoped no attempt would be made to baulk the report. There was no doubt that a trade in coal could be established between Nova Scotia and Ontario. There was a trade already, but it was very small; still, with some assistance it would assume fair proportions. If such assistance were not given, the coal mines of Nova Scotia would have to be altogether closed. It was impossible for them to exist under the present circumstances. In regard

Mr. MACDONNELL.

to the statement made by the hon. member for Essex as to the price of coal in Toronto and other places in Ontario, he had received a letter bearing on this question. According to this gentleman, coal in Buffalo was \$4.50 a ton of 2,000 pounds.

Mr. WOOD: What kind of coal?

Mr. McDONALD said he presumed it was bituminous, and it was not superior to our coal. The difference in the currency and the difference in weight, (our ton being 2,240 pounds,) would make a difference of fifty cents, which would enable the Nova Scotian coal to undersell the American coal in Toronto, if the object for which the Committee was asked could be obtained.

Mr. GIBBS (North Ontario) said, in speaking of Free Trade *v.* Protection, they should use the terms as they were understood by the people of the country. They properly believed that they should raise a revenue by duties and not by direct taxation. What the country required was that the different interests should be so affected that they should harmonize. Every argument made by the hon. member for Cape Breton was an argument in favour of protection. If the hon. member and those who represented the coal interest of Nova Scotia wished to bring about any beneficial change, they would have to come out from among the gentlemen opposite, and separate themselves from those who pronounced themselves to be Free-traders, or else they would have to go to their constituents and tell them that those with whom they worked in accord were opposed to their best interests, and unwilling to do anything to relieve the existing depression. It was impossible for isolated interests to be benefitted whilst others were left out. The hon. member for Cape Breton had said there was exceptional legislation in this country, and he instanced coal oil and other articles. And yet he desired exceptional legislation in favour of coal. That hon. gentleman desired to have a duty put on American coal, or a bounty or offset which would enable the Nova Scotia coal dealers to compete with American coal. That could not be done unless

these gentlemen were willing to meet the other interests of the Dominion. He did not believe they were returned to Parliament to legislate for simply provincial interests. If the hon. member for Cape Breton was desirous of developing the coal interest of Nova Scotia, he must unite with that party which was willing to make mutual concessions. Why should there be protection of coal any more than of any other interest—such as flour and manufactures? The hon. gentlemen opposite said they could not protect industries without increasing the taxes. On the contrary, the hon. members of the Opposition argued that it was possible to so arrange the tariff that industries would be assisted, and at the same time there would not be a single dollar of extra taxes. A sufficient amount of revenue had to be raised some way or other, but this could be done while another purpose was served at the same time; certain concessions must be made to Nova Scotia in coal, and to Ontario and the rest of the Provinces in other matters. Instead of spending \$100,000 for immigration and bringing in raw recruits, a policy should be adopted which would keep within our borders men well acquainted with the country, who were now forced to leave because they could get no employment, because this country was strewn with the wreck of manufactures. The hon. the Minister of Finance had stated that the Government had no more to do, by way of legislating for the prosperity of the country, than a fly upon a wheel.

Mr. CARTWRIGHT said the hon. gentleman had misstated what he had said. Besides, he had no business to refer to matters which had come up in previous debates.

Mr. GIBBS said he did not intend to misrepresent what the hon. gentleman had stated, but he so understood him. Hon. gentlemen opposite did not possess the confidence of the country. If they believed they had, he invited them to appeal to the country, and they would soon see that the decision would be adverse to them.

Mr. ROBINSON said he thanked the mover for putting him on the Committee. Although he came from

Ontario, he would be happy to be of any service in such a matter, which was of great importance to the whole country. If the motion did not receive the sanction of the House and of the Ministry, similar motions would be brought up again and again. Nova Scotia was more or less forced into the Confederation on the understanding that the question of coal should receive the attention of the Dominion. Two millions of dollars were taken from the pockets of the people of Ontario for coal, and it all went out of the country for the benefit of Ohio and the Western States, instead of our fellow countrymen in the Maritime Provinces. If the same feeling of patriotism was shown here as was shown in the United States, a great inter-provincial trade would spring up. The petition signed by the hon. member for Lincoln was signed by shipowners, shipbuilders and manufacturers, and others interested in the prosperity of Ontario. There was no business for shipbuilders, but, if trade was stimulated between the Eastern and the Western Provinces, there would be a demand for ships, and many other industries would flourish. This was a very important question, and it concerned the most material prosperity of the country. He was one of those who believed that Confederation had been brought about for our mutual protection, and to advance our mutual commerce; and, if this was not done, the laws they passed would become mere ropes of sand, and the country would not really be united by any firm bonds. He believed the time had come when such motions as that made by the hon. member from Cape Breton would be brought up again and again, if they were not approved of by the House. They could never exist as a Confederation, unless their mutual commercial relations were firmly cemented together.

Mr. ORTON said he heartily endorsed the sentiments of the hon. member for Cape Breton. It appeared from the returns that Canada paid \$3,300,000 yearly for foreign coal; and he was positive that the mining of this coal employed not less than thirty or forty thousand men. If even one-third or

one quarter of this number were furnished such employment in Canada, the prosperity of the country would be vastly increased, and valuable assistance would be rendered to our manufacturing and agricultural interests. The imposition of a duty on coal would be a step in the right direction, affording encouragement to the coal miner, the manufacturer, and the agriculturist. To say, as Free-traders affirmed, that this would injure Ontario was a fallacy; the extra price of coal caused by the duty would be recouped to the manufacturer in the increased sale of goods in the new market created; and by interchange of products freights could then be obtained for return trips, and it was probable that under these circumstances the cost of transportation would be reduced. American flour to the value of no less than \$2,500,000 had been brought into the Dominion in 1875: and he could not help feeling that the Government should inaugurate a Protectionist policy in order to advance the best interests of the people of this country. The mill-owners of Ontario, in the matter of oatmeal, had competed most successfully for the United States market, even after a duty of 50 cents per barrel was imposed, but the Americans had shut off this competition by imposing \$1.00 per barrel on this article and had not only shut out Canadian oatmeal from their market, but had got control of the Canadian market. A duty on coal would also vastly benefit our shipping interests, as it would increase the commerce of our country. If, instead of imposing duties on malt and tea, the Government had placed a duty on coal and the manufactured goods which we could produce, as well as upon agricultural products, the revenue would have been benefitted, and at the same time relief would have been given to our languishing and distressed industries. He hoped that the Committee in question would properly place before the House the great importance of the Nova Scotia coal interests, and show how could be developed an immense source of wealth for the whole country. He endorsed the remarks made by the hon. member for West Toronto, that the Confederation should not merely be a

Mr. ORTON.

union on paper, but a real union combined with a joint endeavour to develop the general resources of the entire Dominion. The course which was at present pursued might weaken the ties which bound together the various Provinces, and do the country great and lasting injury.

Mr. JONES (Halifax) said he deeply regretted the greatly depressed state of the Nova Scotia coal interest, and he thought that every member of the House would join him in expressing such regret. This interest was declining year after year, as was well known, and the lumber interest for similar reasons occupied the same unfortunate position. To what was this due? When the Washington Treaty was under discussion, Canada being represented on that occasion by the right hon. member for Kingston, the American Commissioners had offered to admit our great staples, coal and lumber, free into their market for a certain number of years, but that right hon. gentleman had thought proper to reject this offer; and then was struck a most fatal blow to these great interests—one indeed from which they never would or could recover in our day unless the Washington Treaty was abrogated, and a new treaty negotiated. While listening to the hon. members on the other side of the House, who invited the gentlemen sitting on his side of the House to join them in the endeavour to benefit the coal interest, he could not help thinking that, if any gentlemen should hesitate in alluding to this great question, they were those hon. gentlemen who supported the right hon. member for Kingston and the Washington Treaty, which had had the effect of sacrificing this interest.

Mr. TUPPER: What does the hon. gentleman say as to the action of his own colleague, who was since returned by the hon. gentleman's own constituency?

Mr. JONES: My colleague is able to speak for himself. He was returned to the House since that time.

Mr. TUPPER: He was returned by the constituents since he supported that treaty.

Mr. JONES said that he, who voted against the treaty, had also been since returned to the House. This was his answer to his hon. friend. It was very well for the hon. gentleman to shelter himself behind that pretext, but it was too thin. When these hon. gentlemen declared to the people of Nova Scotia that they were willing, at this late hour, to protect this interest in order that they might make political capital out of the present position of affairs, he wished the people of Nova Scotia and the representatives of the two great interests he had mentioned to understand that their depressed condition was due to the policy adopted by the late Administration. Mr. Rutherford, a gentleman brought out from England by the Government, of which the hon. member from Cumberland was then leader, and an eminent mining engineer, who was largely interested in the Nova Scotia coal interests, had stated before the Depression of Trade Committee last year, that the price of coal at Pictou was \$2.16 per ton, and that it cost \$6 per ton to lay it down in Toronto; while the hon. member for Essex had informed the House that American coal had cost last year, delivered in Toronto, \$3.50 per ton. Under these circumstances, if Nova Scotia was to supply Ontario with coal they must ask the Government to impose a duty equal to the difference between \$3.50 and \$6, or \$2.50 per ton. Would any hon. member say that this would be a wise policy? He thought not; but suppose it was imposed, then the people of Ontario and Quebec would have been obliged to pay last year such a duty on the 789,000 tons of coal they had imported, or a sum equal to \$1,985,000; but, if Ontario and Quebec were sufficiently patriotic to make the sacrifice, as the hon. members from Toronto and North Ontario would lead them to suppose, and if they were so boiling over with patriotism that they desired to throw this large sum of money into the public revenue of the country, of course he had no objection. If the people of Quebec and Ontario were so full of patriotism that they wished the Government to impose \$2.50 duty on coal for the special benefit of Nova Scotia

let them do so. He would never ask them to impose such a duty. A great deal was said on the other side of the House about the depressed condition of the manufacturing and other industries. To-day, the manufactures stood in a different position from what they did last year. The discount on American invoices was 8 per cent better; they had a 17½ per cent. revenue tariff, and, when they came to import goods from England and the United States, 7½ per cent. should be added for expenses. Thus they had an actual protection of 25 per cent. on every article manufactured in the Dominion; and, if that was not enough, he thought no manufacturer ought to exist. How would this proposed duty on coal affect the manufacturers who were largely interested in its consumption? Many factories would consume five or six tons per day, or 1,800 tons a year. At \$2.50 per ton, that would amount to \$4,500, which those patriotic gentlemen wished to pay into the coffers of the Dominion. When this question was discussed before, an hon. gentleman said he was agreeable to a duty on coal, providing anthracite coal was not touched. That showed the inconsistency of the hon. gentleman who desired protection. According to Mr. Rutherford's statement it would cost \$4.50 per ton. to import coal from England, at which price it could be laid down in Nova Scotia. It would therefore be seen that they could compete with the coal from Great Britain. If the consumers in the lower markets preferred English coal, the only effect, following out the argument of hon. gentlemen opposite, would be to force people to pay a duty to consume coal which did not suit them, because, if they had as much patriotism as those hon. gentleman seemed to possess, they would use Nova Scotia coal and pay a little more for it. He trusted the Government would not agree to the imposition of the duty prayed for. That the coal interest was depressed was to be regretted, but the persons engaged in that industry were not suffering alone. The lumbering interest was experiencing the hard times to a large extent, but its representatives did not come into the House and ask for a bounty or protection, because

they knew it would not be granted. At the same time they were bound to look after their interest as well as any other, as all interests were alike when they came to be sifted by Parliament. He did not know what was in store for the coal interest; he did not see that daylight was breaking. The only opportunity for making the trade valuable was known only by the hon. member for Kingston when he signed the Washington Treaty, and so refused to admit our coal and lumber into the United States. What they saw to day was the natural result of that treaty, and it ill became any hon. member of the other side to charge that the Government was in any way responsible for the depressed condition of the coal and lumber trades.

Mr. TUPPER said he would suggest that the hon. mover of the resolution should ask that all similar petitions on this subject be referred to the Committee. There was a petition presented by the hon. member for Halifax which he would like to go before the Committee. The statement that so enormous a duty would be required in order to send the coal of Nova Scotia as far as Toronto was an entire misapprehension. Mr. W. H. Howland, one of the foremost commercial men in Toronto, had pointed out again and again at the meetings of the Dominion Board of Trade the practicability of consuming Nova Scotia coal at Toronto under a 50 cent per ton duty. If that was the case, and he placed the utmost reliance on Mr. Howland's testimony, it was not exactly patriotic for the hon. member for Halifax to have delivered such a speech as the House had just listened to. It was not often an hon. gentleman availed himself of his position in the House to show how little his constituents knew him. If there was a constituency in Nova Scotia more prominent than all others for its commercial standing, wealth and intelligence, it was the one the hon. gentleman represented. But the hon. member had abused his position by his action in this matter. The petition which the hon. gentleman had presented to the House, and which represented the views of the commercial men of Halifax, refuted every statement the hon. member had made. He (Mr. Tup-

per) believed that it was the imposition of the 50 cents per ton which led to the reduction in United States coal. The hon. gentleman had bemoaned the utter hopelessness of the coal trade reviving, but he could tell him that if he looked at matters from the standpoint of the Opposition side of the House, a great deal of the Egyptian darkness with which he surrounded the question could be dispelled. A month ago the steamship *Armenia* was chartered to carry coal from Sydney to Toronto, and to take the products of Ontario back. The freight up was to be \$2.50 per ton, and 50 cents per barrel down. This circumstance, he thought, would convince the hon. gentleman that his fears about the future of the coal industry were groundless. The hon. member had also abused his position when he referred to the Washington Treaty in the terms he did.

Mr. SPEAKER: I must call the hon. gentleman to order.

Mr. TUPPER said the hon. gentleman had been allowed to make an attack in regard to the Washington Treaty and he should have the right to reply.

Mr. SPEAKER: The hon. gentleman must not say any hon. member has abused his position in the House.

Mr. TUPPER said he would recall that statement, because he supposed an hon. member was entitled to give the freest utterance to his sentiments however obnoxious they might be to the sentiments of the constituency he represented. He was of opinion that the sentiment the hon. gentleman expressed with reference to the Washington Treaty was not sustained by the County of Halifax, or the Province of Nova Scotia. The hon. gentleman knew that if there was one person responsible for the failure of his right hon. friend to accomplish more for the country than he had, he was that one. At the time when his right hon. friend was struggling to obtain reciprocal trade for the Province of Nova Scotia, and was asking for greater concessions than the Americans were willing to give, he would ask what the hon. member for Halifax was doing at that crisis?

Mr. JONES.

Mr. JONES : Did he not refuse the coal and lumber ?

Mr. TUPPER said the offer on coal and lumber was never made. Fresh fish and coal and lumber were to come up in five years. That was a very different thing. When the offer was made, his right hon. friend would have been faithless to his trust if he had not availed himself of it, and had not endeavored to obtain more satisfactory justice.

Mr. JONES : That's too thin.

Mr. TUPPER said at the time in question the hon. member for Halifax was combining with other hon. gentlemen in the House and paralyzed his right hon. friend's efforts by striking off those duties which formed the lever by which the Americans would have been led to take off responsive duties. It did not come properly from the hon. member for Halifax to attack the right hon. gentleman as to the Treaty of Washington, when he himself had done all in his power to paralyze his efforts. The hon. member for Halifax gave the treaty his most hearty hostility and denounced it in every shape and form, although his colleague gave it his most hearty and enthusiastic support. Every hon. gentleman who supported the treaty was returned from Nova Scotia, but the hon. member for Halifax was not elected. The hon. gentleman by his side shared the same fate.

Mr. JONES : He voted for the treaty.

Mr. TUPPER said this was not sufficient to condone for his other offences. The whole of Nova Scotia sent back a united phalanx to sustain the right hon. gentleman then leading the Government.

Mr. CARMICHAEL said he believed the depression in coal was owing largely to the same causes which had brought about the depression in all the other industries of the world. When there was a general revival of trade, the coal interest would also revive. No legislation could improve the coal trade of Nova Scotia. He was personally interested in the coal trade of Nova Scotia, and he opposed the proposed change as he believed it would be injurious to coal owners. It was prepos-

terous to suppose that coal could be transported to Toronto from Nova Scotia and compete with American coal merely by the latter having 50 cents a ton placed upon it. No reasonable man, acquainted with shipping and commercial matters, would suppose that coal could be carried 1,000 miles for \$2.50 a ton. He would not deny the fact, but he had not much respect for the intelligence of the man who would say that the trade could be profitable. The very lowest rate at which coal could be carried to Montreal from the Maritime Provinces was \$2.00 a ton. The placing of 50 cents duty on American coal would therefore have no appreciable effect in favour of Nova Scotia coal. It was said Nova Scotia preferred that a duty should be placed on coal, but because one Nova Scotia member had asked for the duty it must not be supposed that he expressed the general feeling of the people of that Province. If a duty were placed on coal, a duty would have to be placed on the materials of which ships were constructed, and this would so increase the rate, that an industry, far more important to Nova Scotia than the coal industry, would be crushed out. The House was told that a policy of retaliation should be adopted. The petition which was presented stated, and it was also stated by the hon. member for Cumberland, that an imposition of 50 cents per ton on coal, in the National Policy, had made the Americans immediately reduce their tariff on Canadian coal from \$1.25 to 75 cents. This was not true. The duty on American coal was imposed on the 12th May, 1870, and it was repealed on the 22nd March, 1871; but the Americans did not decrease their duty until the 1st August, 1872,—eighteen months after the repeal of the Canadian duty.

Mr. McCALLUM said it seemed to him that the imposition of 50 cents a ton on American coal would not only benefit the Nova Scotia mine owners, but would benefit the whole country. It would be necessary, however, if coal were protected, to protect the agricultural and manufacturing interests. If a duty were placed on American flour, cargoes of flour could go from Western Canada to the Maritime Provinces, and bring return cargoes of coal. A vast

inter-provincial trade would thus spring up. The first and last argument of the hon. member for Halifax and some other hon. members of the House was the shortcomings of the Treaty of Washington, and they did not discuss the question as it affected the country now.

Mr. TUPPER said he rose to make an explanation. The hon. member for Pictou had said that the statement he had made with reference to the effect of the Canadian national policy was untrue. He was certain the hon. gentleman did not use the word offensively, but meant that he (Mr. Tupper) was mistaken. The House would agree with him that it was a matter of some importance as to who was correct. The hon. member for Halifax would agree with him as to the reliableness of a gentleman he would name, as an authority on this matter.

Mr. JONES (Halifax) said the hon. member was not speaking in order.

Mr. TUPPER said he would not trespass upon the time of the House, neither would he go beyond an explanation. The gentleman he referred to was Mr. John Rutherford.

Mr. JONES: But you said Mr. Howland was a higher authority.

Mr. TUPPER said the hon. member would not deny that Mr. Rutherford was a good authority, and he had signed the declaration that the imposition of a duty on American coal was immediately followed by a difference in the United States duty. He (Mr. Tupper) would give the hon. gentleman further evidence. When the attempt was made, in 1871, to repeal the Canadian duty, he implored the House not to do so, and he pointed to the fact that the United States had, in consequence of the National Policy, reduced their duty from \$1.25 to seventy-five cents. He could not have made this remark if the Americans did not make their reduction until August, 1872.

Mr. JONES: Oh, yes, you could.

Mr. TUPPER said this remark was worthy of the hon. gentleman but unworthy of his position.

Mr. SPEAKER: I could not quite distinguish whether the hon. member

for Pictou said that the statement of the hon. member for Cumberland was untrue or that the statement in the petition was untrue. I did not therefore think it necessary to refer to it at the time, as no hon. gentleman then objected to it.

Mr. CARMICHAEL said he considered he had a perfect right to affirm that any statement made by an hon. gentleman was not true, although of course he did not mean that the hon. member for Cumberland had wittingly stated what was false. He did not mean to say anything offensive.

Mr. MACKENZIE: The hon. member for Pictou, I think, said that the statement in the petition presented a few nights ago was untrue.

Mr. SPEAKER: With regard to explanations, I must remind hon. members once more that, if, in the course of a debate, a statement made by an hon. member is misunderstood or misstated by another hon. member in the same debate, then that hon. member whose language is misunderstood or misstated has the right to explain what he did say; but he is bound to go no further. He has not the right to reply after he has made his explanation.

Mr. MILLS said it was not parliamentary to say that any statement made by an hon. member was untrue, although it might be to say that an hon. member was telling an untruth. The first statement put the untruth on the statement: the latter on the hon. member.

Mr. SPEAKER said he agreed with this, but he thought it much better to say that an hon. member was mistaken than that any statement he made was untrue, for that was apt to lead to unpleasantness.

Mr. YOUNG said that, as four or five hon. gentlemen from Ontario had advocated the imposition of a duty on coal, he deemed it his duty, as a representative from a large manufacturing district in that Province, to dissent from their views. He was not aware of a single manufacturer in Ontario who was not determinedly opposed to such a tax. The Nova Scotia coal measures were valuable, and he regretted they were not at present prosper-

ous; but they were situated so far from the portions of the Dominion that used coal to a large extent, that it was practically impossible to employ it, except by placing an enormous burden on those engaged in businesses in which it was consumed. The price would have to be so increased that they would pay much too dearly for their whistle. The discussion had brought very distinctly into relief the difficulties and some of the absurdities connected with an extreme protective policy, for the very simple reason that what was a finished article in one business was the raw material of another; and it so happened that coal was the raw material of a large proportion of our manufactures. Nevertheless, the gentlemen who sought to constitute themselves the advocates of our manufacturing interests, actually proposed to put on duties which would largely raise the price of coal, which was certainly an extraordinary way of protecting our manufacturers. After all they had said in the country about the depression in manufactures and the necessity of assisting them, it was almost amusing to find that their first proposition was to tax manufacturers highly for an article of such prime necessity to them as coal. Various statements had been made as to the amount of duty necessary to shut American coal out of the Ontario market. The hon. member for Cumberland had mentioned the views upon this point, of Mr. Howland, a very respectable gentleman, but he was not aware that Mr. Howland had any special knowledge of the matter more than other gentlemen, whose opinions they possessed. Mr. Brydges, who was thoroughly acquainted with the subject, in his evidence before the Depression Committee last year, conclusively showed that Nova Scotia coal could not be brought to Ontario, unless with the aid of a very large duty imposed on American coal. Fifty cents per ton, not many years ago, had been imposed, but he was not aware that this brought any Nova Scotia coal into Ontario.

An HON. MEMBER: Yes, it did.

Mr. YOUNG said in that case the quantity was very small indeed. He

was convinced that the operation was exceptional, and not repeated. He was of opinion that a duty of \$2 per ton must be levied on American coal, to enable Nova Scotia to supply Ontario with coal to any very large extent. If, for argument's sake, \$1 was taken—for he felt certain that fifty cents was too low—hon. members would readily see what a large tax would thereby be imposed on the manufacturers of Ontario and other parts of the Dominion.

Mr. TUPPER: What can bituminous coal be bought for in Toronto?

Mr. YOUNG said it was stated last year that Nova Scotia coal could not be laid down in Montreal at a rate less than \$4.10 per ton; but that American coal was delivered at some points in the West at \$3.50 per ton. The freight from Montreal to Toronto, he believed, was about \$1.75 per ton, and this would make the price of Nova Scotia coal laid down in the latter city about \$6 per ton.

Mr. TUPPER: The hon. member overlooks the statement I have made to the House that coal owners have actually contracted to carry it for \$2.50 per ton; and this sum, with \$1.50, the price per ton, placed on the vessel, would make the cost of each ton \$4, delivered in Toronto.

Mr. YOUNG said that such a contract might be entered into, but then they knew perfectly well, to use a homely phrase, that the proof of the pudding was in the eating of it. This venture might fail, and result in loss. Mr. Brydges stated last year that it would cost at least \$4.10 to lay this coal down in Montreal; and how it could be sent by the St. Lawrence and the Lake to Toronto for the sum mentioned, he could not understand. He felt certain that a duty of \$1 would be required to enable Nova Scotia to compete successfully for the Ontario market. As they imported last year 794,000 tons of coal, such a duty would compel the manufacturers of the country to pay a tax of \$794,000. Besides, Nova Scotia could not supply them with anthracite coal, of which they used a large quantity, and consequently such a duty levied on coal would take out of the pockets of the manufacturers

of the west, and of the Province of Quebec, a sum probably not less than one million dollars annually. He was convinced that, if adopted, such a policy would exist for only a very short time. When the experiment was previously tried, a strong feeling was excited throughout the country against the imposition of 50 cents per ton on foreign coal; and who repealed it? Why, the supporters of the right hon. gentleman opposite.

Mr. GIBBS (North Ontario): I think you are mistaken.

Mr. YOUNG said, if desired, he would read the names of the gentlemen who voted for the repeal. The vote in favour of the abolition of what was known as the National Policy numbered eighty-three.

Mr. GIBBS (North Ontario): What was the motion?

Mr. YOUNG said the motion was to set aside the duties on coal, wheat, and other articles included in what was commonly known as the National Policy, which only existed for some nine months, and then died apparently of inanition. Fifty-five members voted against the motion; and, of the eighty-three who supported the repeal, forty-two were gentlemen who usually supported the right hon. member for Kingston. He was surprised to find among the eighty-three the name of the hon. member from Frontenac, who, a few moments previously, had seemed to think he (Mr. Young) was wrong in saying that a very small quantity of Nova Scotia coal was used in Ontario.

Mr. KIRKPATRICK: You said that no Nova Scotia coal at all found its way there.

Mr. YOUNG said that, during the first Session of the Confederation, the late Administration had put on the duties he had instanced, and the very next year had witnessed the abolition of this National Policy. During the third Session, it was again adopted, and during the fourth, it was again abolished; and he ventured to predict that, if it were again to come into force, such a wave of indignation would sweep over the land against it and par-

Mr. Young.

ticularly against the coal duties, that whatever Government might then be in power, they would be compelled to do away with it during the first Session subsequent to its adoption. Some manufacturers used yearly 500 tons of coal, others 1,000 tons; a few, even 5,000 or even 10,000 tons; and consequently a tax of \$1 per ton, would be unbearable. Hence, he was surprised to hear the hon. members from North Ontario, Centre Wellington, and West Toronto speak as if such a duty would be a boon to the manufacturers of the country, when such a policy would really strike the most vital blow against our manufacturing interests that they had ever received.

Mr. GIBBS (North Ontario): I said that we wanted reciprocity.

Mr. YOUNG said the hon. gentleman argued as if the whole country could get rich by taxing everybody and every interest in the community. This was a fallacious policy, which would tend to impoverish the country; and make industries of all kinds depressed and unprofitable. He had supposed, from what had been said by some of these gentlemen, and largely by the hon. member from North Ontario at divers pic-nics, that some policy would have been promulgated, tending to greatly benefit the manufacturers of the country. And yet the grand panacea of this hon. member was to tax coal, the raw material used by a large proportion of these manufacturers. Again, wood was becoming scarce, at least in the west, and, in the cities and towns and even villages, coal was now used as fuel by the poor as well as the rich; and despite this fact it was proposed to tax the very fuel which the people used to preserve them from the severity of our winter months. He wished these hon. gentlemen joy regarding such a policy, for which they would be thanked neither by the manufacturer, the mechanic, nor the workingman. He deeply regretted the depressed condition of the coal industry, and, as he had said before in the House, he repeated that the day must come when the coal and iron of Nova Scotia would be an immense source of wealth to it; but, at the same time, it was im-

possible to overcome the geography of the country. The idea of levying high duties on coal, in order to force Ontario to use this product of Nova Scotia, was one of the greatest absurdities of which he had heard in Parliament for several years.

Mr. CHARLTON said that last year, before the Committee on Depression, Mr. Brydges had stated that the Grand Trunk Railway Company had contracted for the delivery of 30,000 tons of Nova Scotia coal in Montreal, at \$4.50 per ton; and it might be assumed that it would cost \$1.50 additional, at least, to lay this coal down in Toronto. It was true that the hon. member for Cumberland announced that a contract had been made to transport coal to Toronto for \$2.50 per ton; but any gentleman conversant with the shipping interest well knew that this was not a rate at which business could be done with profit. The member for Essex, who was well informed regarding these matters, stated that American coal was delivered in Toronto at \$3.50 per ton, and, with \$6.00 as the price of Nova Scotian coal, this would make a difference of \$2.50 in their actual cost. Mr. Brydges had been asked: "Your experience in the use of coal will enable you to state what are the comparative qualities of Nova Scotia coal, and that obtained from the Ohio mines? A. The quality of the coal coming from the Western States is very varied, some is excellent and some not; the best coal received in Toronto comes from Cleveland and Erie, and this is much better than the Nova Scotian coal in my opinion." The American miner was able to place coal more cheaply than the Nova Scotia coal owner on our market for this reason: most of the American coal was placed free on the cars at 80 cents or 90 cents per ton, owing to the fact that it was simply carried out of the sides of hills, while the Nova Scotia coal generally cost \$2 at the pit's mouth. It was impossible for Nova Scotia to contend against these two-fold difficulties: the greater cost of taking the coal from the bowels of the earth, and the greater cost of placing it on the market. Further, a duty of \$2 would be necessary to open our market in Ontario to

the Nova Scotia coal, and as to anthracite coal, it must and would be used under any circumstances. It was sold west of the Mississippi at \$12 per ton, while the price of bituminous coal in the same region was \$4 per ton. No duty on American coal could prevent its consumption. He thought they now saw evidence of the introduction into Canada of the celebrated American system of log-rolling. Various interests which could not stand on their own naked merits, would combine together, and by casting their vote solid one for the other, impose on the country a class of measures which otherwise would be overwhelmingly rejected. The proposed duty on coal was one, and the projected duty on breadstuffs was another example in this relation. These interests would ring in one with another, in the hope of returning a party favourable to them at the next general election. He considered the policy in question absurd. The policy of placing a duty on coal was even absurd in the light of the Nova Scotian miners' interests; and he was sure that, when their protectionist friends unfolded their policy, it would be rejected by the country. He was satisfied that a duty of fifty cents per ton on coal would be totally inoperative, and that a duty sufficient to afford effective protection would be found too intolerable to be borne.

Mr. WORKMAN thought that the imposition of a duty on coal, however small, would totally injure the manufacturing interests throughout Canada. Not a wheel was turned nor a grindstone worked in a great many of our manufactories but with the motive power derived from coal; and to impose a duty of fifty cents per ton would be a fatal blow to many industries. If, however, the duty would stimulate the coal trade of Nova Scotia, he would probably partly consent to it; but he considered it would only increase the consumption of that coal as far west as Montreal. It would cost \$1.50 extra per ton to place Nova Scotia coal in the Toronto market. He hoped the speculation which the owners of the *Armenia* had entered into would prove profitable, but he thought it would only take a few months to demonstrate

that it would be a losing operation. About eight years ago the steamer *Merritt* was chartered to carry four from Toronto to Nova Scotia, and return with cargoes of coal. She made several trips during the summer and fall, and the result was disastrous in the extreme. There was a loss on almost every trip. The parties interested became insolvent, and one, in desperation, committed suicide in a foreign country. When he occupied a seat in the House before, he opposed the National Policy of the hon. gentleman opposite. He was a manufacturer and a protectionist to a moderate extent, but, looking at the question from that standpoint, he could not agree to the imposition of the proposed duty. The largest steamboat company in Canada, the *Richelieu*, running between Montreal and Quebec, when the duty was placed on coal, put an additional tax of fifty cents on every cabin passenger they carried between those cities.

Mr. MASSON said the additional rate was not caused by the tax on coal, but in order to work up a public sentiment in order to have the imposition removed.

Mr. WORKMAN: I had the positive statement of the directors that it was imposed because of the fifty cents duty on coal.

Mr. TUPPER: Is the hon. gentleman aware that, during the year that duty existed, coal was as low in Quebec and Montreal as it was at any other time?

Mr. WORKMAN said he thought the price was only advanced about twenty-five cents. It was an absurdity to think that Nova Scotia coal could compete with American coal at Toronto, and it would be very injudicious to impose the proposed duty.

Mr. PATERSON said a great difference of opinion had been expressed in regard to what was a vital point in considering the question of imposing a duty on coal, viz., the price at which it could be laid down in Toronto. He, in common with other representatives from Ontario, judged from information which had been gathered that it was impossible to levy a duty on American

coal which would bring Nova Scotia coal into use in the western part of Ontario. He felt that the duty would be such an amount that it would prove a burden to which the people of Ontario would not submit. He therefore suggested that the Committee should determine, on authority, the cost at which Nova Scotia coal could be laid down in Toronto. As however there were large manufacturing interests in the western part of the Province it would be desirable also to ascertain the cost at which coal could be laid down at more western points. If the Committee were granted, he hoped that some practical good would be accomplished, not in the direction of imposing a duty—which he did not think was likely—but in acquiring and submitting to the House valuable information.

Mr. CARTWRIGHT said the Government, if this Committee were granted, desired it should be thoroughly understood that in no shape or way was the Committee to assume to itself the right to recommend the imposition of a tax. As to the question itself, he scarcely thought it was worth while to enter into any abstract discussion as to protection or free trade. That would probably be discussed with more propriety when the propositions of the Government in regard to the tariff were before the House. With regard to the particular prayer of the petition, he would only say that there had always appeared to be two serious difficulties in the way of imposing a duty on coal. The first was that it would be a duty placed on what was a prime necessary of life in a climate like this; and the second was, that under no possible circumstances could the duty be prevented from operating with great hardship on a particular portion of the community, viz: the poorer classes in our large cities. It was obvious that, whatever was the merit of the proposition in any other respect, every cent of duty placed on coal would inevitably add to the price of coal on the borders of the great lakes. It would be the duty of the Committee to investigate into the facts, and he thought the subject was one on which a fair and intelligent report would be of value. He thought it was very desirable that all

Mr. WORKMAN.

parties concerned should have the opportunity of presenting their case, and he was satisfied the Committee would conduct the enquiry with due impartiality. The Government would not object to granting the Committee if the names of Messrs. Laurier, Appleby, Sinclair and Dymond were added to the Committee, it being distinctly understood that the purpose of the Committee was to investigate the statement made in the petition, and not to propose the imposition of any new taxes.

Mr. BOWELL said there was another point in connection with the Committee which it would be well to understand at the outset. When such motions had been submitted to the House previously, the Committees had been organized so as to place on them a majority of gentlemen who had expressed their opposition to the principles involved either in the petition or in the motion referred. He found that Rule 78 said :

“But it shall be always understood that no member who declares or decides against the principle or substance of a Bill, resolution or matter to be committed can be nominated on such Committee.”

Such a decided expression of opinion had been given by at least one of the hon. members who had been named on the Committee, and the hon. member for Essex had been one of the first to express an opinion adverse to the prayer of the petition. It could not be pretended, moreover, that the hon. member for North York was in violation with the prayer of the petition.

Mr. DYMOND said he had expressed no opinion on any matter which had before the House to-night.

Mr. BOWELL said there were several gentlemen named on the Committee who were avowed free-traders, not only as to the abstract principle, but as applied to every branch of industry and trade in the country, if the hon. member for North York would say that his interpretation of his opinions was not correct, he (Mr. Bowell) would withdraw his objection. He asked the ruling of the Speaker on the point.

Mr. MACKENZIE said the hon. gentleman assumed that this was a

Committee to recommend the imposition of a tax.

Mr. BOWELL: No.

Mr. MACKENZIE said, if such was not the case, the objection had no weight. If the Committee was to be composed of members who were committed to the imposition of protective duties on coal, there was no use in appointing a Committee to inquire into the facts. The Committee must be fair and impartial, and it would be absurd to have such a Committee representing a minority in the House, and that minority representing a principle which they desired to see carried into effect.

Mr. TUPPER said the objection taken by the hon. member for North Hastings was that in appointing a Committee no hon. member could be named who had expressed himself opposed to the prayer of the petition referred to the Committee.

Mr. HOLTON said the prayer of the petition asked something to which the Government could not consent, and an objection ought to have been taken to the motion. The House could not consent to refer to a Committee a petition praying for something which the Committee itself could not recommend.

Mr. DYMOND said it would be remembered that, when the petition was presented to the House, a debate arose as to its being received. He would venture to submit that, if the petition could be received by the House, it must be competent for a Committee to consider its subject-matter. If the Committee could not be appointed to consider the matter of the petition, then the petition itself should never have been received.

Mr. BOWELL said, if the Committee was merely to be appointed for the sake of causing some expense, and was to be restricted in its expression of opinion as to the prayer of the petition, then the Committee should not be appointed. His point was that the petition prayed for a certain matter, that certain members of the House had expressed opinions in opposition to that prayer, and that therefore under the rule they could not be placed on

the Committee. The object of referring the petition to a Committee was to ascertain whether the assertions it contained were well founded, and whether the prayer of the petition could be granted by the House.

Sir JOHN A. MACDONALD said it had been very properly decided that the petition could be received as it was general in its nature, and did not contain on the face of it a request from persons interested in the subject-matter of the prayer. The petition was for a tax, or a bounty which was in the nature of a tax, and the reference of the petition could only mean a reference of a consideration of its prayer. There was a rule that, when a Committee was appointed, the members placed upon it must be in favour of the principle or substance of the resolution submitted to them, and that rule applied in England as well as here. No member could properly or honestly sit on a Committee if he was altogether opposed to the principle of the Bill, measure, or resolution submitted to it. In England, it frequently occurred that a member refused to sit on a Committee because he had made up his mind against the principle of the measure to be referred. It did not follow that the members must be committed fully to the principle, but they must either be in favour of the principle or not committed against it.

Mr. HOLTON said his objection was the constitutional one that the petition prayed for something which the Committee could not report in favour of. He had been taught by Robert Baldwin that it was shirking the responsibility of the Government to permit the reference of any matter involving the expenditure of money or the imposition of taxes to a Committee of the House. The right hon. member for Kingston would support him in the statement that such was Mr. Baldwin's uniform teaching. He thought the Committee as proposed by this motion was irregular and would lead to the introduction of a very unsound practice, and to no practical result, because, under the rules of the House, the Committee could not report in favour of the prayer of the petition referred to. Therefore, *cui bono?* He

Mr. BOWELL.

doubted whether the technical rule invoked by the hon. member for North Hastings (Mr. Bowell) could be applied to this at all, but his (Mr. Holton's) objection went deeper and upon more constitutional grounds.

Mr. BLAKE said it was evident, by common sense and the very ground of a Committee of enquiry, that the rule could not have the meaning sought to be given it. The Finance Minister had stated that he was willing to grant a Committee to enquire into the facts alleged in this petition. The hon. member for Kingston said the Committee should be composed either of men who were all impressed with one view of the facts, who had come to one conclusion on them, who wished to bring forward one view of them to the House, who would conduct the investigation, or, as the hon. gentleman said, marshal the evidence, so as to present their side of the question to the House; or of those who were neutral, who had no opinion at all, and who were like the ignorant jurymen who did not read the papers, and were the only class in the United States considered competent to try a cause; but the hon. gentleman would on no account have a Committee which would represent both sides of the question. If the enquiry were conducted by those who had opinions all on one side, was it likely to be full, fair and impartial? Was it likely to convince the House or country that the enquiry had been sufficient? In that case, they might give up the idea of a Committee of enquiry at all. Let them see, however, if they could not find a sensible rule, which would not lead to such preposterous consequences. When they had a matter of which the principle was laid down by a resolution, but the execution of the details required investigation and consideration, they committed it to a Committee of those who were favourable to the principle, who proceeded to ascertain how most effectually that principle could be carried out in detail. But, if they were referring a matter of enquiry into facts, they did not take those who were pledged or strongly impressed with one or the other side of the question, but took men who had impressions on both sides, and used the

ordinary means of getting all the evidence on both sides brought forward and a conclusion on the disputed question reached by the House.

Sir JOHN A. MACDONALD said that might be very well for a Committee of enquiry, which was constituted to look into the whole subject, but they knew what the prayer of this petition was, and, if it was referred, that and no other was the subject which the Committee would have to enquire into. It was a petition not for enquiry, but for redress. What was the use of referring it if its prayer was not to be considered? The Government said: "You may have your Committee, but you must agree in the first place that by no possibility can you get what you ask for."

Mr. BLAKE: Hear, hear.

Sir JOHN A. MACDONALD said that not only was the point of order well taken, but there was a constitutional question which the hon. member for Chateauguay (Mr. Holton) had well stated. He (Sir John A. Macdonald) remembered very well the course taken by Mr. Baldwin both in the Opposition and in the Government. Whenever a yielding Government sent a petition of this kind to a Committee, he always opposed it as an abdication of the duty of the Government, and in the Government he was very determined in carrying out the rule himself. He (Sir John A. Macdonald) did not desire to interfere with the hon. gentleman getting a Committee of enquiry, but a Committee shackled by the conditions placed on it by the Minister of Finance would be worse than nothing.

Mr. MILLS said there was a series of allegations contained in the petition upon which the petitioners came to their conclusion. Was it the conclusion or the facts into which the Committee was to enquire?

Mr. BOWELL: The whole.

Mr. MILLS: Is the Committee for the purpose of determining whether a tax shall be imposed or not?

Mr. KIRKPATRICK: Yes.

Sir JOHN A. MACDONALD: That is the purpose for which it is moved.

Mr. MILLS: That is wholly improper. The hon. gentleman says a Committee should assume the function of advising the House.

Sir JOHN A. MACDONALD: I do nothing of the kind. I am on the other side.

Mr. MILLS said the Committee should enquire into the facts alleged in the petition.

Mr. KIRKPATRICK said in that case it should be a Committee to enquire into the coal trade of the Dominion and into the facts stated in the petition, and should not be in this form. If the House referred the petition to the Committee, it virtually acceded to its principles.

Mr. BLAKE said it had become the custom to strike Committees of this kind. It had been done in the time of the late Government. The object was to get at some facts to show that the country would be benefitted by taxation in favour of the interest affected. His hon. friend had proposed a reference of this petition because, he supposed, he thought the coal trade would be benefitted by taxation. Petitions had not unfrequently been presented, so guarded in their language as not to come within the direct meaning of the rule which forbade the reception of a petition praying for a grant of money, and Committees had been struck on these. But it would be out of order for this Committee to report in favour of a bounty or tax.

Mr. PLUMB said he thought the prayer of the petition must be either adopted or rejected. It would be impossible to separate the statements and the prayers of a petition which was for such a specific purpose as this.

Mr. SPEAKER: I must confess that, looking at the resolution as it is in my hands, and not as the hon. the Finance Minister suggested it should be, I cannot help arriving at the conclusion that, if it passed in that shape, the whole petition, as well the prayer as the allegations, would be referred to the

Committee to deal with, and I believe they would have power to make some report as to the petition. Very frequently Committees have blundered by exceeding their powers, but I believe it would be in the competence of the Committee to express an opinion on the prayer of the petition. Formerly, Committees were not allowed to express their opinion on any subject, but the Parliament of Canada has been accustomed to receive reports in which opinions were expressed, and a recent rule of the Imperial Parliament allows Committees to express an opinion upon the subject-matter referred to them.

Mr. MACKENZIE: Not upon the granting of money.

Mr. SPEAKER: I think it is possible for a Committee to put its opinion before the House, even upon that, not as a recommendation, but as an abstract opinion, as any hon. member might do in introducing a resolution into the House. My impression is that the point raised by the hon. member for North Hastings (Mr. Bowell) is well taken. I find only two who, in this debate, have expressed any opinion adverse to the prayer of the petition. No hon. member has expressed any opposition to an enquiry being made. In fact, all have stated facts which would very fairly be subject for enquiry.

Mr. CARTWRIGHT moved in amendment:

“That all the words after ‘Petition of H. Mitchell, and others’ be expunged, and the following words be substituted: ‘be referred to a Select Committee, composed of Messrs. MacKay (Cape Breton), Laurier, McGregor, Flynn, Fraser, Workman, Macdonald (Toronto), Campbell, Power, Tupper, Appleby, Sinclair and Dymond, to enquire into and report upon the allegations as to the state of the Coal trade, contained in the said Petition.’”

Mr. WALLACE (Norfolk) moved the adjournment of the Debate.

Motion to adjourn Debate *agreed to.*

House adjourned at  
Ten minutes to  
Twelve o'clock.

## HOUSE OF COMMONS.

Friday, 2nd March, 1877.

The Speaker took the chair at Three o'clock.

### THE COAL PETITION COMMITTEE.

RULING OF MR. SPEAKER.

Mr. SPEAKER: A point of order was raised last night, which, I think, is a novel one in the experience of the Canadian Parliament. I cannot remember its ever having been raised before, certainly not since I have taken the chair, and to-day I felt it my duty to look very carefully into the whole question, in order to satisfy myself as to whether my ruling was correct or not. I think it is my duty to lay before the House the result of my investigations. I find, in the first place, that no such rule as ours exists in the British House of Commons. In a little work, published in 1859, I am told, by Sir Erskine May, in which the rules of the House appear, I find no rule similar to that we have in our rules. Of course, that being the case, the precedents of the British House of Commons can hardly justify action on our part; but it may be well to state what the practice there is. In the year 1861, Mr. Ewart moved a resolution in the House of Commons asking that the mode of selecting Select Committees should be changed, and that the number of their members should be reduced. This proposal led to a discussion, during which much was said which is very pertinent to the point we had under consideration. Sir George Lewis, whose authority in matters of this kind would appear to be entirely unquestioned—at all events it was so in this instance,—after stating what the practice with regard to Private Bills, and concerning the Committees to which Private Bills were referred, had been, went on to say: “The hon. gentleman had asked why that system which worked so well with regard to Private Bills Committees, was not extended to Public Bills Committees, and the answer was that the two cases were wholly dissimilar. The business before Public Committees

Mr. SPEAKER.

was conducted entirely by members themselves, who had to call and examine witnesses, sift their evidence, and in short perform all the functions counsel performed before Private Bill Committees. If, therefore, Public Bill Committees consisted wholly of impartial men, their investigations would be most unsatisfactory; strong partisans on each side were knowingly and advisedly chosen, in order that the truth might be elicited by the conflict of opposite, and, it might be, interested opinions. Indeed, in the formation of such Committees, the avowed object often was to have different interests represented; and the complaint was sometimes made that a Committee was unfairly constituted, precisely because conflicting interests were not represented in it. It was also frequently alleged that Scotch and Irish members were excluded. The practice further was to have some members of the Government and some leading members of the Opposition on every important Committee, a usage in favour of which obviously a great deal might be said." I find that subsequently, when it was proposed to appoint a Committee—indeed a Committee had been appointed, and it was proposed to add a member to it—to take into consideration the whole question relating to matters affected by the Ecclesiastical Titles Bill, it was moved that Mr. McElvoy be one of the members of the Committee. Objection was then taken to referring a question of that kind to a Committee, and Mr. Chichester Fortescue and other gentlemen took the ground which was taken last night by the hon. member for Chateauguay,—that, in a question of that kind, the Government should form its own policy, and act on it, and not endeavour to screen itself under the action of a Committee of the House. I also find here, that Mr. Vance condemned the proposed Committee as unfairly consisting of ten who were favourable to the object in view, and of five who were against it, instead of eight on the one side, and seven on the other, the usual proportion. This was stated as a matter of fact in the House of Commons, and it was received as a statement of fact, which was not disputed, showing that

the practice there was to name a Committee of fifteen for the consideration of all subjects of this kind, eight on the one side, the members of the Government being favourable, I presume, to the measure, and seven on the other side. I find that in an unpublished edition of Mr. Todd's work, this question is enlarged upon; and I requested him to copy his views on the subject, as they are contained in this work, which I hope will be some day or other published; and in this he says: "Public Committees are usually appointed either at the suggestion or with the direct approval of the Government, and are composed of a fair proportion of leading men on both sides of the House, including members of existing and of former Administrations, in order that, as a general rule, the balance of parties may be maintained and the feeling of the House represented thereon. Men should be selected to serve on public Committees, who from their abilities or experience, or the special interests they represent, are become qualified for such service. Strong partisans on each side are knowingly and advisedly chosen"—here he quotes the words of Sir George Lewis—"in order that the truth might be elicited from conflicting or opposite, and it might be, interested opinions. If such Committees consisted wholly of independent men, their investigations would be most unsatisfactory." It is evident from all this that, if we had not the rule in question among our rules, it would have been my duty last evening to decide differently; and yet I cannot, on looking more carefully at the Rule, perceive that it was open to me to rule in any other way than I did. The matter referred to the Committee, I am still of opinion, included as well the prayer of the petition as allegations of fact contained in the petition. It is open to the Committee to express an opinion as to the expediency or in expediency of imposing a duty on coal, or granting a bounty on coal. Under all these circumstances, I am satisfied that my ruling last night was correct, and I am equally satisfied that the rule, as it stands, is inconsistent with free parliamentary action in matters of this kind.

Mr. MACKENZIE asked whether the ruling referred to the amendment.

Mr. SPEAKER: I am speaking entirely about the point raised last night by the hon. member for North Hastings (Mr. Bowell). The amendment puts the question in an entirely different shape; and perhaps the ruling is of little consequence one way or the other, as it is not the intention of the Government to accede to the points contained in the motion, or what they seem at all events to be. Still, as there was much difference of opinion on the subject, and as it was new to me, I felt that it was my duty to look into the question and to put the result of my enquiries before the House.

Mr. CAUCHON asked whether the ruling referred to private as well as to public measures.

Mr. HOLTON: I venture to think that the rule in question is a very useful rule if properly applied. For instance, if the House passes the second reading of a Bill approving the principle thereof, it is obviously right and proper that a Special Committee, appointed to consider its details, should be completely composed of friends of the measure. In like manner, if the House frames anything in the shape of a resolution, and appoints a Committee to consider any details arising out of it, this Committee, after such an affirmation of a principle, should be composed of friends of it, who may be supposed to be the majority of the House; but a Committee of enquiry or investigation, to which any matter of public policy is referred, obviously ought to include friends and opponents of the proposition. This distinction I would draw in my own mind, and therefore I thought the point raised by the hon. member for North Hastings last night did not touch the essence of the matter at all. I formed a different opinion, and I considered that, if the Committee were ordered, then the technical objection of the hon. member from North Hastings was not applicable. It would not do to abridge the freedom of enquiry which the House may choose to order.

Mr. SPEAKER said this was his own view of the matter long before he pronounced his decision.

Mr. MACKENZIE.

Mr. HOLTON said that Private Bills were considered judicially in Committee.

Mr. BLANCHET said he feared if such Committees were composed of opponents and friends of the question under consideration, the object in view would be defeated in a great many cases. Some years ago, a member of the House had asked for the appointment of a Committee particularly to investigate the expediency of having a law passed in favour of compulsory vaccination; and he was so unfortunate as to place on the Committee medical gentlemen who were opposed to that principle. They absented themselves from its meetings, and it was impossible for the mover, who was actuated by philanthropic motives, to bring in a report. The hon. member for Chateauguay (Mr. Holton) would also recollect that a few years ago, the late member for Gaspé (Mr. Fortin) proposed the formation of a Committee regarding the improvement of navigation and the fisheries. The mover placed on his Committee hon. members who were opposed to his views, and his object was entirely defeated. He thought it would be well if an absolute rule on this subject was not maintained, lest it might in a great many cases occasion serious difficulty.

Mr. BLAKE said he could readily understand the duty of laying down a rule, but he did not understand the necessity for ordering that rule to be placed on their journals. When some principle, some *projet de loi* or something of that kind, the details of which it was desirable to carefully talk over and bring into shape, was in question, he could understand why an hon. member should decline to put on the Committee persons whose views were entirely hostile to the principle, or *projet de loi*, because these persons might be obstructive and have an object in not perfecting the matter under consideration. But to appoint six men who had already declared themselves to be favourable to any subject, into the expediency of which it was desirable to enquire, to take it under consideration, was absurd; and it would be carrying the farce—for such it would be—still further if these members of the

Committee called witnesses to establish what in their own predetermined opinion was right. The only safe way under such circumstances would be to appoint two Committees, one wholly composed of persons favourable to the measure, and the other wholly composed of its opponents; still this would be a very cumbersome method. The authorities which the Speaker had cited only reduced to language the common sense of the matter. It was clear that such enquiries should be conducted by Committees on which persons of different views were placed; therefore, while he agreed with the general proposition of the hon. member from Bellechasse, he was not disposed to agree in the view that subjects of enquiry should be submitted to one-sided Committees.

Mr. BOWELL said, in raising the point he did, he had taken the literal meaning of the rule, and, notwithstanding the objection taken by the hon. Minister of Justice last night—who had denounced everyone holding his (Mr. Bowell's) view as lacking in common sense—he was gratified that one of the highest Parliamentary authorities in the Dominion acquiesced in his reading of the rule. The objections taken to it by the hon. member for Chateauguay and the reasons just given by the hon. the Minister of Justice, were no doubt well founded, but Mr. Speaker had to decide according to the meaning of the rule as it stood on the Rules of the House. It was clear that a Select Committee could be selected from parties holding views in accord and in unison with the subject to be referred to them and that the report was a foregone conclusion, but was it not equally true that a Government, who made an apparent concession to a supporter by allowing a Committee to be appointed to carry out a whim or idea, could so form and constitute that Committee as to make it sure to report in accord with the wishes of the Government. The whole argument only showed that the rule should be amended so that on reading it would mean what the precedent read by Mr. Speaker intended to mean.

Mr. MACKENZIE said it was quite evident that the rule must be amended, and he would take an early opportunity of attaining that result.

## MR. JUSTICE LORANGER.

### MOTION TO REFER PETITION.

Mr. BLANCHET moved for copies of the Petition of J. B. Brousseau, Esquire, of the town of Sorel, dated 26th February, 1876, in relation to Mr. Justice Loranger; also that the said Petition be then referred to the Committee appointed by this House to enquire into the charges preferred against the hon. Judge.

Mr. BLAKE said he could not consent at this moment to the latter part of the motion. There was no objection to the motion passing for the petition to be brought down, which he would take care was done at once. He suggested that the latter part be struck out.

Motion, as amended, *agreed to*.

## SELECT STANDING COMMITTEES.

### MOTION TO SUBSTITUTE.

Mr. BLANCHET moved:

“That the name of Mr. Roy be substituted for that of Mr. Langevin on the Select Standing Committees on Public Accounts, and Railways, Canals and Telegraph Lines.”

Mr. MACKENZIE said he had only this objection, that an hon. member from British Columbia had called attention to the fact that there was no member from that Province on the Public Accounts Committee, and he proposed to put Mr. Thompson in the place of Mr. Langevin, in order that British Columbia might be represented. This was one of the most important Committees, and it was not usual to appoint an entirely new member of the House to it.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, that Mr. Roy be added to the Select Standing Committee on Railways, Canals and Telegraph Lines; and Mr. Thompson (Cariboo) to that on Public Accounts.

## GEOLOGICAL SURVEY BRANCH.

### CONSIDERED IN COMMITTEE.

Mr. MILLS moved:

“That the House do forthwith resolve itself into Committee of the Whole, to consider the following resolutions:—

1st. That it is expedient to provide that the salaries or remuneration of the Director of the Geological Survey and his Assistants

be determined by the Governor in Council, subject to the approval of Parliament.

2nd. That it is expedient to provide that the Director and persons appointed to permanent positions in the Geological Survey Branch of the Department of the Interior, shall be considered as being within the provisions of the Act 33 Victoria, Chapter Four, to provide for the superannuation of persons employed in the Civil Service in certain cases."

*Motion agreed to.*

(In the Committee.)

Resolution ordered to be reported.

House resumed.

Resolution reported, read the second time and agreed to, and referred to Committee of the Whole on Bill No. 18.

## TRANSFER OF THE TRURO AND PICTOU BRANCH RAILWAY.

### MOTION TO REFER RESOLUTIONS.

Mr. MACKENZIE moved:

"That on Tuesday next the House will resolve itself into Committee of the Whole to consider the following resolutions:—

"That it is expedient to authorize the Governor in Council to make arrangements for carrying out the transfer of the Truro and Pictou Branch of the Intercolonial Railway in pursuance of negotiations entered into with the Government of Nova Scotia, and the Halifax and Cape Breton Railway and Coal Company under the resolution passed by this House on the 19th May, 1874; and for that purpose to provide:—

1. That the said Branch Railway, with sufficient land for the purposes thereof, and the Stations and buildings thereon, but without rolling stock, may be transferred absolutely to the person or Company constructing a line of Railway from New Glasgow to the Strait of Canso, and providing sufficient rolling stock and appurtenances for the same, and a proper Steam Ferry across the said Strait, the whole to the satisfaction of the Minister of Public Works.

2. That temporary possession of the said Branch Railway may be given to the person or Company with whom the Nova Scotia Government shall have contracted for the construction of the said extension to the said Strait, and the establishment of the said Steam Ferry, as soon as such person or Company shall have expended not less than \$400,000 on the work to the satisfaction of the said Minister of Public Works; subject to immediate resumption of the said Branch Railway by the Government of Canada and repayment of the net earnings thereof, in case of failure to fulfil the conditions aforesaid, by such person or Company, who shall give proper security for the fulfilment thereof and for the payment of all damages resulting from such failure, to the satisfaction of the Minister; such failure also operating the

Mr. MILLS.

avoidance of any arrangement for the absolute transfer of the said Branch Railway."

*Motion agreed to.*

## INSOLVENT ACT AMENDMENT BILL.

### FIRST READING.

Mr. BLAKE introduced a Bill (No. 60) To amend the Insolvent Act of 1875 and the Act in amendment thereof.

*Bill read the first time.*

## CRIMINAL LAWS EXTENSION BILL. [BILL No. 23.]

(Mr. Blake)

### THIRD READING.

House resolved itself into Committee of the Whole on Bill (No. 23) To extend to the Province of Prince Edward Island certain Criminal Laws now in force in other Provinces of the Dominion.

(In the Committee.)

Mr. DAVIES said he understood that prospective cost of the jail in Prince Edward Island would be defrayed by the Government until the Reformatory at Dorchester was erected. He thought the island was also entitled to retrospective costs since the date of Confederation. While on this subject, he would take occasion to say that he did not agree with his hon. friend from Queen's that it was necessary to have a local Reformatory at Prince Edward Island. Such institutions were very expensive, as was proved in the case of Manitoba, and that in course of erection at Dorchester by the Government would meet all the requirements.

*Bill ordered to be reported.*

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

## LARCENY ACT AMENDMENT BILL.—[BILL No. 24.]

(Mr. Blake.)

### THIRD READING.

House resolved itself into Committee of the Whole on Bill (No. 24) To amend the Act respecting Larceny and similar offences.

(In the Committee.)

Mr. BLAKE moved in amendment :

"That in the 3rd clause, 4th section, the word 'three' be substituted by 'seven,' so as to authorize the maximum imprisonment being seven years for simple larceny."

Amendment agreed to.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendment read the second time and concurred in.

Bill read the third time and passed.

### OFFENCES AGAINST THE PERSON ACT AMENDMENT BILL.

[BILL No. 27.]

(Mr. Blake.)

THIRD READING.

House resolved itself into Committee of the Whole on Bill (No. 27) To amend the Act respecting offences against the person.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time, and passed.

### SALARIES OF JUDGES READJUSTMENT ACT AMENDMENT BILL.—[BILL No. 50.]

(Mr. Blake.)

SECOND READING.

Bill read the second time.

### GEOLOGICAL SURVEY AND MUSEUM BILL.—[BILL No. 18.]

(Mr. Mills.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole on Bill (No. 18) To make better provision respecting the Geological and Natural History Survey of Canada, and for the maintenance of the Museum in connection therewith,

Bill ordered to be reported, with an amendment.

House resumed.

Bill reported.

### WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Mr. CARTWRIGHT moved the second reading of Resolution 1, reported from Committee of Ways and Means on Tuesday, 20th February.

Sir JOHN A. MACDONALD: Mr. Speaker, this resolution and all the other tariff resolutions which are before the House, are, it must be remembered, a temporary measure to meet a temporary exigency, to meet a temporary deficiency which is stated by the Government to exist. It therefore does not of necessity embrace in it the larger question which is before the country, and which, as we all know, is before the House. of the general financial position of the country. But it seems to me that, as the debate cannot be kept within the strict limits of the resolution, it will, under the circumstances, be on the whole more satisfactory to this House and to the country if the present be accepted as a fitting opportunity for a full discussion of the financial question on its general merits. I know this question engaged the attention of the Government, not only last Session, but during the whole of the summer, and also to a great extent the attention of the whole people of the Dominion. It is my intention or the intention of some other hon. gentleman to move at an early day a resolution which will affirm the general opinion on this side of the House as to the proper policy to be pursued for the benefit of the country with respect to the revenue and with respect to the general financial policy of the Government and of the Dominion. I propose to move an amendment to this first resolution now before the House, but in its terms it will apply to all the other resolutions as well. The alterations to the tariff which are submitted to the House for the consideration of the House in Committee have, as I anticipated, created a great deal of dissatisfaction throughout the country. I believe that not only is there a great deal of dissatisfaction among those interests which are particularly and specially affected by the various items, but that throughout the whole country there is a feeling of general despondency, that

the measure does not hold out some hope to the struggling industries of Canada. It seems to me that the Government have lost a good opportunity. There is a general feeling of depression in the country, as is admitted by the hon. the Minister of Finance. There is a feeling of want of confidence, and, instead of decreasing, it is expanding and widening. A word of encouragement, or a step in the way of protecting, developing or sustaining our struggling industries at the present time, would have a magical effect in arousing the sympathies of the people. Had the Government taken but one single step in assisting but one single industry, it would have had a salutary effect. It would have redounded to their credit, and have greatly raised them in the estimation of the country, while at the same time it would, perhaps, in some degree have reconciled the people and the various industries to a suspension of their hopes for protection for another Session. Instead, however, of the alterations in the tariff assisting any industry, instead of their holding out a hope to any class whatever, if they have had any effect at all, it has been against some industry. It has had the effect of attacking some of our industries, and of increasing the depression which is so widely prevalent in the country. The hon. the Minister of Finance has lost a good opportunity to accomplish at the same time two objects, viz.: meeting a deficiency, if necessary, by increased taxation and so adjusting the taxation that it might incidentally be of some service to some interest, to some class, industry or manufacture. Instead of that, however, the Government have told the House that they had adopted what might be called, "the fly on the wheel" policy—that they had no interest in it as it were, further than to raise the necessary amount of revenue in the easiest way, the most comfortable way to themselves, without regarding either the convenience, the interest, the comfort, or the good of the country. I had hoped better things from the hon. gentlemen opposite. Although the House knew that the proclivities, or rather principles, of some of the hon.

gentlemen were free-trade, yet some encouragement was held out in occasional utterances of my hon. friend the Premier. Although he is a Free-trader and has announced it in the strongest language, yet, both in this House and out of it, he has stated that it is not possible to introduce a free trade policy to the full extent, any more than it would be possible to introduce a policy of protection to the extent demanded by its advocates. I had hoped that, as the hon. gentleman holds such an opinion, which agrees very much with my own, some attempt would have been made to steer a middle course; that, while not abandoning the principles of free trade, but admitting that the case of this country was exceptional and that free trade in the abstract could not be carried out satisfactorily to the fullest extent, the Government would have shown a disposition to aid the impoverished national industries in the scheme of taxation which they brought down. But if that scheme had been drawn by the most rabid Free-trader, the most fanatical admirer of what Carlyle called the "Dismal Science," it could not have been more strictly in accordance with the most fanatic prejudices of the most advanced Free-trader. Look at the tariff they propose. Look at the first resolution. Here is a tax on malt of 100 per cent.—a Canadian industry which is based upon the use of a Canadian agricultural product—having some claim, one would think, to the sympathy of my hon. friend at the head of the Government, and not only the head of the Government and the distinguished leader of a great party, but the representative of an agricultural constituency. One would suppose that, occupying the honourable position which the hon. the Premier does, the millers and brewers are concerned, and with the farmers so far as regards malt. The duty on malt is 100 per cent—72 cents on a bushel of malt, which is equal to a bushel of barley. It seems to me that this duty recommends itself to no interest and to no party. My hon. friend the member for West Middlesex will see that there

is in it a discouragement of the use of the produce of malt, of the use of ale, and that there is a heavier duty proportionately put on it than there is on whiskey and other ardent spirits. Even the most enthusiastic teetotaler would say that if there must be anything having alcohol in it, if we could not have light wines entirely, beer was the most wholesome and the least noxious of all the beverages which are considered by teetotalers as being altogether injurious. This impost is a direct tax against a wholesome beverage and one which is not so obnoxious in the eyes of a total abstainer as whiskey. As to the duty on ale, I have no doubt that the Minister of Finance has heard a good deal on that subject from the brewers; and he will hear a great deal more in this regard, I fancy, before this proposition becomes law. I am told, Sir, that the duty on ale in this country is now seventy per cent. higher than in any other country in the world. I am told that the duty on spirits in England is 17s. 6d. sterling, or \$4.38 per gallon, while on ale the duty in England is about the same figure as it is in the United States, which is one hundred cents in greenbacks, or eighty cents a gallon less than the duty in Canada. But here, we have an excessive, disproportionate duty imposed, in comparison with the duty on ardent spirits. This tax, therefore, has no merits whatever. It is a tax on the consumer, and is certainly of no benefit or advantage to any interest in this country. Then, look at the duty on tea. Surely, in the adjustment of the tariff, the hon. gentleman opposite might have found some other subject for taxation which would not have put so excessive a tax on a beverage which is almost a necessary of life in the greater portion of the Dominion of Canada. Its friends know that is "the cup that cheers and not inebriates," and the use of tea has been found to be the best antidote to the excessive use of ardent spirits that has yet been discovered. Yet here we have a specific duty of two cents placed on tea, in addition to the duty already imposed on it, making five cents per pound on this article. Surely the hon. gentleman opposite could have found something else upon which he could

have levied taxation. He had the whole range of subjects open to taxation before him, and yet he has deliberately chosen out of this number a harmless beverage, a useful beverage, to impose an extra duty on tea, which is and a necessary of life, and he has imposed it in the most obnoxious possible way. We have a specific duty upon tea of five cents per pound, the same duty is levied on the twenty-five cents per pound tea of the poor man, and on the hundred cents per pound tea of the rich man. This is a direct discouragement to the use of this article, and it is an unequal amount of taxation. If this tax had been imposed *ad valorem*, according to value, they would have had two advantages in favour of this course; in the first place, this would only be doing justice to the masses who used cheap tea, and it would have made the rich man, who likes the aroma of the finer brand, the Gunpowder, the Imperial, the flavored Pekoe, and the other fancy grades, to pay proportionately for the enjoyment of this luxury; and while it would have had this effect it would also have had this other effect—it would, to a great extent, if not altogether, have remedied the injustice that was perpetrated—if I may use the expression—when the ten per cent discriminatory duty was taken off the tea some years ago, because as the *ad valorem* duty is reckoned according to value at the place of export, it would have, in part, if not altogether, removed the injustice which I have mentioned, and restored in a great degree our direct trade with China. As to the other subjects of taxation contained in the resolutions I shall say nothing. Not being a commercial man—of course I do not profess to be an adept in these matters—I shall leave the different details of the tariff to be discussed by other and more competent persons, and I have no doubt they will supply any deficiency in that respect in my argument. As I understand it, these duties are proposed to provide for the loss caused by the reduction of duty on petroleum to the amount of \$400,000. Now, it seems to me that these hon. gentlemen who desire to be so economical, and who feel the necessity in times of depres-

sion to apply the pruning knife, might have applied it a little more than they have done to the expenditure connected with the ordinary administration of civil affairs. I believe, Mr. Speaker, that the affairs of this country were as efficiently administered in 1872-3, and in 1873-4, as they are to-day; I do not say that the Administration was at that time more efficient, but I think that it was as efficient as now; and I also think that in the present depressed state of affairs, while we have the deficiency mentioned to meet, these hon. gentlemen might well have placed the pruning knife to the expenses connected with the ordinary administration of the Government to a greater extent than they have done. And, if this step had been taken, and if these hon. gentlemen, in addition to such an economical process, had assisted, by the imposition of a duty, some one—if only one—of the industries of this country, I think that this House and the country would have been infinitely better satisfied than they are at present. I would be very sorry, Mr. Speaker, for the reasons which I have given, to see any of the great enterprises which are chargeable to capital, and which the House and the country have sanctioned, stopped. There is no necessity for any such stoppage of these works; and such a step would only have the effect of increasing the depression which at present unhappily exists, of throwing more people out of employment, and of adding in every way to the gloom which is spreading over the country. If the hon. gentleman had applied his ingenuity to the subject, and had closely scanned the expenses of the ordinary administration of affairs, he might have made in this regard a considerable reduction, and also, by means of a proper readjustment of the tariff, have removed to a considerable extent the feeling of distress which exists in the country. I must say, I must confess, that the policy presented to the House does not at all meet the wishes of the country, because there is a great disappointment, as I said when I commenced my first remarks, spread throughout the country in this regard; and not only is this the fact

Sir JOHN A. MACDONALD.

with respect to these comparatively unimportant changes, but there is also a deep disappointment felt in all the great industries of which I have spoken, owing to the circumstance that there has not been a complete and thorough and scientific re-adjustment of the tariff, such as would assist them in their development, foster them in their growth, and resuscitate them from the present sad condition into which they have either sunk or are fast sinking. If, Mr. Speaker, we were desirous of a party triumph, we might be glad and rejoice at the course which has been adopted by the hon. gentlemen opposite. The Government are playing the game of the Opposition in the country, and strengthening the hands of the Opposition throughout all parts of this Dominion and, although we might rejoice on this account as party men, we must as patriots and as Canadians regret the fact that the Government have not come forward to the aid of our struggling industries. I hoped that my hon. friend who is at the head of the Administration would have laid aside all private opinions, and have risen superior to them, owing to the existing condition of the country. I know perfectly well, although the hon. gentleman is not called upon to confess it in the House, that his desk is loaded with letters of discontent, remonstrance and prayer. I would like the hon. the Minister of Finance to give us a little memorandum of the number of communications which he has received from all parts of the country from persons engaged in all these interests, not alone those which are taxed, but also from those who are engaged in trade and in manufactures, protesting against the insufficient and unscientific alteration of the tariff which has been presented to us; and still more against the omission of the Government to deal with the whole subject in a scientific way for the relief of the whole country.

Mr. MACKENZIE: I have no objection to let the hon. gentleman see mine.

Sir JOHN A. MACDONALD: My hon. friend will hide the names if he does. I will move, seconded by Mr. Tupper:

"That the said resolution be not now read a second time, but that it be resolved, that this House regrets that the financial policy submitted by the Government increases the burthen of taxation on the people, without any compensating advantage to Canadian industries; and further, that this House is of opinion that the deficiency in the Revenue should be met by a diminution of expenditure, aided by such a readjustment of the Tariff as will benefit and foster the agricultural, mining and manufacturing interests of the Dominion."

Mr. MACKENZIE: Mr. Speaker, before the motion is put to the House, I beg to make a very few remarks. The hon. member for Kingston has not, in the few remarks which he has been good enough to address to the House, ventured very far upon the ice in this matter. The hon. gentleman has, no doubt, some fear that if he ventures far from land he must certainly break through; the hon. gentleman has, however, my earnest and warm sympathy. I always sympathize deeply with any gentleman who is pledged from party considerations to advocate a policy he has no faith in. I know, Sir, that it may please the hon. gentleman, and temporarily tickle some of his followers, to tell the House and the country that the Government is playing the game of the Opposition, but they would be playing into the hands of the Opposition without doubt, if they should venture, at such a time as this, upon a reconstruction of the tariff, when there is universal depression in the world, making prices and markets altogether abnormal. My hon. friend, however, has stated very correctly the position I have taken; that is, that we have not really the questions of protection and free trade as political principles of action to define or to expose in this country, and he was good enough to say that this policy, which I defined as my own, was also the policy which he had adhered to, if he had any policy on this subject. Now, Sir, I have heard many speeches from that hon. gentleman in former times as to the very question under consideration, and I am bound to say that they have always been consistently free trade or revenue tariff speeches; and I am glad to find that to-day, after all that we have heard about the adoption of a firm protectionist policy, the hon. gen-

tleman adheres to his old policy. But, Sir, he ventures to say that it is a matter of universal regret that we have not done something to foster the struggling industries, and that we have done nothing to promote the prosperity of all branches of manufactures. I did venture to hope, Sir, that the hon. gentleman would favour us with some particulars, and, as he has had such lots of letters himself that he anticipates that we have had a vast correspondence on this subject, I hoped he would be able to present to the House some view of the particular industries to which he refers, as those which required to be fostered by the Government and the community; but, Sir, a very slight consideration of the general laws of trade and commerce must satisfy the House and the country that if any trade is to be fostered it must be fostered at the expense of some other trade or party. It must be quite clear, Sir, that we cannot make money out of air; the mere passage of an Act of Parliament will never establish any trade, and will never foster any industry unless it be to change from one pocket to another the proceeds of the industries of the country. It may be quite possible,--- nay, it is possible, and has been done, and it is one of the very worst features of the principles of protection,—that one class of people is made to pay for the prosperity of another class of people. I have no objection to the principle of protection *per se*, that is, if you can make everybody wealthy without making any person poor; if that is the principle of protection, I am quite in favour of it, if the plan by which it is to be achieved can be shown. And the hon. gentleman must be aware that the moving of a negative resolution of this kind is no way to bring out the grand principles of action upon which he is going to found—I was about to say his new, but no, Sir, I will say the resurrected policy that he is now about to commit himself to. There is no policy more consistent with what we usually call the Dark Ages of the world than that of protection as a principle. There is no principle more consonant with the advance of human freedom; there is no principle more in accordance with

the great prosperity that prevails in our time—the great intelligence that prevails in every country of the world—than that absolute freedom of commerce which I advance as the right principle, where it can be obtained or achieved, and if we are not able on this continent, in British America, to carry this principle into active operation, it is because of our geographical position, and because of circumstances over which we have no control. That geographical position and those actual circumstances are such as to compel us to the adoption of a policy which can neither be characterized by the name of Free Trade nor Protection. But, Sir, there is one thing tolerably clear, that the policy which the hon. gentleman has to raise the country in time of depression is one which cannot possibly be sustained by argument. He says that our manufacturing industries are suffering. Well, if our manufacturing industries are suffering, the people who maintain those manufacturing industries must be suffering. The workingman must be suffering, and, if the workingman is suffering, is it the way to relieve his suffering to make everything he purchases dearer than it is now? I declare, Sir, that there is no worse oppression of the workingman than the manufacturing or the political autocrat who would usurp all political power within a limited circle, and would restrict that freedom of motion and action which is the necessary result of perfect freedom of commercial intercourse. The hon. gentleman may tell us that, if the manufacturers are prosperous, the workingmen would be prosperous. What are the facts? We find that, in 1860, when the policy of protection, advocated long by the Whig party of the United States, was adopted in its extremity by the Republican party then emerging into political life, the wages of the workingman in the United States were much less than in 1872 and 1873, just before the commencement of the present commercial depression. But, while his wages have advanced by 60 per cent., the price of all the commodities which he may have to consume, all his expenses have risen by 92 per cent., so that the work-

Mr. MACKENZIE.

ingman in the United States is 32 per cent. on wages worse off than he was before the adoption of protection to their manufacturing industries. Sir, it would be the worst day that ever dawned upon the workingman of this country if the policy that the hon. gentleman and his friends seem to rather shadow forth than boldly advocate became the avowed and settled policy of the nation. If we are to prosper, we must prosper first by being able to produce more at less cost; and next, by the policy of saving, spending less than we earn, and thus adding to the accumulated savings, and also to the accumulated capital of the country. That is the true policy, and our policy at the present time is to avoid as far as possible placing a burden of taxation upon the people, and to endeavour to make everything as cheap as the state of the revenue will permit.

Mr. TUPPER: Tea, for instance.

Mr. MACKENZIE: The hon. gentleman says tea. The price of tea will not be sensibly increased by the tax imposed on it. Besides, Sir, the tax we impose upon tea is one that can easily be removed whenever we can afford it without disturbing the state of trade in the country. But the hon. gentleman objects to the tax on tea today, while last night he urged a tax on fuel. He would not, on any account, tax the tea that goes into the tea-pot, but he would tax the coal that boils the tea-pot. He is determined, at all hazards, to tax the loaf that goes with it. His forefathers and mine, I dare say, did without much tea, but they were never able to do without much bread. The hon. gentleman would tax—

An HON. MEMBER: Oatmeal.

Mr. MACKENZIE: An hon. gentleman behind me suggests oatmeal. Well perhaps so; but mark the extraordinary fallacies into which the hon. gentlemen have fallen. They object to tax what is undoubtedly a commodity necessary to life, but after all a luxury of life; but they insist upon taxing that which no man can do without—the article of bread. There is no bound, Sir, to the extravagant absurdities into which the hon. gentlemen

have fallen when they advocate such a policy as the hon. gentleman only hints at after all. But I need not waste much time in exposing those fallacies; I may take another opportunity of doing so. I have merely called attention, therefore, to the two or three points the hon. gentlemen mentioned. I had thought he would make some argument or show some reason why the policy the Government propounded should not be accepted or received by this House. He has shown no such reasons. He says—and I agree with him—that it ought to be the policy of the Government to limit expenditures as much as possible. We have endeavoured to do that. But it is exactly two weeks ago since the hon. gentleman, from the same seat, denounces the Government because we proposed to limit the expenses that could be avoided. In one breath he denounced the Government because we propose as far as possible to limit the present expenditure of money, and in the next because we do not limit it more. Well, the hon. gentleman is ill to satisfy, and I can only say that I am exceedingly desirous to obtain his views as to the precise points where the further saving is to be made. If he will particularize on this point, and give his views where the expenditure can be cut, I will be glad to give them favourable consideration; but, in the meantime, if there is to be no further argument advanced in favour of the amendment he has moved, I do not think it will trouble the House much to vote down the amendment submitted for their consideration.

Mr. ROCHESTER said he had a few words to say with reference to the increased duty on malt. On looking at the blue-book, he found that during the past year we used 1,441,000 bushels of malt, and that of this amount 281,000 bushels were imported. There were about 68,000 bushels used in the distillation of whiskey, which was about one-twelfth of what was used in the brewing of beer. He thought the hon. the Finance Minister might have found some other article besides malt by which to raise the extra revenue required, for it seemed out of all proportion that a bushel of barley, weighing 48 pounds, and valued at 45 to 50

cents, should have to pay a duty of 72 cents. Even the teetotallers of the Dominion did not recognise the wisdom of the additional impost, for they were aware that its effect would be to advance the consumption of whiskey. In European countries, legislators were rather inclined to take off burdens on malt on the ground that beer was less obnoxious than whiskey; but the hon. the Finance Minister seemed to take an entirely opposite view of this important question. Besides, the distillation of whiskey involved the consumption of a quantity of coarse grain, which was mainly imported from the other side. Now, if there was a duty upon corn, the country would derive some benefit, and there was no reason why it should be admitted duty free when barley was taxed so heavily. The hon. the Premier had alluded to what he called the "dark ages" of protection. He was surprised to hear that remark made. He did not look upon the Americans as a benighted people. From 1861 up to the present, the Americans had been carrying on their Government under a protective tariff. During that time they experienced an internal war of immense magnitude; but, notwithstanding the disasters that had come upon them, let the House compare their position with ours. They were far ahead of Canada, and no country on the earth could be pointed to as having made more rapid strides than the United States during the past fifteen years. That was all owing to the fact that they had had the shrewdness and common sense to adopt a protective policy. They would tell Canadians in conversation that they would like a Reciprocity Treaty, but that it was impossible to try and consummate such a treaty. Such being the case, why did not Canada try and protect herself? Four millions of people could not compete with 40,000,000, especially when the latter had the benefit of protection. It was not to be wondered at that we were experiencing hard times under the present fiscal policy of the Government. He supposed that, notwithstanding this fact, they would hear hon. gentlemen opposite say, as they had heard the Premier say, that Cana-

da did not require protection. Some would say that what he proposed was a retaliatory policy.

Mr. MACKENZIE: The hon. gentleman looks very flourishing.

Mr. ROCHESTER said he was much obliged for the compliment. Twelve months ago he had brought up the subject of a duty on lumber. We manufactured lumber and sent it to the United States, but it was under a great disadvantage. The Americans placed \$2 on a thousand feet, while we admitted American lumber free. This was a great injustice, and he hoped the Government would this year propose some remedy to place the Canadian lumber merchant at least on a footing with the American merchant. He was one of those who believed what was sauce for the goose was sauce for the gander; if protection was good for the United States, retaliation should be good for us. There was a great deal of difference between theory and practice, and the Americans had been practising protection for the last fifteen years and had found it successful, although they were a little under the cloud now, but not so much as Canada was.

Mr. COOK: Will the hon. gentleman explain how he proposes to deal with the lumber question in connection with protection?

Mr. MACKENZIE: By a bounty?

Mr. ROCHESTER said that, as far as he could learn, the Prohibitionists were of the opinion that the change proposed by the Finance Minister in the duty on malt was injurious to the temperance cause. From the revenue returns, it appeared that in 1874 there were manufactured 3,503,365 gallons of spirits, and in 1875, 3,977,221 gallons. Of beer made from sugar and not malt, there were in 1874, \$25,570 worth, in 1875, \$29,976 worth, and in 1876, \$14,188 worth. Of beer made from malt there was made, in the year 1874, \$354,765 worth; in 1875, \$351,386; and in 1876, \$327,709 worth. He did not wonder at such a decrease, when there was such a heavy tax upon malt. The tax was almost prohibitory.

Mr. ROCHESTER.

The brewery business was a lawful one and was recognized and licensed by the Government, and it ought to receive Government protection. A great deal of the difficulty which the brewers had to contend against was owing to the course pursued by the deputy-head of the Department of Inland Revenue. That officer did all he could to harass the brewers, and tried to injure their trade as much as possible. And the brewers durst not protest against the despotic conduct of the deputy-head, for, if they did, they would be hunted out of the country.

Mr. SPEAKER said the hon. gentleman had wandered from the question under discussion.

Mr. ROCHESTER apologised for having done so. He said last year there was a tax of 36 cents on a bushel of 36 lb. of malt, but now the rate was 72 cents. As the law stood at 36 cents it was inoperative, and he ventured to say that there was not a maltster in the Dominion but was liable to be fined for violation of the law. He said this distinctly and was prepared to prove it. It was impossible for maltsters to act up to the Excise Law. The Excise Law passed last Session was not in force, it being done away with by Orders in Council. So that hon. gentlemen sent to the House might just as well stop at home, so far as the Excise Department was concerned, and allow the deputy-head of the Department to make the laws.

Mr. SPEAKER called the hon. member to order.

Mr. ROCHESTER said he would have been glad could the Finance Minister have seen his way clear to put a little more on whiskey, instead of increasing the duty on malt 100 per cent. If the Finance Minister wished to make up this tax on malt, he could have put the difference on whiskey, and then there would have been quite a margin left between the duties in the United States and in Canada—large enough to prevent smuggling, which was really all the Finance Minister need care for. The Finance Minister would agree with him, and so would every hon. member of the House, that there were considerably less injurious properties in beer

than in whiskey. Therefore it was wrong in principle to foster the trade in whiskey by increasing 100 per cent. the duty on beer. The Finance Minister ought to have advised with his friends, as he was neither a professional man nor a mercantile man, in order to discover if the tariff which he proposed would be for the benefit of the country or not.

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

### After Recess.

#### PRIVATE AND LOCAL BILLS.

##### SECOND READINGS.

The following Bills were severally read the second time :—

Bill (No. 42) To authorize the Town of Kincardine, in the County of Bruce, to impose and collect certain Tolls at the Harbour in the said Town.—(Mr. Gillies.)

Bill (No. 43) To authorize the Union Forwarding and Railway Company to reduce its paid up capital.—(Mr. Currier.)

Bill (No. 44) To amend the Act to incorporate the Bridge Company of Rivière du Loup in the County of Maskinongé.—(Mr. Boyer.)

Bill (No. 45) To incorporate the St. Lawrence and Pacific Railway Ferry Company.—(Mr. Jetté.)

Bill (No. 46) To incorporate the Union Cable Company.—(Mr. Jetté.)

Bill (No. 48) To grant additional powers to the Albert Railway Company.—(Mr. Domville.)

Bill (No. 51) To extend the powers of the Montreal Loan and Mortgage Company.—(Mr. Devlin.)

Bill (No. 52) Further to amend the Act to incorporate the Canada Mutual Marine Insurance Company.—(Mr. Domville.)

Bill (No. 57) To authorize the Royal Canadian Insurance Company to reduce its Capital Stock and for other purposes.—(Mr. Jetté.)

Bill (No. 59). To amend the Act incorporating the Union Life and Accident Assurance Company of Canada, and to change the name to the Union Assurance Company of Canada.—(Mr. Kirkpatrick.)

## WAYS AND MEANS—CONCURRENCE—THE TARIFF.

### DEBATE RESUMED.

Mr. DYMOND said it would be rather difficult to treat with gravity what he hoped he might, without discourtesy, call the serio-comic performance which had engaged their attention before recess. There was, it was true, a tragical element in the speech and resolution of the right hon. gentleman. It was, of course, their melancholy duty to mourn over the depressed manufactures and trade of this country, but even there they had had a gleam of satisfaction, for they were told that as a result of the policy of the Government, one, and that the most depressed, interest would, at all events, experience a measure of relief. They were told that the Conservative party, now in Opposition, would derive some pleasure from the continuation of the miseries of all the other interests and that they, like pawnbrokers or official assignees, would be the happier when everybody else was going to be ruined. But there was also a comic element in the speech and resolution. In the first place, there was a solemn declaration that the Government ought to enter upon a career of retrenchment. But from whom did that suggestion come? From a gentleman who, when a Minister of the Crown, managed in six years to increase the public expenditure from \$13,500,000 to \$23,500,000 or thereabouts; and who added four millions to the public expenditure in the last Session during which he had any control over the public affairs. And to whom were these remarks addressed? Why, to the first Government that since Confederation had managed to reduce instead of increasing the expenditure; a Government which with all the added debt necessarily incurred, and with all the increased expenditure that had taken place in the North-West Territories, with all the expenditure arising from the establishment of that great institution, the Supreme Court, was to-day able to meet all demands made upon it, with a sum not greater than the right hon. gentleman required when he left office three years ago. He would further remark in this connection that the amendment emanated from a gen-

tleman who, during the last ten days, had been engaged from night to night in voting the sums of money required for ordinary expenditure, which he now desired to see reduced, without, so far as he (Mr. Dymond) could remember, lifting his voice in one single protest against the want of economy of which the hon. gentleman now complained. The next comic point in this amendment and speech was the appearance of the protectionist hobby; and from whom did that come? Why, from a gentleman, who in 1872, when he held the reins of power, and when he wished to gain a fresh lease of power, solemnly assured the manufacturers and the farmers of Canada that he was going to give them protection, but who, so long as he was able to give effect to his pledges, after he had carried the elections and no longer needed a cry to catch the ear of the country or to make capital out of protection, never raised his voice or said one word in that House in favour of granting protection either to the manufacturer or to the agriculturist. However, regarding the amendment in the light he had mentioned, he should be excused if he wandered away from that resolution. It was very difficult to solve the old problem as to how many angels could sit upon the point of a needle, and he did not fancy that it would be any more easy task, even for hon. gentleman on the other side of the House to take their stand on this poor little hantling resolution. It seemed to him that not only might they treat this resolution in the spirit of badinage or jest, but they must treat it,—and he used the words strictly in their parliamentary sense,—as an insult to the House and country, seeing from whom it came. It was not merely the peddling question of whether two cents or more per pound should be placed on tea or not, that they had to discuss; and they had not merely come there to settle in what way they should administer to the wants of the Treasury, but also, to what extent they should grant their confidence to the Government of the day. Whenever, as he understood it, they were asked to vote supplies and place sums of money at the control of the Government, and especially when they were asked to increase the burden of

Mr. DYMOND.

taxation, then he ventured to say it became more particularly their duty to ask themselves whether the hon. gentlemen who demanded this service at their hands were deserving of their confidence. It might not be imperative upon gentlemen on the Ministerial side of the House to seek further information before voting these taxes, and it was perfectly right and proper that they should express their confidence in the Government by doing so, because they had never expressed any other sentiments in this relation since these hon. gentlemen entered the management of public affairs; but a proposition of this kind came with ill grace from the right hon. gentleman opposite. What was this right hon. gentleman doing? It was true he talked about tea and beer, as he had tried to talk about cigars and tobacco and the other items in the list, and the reason that he did not go further than tea or beer, was, as he said, that he did not know or understand anything about the other interests involved; but the right hon. gentleman had also inferred, or implied, if he had not expressed in direct terms by his resolution, that, if this Government would only carry out the policy he had indicated, namely, a policy of protection to our manufactures and agricultural interests, they should have his confidence, and as much money as they desired. In one word dissatisfaction was expressed, while in the next breath general confidence was implied. And from whom did this expression of confidence come? They had the right, whenever leaders of parties spoke in public, whether in that House or on the platform, at the festive board, or at a picnic, to expect that, being humble followers or observers of those gentlemen, they should be able to depend on their statements and shape their course accordingly. The right hon. gentleman might not, it was true, in anything he said, inspire some of them with great admiration or win their confidence; but there the gentleman stood, to answer for his own works to the country and he was bound to make good on the floor of the House the accusations he preferred outside of it. The hon. gentleman was not to go to one place and denounce the Government as guilty of every political crime

that had ever been recorded even against himself, and then to come down to the House and place on the table a resolution which, if carried, would imply that, if only in one single particular of their public policy the Government would accept his counsels, then he would take them to his expansive bosom, and cry: "Take my blessing, and stay in office as long as you please." He must trouble the House, at greater length than he desired; while he called the right hon. gentleman into the witness-box and used him as a witness, to show why he (Mr. Dymond) could not agree that the Government should receive the assistance they asked until he discovered whether the charges made against them were true or false. If true, they must not grant the money asked, and, if false, the Government were entitled at the hands of the House to a verdict of acquittal. The right hon. gentleman had first entered on the war-path several months ago, when there was an election in West Toronto. As the gentleman then returned was his (Mr. Dymond's) representative, he naturally felt a strong interest in the course he took in the House, and he had felt a melancholy interest too in that hon. gentleman's election. He admitted that the Opposition had then gained a very unexpected victory; and on the occasion of the subsequent rejoicings, the right hon. member for Kingston had said: "Gentlemen, you have done an honour to yourselves, and I may say a personal favour to me in returning my old and staunch friend and colleague, Mr. John Beverley Robinson to help me down at Ottawa to fight the beasts at Ephesus." He was glad to find that there were some beasts whose claws had been cut, and whose teeth had been drawn; and he congratulated the House, in the face of that terrible prophecy, that they were able to write over the seat of that hon. gentleman, what an old showman used to write over the door of one of his cages: "This creature is perfectly harmless." But there was another great jubilation at Montreal soon afterwards, when the right hon. gentleman said:

"The people would rise in their might and say to Mr. Mackenzie, 'Sir, in your two

short years of Government, you have committed more sins of omission and commission than were charged against John A. during the last twenty years.'"

And later on, in his speech on that occasion, the right honourable gentleman proceeded to say:

"If you look back at all the charges brought against the Government with which I have been connected since 1854—for twenty years—if there had ever been such charges of corruption or incapacity, and of mal-administration against me as have been formulated, established and proved during these two years against the Administration of Mr. Mackenzie, what would you have said?"

Now, here was a declaration as clear as possible that, in two years, there had been "formulated, established and proved" against the hon. the leader of the Government charges in excess of any that had even been alleged against the right hon. gentleman opposite.

MR. SPEAKER: I must ask the hon. gentleman to keep to the question.

MR. GIBBS (South Ontario) said he thought he was only speaking the sentiments of the House when he asked that the hon. gentleman should be allowed the greatest possible latitude in his speech, and that hon. members who followed might have the same consideration shown them. It was, however, especially necessary in the case of the hon. member addressing the House, as his speech would appear in the *Globe* to-morrow.

SIR JOHN A. MACDONALD: I hope that the hon. member will not only be allowed the utmost latitude, but the greatest possible longitude also.

MR. SPEAKER said he knew that a great deal of latitude was allowed in all discussions on the Budget Speech, and questions of policy, and the general conduct of Government. If it was the sentiment of the House that the hon. member should proceed, he would allow hon. gentlemen following the same freedom, provided they adhered to the forms of debate.

MR. DYMOND said he understood that the question involved the placing of additional sums of money in the hands of the Government, and he thought it entirely competent and regular for him to show why it might be impossible for him to vote for the

resolution introduced by the hon. gentleman opposite. If he said anything out of order, he hoped hon. gentlemen would rise and stop him, and that Mr. Speaker would not find it necessary to do so. When he was interrupted, he was calling attention to the fact that the Government had been charged with committing more sins during the first two years of their term of office than had ever been alleged against their predecessors in twenty years. From his observation of what had been said and alleged against the right hon. gentleman opposite and his colleagues, he confessed he could not imagine any more shocking and terrible accusations than in past times had been formulated against them. It was necessary, for the sake of the comparison, to recall some of the accusations made against the late Administration. In doing so, he would not go to any mean authority, but would first cite an ex-Privy Councillor as to the course and conduct of the right hon. gentleman and his colleagues when in office. In a certain pamphlet, published five years ago, the Hon. Wm. McDougall said, addressing a member of the Government:

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

This gentleman, fresh from the Privy Council himself, charged the right hon. gentleman with treason. Now, he (Mr. Dymond) did not know of any charge as serious as that one having been formulated, whatever might have been alleged, against the present Administration. What was the next charge?

"Before leaving Ottawa," wrote Mr. McDougall, "I took the precaution to obtain copies of all the despatches, draft agreements and other documents relating to the North-West, which, I have since found, was a wise precaution. I knew by experience

Mr. DYMOND.

that it would be unsafe to rely upon official promptitude or perspicacity at Ottawa; or to assume that the proper Minister would be found at the Capital in any emergency that might happen. And I knew—what this case has conclusively established—that you and the majority of your colleagues would not hesitate to garble or suppress important State papers, even when demanded by Parliament, if their production was likely to expose or embarrass the Government."

There was the direct charge that the hon. gentlemen opposite were actually capable of suppressing or garbling important State papers, the production of which was likely to embarrass the Government. It was hardly necessary to remind the House of a further charge that "\$8,000,000 were thrown into the sea," as the pamphlet read, "at the instance of Quebec and Mr. Mitchell."

Mr. MITCHELL: I would simply say, do not spare Mr. Mitchell, and I will call the Government to my support in reference to that question promptly.

Mr. DYMOND said he was not making those allegations himself, but on the authority of a gentleman who, above all other men, ought to have known whether he was stating the truth or not. On a memorable occasion, the 2nd April, 1873, the hon. gentleman who now filled the position of Postmaster General, formulated a serious charge against the late Government. On the second of April, 1873, the hon. Mr. Huntington moved as follows:—

"That in anticipation of the legislation of last Session as to the Pacific Railway, an agreement was made between Sir Hugh Allan, acting for himself and certain other Canadian promoters, and G. W. McMullen, acting for certain United States capitalists, whereby the latter agreed to furnish all the funds necessary for the construction of the contemplated Railway, and to give the former a certain percentage of interest in consideration of their interest and position, the scheme agreed on being, ostensibly, that of a Canadian Company, with Sir Hugh Allan at its head; that the Government were aware that negotiations were pending between these parties; that subsequently an understanding was come to between the Government and Sir Hugh Allan and Mr. Abbott, M.P., that Sir Hugh Allan and his friends should advance a large sum of money for the purpose of aiding the elections of Ministers and their supporters at the ensuing general election, and that he and his

friends should receive the contract for the construction of the Railway; that accordingly Sir Hugh Allan did advance a large sum of money for the purpose mentioned, and at the solicitation, and under the pressing instances of Ministers, &c."

Reading the plain and simple statement embodied in that resolution, and remembering the confessions ultimately extorted from the right hon. gentleman and his colleagues, he would like to ask whether anything had been even "formulated," not to say "established and proved," against the present Administration of one-tenth the criminality for which the late Government were herein indicted. Resuming the examination of the right hon. gentleman, he now came to one of his charges of a more general nature. Alleging the general neglect of public business by the present Ministers, the right hon. gentleman said:

"Gentlemen, the roar of discontent is increasing in volume, and increasing in intensity; it is complained that the business of the country is neglected, and it is no use to go to Ottawa on public business, for one Minister is attending to his farm, and another to his new wife, and another is making speeches here and a third is making speeches there; and the business of the country is neglected and no business is done at all."

If this were true, then how could the right hon. gentleman allow the Government to shape the fiscal policy of the country; if it were false, how could he dare to present a policy of his own for the adoption of the House? But he would come to another charge. The right hon. gentleman, in the same speech, said:—

"This Government have introduced the system of pensioning in the most obnoxious way. It is highly improper, as under the present system, to superannuate able-bodied men, merely to make vacancies for a throng of office-seekers, depriving the country of the services of efficient men, very probably replaced by inferior persons, besides the loss of two-thirds of his salary."

Mr. BUNSTER rose to a point of order. Mr. Speaker ruled the other day that no hon. gentleman should read his speech.

Mr. SPEAKER: The hon. member has a right to read extracts, and very copious extracts.

Mr. DYMOND: I am reading from the speech of the right hon. member of

whom the hon. member for Vancouver is a follower, and I am sure an admirer.

Mr. BUNSTER: That is a gratuitous assumption of the hon. member for North York.

Mr. SPEAKER: Order.

Mr. DYMOND said he would next come to an accusation of a still more definite character. Speaking of a certain Senator, the President of a leading bank, the right hon. gentleman made use of the following language, which if true, ought certainly not to be passed over unnoticed.

Sir JOHN A. MACDONALD: "I know a bank."

Mr. DYMOND said he hoped the right hon. gentleman did know a bank. The other day he heard a story of a gentleman who was asked in which of the several banks he had most confidence. The answer was that "he did not know much about the banks, but he did know that he had more confidence in any one of them than they all put together had in him."

Several HON. MEMBERS: Explain.

Mr. DYMOND read the following from the speech of the right hon. member for Kingston:—

[Mr. Simpson] "may not have spent his own money, but he has a bank, and he spent the bank's money, and, gentlemen, you see the bank has got its reward. The result proves that he has been rewarded. Gentlemen, in order to be sustained by certain banks, the Government promised to make certain deposits in certain banks; and it did make these deposits, large deposits, for the banks were obliged to recoup themselves for the amount spent in elections."

The House knew that not only had Senator Simpson purged himself of that accusation on his oath, but, more than that, although the right hon. gentleman had been sitting in the House nearly two whole Sessions since the accusation was made, he had not dared to formulate any resolution in the House on the matter. The next occasion upon which the right hon. gentleman came out as an accuser was at the village of Cooksville, in the county of Peel, when he said:

"They (Mr. Mackenzie's Government) came in with an affectation of purity; yet it would be found that there was not a single

act of theirs which was not liable to be imputed with dishonesty. There had not been a single measure that was directed straightforwardly to the public service but there was always some idea of helping a friend, or bribing a foe."

Mr. TUPPER: Hear, hear.

Mr. DYMOND said possibly the hon. member for Cumberland thought this was the natural course for a Government to pursue, and that it was highly patriotic. He believed the hon. member had stated on one occasion that the Pacific scandal had been originated in the most patriotic motives. He (Mr. Dymond) was not charging hon. gentlemen with dishonesty or insincerity, or with having no faith in their own accusations, but he charged them with wanting the moral courage to come down to the floor of the House and formulate the accusations, where at least they might be fairly tried. He was inclined to think that the next occasion when the right hon. gentleman spoke was at Cookstown, in the county of Simcoe. On that occasion he said:

"The moment the present Government came in, there was a rush from east, west, north and south of hungry applicants for office . . . and Mr. Mackenzie was obliged to yield to satisfy these long-expectant office-seekers by appointing them when they were not needed, and he turned out many a man who was just as fit for his duty the day he was turned out as he was the day he went into the office; and gave him a superannuation allowance, in order that one of his (Mr. Mackenzie's) political friends might be provided for."

He asked, where was the resolution embodying that assertion. Was it on a mere motion for papers, was it on mere accusations flung across the House, was it on mere stump orations that charges of this kind were to be made against the Government of the country? At this very same picnic at Cookstown the hon. gentleman was even more lively than usual. He was in the good Conservative county of Simcoe, where he shed a tear over the retirement from public life of his old friend, Mr. Thomas Ferguson, and where he congratulated the electors on the way in which the "beasts at Ephesus" were fought by the hon. gentleman who now represented them. The right hon. gentleman said on that

Mr. Dymond.

occasion, in addition to what had been already quoted:

"Let any Conservative try to get a contract, let any Conservative apply for an office and they would not get it. The latter he did not object to because he did not appoint his political enemies to office, and he did not expect Mr. Mackenzie would do so either. But when there was public money to be expended on public works to be erected, it was the duty of the Government to see that the most efficient contractor should be got, and at the lowest price. They would see, if they looked at the records of the contracts that had been given by the present Government for the last three years, that the principle, which was not only a principle of honour and economy, but a principle of the law of our land, that the contract should be given to the lowest tenderer who gave the proper security, had been broken systematically and continuously. It was a principle of the present Government to make the first question of the Board of Works concerning a contractor, 'How did he vote at the last election?' A man might offer to build miles of railway or portions of a canal at half price, and by some *hocus pocus* he was found out to be a Conservative although he was the lowest tenderer. Mr. Mackenzie, the head of the Government, would tell Mr. Mackenzie, the head of the Public Works, that the contract must not be given to that man, but to another who was true to the cause."

There was a distinct accusation that this was not only the policy of the Department, but of the First Minister himself; not merely of the Minister of Public Works, but of the Premier of Canada; the gentleman at the head of this Government, whom the hon. gentlemen opposite were willing to trust with power, Session after Session, if the Government would only re-adjust the tariff in the interest of the manufacturers and agriculturists. Once more, was this accusation true, or was it false? If true, the Government ought not to be trusted another hour, and the hon. gentleman was insulting their common sense when he brought down a proposition which either implied or inferred confidence; but, whether the accusation were true or false, it was unworthy of the right hon. gentleman that he should make such charges out of the House, and yet make no attempt to substantiate them in his seat. A chance misstatement might, it was true, have been made at random. At these picnics people were apt to be a little wild, and the right hon. gentleman was, no doubt

much elated by the reception he met with on many occasions. The right hon. gentleman was a curiosity in Western Canada. It was not his favourite hunting ground, and it was said that, if it were not for the Grits who went to hear him, he would not have been nearly so well attended. But from Cookstown the hon. member for Kingston went to Norfolk and reaffirmed his statements. He said:

"I shall say then in Parliament as I do now, that the Palen contract at Ottawa, the distributing warehouse contract at Montreal, the Denison, Belden & Co. contract on the Welland canal, and the steel rails operation fully justify my statements."

Several HON. MEMBERS: Hear, hear.

Mr. DYMOND said he was glad to hear so many hon. gentlemen on the other side say "Hear." It looked as if hon. gentlemen were waking up to a sense of their duty, and he hoped they would not have occasion to be ashamed of their leader, or go back on him as the Conservatives of Ontario had recently been reported to have done on their chief. Hon. members opposite had great confidence in the right hon. gentleman, and they no doubt believed the time had come when he should make good his asseverations. He had one more charge to read before he sat down.

Several HON. MEMBERS: Don't sit down.

Mr. DYMOND said the charge he was going to read referred to a gentleman who was for many years a follower of the right hon. gentleman, but now a Minister of the Crown and a member of another branch of the Legislature—Mr. Scott. At Fergus, the right hon. gentleman had said Mr. Scott had "sold himself like a beast in the market," and referring to this same matter at Simcoe, the right hon. gentleman said:

"It is said that I reviled Mr. Richard Scott and stated that he had been bought. That is a very grave charge, gentlemen, but it is a true one."

If that was said seriously, let them discuss it gravely; if it was true, let them deal with it as it deserved. The extracts he had read were taken from the right hon. gentleman's own organ,

with a view to their accuracy. The position he (Mr. Dymond) took was that the right hon. member should prove his sincerity by formulating the same charges in the House that he had made throughout the country. This would be the only fair and straightforward course to take in regard to the question before the House. He did not believe there was a single honourable man in the country who viewed with satisfaction the course the hon. gentleman was taking. There was not a single man who was proud of Canada and of her statesmen who approved of the hon. gentleman's silence now as compared with his freedom of speech outside the House.

Mr. BUNSTER said he hoped he would not detain the House by such an harangue as the hon. gentleman had just delivered. It appeared to him that the hon. gentleman from North York had not sufficient brains to deliver a speech of his own, and he was obliged therefore to quote from hon. gentlemen who had brains. Coming more to the subject under discussion, he would say that Canadian barley had a very high reputation in the United States of America, and every Canadian felt proud of it. Brewers coveted Canadian barley in order to make a good article of ale. It would seem as if the Finance Minister begrudged the poor lone widow her cup of tea. When he came to the House there was a free breakfast table, but now, thanks to the present Government, the import tax was five cents a pound. He did not think it creditable that the necessaries of life should be taxed in this way, when the luxuries were allowed to go free. This was owing to the fact that workmen had no voice in making the laws, and the rich men were bound to take care of their own luxuries. The hon. gentleman who had last spoken made a personal allusion to him, and said he was a slavish supporter of the right hon. member for Kingston.

Mr. DYMOND: Not a slavish supporter.

Mr. BUNSTER said the hon. gentleman would protect his own language, if he had any of his own. In coming to that House, his (Mr. Bunster's)

determination was to support that party which would build the Canadian Pacific Railway and would make a Union of the Dominion, as they would perceive on reference to Morgan's "Parliamentary Companion." That was the party he wanted to follow, no matter who the leader might be; as long as that leader had the necessary brains to carry out the work, he would follow him. He was not going to support that man who went to England and said that British Columbia was not a fit country for a white man to live in. He utterly scouted such an idea, and claimed that British Columbia had a more genial climate than, and as hospitable a people as, any Province in the Dominion. British Columbia joined the Union for the purpose of securing the Pacific Railway. British Columbia did not expect to build the railroad herself, but thought that Canada, with the assistance of British gold, would be able to do so. It was hoped yet that Canada had sufficient honesty and integrity to build the road, and thus carry out her bargain with British Columbia. Whoever wanted to see Canada rise to be a great nation might well look to our neighbours for an example, who carried on the construction of their Pacific Railway during the war, and built it in five years. With reference to the tariff, it must ever be remembered that beer was the national British beverage. He was sorry to see the hon. member for North York throwing ridicule upon his own country's beverage. How did he know but he was suckled on it as an infant?

Sir JOHN A. MACDONALD: I suggest that the hon. member has made a mistake. It is generally at the end of life rather than at the beginning that men want their beer.

Mr. BUNSTER said the hon. member for North York had chosen to taunt the right hon. member for Kingston with not affording protection when he was in power; but he (Mr. Bunster) must truly say that he had found much more protection to the industries of this country during the régime of the right hon. member than he did now. Very few members of the House understood the American scheme of protection. When an

Mr. BUNSTER.

American exported anything upon the importation of which a duty was placed, be it ever so small, he immediately went to the Customs officers and got his drawback. Probably, if British Columbia had known that her industries would have been unprotected, and that the Pacific Railway would not have been built according to agreement, she would not have been so ready to join this grand Confederacy. The sooner their industries were protected, and the railway built, the better. It was not right to allow articles to come in from our neighbours free, while our local manufactures were taxed. The brewer had to pay a tax on malt to the Government, which was twice as much as the price of barley in Ontario; and this, too, when the malt was to supply the national British beverage. Besides the tax on malt, the brewers had to pay a license of \$350 a year, and keep up an expensive establishment. The hon. member for North York said that the right hon. member for Kingston would not have spoken about Mr. Scott if he was present; but the hon. member for North York would not have spoken of the Hon. William Macdougall if that gentleman were in the House, for he would find him more than a match for him, either in the House or outside of it. He (Mr. Bunster) would ask all hon. gentlemen on the other side not to give the Government a slavish support on this question, but to give an independent vote, and attempt to revive the drooping industries of the country. He was surprised that the Government still refused to aid the crippled industries of the country, but proposed the most extraordinary tariff policy ever thought of. Whether it was intended to include the new malt tax or not he did not know, but he knew that the manufacture of malt, ale and porter was an industry of a very important nature, seeing that the duty on these articles furnished a very considerable proportion of the revenue of this country. The Finance Minister, to his utter astonishment, had said in his Budget Speech that he proposed to put one cent per pound more on malt, making the duty two cents a pound—just double what the farmer got for his barley, thereby injuring

the farmer. He questioned if there were one-fourth of the members of this House, outside of the Government, that knew what that announcement meant, or if there was half that number who cared to enquire. He proposed, therefore, to give this House some information as shortly as possible as to what it really did mean. It meant one dollar per barrel additional duty on ale and porter. The present tax was one dollar per barrel, which the present Finance Minister proposed to double; besides which, brewers of an average annually of eight hundred barrels had also to pay a license equal to fifty cents per barrel, viz., \$250 for a malt license and \$100 for a brewer's license to the Dominion Government for the privilege of manufacturing; and a Provincial license of \$150 for selling when made. These exactions when added together made two dollars and a half per barrel on strong ale and porter—a tax that exceeded that of any country in the world. The United States, with a debt of two thousand millions of dollars, created by the late war, only levied one dollar per barrel on ale and porter, and England, with her enormous public debt, caused by two hundred years of foreign wars, levied not more than half the tax of Canada, where there had been no war but the Fenian invasion. Another fact that should not be lost sight of was that in England an immense quantity of mild table beer was made out of the same malt after the strong ale was taken out, which assisted to pay the duty. That, however, in this country could not be sold at all. He found, by the Inland Revenue returns for the fiscal year ending June 30, 1876, pages 26 and 27, that there had been a great falling off on malt and malt liquor. For the fiscal year, ending June 3rd, 1875, the malt liquor Excise duties amounted to \$29,976.56; and for the fiscal year ending June 30th, 1876, to \$14,188.28, showing a decrease of \$15,788.28. For the fiscal year ending June 30th, 1875, the malt duties amounted to \$351,389.82; for the fiscal year ending June 30th, 1876, to \$327,709.47, showing a decrease of \$23,676.35, while on spirits, the receipts had increased by \$122,671.96.

The deficiency on malt in round numbers was \$40,000, and represented four million pounds of malt, or nearly five and a half million pounds of barley. Yet in the face of this, the Finance Minister thought it expedient to hamper this industry still more. It seemed to him a strange policy to increase the tax to such an enormous extent on productions that were languishing, as was plainly shown by the above returns, while spirits, that could bear an additional amount without suffering, were allowed to remain as before. He had noticed that, when they entered a bar-room for a drink, the bar-keeper generally placed down a decanter or bottle of whiskey before them, and said: "Which will you have, rye or proof?" But he had often stopped them by asking for a glass of ale. He mentioned this to show that the bar-keeper knew there were far more profits to him in serving his customers with a glass of whiskey than with a good glass of ale. Even if this was not sufficient to show the unwise policy of such a course, the fact that ale, beer and porter, brewed entirely from malt, were perishable in their nature, so that brewers lost heavily every year by the souring and utter destruction of their manufactures, on which they have paid duty, whilst spirits improved by keeping, and there was no loss entailed by having to hold them over, ought, in the opinion of reasonable people, to induce a more liberal policy in dealing with the article of malt. He again asked every independent member of this House to think of the great injustice he was doing the farmer and a large majority of his constituency, both in town and country, if this tax should become law. It was also strange that every increase was always made by Order in Council, and not by the representatives of the people, as it ought to be. He hoped the proposal would not carry, for, if it did, it would bring ruin on many, to the great disadvantage of this country, and to the injury of the Government for forcing such an obnoxious law on the people of this country.

Mr. McCALLUM said the hon. member for North York had said that this was the first Government which had ever cut down the expenses of the

country. He did not think this was the case. If the Government wanted to practice economy, that was surely the time, when the Finance Minister had come down in his Budget Speech and tried to show that there were \$3,000,000 of a deficit. Yet what were the facts? The expenditure in connection with the different Departments had been increased under the present Administration. He would lay before the House the returns of the Departments for the years 1872-73 and 1875-76. They showed the following results:

	1872-3.	1875-6.	Increase.
Gov.-Gen's. Office ..	\$ 7,851	\$10,971	\$ 3,120
Privy Council.....	16,789	20,732	3,946
Justice .....	13,406	22,983	9,577
Militia .....	33,840	44,077	10,237
Secretary of State...	28,916	34,427	5,511
Sec. State, Provinces.	22,055	48,063	26,008
Receiver-General...	21,565	28,445	6,880
Finance .....	42,506	54,199	11,663
Customs .....	27,636	35,743	8,107
Inland Revenue....	21,038	31,565	10,527
Public Works.....	43,184	56,940	13,756
Post Office.....	63,552	92,460	28,898
Agriculture, &c....	26,960	35,655	8,695
Marine & Fisheries...	22,644	32,789	10,145
Treasury Board....	3,050	3,450	400
Queen's Printer....	3,810	4,275	465

The Departmental contingencies showed an increase of \$15,785, making the total increase of \$173,848. Such were acts of the Administration who were eulogised by the hon. member for North York; it was unfortunate the hon. member praised them on that ground, and appealed to the people to support the Government because it was an economical one. He would not deal with the tea question further than to say that, if there was no other ground on which to condemn the Government, their action on that matter was sufficient, for it compelled the poor man to pay as much on his low-class teas as did the rich man on the superior qualities. When the present Government entered office, it was heralded from Halifax to the Pacific Ocean that they would govern the country with energy and economy. Let the people judge as to whether they had carried out their pledges. He could excuse the Government if they found themselves unable to reduce the expenditure, because it was difficult for them to keep down outside expenses. But when, in 1874, the Finance Minister announced that

additional taxation was necessary, that was the time when the Government should have set their house in order. But they had not done so, and the Finance Minister now found there was a deficit. The hon. gentleman proposed to raise the requisite amount by going to Europe and floating another loan, but he questioned very much whether the hon. gentleman would be able to borrow money on as advantageous terms as last year. It was to be regretted that out of the whole list of imports there was no article on which they could place an additional tax, except tea—not a single article manufactured in the country by which protection might have been given to the manufactures and agricultural products. The Government came down to taking the additional taxation required out of the teapot, and taxing the poor man's beer. The Finance Minister had not even told the House how much he expected to derive from that source, an estimate which was necessary in order that they might judge the probable financial position of the country twelve months hence. He would have pleasure in supporting the resolution of the hon. member for Kingston if for no other reason than that the Finance Minister had told the House he had nothing to do with the prosperity of the country in advising the Crown,—that they were only flies on the wheel, besides the other sins of omission and commission of the hon. gentlemen opposite.

Mr. McCARTHY said he rose to address the House not upon the principles of free trade or protection, which he thought might more properly come up at a later stage in the Session, when they might be treated, as would probably be the case, more upon their merits than they could be on this occasion, when they should confine themselves to some extent, at all events in his opinion, to the conduct of the Administration of the day. He did not pretend to answer the observations which had fallen from the hon. gentleman from North York. He was not going to say that this hon. gentleman had done wrong in introducing those extracts from the papers which he had read to the House, because, with the general consent of both sides of the

House that hon. gentleman was encouraged to go on and detail the old and stale slanders of which they had heard so much. The hon. member from North York ventured in his place in the House to cast defiance at and challenge the hon. members sitting on that side of the House to formulate charges against the Government, but he could tell that hon. gentleman that perhaps it was better to formulate charges, even on the stump, than from behind the editorial "we" of a public newspaper, and if that gentleman would only formulate the charges which he believed he (Mr. Dymond) had made in that way, then he would be in a position to turn round and lecture on this head the gentlemen who sat on the Opposition benches. However, this was a small matter, and perhaps that hon. gentleman's speech had better be left unnoticed, because surely this great country was not going to send gentlemen to its legislative halls to have matters such as the hon. gentleman had referred to discussed. Surely the people of this country expected that questions with regard to the tariff and trade of the Dominion would be debated upon their merits, and not in the manner exhibited by the hon. member for North York, by retailing slanders and by recriminations cast from one side against the other. Surely it was proper that they should deal with these questions on their merits, and this he would endeavour to do in making the few observations he proposed to present to the House. He agreed, as all must do, with the Finance Minister in the statement that hon. gentleman had made when introducing his Budget—that it was a matter for extreme regret, that here, in the tenth year of the history of the Dominion, he had to come down and announce a deficit of such an enormous proportion as he then mentioned; and this matter required at the hands of the representatives of the people of this country the most serious consideration. After only ten years of existence, and after eight or nine years of prosperity, the Finance Minister came down and informed them that one tenth of our revenue was gone, and announced to the people of Canada that they

were no longer able under his Administration to obtain such a revenue as would meet the ordinary expenditure of the country. In the sentiment of regret, with which this information was accompanied, they must all concur; they must all feel that, in view of the great number of gigantic works to which this country stood pledged, anything which was calculated to affect our credit and our standing was a calamity; and under these circumstances, as had been observed by an hon. gentleman, that the next time that the Minister of Finance went upon the London money market, he would not be able to present there the statement which he had made two years ago, and show that Canada had always a revenue not only sufficient to meet her expenditure, but also a surplus, out of which she was able to construct large public works and reduce her public debt. On the next occasion that the hon. gentleman went to London, making, unfortunately for the country, another of his annual trips in order to borrow money, he would have to tell the brokers and moneyed men that the position of Canada was now reversed; and that she to-day occupied a position similar to that of a bankrupt. This was a subject for deep regret; and a subject which should attract the attention of the whole House as beyond doubt it attracted the attention of the people of this country. Who was responsible for this state of things and for that deficit? The Finance Minister treated this grave matter in a light jaunty style, as if it did not call for any serious consideration, and as if this was no matter for concern. The hon. gentleman, it was true, had stated—but his tone almost belied his words—that it was a matter for regret; but, if there was any person responsible more than another for this condition of things, it was the Finance Minister, and he thought that he would be able to show that this hon. gentleman was doubly responsible in this case, because he had led the country blindly, or else foolishly, into the position in which we to-day found ourselves. Who had prophesied, who had foretold the depression which was going to come upon the people of Canada? Who,

several years ago, predicted that the period of inflation was gone by, and that a period of depression and inaction had arrived, if it was not the Finance Minister? And yet, although this was so, he thought he would be able to show to the House, with the aid of figures and details, which he trusted hon. members on both sides of the House would agree with him were not unfairly taken, that, notwithstanding that statement of the hon. gentleman, and notwithstanding that foreknowledge—if he might so speak—of which the hon. gentleman seemed to boast touching this subject, he had increased, and the Government of which he was a member had increased the expenditure, until it had resulted in the deficit which the hon. gentleman had communicated to the House this Session. He would not haggle with hon. gentlemen opposite, and he would not dispute the accuracy of the statement that the late Administration were to some extent responsible for the expenditures for the years 1873 and 1874. He was aware that hon. gentlemen on the Opposition side of the House were to some extent responsible in this regard, as he knew that the Estimates upon which the expenditures for these years were based had been prepared by the late Government. He had, on more than one occasion during the present Session, heard the observations which had fallen from the member for North York that evening; and he had heard hon. gentlemen on the Opposition side of the House taunted with having raised the expenditure from thirteen to twenty-three millions during the space of six or seven years. He could quite understand the motive for these declarations if the hon. gentlemen who made them were not addressing the intelligent representatives of an intelligent people; but he was hardly able to understand it in view of the statement made by the Finance Minister in one of his Budget speeches. He thought that these hon. gentlemen should be more candid, and that they should not impose, or endeavour to impose, on the credulity of the members of the House by levelling such taunts at the late Administration, and by making such allegations. In his Budget speech for 1875, the Finance Minister had thus accounted for the

increase of expenditure in connection with the year 1873-4. He charged to the payment of the Public Debt, \$500,000; to Prince Edward Island, increased charges, \$600,000; to subsidies to New Brunswick and the increase of the debt of the old Province of Canada, \$850,000; to the railroad system of the Dominion, \$900,000; to statutory increase of indemnity to hon. members of this House, \$400,000; to Election expenses, \$200,000; to the North-West Mounted Police, \$200,000; to Indians, \$100,000; to the Post Office, \$300,000; and to miscellaneous expenditure, \$200,000, making a total of \$4,250,000. There was not an hon. gentleman present who was not as well acquainted with these facts as was the hon. member for North York, and yet that hon. member had ventured to cast across the taunt that they who sat on the opposite side of the House to that of the hon. gentleman were responsible for that increase in the expenditure of this country. But, if permitted to give the figures, he believed he could prove that what he had stated was correct. Assuming, for the sake of argument, that the expenditure for 1873-4 was attributable to the hon. gentlemen on his side of the House, and comparing it with the expenditure for the year 1874-5, and more especially for the year 1875-6, with the aid of the Public Accounts, which had just been brought down by the hon. gentlemen opposite, the party of retrenchment, and economy—gentlemen who from Dan to Beersheba, had blazoned forth that their great policy was retrenchment, and that the gentlemen sitting on his side of the House were capable of nothing but extravagance and corruption,—he would establish that these hon. gentlemen had increased the public expenditure to the tune of \$600,000 within the past two years; and, if he could do this, then he thought it but fair—and he did not desire to do it unless it could be accomplished fairly—that they should hear no more of the extravagance with which hon. gentlemen who sat on his side of the House were so frequently reproached. In making the calculation, in order to be perfectly just, he put out of view altogether the Public Debt and charges connected with

**Mr. McCARTHY.**

this debt, such as the sinking fund and charges of management; these were charges, which he deemed to be not in the power of either party sitting on the Treasury benches to reduce or increase; and placing those on one side, he found that, in 1873-4, the expenditure of this country for ordinary purposes, and for charges on the revenue, amounted to \$13,060,518; and that the similar expenditure for the year 1875-6 amounted to \$13,365,812, or \$305,000 more than for the year 1873-4. But this was not all, though it was bad enough. It was bad enough that gentlemen who entered office, pledged to economy, and who were in possession of the confidence of the people of this country because they had pledged themselves to retrenchment, should have, in the space of two short years, increased the burdens of the people with regard to ordinary expenditure and charges on revenue, \$305,000; but he would also show that this sum was doubled when exceptional items, as ought to be done, were taken from both sides of the account. These exceptional items were: Election expenses, \$153,163; Additional Session for the fall of 1873, \$106,178; additional Census charges, \$29,368; expenditure on Public Works, chargeable to capital, \$345,181; Dominion Lands, \$70,322; North-West Territories, \$12,262; Ontario Boundary Survey, \$2,430; Military Stores, \$144,906; and Customs refunds, \$69,330, thus making altogether \$933,041.83 to be deducted as exceptional items from the thirteen millions which, as he had already stated, were chargeable for ordinary expenditure, and collection of revenue during the year 1873-4. On the other side there were also exceptional items, and he would not be dealing fairly with the House if he did not mention them, and if hon. gentlemen examined the Public Accounts, they would see that he stated the figures correctly. These items were: Public Works, chargeable to income, \$122,940; Indian grants, \$130,356; Mounted Police and Militia, \$44,820.50; Boundary Survey, \$54,811.58; Manitoba Settlers' Relief Fund, \$83,405.58; Weights and Measures, \$99,785, and Philadelphia Exhibition, amounting in all to

\$600,326.95, which ought in fairness to be deducted from the expenditure for the year 1875-6, and, deducting the bulk sums he had thus instanced, he found that the ordinary expenditure and charges on revenue, apart from those exceptional items, were increased during these two years by the sum of \$638,201. If this was a fair statement—and he defied it to be contradicted, as he defied any hon. gentleman to show that it was unfair—then what was the result? The result was this: That the Finance Minister and the Government of which that hon. gentleman was a member, had increased the expenditure during the two years they had been in office by over \$600,000, and partly owing to this was attributable the fact of the deficit which had this Session been announced to the House and to the country. He would like to know who was responsible for this deficit if not the Finance Minister, who was charged with the management of our financial affairs? Was it not an injury and a great injury to the people of this country, that a deficit should exist; and were not these hon. gentlemen responsible for it; and should they not, as ordinary prudent men of business would have done, foreseen what would be the result unless some change was made in the tariff? He would quote from what the Finance Minister had said in his speech on the tariff:—"I would beg to observe, that, on looking over the importations of the United States during the past sixty or seventy years, it will be found as a rule, that any rapid period of expansion must be invariably followed by a long period of comparative inaction;" and he went on to refer to the period between 1832 and 1836 as a period of expansion which was followed by fifteen years of depression, so much so that the revenue of the United States did not reach, from the year 1836 until 1851, the figures which were shown for the first mentioned of these years. And yet, knowing all this, and knowing still more—because the hon. gentleman had in his possession at that time the returns from the Customs for seven months of the year—he, two Sessions ago came down to the House, announced as his estimate that there would be re-

ceived from the Customs a larger sum than had ever before been obtained, \$15,500,000. These were his own figures, and these were his own Estimates, although receipts for the preceding year had barely exceeded \$15,000,000. Aware that a period of inaction was prevailing, and having the necessary information in his possession showing it to be so, the Finance Minister came down to the House and estimated that the receipts would be \$15,500,000 as would be found in page 162 of *Hansard* for the year 1875. As regarded the estimated receipts for 1875-76, he had shown that these false expectations were built upon the principal item in which the deficiency had taken place, the Customs returns, and therefore he need not refer to the other items of estimated revenue; and it had been announced in the speech of His Excellency the Governor-General on the opening of Parliament, so far back as 1874, that a period of depression was hanging over the people of this country; and in 1875, with the knowledge which the Finance Minister had shown he possessed—that this depression would not likely disappear for some time after the period of expansion with which we had been favoured—he came to the House and deliberately allowed the tariff to remain unchanged, so that, as the result, we had a deficit of \$1,900,000 announced this Session. He desired to learn who was responsible for this, if the Government was not responsible? Passing from this subject, he would consider the other proceedings of that hon. gentleman touching matters more properly and more particularly related to the present discussion. He would allude briefly to the loan which the hon. gentleman had negotiated last year in England. This loan, as they all knew, was placed on the English market at the fixed sum of 91 per cent.; and they also knew that the hon. gentleman had departed from the usage, to some extent—his own usage, at all events—in not asking for tenders; and they had a right, he thought, and the people had a right, to require reasons to be given by the Finance Minister and the Government as to why this course was adopted when they perceived the disastrous results by which it had been followed. The hon.

Mr. McCARTHY.

gentleman had attempted at great length to justify his proceedings, and he had endeavoured to argue that this was the best possible mode of accomplishing his purpose; and he had sought to establish that, whether this was the case or not, at all events he had obtained as large a sum of money as could reasonably be expected under the circumstances. The hon. gentleman had said—and he (Mr. McCarthy) confessed that he was surprised to hear the assertion—that he had not fallen into the vulgar error of looking at the quotations current when he placed the loan on the market, and that he had not examined the casual statements of newspapers in this relation of that period; but that, although he was making the sale in the month of November, 1876, he based his transaction on the state of the money market during the previous months of July, August and September. Looking back over the quotations for these three months, the hon. gentleman in November, 1876, wisely, in his own opinion, came to the conclusion that 91 cents on the dollar ought to be expected for the bonds. He (Mr. McCarthy) did not think that any other person, with the exception of the Finance Minister—who had been across the water, and who moved in a superior atmosphere, since no gentleman on this side of the House had occupied the position of Minister of Finance—would have adopted such a course; and he confessed that he would not judge of the state of the money market in November by the quotations of July, August and September. He would refer to an authority in this respect, which he believed would place beyond question and settle the dispute as to the value of these debentures, because it was important that they should have the facts before them, and having the facts it would not be difficult to draw a reasonable and fair conclusion. He found in the *London Times* that, on the 1st of November, 1876, our debentures were quoted at 94½ and 95½, and business was stated to have been done at 95½; on the 3rd of November, they were quoted at 93 and 95, the dividend having in the meantime been paid, and sales had taken place at 93½ and 93¾ ex dividend; on the 4th November, they were

quoted at 93½ and 94½, and business was done at 94¼, 94½ and 94¾, ex div.; and on the 6th of November, the *Times*, in its financial article, announced that this loan had been placed on the market. On the 8th of November, our stock had fallen, on account of the manner in which this loan was placed, to 91½ and 92½, business being done at 92¼ and 91¾, ex div.; and on the 9th of the same month, business was done at 92¾, ex div. If that was the fair quotation, then they had this established: That, when our debentures were offered for sale they were worth at retail 94¼, 94½ and 94¾, ex div.; and that in consequence of the large quantity placed on the market, they fell to 92¼ and 92¾. What did we get for the debentures? Had we means to squander or throw away, or were our funds to be managed with prudence and economy? While the loan was placed at 91 nominally, the people of this country realized less than 90, and it was not saying too much when he said that \$250,000 was lost to Canada through this transaction of the Finance Minister. That hon. gentleman said it was necessary to put a price upon the loan; that even the Finance Minister of Canada could not go to London and make his own terms. Unfortunately for the House, they did not hear of what was being done in London—the extraordinary proceedings in that city were hidden from them. The hon. the Finance Minister said he could not call for tenders, as city treasurers and all public officials in this country in similar transactions were required to do, and get the best possible price for the stock. The hon. gentleman said: "You must put a value on it or you cannot sell at all." That might be so or not. Unfortunately, or rather fortunately, he had never occupied the distinguished position of Finance Minister and could not appreciate the difficulties with which the hon. gentleman had to contend on that occasion. But he would like to know, if it were necessary to fix a price, why the rate was so low? However, he was able to deny, from his own little experience, and from facts obtained from a work in the Library, that it was the practice to fix the price in such cases; and he would cite some loans, in support of this posi-

tion, which had been made in the ordinary reasonable manner, and not in the manner in which the last Canadian loan was negotiated. At page 155 of "Fenn on the Funds," he found that the Intercolonial Railway and Rupert's Land loans were placed on the market and tenders called for. In the same work, it was shown that the Cape of Good Hope loan was made in the same way, as were also the loans of British Columbia, New South Wales and New Zealand, the latter placing the sum of £3,000,000 on the market by tender. These facts showed that the course taken by the hon. the Finance Minister was not the one universally followed, but was one open to many exceptions. It was hard to say where the quarter of a million lost by the transaction had gone. They had no check whatever. The hon. the Finance Minister excused himself from bringing down the names of the parties who took the debentures. Writing on the subject of the loan, the London correspondent of the *Globe*, writing on November 11th, said:—

"Hon. Mr. Cartwright has floated the new Dominion Loan very successfully, as you already have learned by cable. Messrs. Baring, Brothers & Co., and Messrs. Glyn, Mills, Currie & Co., financial agents of the Dominion in London, were authorized by Mr. Cartwright to receive applications for a loan of £2,500,000 sterling, in bonds of the Dominion bearing interest at the rate of four per cent. per annum. The loan was issued under authority of an Act of Parliament of the Dominion (39 Vic. cap. 1, sec. 4) passed last Session, and the object of the loan is partly to provide for debt maturing or redeemable in the course of next year, and partly for expenditure on public works. The principal of this loan of £2,500,000 is to be repaid in London in thirty years, and a cumulative sinking fund of ½ per cent. per annum will be employed in the purchase of the bonds or stock of the loan at or below par. Mr. Cartwright issued the loan through the financial agents of the Dominion at 91 per cent. Remarks were made in the city in disparagement of this course, and to the effect that Mr. Cartwright should have invited tenders for the new loan, fixing only the minimum price at which they would be accepted, but the best authorities in the city, viz., bankers not interested in the loan, are of opinion unambiguously that Mr. Cartwright acted very wisely in the steps he took, and that he has conducted the negotiation of the loan very ably and successfully."

The House was told by the hon.

the Finance Minister that Baring Bros. and Glyn, Mills & Co. actually bought some of those debentures—£500,000, or one-fifth of the amount. It would thus appear that the men who advised the price were those who bought; and if the hon. gentleman would consult the hon. the Minister of Justice he would be told that such a transaction would not for one moment be permitted to stand in any court of Ontario.

Mr. BLAKE: Oh, no.

Mr. McCARTHY said his hon. friend (Mr. Blake) had probably altered his opinion since he became a politician, but, if he gave a fair opinion, as a lawyer, in accordance with the decisions of the Courts, he would come to another conclusion.

Mr. BLAKE: I do not think I would.

Mr. McCARTHY said he was obliged to differ with the hon. gentleman. The *Globe* correspondent gave some further particulars on this interesting subject. He went on to say:—

“Applications were made at the price of issue for exactly three times more stock of the Dominion new loan than the Government of Canada proposed to issue. Thus the matter was promptly concluded, and the public immediately took up the loan. This, in the face of the discouraging rumours from the East, is very satisfactory; for, of the highest standing as the credit of the Dominion is, doubtless the prospect of an early war would have prevented investors from placing their money in any Colonial Government loan on good terms. Therefore Mr. Cartwright's policy is endorsed, by those who are best able to form a correct opinion, as the wisest that a Minister from the Dominion could, under all the circumstances of the case, have adopted, and, as the readers of the *Globe* know, it has been attended with complete success. The scrip of the new loan is quoted to-day at  $1\frac{1}{4}$  to  $2\frac{1}{4}$  premium.

That was, that the men who paid 5 per cent down as a deposit, and afterwards 10 per cent. on allotment, within three days realized  $1\frac{3}{4}$  to  $2\frac{1}{4}$  premium. And yet they were told that it was a transaction which the House and the country ought to sanction. He thought sufficient had been said on that point to call forth the amplest explanation. Indeed the hon. the Finance Minister anticipated there would be a little curiosity on the subject, and one-third of his Budget

Mr. McCARTHY.

speech was taken up with a defence of what the hon. gentleman knew was almost indefensible. But in his quotations of the stocks from the journals, the hon. gentleman was too careful to give only those with the dividend that had accrued on the stock deducted or allowed for. He would now pass to the question more immediately before the House. They were asked by the Government, which had already imposed \$3,000,000 increased taxation to still further increase the burdens of the people. They were asked to do this by hon. members who were continually hurling accusations of extravagance, mismanagement and bad government at the Opposition side of the House. Although, during the seven or eight years of the late Administration, there was always a surplus; although, during that period, taxation was reduced, and notably on the articles of tea and coffee; and although the present Government had so heavily increased taxation, yet the House was asked to place a still further burden on the people. Before the House consented to such a step, they ought to demand an explanation why, with a falling revenue, they had increased the expenditure. He heartily concurred in the resolution of the hon. member for Kingston. It had been explained by the hon. the Finance Minister that the deficit was a temporary one, which would probably disappear next year; but he could tell the hon. gentleman that the wiser plan would be to reduce the expenditure during these hard times, instead of heaping on a tax to endeavour to bring about the necessary equilibrium. It would perhaps be said that the expenditure had been reduced. To some extent it had, but it should be explained why reductions were not made during the year in which the deficit actually occurred. He claimed that the expenditure had not been reduced all it might. There were several items higher now than in 1873-4, and in his humble judgment the Government had better try and make further reductions, instead of imposing additional taxation. According to the Estimate, there was more money to be expended in the collection of Excise than during the year

1873-4. There was less revenue to collect, but, under the administration of the party of economy and retrenchment, it cost more to collect it. It was said that his side of the House had not objected to any of the items which had gone through. That was true. Some of the items, and notably those connected with the administration of the Department of Justice, had been cut down. But there were other items to come to, and it was not too late for the hon. gentlemen on the Treasury Benches to reconsider their Estimates and bring them down to such a figure as would be more commensurate to the means and wants of the people. Speaking as an individual merely, and only for himself, he would like to know why there was still the enormous expenditure on the Militia service. The Government had destroyed the service by their economy. They had left a Major-General, an Adjutant-General, a Deputy Adjutant-General, brigade-majors, and a full staff of officers; but where were the men, the ammunition and the clothing? And they need only look at what took place in connection with the strike on the Grand Trunk Railroad the other day, to find out how efficient the service was under the administration of the present Minister of War. He was as strongly in favour of keeping the service in an efficient condition as any one; that as much money as could be afforded should be spent to make it the nucleus of a body of men who would be prepared to defend our soil in case of invasion. But he did not believe in the policy which left the officers without the men. They should either make the service efficient, or reduce the item altogether. They must remember that the deficit they had to meet according to the present Estimates was not \$1,900,000. That deficit took place on the expenditure of 1875-6, which was the largest which had ever taken place, and which he trusted would remain the largest for many years to come. And the Government had come down in their ideas; they had reduced very considerably; and according to the Estimates submitted, if the receipts for the next fiscal year reached the same as for the past fiscal year, the deficit would not have

been more than \$500,000 or \$600,000. Therefore it was not such an enormous sum as to require additional taxation. Now, there was another measure which appeared to him to be utterly useless, although it was a grand thing for filling offices. He referred to the Weights and Measures Act. There was \$100,000 spent on that, in order that men might go about the country inspecting the weights and measures. Was there any intelligent man who saw any good in it?

Mr. WORKMAN: I do not think there is.

Mr. McCARTHY: Neither in the law itself nor in the administration of the law.

Mr. BLAKE: Ask the hon. member for Cumberland.

Mr. McCARTHY: I have heard a great deal about the hon. member for Cumberland.

Mr. BLAKE: It is his Bill.

Mr. McCARTHY said he did not think the people of this country desired to hear any more of these re-eminations. This is always what my hon. friend says: "Look how you did when you were in office; if we are doing wrong, you were as bad as we are."

Mr. BLAKE: I only said that it is his Bill.

Mr. McCARTHY said he understood what the hon. gentleman had said, and also his insinuation. The hon. gentleman says: "Although we keep it on the Statute-book, knowing the law to be wrong, yet it was placed there by the hon. member for Cumberland." He (Mr. McCarthy) believed the law would not be kept on the Statute-book for twenty-four hours if it was not for the consequent patronage. There was another matter on which he trusted hon. gentlemen opposite would bring pressure to bear on the Government, and that was regarding the Post Office. The expenses were increased to such an extent that it could only be the result of mismanagement. This year there was a deficit of \$500,000 in that branch of the public service. It was very nice to have plenty of postal communication and to have letters delivered at their doors once or twice a day, but, if they could not afford it, they

ought to deny themselves these luxuries, as the people of this country had had to deny themselves many other luxuries. This was an expense which ought to be brought more in equilibrium with the receipts derived from the post-office service. Not a dollar extra taxes was required to be put on the country; all the Government had to do was to cut and prune more than they had done. His right hon. friend's amendment contained a reference to another branch, and that was with reference to the re-adjustment of the tariff. He was aware that, not being a commercial man, his opinions had not the weight of those of hon. members who were directly interested in commerce, therefore he felt a little diffident about saying anything on this matter. Nevertheless, it was the question of the hour, and he was glad that party lines were being formed upon it, because they would not then have the "you're another" style of argument used so much on the floor of the House. He was not going to dispute the grand doctrine of free trade nor the philosophy of the hon. gentleman on the other side of the House who especially championed it, and whom he was afraid of very much when he addressed the House. But he did say that there were exceptional cases to every doctrine, and the position of this country at the present time was exceptional, and ought to be dealt with in that spirit. We formed a sparsely settled country, stretching from ocean to ocean, with a great people south of us, who put a duty of about 45 per cent. on what we sent to them. Whether free trade or protection was right or wrong these people were able not only to compete more than successfully with us, with a duty of 17½ per cent., but they were able to compete with British manufactures in England itself. Under these circumstances perhaps it would be only modest on their part—he did not mean on the part of the Finance Minister or of the philosophers, but of the independent members of the House—if they would just think it possible that the people on the other side of the lines might be right and the Free-traders wrong. He thought the Americans had just as good business

Mr. McCARTHY.

men among them as we had—that, he did not think any hon. member would attempt to deny. It was very strange, if the Americans were crushed down by their protective tariff, that neither the Republican Party nor the Democratic Party, at the recent Election, made it a plank in their platform to do away with that system. Under these circumstances it could only be said that rightly or wrongly, the whole country had accepted the position and were willing to abide by this prohibitory tariff; and the result was they kept everybody else out and did their own trading—not only this but they were also doing our trading to a great extent. But, without going further in this direction he would ask why petroleum should be selected as an article that ought to be protected. Surely that was an article which Free-traders ought to delight in taking the duty off. Light was one of the necessities of life; we all used petroleum: Then why should it be protected? Why not put a duty upon coal if upon petroleum? The first Minister would say that would be putting a tax upon the fire that boiled the water that made the tea, and, therefore, ought not to be protected. But the same argument would apply to petroleum. He (Mr. McCarthy) could not see why some of the duty taken off petroleum should not be placed upon coal. The same revenue would be arrived at, and an important industry would be protected to that extent. He was not saying whether protection or free trade was right, but he was only suggesting the course which it seemed to him reasonable men should adopt. We had to raise a certain amount of taxation—\$22,000,000 or \$23,000,000 annually. He did not propose that one dollar more should be raised, but to so distribute it as to afford protection to the industries of the country. The First Minister had come down flat-footed for free trade and for simply taxing for revenue purposes. It was sufficient for any industry to ask to be protected for the Government to refuse to place a duty on that article and to induce them to place it upon something else.

Mr. MACKENZIE: What is incidental protection?

Mr. McCARTHY: As I understand, it is protecting industries while you raise the revenue necessary for carrying on the business of the country.

Mr. MACKENZIE: And we have done that.

Mr. McCARTHY: I understand the hon. gentleman to repudiate that doctrine.

Mr. MACKENZIE: It is impossible to repudiate anything I am doing.

Mr. McCARTHY: The hon. gentleman is not doing that, if he will excuse me. When he places a duty on tea is he doing that? When he places a duty on malt is there any protection there? How is the hon. gentleman doing it? In every way in which the Government places a tax, their course is not to foster but obstinately to refuse to foster the industries of the country.

Mr. GIBBS (North Ontario) said he rose to address the House with a great deal of diffidence, feeling as he did that the question was one of great moment to the interests of this country, and having to follow a gentleman who had presented the subject in such a lucid yet succinct manner. When he first came to take a seat in this House, it was as a supporter of the right hon. member for Kingston, then to the right of the Speaker. The country was then in a prosperous condition. But, after an absence of three years, he found the condition of things entirely reversed. The hon. gentlemen who were then in Opposition, had gone across the floor of the House and were clothed in purple and fine linen, and, he presumed, faring sumptuously every day. He would not follow the hon. member for North York in going into the details which brought about that change. He would simply say that the riding which he represented thought it would give the hon. gentlemen opposite a trial, so loud had been their professions of purity and efficiency. Accordingly, it sent to the House a gentleman who gave the new Government a cordial and hearty support. After three years, however, the electors of North Ontario, and of South Ontario also, saw the emptiness of the pretensions of the hon. gentle-

men opposite as well as their incapacity, and they now had reversed their decision of three years ago. Sir Francis Hincks, when on the Treasury benches, said that the hon. gentlemen were "a band of organized hypocrites." That was a very strong expression, but, viewed in the light of subsequent events, their course had shown that he was justified in making use of it. Another strong expression applied by the right hon. member for Kingston in connection with certain charges as to corrupt means used in the elections of 1872 was that, "if the House would give him a Committee, he would prove that the hon. gentlemen opposite had spent \$2 for every \$1 he or his friends had spent in elections." Under the light of subsequent events, that assertion also had been amply justified. If hon. gentlemen had any doubt upon this point, he would refer them to the Controverted Elections Court. The hon. gentlemen had not carried out their promises; they had violated every pledge; broken every promise and stultified themselves on almost every principle enunciated while in Opposition; and therefore they had lost the confidence of the country. If hon. gentlemen doubted this he would point to the reversals of judgments which constituency after constituency had given since the Government had been in office. Among those were: South Huron, Berthier, Chambly, South Norfolk, West Toronto, North Victoria, Two Mountains, Bellechasse, Charlevoix, London, East Toronto, North Ontario, South Ontario, Victoria (N. S.), Queen's (P.E.I.) and last, but not least, Kamouraska. Not only this, but he might cite those constituencies which the hon. gentlemen refused to open. He would refer them to Halifax and to Pictou, constituencies which the hon. gentlemen dared not open. Before he departed from this subject, he would refer again to Kamouraska. The First Minister had stated, in his Ministerial explanations as to change of the *personnel* of the Government, that the Hon. Mr. Pelletier refused to enter the Cabinet, but when pressed to reconsider, he consented on certain conditions. The hon. gentleman was then elevated to the Senate, as well as

being appointed Minister of Agriculture, and it was fair to assume that the condition was his appointment to the Senate, he being afraid to go back to his constituency. He would refer to the discourteous attack made upon the hon. member for Cumberland by the hon. the Minister of Justice with reference to Confederation. The hon. the Minister of Justice need not have made reference to this, as the First Minister to his right and the hon. the Finance Minister to his left, and also the President of the Council had taken the same part in Confederation as the hon. member for Cumberland. It would do hon. gentlemen opposite credit as a party if they could rise to the dignity of their position and be led for once by such an illustrious precedent as that given by Mr. Gladstone in England, and he was safe in saying that the relative numbers of isolated elections which had gone against the Ministry within the last eighteen months were proportionately greater than those which had gone against Mr. Gladstone in England. If hon. gentlemen would follow Mr. Gladstone's course, and, instead of holding office for the sake of the emoluments, they would resign or appeal to the country, they would raise themselves to a very great extent in the opinion of the people of this country. The members of the present Government, when in Opposition, had advocated the elections being held on the same day, but, when they came into power, the thirteen Ministers went to the country on different days, in order that they might be able to go to each other's assistance, thereby, in their very first act, violating one of the planks in their platform. But that was very trifling compared with what followed. Before the late Government resigned, the present First Minister and others stated that, because of certain moneys which had been proved to have been given by Sir Hugh Allan and others into the hands of the right hon. member for Kingston, the election which had taken place had resulted in the return of a tainted House, that the members of the House were impure, and the hon. gentleman in his speech at Sarnia, said :

"I may say in general terms that our policy will be the carrying out in office what

Mr. GIBBS.

we advocated out of office, and, until we have a pure election law, we cannot have a pure Parliament."

In the face of that assertion, these hon. gentlemen went to the country without passing an Election Law. If they had been sincere, they should, before the general election of 1874, have called the House together and passed their Election Law. If the Premier's statement was taken, this was an impure House. He would not say that hon. gentlemen held seats in this House by improper or impure means, but the Controverted Election Courts had exhibited in a very extraordinary manner the fact that several gentlemen on the other side had so obtained their elections, and an inference might be drawn, without being offensive, that other protests might have been followed by like results. But, in a party point of view, they were wise in their generation. It was because hon. gentlemen found there was a wave of public opinion, caused by the slanders and accusations made against their predecessors, before the country had the opportunity of forming a sober second thought, that they decided, in the hope of holding office for five years instead of three, to go to the country before passing an Election Law. When these gentlemen got possession of the reins of power, they found that the late Government had gathered together the different Provinces of this country into one complete Dominion, so far as it was complete to-day, that they had assimilated the different laws, currencies, and other matters, and that they had left everything in proper working order ready to their hands. A flowing revenue, a contented and prosperous people, manufactories flourishing and almost every interest in the country prospering satisfactorily; all they required to do, was to look around them, to behold a development and a prosperity in this Dominion unsurpassed in any country, or people, in the world. This was a very brief view of what this country was when it was handed over to the tender mercies of hon. gentlemen opposite. Now, having very briefly looked at the picture presented then, let them also briefly look on the picture of to-day;

What did they see?—depression in every branch of trade, commerce paralyzed, the country strewn with the wreck of our manufactories, tens of thousands of artisans and others idle for want of remunerative employment, bankruptcy stalking over the land, imports falling off, an empty Treasury, a deficit of five millions in three years—one universal wail throughout the Dominion, from the Atlantic to the Pacific. But there was not time to enlarge. He could only ask hon. gentlemen to look around them and see what was the picture the country presented to-day. Why, it was the very antipodes of what the Dominion presented three short years ago. The only thing in which an increase had taken place, as far as he was aware, was in the extravagant expenditure in every branch of the public service. The hon. the First Minister was always great on the cost of Civil Government, as a test of Ministerial economy. Take, for example, a speech he delivered to the party in London, on the 25th of October, 1870, a report of which was found in the *Globe* of the day following:—

“When the Government was first formed in '67-68, the offices were filled with a great army of employes, but, notwithstanding, the entire expenses of the Civil Government, including the Governor-General's salary, and those of the Lieutenant-Governors, were \$594,445.82. What was it now? The very same items now reached \$661,675.82—an increase of nearly \$70,000 in two years, in consequence, as he firmly believed, of the naturally bad system of Government that existed under a coalition.”

What, he asked, had this Government done in the way of reforming this extravagance? The records showed the cost of Civil Government then to have been as follows:

1870 (According to the First Minister) .....	\$661,675
1873 (Public Accounts, p. 70) .....	750,874
1876 (do do 82) .....	841,995

So that not only had this Reform Government failed to cut down the extravagance that they said ran riot under the régime of the hon. member for Kingston, but as compared with those of 1873—the last year of the late Government—the figures for 1876 showed an increase of nearly \$100,000. Did this increase arise

from “the naturally bad system of Government” that existed under the present Mackenzie-Cauchon Coalition? When the Minister of Public Works was leader of the Opposition, he complained loudly of the extravagant salaries paid to the departmental officers in Ottawa, and also of the excessive number of officers. For instance, in a speech delivered at St. Catharines on the 15th of November, 1870, and reported in the *Globe* of the day following, he said:

“Why, the Ministry were packing the public buildings from attic to cellar—two or three in every room—till one could hardly find his way through them. The last time he was at Ottawa he found four men at the door waiting for the little man's behests inside.”

He attributed the enormous cost of the Departments to the corruption of the then Government, as he had said at London on the 23rd of October of that year:

“A coalition was one of those systems that produced this state of things (corruption) as its natural fruit; in fact one might as well expect pure water from a foul spring as anything better than extravagance and corruption from a coalition.”

Well, this Government had been in office since the 5th November, 1873, and what had been done to bring about reform in this connection? The Public Accounts showed the departmental salaries to have been as follows for the years mentioned:—

1873.

(Public Accounts, pp. 19-45.)

1. Gov.-Gen's. Secretary's Office..	\$	8,240
2. Privy Council.....		15,876
3. Department of Justice.....		17,367
4. Militia.....		37,475
5. Secretary of State for Canada..		37,074
6. Department of the Interior.....		23,382
7. Receiver-General.....		24,318
8. Inland Revenue.....		24,778
9. Finance and Treasury Board...		53,490
10. Customs.....		32,267
11. Public Works.....		46,624
12. Post Office.....		74,634
13. Agriculture and Immigration..		31,340
14. Marine and Fisheries.....		25,336
		<hr/>
		\$452,201

	1874.	1875.	1876.
	Pub. Ac'ts. pp. 19-52.	Pub. Ac'ts. pp. 27-40.	Pub. Ac'ts. pp. 26-57.
1.....	\$10,079	\$11,345	\$10,971
2.....	16,011	22,650	20,732
3.....	19,181	21,844	22,983

4.....	42,776	43,545	44,077
5.....	35,410	38,748	38,702
6.....	42,556	49,344	45,063
7.....	28,131	28,837	28,445
8.....	28,773	30,191	31,565
9.....	57,597	59,834	57,649
10.....	35,358	36,137	35,743
11.....	56,336	60,526	56,940
12.....	82,991	88,936	92,460
13.....	35,916	37,674	35,655
14.....	30,087	31,326	32,789
	<b>\$521,202</b>	<b>\$560,937</b>	<b>\$556,774.</b>

Instead of reducing the salaries, then, this Reform Premier had increased them by \$103,000 a year since June, 1873. He boasted, and the faithful organs repeated the boast, that he discharged a large number of the persons appointed by the late Government between 30th June, 1873, and 5th November of that year. Where was the reduction? He must have supplanted the discharged ones with sound Reform aspirants, for the salaries in 1874 were \$70,000 more than 1873, and those of 176 \$35,000 more than in 1874. Where was the reform? The hon. gentleman had proved himself to have been a true prophet; when coalitions were formed upon certain principles, and especially when being so they denied that they were coalitions, the hon. gentleman's words in this connection applied with perfect accuracy. Under the present régime, public expenditure had increased, and principles which had been enunciated in Opposition had been utterly disregarded on their attainment of office. It had been properly asked why coal oil had been selected to receive particular attention from the House, in connection with the Budget. He admitted that in the manner in which the coal oil interest had been managed of late years, was such as to require legislation; but it was to be remembered that, when the hon. member for Stanstead last year moved the partial repeal of the duty, the Government denied his motion, although the Finance Minister now acknowledged that in consequence of their policy in this regard the country had lost some \$1,200,000. Still this sum was so insignificant that it was not worth while to derange the tariff last Session. But, if it was proper to remodel the tariff this year, why did he not do it last year and thus save the

Mr. GIBBS.

country this large loss now admitted in his speech. Some persons indeed were wicked enough to insinuate that had this industry not been connected with the county of Lambton, the duty on coal oil would have been previously removed. It might be said, and indeed had been said, that asking to have this excessive duty on coal oil reduced last year was contrary to the protective principles of government on his side of the House, but they did not advocate the imposition or continuance of excessive duties that would bring about a monopoly and the creation of rings. They only desired to secure a sufficient revenue, and yet to so arrange the tariff as to benefit Canadian industries. It had been said that the resolution of the hon. member for Kingston before the House was of too general a character; but it was not the duty of the Opposition to frame the policy of the Government. If the members of the Administration felt that they were not equal to the task, and he ventured to say that this was the case—the Opposition would readily change places, and perform that duty to the satisfaction of the country. He rejoiced that the time had come when party lines would be distinctly drawn and the respective policies of the two great parties in the country would be clear and tangible. Under the Government of the hon. member for Kingston the country had been favoured with general prosperity, but under the existing régime, it was visited with wide-spread depression, and a deficit for the first time in the history of this Dominion. It seemed to him, that in order to be true to their past policy, the hon. gentlemen opposite had doggedly determined to disregard the cry of distress which arose from the manufacturing interests, and the general needs of the country. Though circumstances in the country south of the Dominion had greatly changed, to the detriment of Canadian interests, the members of the Government refused to render aid to our industries, and, quietly folding their arms, looked on and said: "If you must go to the wall, go; it is not part of our duty to step in and show a disposition to meet the wishes of the country and alleviate this state of things." The Government

was evidently resolved to impose direct taxation as far as this was possible; and, although many Canadians were idle and work difficult to be obtained, they continued making large appropriations to promote immigration as if they were completely blind to the altered circumstances in which the country was placed. Their fiscal policy was crushing out Canadian interests, and forcing citizens, artisans and workmen to abandon Canada for the adjoining Republic. The late Government relieved the country of two millions of taxation on tea, coffee, and other articles, but the first act of the present Cabinet was to re-impose duties on these articles, and that, too, in the most objectionable manner possible. The duty on black tea was now, he believed, five cents per pound, and six cents per pound on green tea, which, it was worthy of mention, was most largely used by the poor man. Our merchants, in consequence of adopting the specific instead of the *ad valorem* principle of imposing the duties on tea, which prevailed under this Government, were driven from our own cities to establish themselves in New York. Truly "Whom the gods would destroy they first make mad." A gentleman who had been engaged in this business in Montreal, had informed him the other day, that since his establishment in New York, he had sold more tea to Canadians, in four months, than he had sold during three years in Montreal. The hon. gentlemen of the Administration appeared to be very obtuse and incapable of reading the signs of the times, when they persisted in following the fatal course they had laid down to themselves. They marred and retarded the welfare and prosperity of the Dominion, and hence, he thought, they ought to be deprived of control of the administration of its affairs. He believed that the hon. the Minister of Finance dreaded contemplated changes in the tariff. It was true that the hon. gentleman, in 1874, had tried his hand at an adjustment of duties, and his essay had aroused such a wave of indignation throughout the country, that, in a fit of desperation, the hon. gentleman had been driven to commit the crime of infanticide, by

strangling the unhappy child he had brought to light. The country demanded some alteration of the tariff, and he simply added 2½ per cent. to the tariff of his predecessor, and the year following, when still greater pressure was brought to bear, when the hon. gentleman was supposed to be in an interesting condition, and it was thought he would be delivered of a proper child, the country was again disappointed. This year the people were not so sanguine, but still they hoped, owing to the amount of pressure exerted on the Government from many quarters, the hon. gentleman would produce something, but they found out that the mountain had been in labour and brought forth a mouse. It was their intention to give the poor people light at a moderate price, but, as pointed out by the hon. member for Kingston, what they saved on light was taken away by what they lost on tea. The hon. the First Minister said that while the Opposition desired cheap tea they were inclined to tax the coal which boiled the kettle. Like many other hon. members, this gentleman could not take a broad view of the requirements of the Dominion and recognise that concessions should be made in some quarters, in order that there should be general prosperity. Speaking for the manufacturers of Western Ontario, he could say they were quite willing to submit to a duty on coal in order to obtain a corresponding benefit, by having a duty put upon foreign manufactures. Those who read the *Globe* knew that in one issue the farmers' interest would be upheld, and that protection only meant increased prices for articles consumed by them; and that in the next, the mechanics would be warned that protection to breadstuffs would result in increased prices of bread, without assisting in the least manufacturing interests. He had been a manufacturer for a number of years, and had employed a large number of men, and he had never yet heard the labourer or mechanic complain of the high price of bread; those classes knew that the high price of bread meant an increased consumption of manufactured goods, and consequently a good day's pay for a good day's work. With reference to

the attack on the Washington Treaty, he might say that the people were no longer satisfied with the simple statement that they were doing no worse than before. Simple assertions could not be supposed to take the place of facts, and the people would be content with that treaty, until it was shown, unmistakably and irrefutably, which had never been done yet, that it was opposed to the interests of the Dominion. He had, as stated, spent a couple of days in the constituency of Bothwell, where the subject of protection *versus* free trade had been discussed by certain ministerialists; and, although the ministerial candidate was successful, the people had confessed to being in favour of protection, and there was little reason to doubt that at the next election a marked change would be witnessed in that as in other constituencies. It was unfair and unjust that a nation of 40,000,000 inhabitants should be allowed to bring grain into our markets free, and that our farmers should be denied access to their markets unless they paid a duty of 20 cents per bushel. Fair competition was impossible under the circumstances, and no arguments that could be adduced by the other side could make people of common sense believe that such an arrangement was just. Some hon. members might be sincere in their convictions that free trade principles in grains, &c., were best adapted for Canada, and that putting duties thereon would not increase prices here. Then it followed that no possible harm could follow, but the majority of the people believed that protection was essentially necessary to our prosperity, and the latter should have at least the benefit of the doubt, and the duty imposed. American products should be taxed until the United States either abolished their duty on Canadian grain or agreed to a Reciprocity Treaty. It had been the policy of the Government to spend large sums of money for the enlargement and improvement of our canals. The effect of this would be not to benefit the Dominion, but was directly in the interest of the Western States. We were expending large amounts in this way to reduce the freight from those States, and so enable the Americans to

Mr. GIBBS.

compete still more successfully with the Canadian farmers. We could secure the carrying trade just as well when the western grain passed in bond as now. Some hon. gentlemen said if we placed a duty on American wheat the price of bread would be enhanced. Well, he held that the effect would be to secure the Canadian markets for Canadians. If the American wheat was excluded, we would be able to supply the Maritime Provinces without any material addition to the cost, while, at the same time, the farmers and millers of Ontario would be greatly benefitted, The American people were no fools; they were as smart in business matters as the people in this Dominion, and, they know how to make or save a dollar just as well as Canadians. The Americans understood their business and what was to their interests just as well as Canadians did. He knew it was the argument of the hon. the Premier that the price of wheat in this country was wholly regulated by the price of grain in Liverpool. If that was the case, how was it that American wheat and flour displaced such a large amount of Canadian produce. It was well known that every bushel of wheat or barrel of flour the Americans were permitted to bring here compelled a like quantity of Canadian wheat and flour to be shipped out of this country at a loss to the exporter. It was simply a question of time how long a man could exist who became an exporter of flour to England, and it was simply impossible to do it, although there might be exceptions to the rule, as there was to any rule. There was a feeling going through the country, which was growing and would continue to grow, that fair play was needed in our fiscal policy. That would be the issue upon which elections would be fought in the future—very largely at all events in the Province of Ontario—as to whether the Government were willing to adopt a policy which would enable Canadians to offer Americans something in exchange for reciprocity, for Americans would never be willing to adopt reciprocity under the present system. They had all the benefits of reciprocity now without giving anything in return. With respect to the Washington Treaty.

It must not be forgotten that the Maritime Provinces in the main asked for it, so that they might get access to the United States for their fish, and we granted it, although we did not thereby get reciprocity in wheat and flour, as we thought we should have done; but it would have been a dog-in-the-manger policy to refuse the Maritime Provinces the opportunity of reaching the American markets for their fish because we could not at the same time get what we desired.

Mr. GOUDGE: Who in the Province of Nova Scotia was favourable to the Washington Treaty?

Mr. GIBBS: I say the members from Nova Scotia mostly voted for the passage of that treaty.

Mr. GOUDGE: Who were they?—name them.

Mr. TUPPER: I will tell the hon. member for Hants: Every member but three, and those three were defeated when they went back to their constituents.

Mr. GIBBS said he was much obliged to the hon. member for Cumberland, as he did not remember the names of the Nova Scotia members; but he knew it was a fact that, when the right hon. member for Kingston returned from Washington, he was endorsed by the whole Province of Nova Scotia and by this House. With reference to the National Policy, the hon. the Premier and the hon. member for Waterloo had stated repeatedly in the House and the country that the duty was taken off wheat, coal and flour by the late Government, and the hon. member for Cumberland showed the House the other evening that that was not correct. He took it that hon. members, from their high position, should make ingenuous statements, but this statement was a disingenuous one, and calculated and intended to convey to the country an incorrect impression as to the facts. The duties were not repealed through any action of the late Government, but in spite of them; they were repealed because a majority of the members of the House, irrespective of party lines, were in favour of this being done, and the late Government did all they could to prevent it.

The hon. gentlemen on the Treasury benches were opposed to a National Policy, whereby our manufacturing, commercial and agricultural interests, would be fostered; that was the difference between them and the hon. gentlemen of the Opposition, but the time had come when something like fair play was required. Their policy was one which would meet with the condemnation of the country, and therefore, it might be to the advantage of the Opposition that the Government persisted in pursuing their suicidal policy; but gentlemen on his side of the House would prefer to see the interests of the country advanced, rather than a party advantage gained. He would say a few words with reference to the Pacific Scandal. He said in 1874, and he repeated the assertion now, that sums of money were improperly used, which he did not attempt to justify, but if anything could have justified it, it was the knowledge the hon. member for Kingston had of the vast sums the Government opposite were spending improperly. But it did not lie in the mouths of hon. gentlemen opposite to talk about corruption. The chief of the party wrote the famous "Big Push" letter, and this was illustration enough of the insincerity of the party in their assumption of purity. A gentleman of his acquaintance said to him, that there was but one thing required to complete their degradation, and to fill up their cup of iniquity, and that was to take George Washington McMullen into the Cabinet or give him a seat in the Senate. Speaking of the "Scandal," it was natural to refer to the Pacific Railway. The policy of his right hon. friend from Kingston as to that railway was denounced, and if his memory served him right one of the very provisions denounced in the old charter, viz: that it should not be built other than by a company and not by the Government, had been introduced by the Minister of Justice.

Mr. BLAKE: The late Minister of Justice—Mr. Dorion.

Mr. GIBBS said if the hon. gentlemen were going to complete the road as a Government work it would cause a strain which this country could not bear; it would involve the coun-

try in a debt which would bring about a continuous deficit. He wanted to say a little more about protection and taxation, and it could not be repeated too often. What we required was a revenue which would enable the business of the country to be carried on, and at the same time would bring about a healthful state in our manufactures and industries generally. To do this it would not be necessary to raise the taxes one iota. It was not proposed to increase the aggregate taxation, but so to adjust the tariff as to assist manufactures, commerce and agriculture. The Finance Minister had said that the *per capita* business of this country was larger than in the United States. He doubted this statement, but, admitting that it was true, it must be remembered that a large portion of the inhabitants in the Southern States were neither producers nor consumers. There was one fact especially which would show that the state of our trade and commerce was not so good as in the United States, and that was the number of bankruptcies last year, as reported by Dun, Wiman & Co. The failures in the United States were one to every sixty-three trades, while in Canada they were one to every thirty-two. In other words, there were twice as many failures, relatively, in Canada, as in the United States, and relatively for 60 per cent. more than in the United States. This was a proof that the United States, with their exorbitant protection, had been able to hold their own. He had a firm faith that the National Policy could be inaugurated and successfully carried through; and until that policy was the ruling policy of this country, our industries would never assume that importance which they deserved. He should vote for the amendment of the hon. the member for Kingston.

Mr. GREENWAY said he hoped the House would bear with him while he offered a few remarks which applied peculiarly to himself, in order that he might set himself right upon the question before the House. He had a lively recollection of the question involved in the amendment which the right hon. member for Kingston had chosen to propose. In entering

Mr. GIBBS.

the House, he desired to divest himself as much as possible of any party prejudices he might entertain. He was one of those who held that, in the history of this country, it had happened sometimes that the interests of the people had been sacrificed to the interests of the party, and that occasionally there had been too much recrimination, too much accusing each other of faults, meanwhile forgetting the interests of the country in which we all prided ourselves. No other evidence was required than some of the scenes which had been witnessed in the House to determine that the view he entertained was a correct one. The question under discussion was one on which he had committed himself to his constituents long before it became a party question in this country. It was one upon which he happened to address his constituents upon various occasions, and for that reason he was in a position to set himself right with respect to his vote on that question. He entered the House as an Independent member desirous of deciding questions on their merits, and supporting measures which he considered were in the interests of the country, emanating from what source they might. He was introduced as an Independent member and so voted during the Session of 1875. A few days before the tariff question came before the House in the Session of 1876, he had the opportunity of addressing upon it a very large number of his constituents of both political creeds. This was before it had become a party question, and before it was understood which side the Government was going to take upon it. He found that that large assemblage were Free-traders without a dissenting voice. That view he advocated before the meeting, and thoroughly committed himself to it, believing that it was the proper view for any one having the interests of the country at heart to hold. He found it very difficult to understand how the hard times, which bore so heavily upon some people, were going to be improved by placing additional burdens upon them. Thus committed on the question, he felt it to be his duty, when the right hon. member for Kingston proposed his amendment last Session,

to vote against it, as it involved, in his estimation, if anything, the principle of protection. Outside of the House his motives were impugned; he was read out of the party with which he had acted previously, and he was denounced as a traitor because he did not choose to become a traitor to the principles of a life-long profession. It was said that he had sold himself to the Government, that the Government had offered him a position for his vote on that particular occasion, and as soon as the Session of 1876 was over he was to step down and out, to receive his reward for being a traitor, and make room for some other gentleman. Time had shown whether the accusation brought against him on that occasion was correct or not. He desired now to meet the question as he met it then. He desired to record his vote as he believed in the interests of the country in such a way that he would be enabled to give his constituents an intelligent reason for the vote he had given. The views expressed by the hon. the Premier during the debate were the views which he (Mr. Greenway) held, and for that reason he felt it to be his duty again to vote against the amendment of the right hon. member for Kingston, as he believed it involved the same principle as was involved last Session. The only pledge he made to his constituents when elected was, that he would endeavour to record his vote so that he would be enabled to give a reason why he did so. If he advocated free-trade principles on behalf of the agricultural constituency which he represented, and which was one of the finest in the Dominion, his constituents believed in the same principles. They had been told that the farmers were misled. He could tell the hon. member for Kingston and the House, that the farmers understood what they wanted, and that they did not want the articles which they consumed increased in price by the action of the Government, especially in such hard times as these. He agreed with the hon. member for North York that it was a very small matter to talk about the two cents duty on tea. There never was a time in the history of the country when tea was cheaper than at

present. He had made the remark when the question was discussed of the probable changes of the tariff that tea was an article which would bear a slight taxation better than anything else that could be named; the additional tax of two cents per pound would not increase the burdens of the people. It might affect the profit in a very slight degree of the retailer, but it would not increase the price to the consumer, any more than the one cent per pound duty upon malt would make a glass of beer more than five cents; the hon. member for Carleton had declared that the duty on malt almost amounted to prohibition. If it went a little further, even as far as prohibition, it would receive from him a hearty support. He would not attempt to discuss the other changes in the tariff, being a novice in Parliament, further than to say that he thought the action of the Government in regard to coal oil was a step in the right direction, and the people, especially those of the country districts, who could buy that necessary article for about one-half the price to-day that it was about a month ago, would appreciate the action of the Government in that particular. He had only to add that his vote on this occasion would be recorded in the same way as it was last Session, and he hoped he would not record his vote for any measure for which he would not be able to give a satisfactory account to his constituents.

Mr. CHARLTON moved the adjournment of the debate.

Motion to adjourn debate *agreed to.*

House adjourned at  
Fifteen minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

*Monday, 5th March, 1877.*

The Speaker took the chair at Three o'clock.

### BILLS INTRODUCED.

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

Bill (No. 61) To incorporate the Canadian Securities Company (Limited).—(Mr. Casgrain.)

Bill (No. 62) Respecting the Northern Railway of Canada.—(Mr. *Macdonald*, Toronto.)

Bill (No. 63) To authorize municipalities to pass by-laws to provide means of escape for persons falling into the water in the vicinity of wharves and docks.—(Mr. *Cook*.)

Bill (No. 64) To amend the Acts relating to the Supreme and Exchequer Courts.—(Mr. *Blake*.)

## ISSUE OF WRITS DURING THE SESSION.

### SPEAKER'S RULING.

Mr. SPEAKER: Some doubt having been expressed as to the duty of the Speaker in case of vacancies occurring when the House is in Session, I felt it my duty to look into the matter, and I find that not only is our law peremptory, leaving to the Speaker no discretion whatever, requiring him absolutely to issue his warrant as soon as practicable after the fact of a vacancy is made known to him, but I find there was a misconception on the part of some hon. members as to the law in England. The law generally in regard to vacancies is that, during the Session, a writ must always be moved for in the House. During the recess, "when vacancies occur by death, by elevation to the Peerage, or the acceptance of office, the law provides for the issue of writs without the immediate authority of the House," but only in these three cases, and not in the case of the acceptance of the nominal office of Steward of the Children Hundreds—the only mode by which members can avoid their seats, not having the power, as in our case, of resigning. But I find there was a mistake, or, rather, a misapprehension, as to what the provisions of the Controverted Elections Act of the Imperial Parliament on this subject are. The hon. member for Kingston seemed to be of the opinion that the provision in our Act was virtually a transcript of the provision in the Imperial Act as to the duty of the Speaker, but in that he was entirely mistaken. The British Controverted Elections Act is very much the same as to the duty of the Judges. It provides that the Judges

Mr. CHARLTON.

are to forward their judgment to the Speaker, and so on, but the duty of the Speaker is defined by the 13th Section:—

"The House of Commons, on being informed by the Speaker of such Certificate and Report or Reports, if any, shall order the same to be entered in their Journals, and shall give the necessary directions for confirming or altering the Return, or for issuing a writ for a new election, or for carrying the determination into execution, as circumstances may require."

Our Statute makes that the express duty of the Speaker, so there is an essential difference.

Mr. CAUCHON: That says it is by the direction of the House.

Mr. SPEAKER: But we have a Statute which makes it imperative for me to issue my warrant. The English Act is entirely different.

## PRIVATE BILLS.

### CONSIDERED IN COMMITTEE.

The following Bills were severally considered in Committee of the Whole, and reported:—

Bill (No. 13) To incorporate The Dominion of Canada Civil Service Mutual Benefit Association.—(Mr. *Wood*.)

Bill (No. 17) To extend the provisions of Section 56, of the Act 24 Victoria, Chapter 5, intituled: An Act relating to Banks and Banking, to the Bank of British North America.—(Mr. *Fraser*.)

## CONSTRUCTION OF BRANCH LINE OF RAILWAY.

### QUESTION.

Mr. BLANCHET asked whether it was the intention of the Government to include in the Supplementary Estimates a sum of money for the construction of a branch line of railway from St. Charles, county of Bellechasse, to St. Joseph de Lévis, in order to avoid the detour by the Chaudière.

Mr. MACKENZIE: It is not the intention of the Government to ask for any grant of money from this House for such a purpose.

## THE FORM OF PUTTING QUESTIONS.

Mr. SPEAKER remarked that there was no necessity for placing the clause, "in order to avoid the detour by the Chaudière," in the question. Members, in proposing questions, should avoid including in them debateable matter.

Mr. BLANCHET said the clause mentioned was essential. The detour to which he alluded was well known.

Mr. BLAKE: The hon. gentleman should remember that the longest way round is the shortest way home.

Mr. MASSON said the clause to which reference was made included a point of fact.

Mr. SPEAKER: With regard to these questions, the Clerk in the British House of Commons is instructed to alter them without the consent of the member, if that cannot be obtained, in order to make them conform to the rule, which excludes from them debateable matter. I think it desirable to conform as strictly as possible to so wholesome a practice.

Mr. PALMER said this question of order was of very considerable consequence. Rule 29 stated in such relation, that "no argument or opinion is to be offered, nor any facts stated, except so far as may be necessary to explain the same." He contended that it was entirely useless to ask questions, unless members could state in them such facts as were necessary to explain the object they had in view to the Government and the House.

Mr. SPEAKER said it was not at all necessary to have asked more than whether it was the intention of the Government to build a branch line from one point to another. In going beyond that, a statement open to debate was made. If, however, a member of the Government, whose duty it was to give the answer, said that he did not quite understand what a question meant, then an hon. member might explain what he meant, but no more. The inexpediency and impropriety of putting on the paper questions containing statements and assertions open to discussion was very

obvious. Therefore, the rule, that nothing of a debateable or argumentative character should be allowed in questions was strictly observed.

Mr. BLANCHET said he thought that his question had been framed in accordance with the rule mentioned. If the few words to which the Speaker had alluded had been omitted, the question would have been of no interest whatever to the public. If the detour he had instanced were avoided it would be in the interests of trade and of the public.

Mr. SPEAKER: That is a point open to argument.

Mr. BLANCHET: Not at all; it is a fact.

Mr. SPEAKER: My view does not agree with the opinions of the hon. members from St. John and Bellechasse.

Mr. MASSON said that if the rule mentioned were enforced the scope of action on the part of hon. members would be too greatly limited.

Mr. SPEAKER: This matter may, perhaps, be again brought before the House.

## REEF NEAR RIVIÈRE DU LOUP.

### QUESTION.

Mr. POULIOT asked whether it was the intention of the Government to place a light-ship on the reef lying between Rivière du Loup and the Brandy Pots.

Mr. SMITH (Westmoreland): It is not the intention of the Government to place a light-ship at the point named.

## THE DUFFERIN IMPROVEMENTS IN QUEBEC.

### QUESTION.

Mr. CARON asked whether it was the intention of the Government to ask for a sum of money to begin the improvements known as the Dufferin improvements in the city of Quebec.

Mr. MACKENZIE: I do not know what are called the Dufferin improvements; but, assuming that the improvements spoken of refer to the proposed changes of gateways and fortifications,

I have only to say that it is not the intention of the Government to ask for any money for that purpose at present.

### FOG WHISTLE AT COFFIN'S ISLAND.

#### QUESTION.

Mr. FORBES asked whether the Government intended erecting a fog whistle at Coffin's Island at the entrance of Liverpool Bay, Nova Scotia, during the coming summer, or when.

Mr. SMITH (Westmoreland): The Government do not now intend to erect a fog whistle at the place mentioned. I may say, however, that the Government are impressed with the importance of having one there, but they are not at present prepared to build it.

### THE VETERANS OF 1812-15.

#### MOTION FOR RETURN.

Mr. DELORME, in the absence of Mr. ST. JEAN, moved for a return showing the names of all the veterans who have proved their right to partake in the grant of \$50,000 voted last Session by Parliament in favour of Militiamen of 1812 and 1815, and the action taken in each case during the current financial year.

Mr. VAIL: A return containing the names of these veterans is already prepared, and will be shortly laid on the table of the House.

*Motion agreed to.*

### MANITOBA LANDS.

#### MOTION FOR RETURN.

Mr. SHULTZ moved for a return of all lands surrendered by the Dominion Government to Manitoba for road purposes. He said he had occasion to bring up the matter of main lines of roads in Manitoba last Session in a somewhat different way. He had then pointed out the peculiar position in which the new Canadian and other settlements were placed in relation to the navigable streams and existing highways of the Province, and explained that, owing to the reservations made by the Government for the children of half-breed heads of families under the Act granting 1,500,000 acres

Mr. MACKENZIE.

for that purpose, these new settlements were separated from the highways and rivers by a tract which, in its present state, was often impassable in wet weather, and dangerous to life to traverse during a winter storm. As the roads through Dominion lands had been turned over by the Dominion Government to the Local Government, it might be asked why, since the Local Government had accepted this trust, they did not improve them so as to be of use to the settlements to which they ran. A very natural and simple explanation was to be found in the fact that the Local Government seemed to have no money to spare for this purpose. It must be remembered that Manitoba stood alone in the fact that she of all the Provinces did not control her public lands. He thought the responsibility of providing through these lands at least main lines of roads rested with the Government of the Dominion, and even if that general principle were not admitted, it was obvious that the Dominion could not shirk the responsibility of making roads through lands which six years ago were granted to the half-breed children. The owners of these lands were minors, and no aid towards roads was possible from them. The settlements beyond, scattered and hemmed in by the railway reserve, were powerless in themselves for this purpose, and hence he felt himself perfectly justified in urging, as he did now urge, that a sum of money should be appropriated for this purpose. The expense need not be very great, and, if given to the local municipalities where they existed, or to responsible parties in the townships where they did not, the money would be expended where most necessary. In one part of the country where this need was felt the Government would itself find the advantage of a good road to the Provincial Penitentiary. Such a road, with a telegraphic communication with the Penitentiary, would serve as a nucleus of other roads on the west side of the Red River. He believed it to be an act of simple justice to the settlements lying east and west of Red River, hemmed in, hampered and weakened as they were by the railway reserve, to grant a sum of

money adequate to the building of at least main lines of road. Having said this much in reference to the matter of roads, he would venture to touch upon a matter indirectly connected with that subject. It had been explained that the new settlements of which he had spoken had been formed in their present position in the emergency of the resolution which had been made to supply the 1,400,000 acres granted to the half-breed minors. The failure up to this time to distribute these lands to those who were to receive them had increased the disadvantages of the new settlements, while it had been entirely unfair to the parties themselves. There would seem no good reason for any longer delay in the distribution of these lands, and he would urge that not only should such distribution be made at once, but that his hon. friend the Minister of the Interior should not wait for the tedious process of the issue of patents, but that, immediately on the clearing of the settlements, lists should be published in the local papers, thus placing the recipient—who might, in the six years that had elapsed since the Act was passed, have come of age—in a position to at once occupy his land, while at the same time allowing the parents of the younger ones to at once take steps to preserve for their children such wood as might have been left on these lands. He would respectfully urge on the Minister of the Interior the necessity for a settlement of all the questions which were vexatious alike to immigrants and to old settlers, and damaging to the best interests of Manitoba.

*Motion agreed to.*

### SEIZURE OF A DISTILLING APPARATUS.

#### MOTION FOR CORRESPONDENCE.

Mr. MASSON moved for copies of all correspondence relating to the seizure in December last of certain distilling apparatus, the property of François Meloche and Ferdinand Lavoie, of St. Anne, county Jacques Cartier, including all instructions to, and reports from the Revenue Officers relating to same.

Mr. LAFLAMME: I must inform the hon. member that no such property as belonged to the two individuals he has mentioned, was ever seized in the county of Jacques Cartier. One still, however, was seized in the parish of Ste. Anne, but it belonged to a different man. The only correspondence in the possession of the Department in this regard, is a letter received from an informer, and it is against the rules of the Department to communicate such information to the House until the investigation is finished.

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

### SECRET SERVICE FUNDS.

#### REFERENCE TO COMMITTEE.

Mr. CHARLTON moved:

“That the following items of expenditure of Secret Service Funds be referred to the Committee on Public Accounts, viz.: the item of \$15,086.41 for the year 1868, the item of \$33,103.88 for the year 1869, the item of \$10,208.54 for the year 1870, and the item of \$75,000 for the year 1871.”

He said the facts which had recently come to the knowledge of the House in connection with the Secret Service Fund would render it apparent that it was proper to refer those items to the Committee in the same manner and upon the same basis as it would have been proper to have referred them in the respective years when the expenditure was made, leaving the Committee to deal with them in the same manner as might then have been done.

Sir JOHN A. MACDONALD called the attention of the Government to the character of this motion. It was one such as had never been made in England, and he thought it the duty of the Government to resist it. As far as the late Government was concerned, it was perfectly indifferent as to whether the motion passed or not, but, as far as his hon. friend at the head of the Government was concerned, it was his (Mr. Mackenzie's) duty to see that the powers of the Government, no matter whose hands they were in, were not infringed upon, or the public service in any way prejudiced. If, however, the hon. gentleman thought the motion a proper one to pass, he (Sir John A. Macdonald) would make no objection to it.

Mr. MACKENZIE said it had been the practice of the House, when any member wished to refer an item in previous Public Accounts to the Committee, to make a motion for that purpose. The only reason the hon. gentleman suggested why the Government should consider whether the question should not properly be resisted was the character of the items. Well, the character of the item was this: a certain sum was asked from Parliament, which was given, willingly or unwillingly, for the purpose of conducting a secret detective system, or something of the kind, during the time of the trouble on the frontier. It would be recollected that, early in the Session of 1872, he (Mr. Mackenzie) called the attention of the Public Accounts Committee to the necessity of having the same system of supervision here that was in operation in England. He could see no reason why the Parliament of Canada should not in the same manner audit this particular account; and he therefore took the necessary steps to bring the matter before the Committee. The hon. gentleman then at the head of the Administration (Sir John A. Macdonald) took his stand before the Committee, and declared he would not divulge any further information about the fund. At the same time, the hon. gentleman stated that the system he (Mr. Mackenzie) advocated should be put in operation in the future—that all future payments should be audited in the way described in the English parliamentary books. He was surprised when, a few months afterwards, the hon. gentleman characterized his statement in very strong terms at a public meeting at the town of St. Thomas, and he (Mr. Mackenzie) was obliged to take the parliamentary authorities down to a subsequent meeting there in order to show that he was neither ignorant nor untruthful, as the hon. gentleman charged. So the matter continued. They had no further information from that date until very recently that any portion of the money had been expended. It was only a little over a year ago that it came to his knowledge, in a way already known to the House, that a considerable portion of this money was lying to the credit of the hon.

Sir JOHN A. MACDONALD.

gentleman opposite at one of the banks, and had been there, entirely unknown to the officers of the Crown, for over three years. As soon as he obtained this information, he took steps to have the resolution of the House, which was passed in 1872, carried into effect. He failed to accomplish that. Those facts had been brought before Parliament and the country. He knew nothing of the motion of the hon. member for North Norfolk, and he did not know why that hon. gentleman wished to bring the matter before the Committee, unless it was to discuss the whole question of Secret Service Estimates and the mode of their disposal. While he was bound as Minister of the Crown, as leader of the Government, not only to protect the policy of his own Administration, but bound to protect the policy of the Administration of the country or Government in the abstract, he had never agreed with the policy that the hon. gentleman opposite and his Administration adopted in regard to this matter. He was, therefore, not concerned in protecting the mode of disposing of this money, of which he did not approve. It was a fair matter of argument whether that was best, proper or improper, and that being the case he could see no such grounds on which the Administration should resist a motion of this kind. In saying that much, he said nothing at all about what he might feel called upon to do at subsequent stages of any inquiry that might result from the motion.

Sir JOHN A. MACDONALD said, that, on behalf of the late Government and himself, he had not the slightest objection to the matter being referred to the Committee, and that the whole subject of the mode of audit in England should be gone into.

Mr. BLAKE said the Committee on Public Accounts could, in each of the years named, have initiated an investigation into the items and decided the principle upon which that investigation should take place. No such investigation took place, and circumstances had transpired which the hon. gentleman (Sir John A. Macdonald) admitted might fairly

call for an enquiry into items which were not enquired into, although referred. All that the motion would do would be to give the Committee for this year the same power with reference to those items that the Committees of previous years had.

Sir JOHN A. MACDONALD : Certainly.

Mr. BLAKE : Then, I want to know on what principle the hon. gentleman said the Government ought to resist the motion.

Sir JOHN A. MACDONALD said the Premier himself was a member of the Public Accounts Committee in the years in which this item appeared in the Public Accounts, and he had not thought it his duty in the public interest to go into an investigation of it. He (Mr. Mackenzie) pressed each year an investigation in regard to all those items with reference to which he thought there ought to be an enquiry, but he had not pressed for an investigation into this item. The reason he (Sir John A. Macdonald) supposed was from a sense that the subject was not one that could be fairly discussed openly in Committee. The general principle of such a motion was wrong, and owing to the peculiar nature of the subject-matter he thought the Government ought to resist it. As far as the late Government or individuals of it was concerned, they were perfectly indifferent about the matter.

Mr. YOUNG said he thought the case was somewhat altered now from what it was when brought before the Public Accounts Committee in 1872. The general belief then was, from the statements of the hon. gentleman opposite, that the whole of the fund had been expended. The hon. gentleman always spoke in the past tense in reference thereto, and it was well known that, in taking up the subject at that time, the Committee made a unanimous deliverance upon it. Whilst the hon. gentleman declined, and possibly with some propriety, to give information as to how the fund had been expended in the past, the Committee were unanimously of opinion that a different course should be pursued in the future,

and that to some extent the English practice should be followed. He found, since looking up the record, that in England they were extremely careful with regard to Secret Service expenditure and that it was quite a mistake to suppose that it was not audited. The plan was for the Secretary of State to make an order on the Treasury Department for any portion of the vote, and the latter made an order on the Auditor-General for the amount. Whenever any Foreign Minister received any of the money he had to give a receipt to the Secretary of State, which was a voucher that, so far as he was concerned, the amount had been properly expended. The Foreign Ministers, in whose hands the money was placed, were required to go before a Board of the Exchequer within one year after their return to England, and make oath that it had not been used for improper purposes. There was in this way a practical audit. Although the details were not given, there was a supervision which amounted to a guarantee to the public that the money had been properly used. The system in Canada was different from this. As he understood it, the whole amount went into the hands of the Ministry of the day. No person was sworn as to how the money was expended, and in other respects the English practice was not conformed to. Until he saw the motion of his hon. friend from North Norfolk he was not aware that he proposed to refer the matter to the Committee on Public Accounts. As the Committee had decided in 1872 that no amount should be expended thereafter without there being some audit as prescribed by the resolution, and as an amount of \$6,600 had been expended in regard to which no statement was made, it appeared to him that the motion was one which ought to be made in the interests of the country. At any rate, every one would agree with him that they ought to have some definite way of auditing the Secret Service Fund. The total amount used for the purpose so far was \$130,000, and he thought that they should, at least, lay down for the future some general rule which should be satisfactory to both sides of the House and the country that the money was

devoted solely to the purpose for which it was intended when voted by the House.

*Motion agreed to.*

### SMELT FISHERIES IN BATHURST HARBOUR.

#### MOTION FOR RETURNS.

Mr. MITCHELL moved for copies of all Orders in Council, Rules and Regulations made in relation to the smelt fisheries in the harbour of Bathurst, together with all the correspondence between the Department of Marine and Fisheries and the Inspector of Fisheries and other officers of the Department, also with all persons interested in said Fisheries.

*Motion agreed to.*

### POST OFFICES AT NOTRE DAME DE GRACE AND STE. CUNÉGONDE.

#### MOTION FOR RETURN.

Mr. DESJARDINS moved for copies of all petitions respecting the establishment of a Post Office at Notre Dame de Grâce near Montreal, and of another at Ste. Cunégonde, part of the territory of the town of St. Henri in the County of Hochelaga, recently erected into a separate municipality; also of all correspondence between the parties interested and the Department at Ottawa, including the reports of the Post Office Inspector in Montreal in relation thereto. He said that the Post Office Department, to his knowledge, had not considered it desirable to grant a post office—which had been petitioned for—to this important municipality. Nevertheless, if he was well informed, on petition last year of a certain number of residents of Côte St. Antoine, which was situated near the toll-gate at Montreal, a post office had been immediately granted. The municipality of Notre Dame de Grâce was located some two or three miles from any centre of communication, and at present its residents were obliged to post their letters either at Montreal or St. Henri, occasioning serious inconvenience. If he had been properly instructed, the Post Office Inspector of Montreal had reported in favour of

Mr. YOUNG.

establishing a post office at this place, and it had been hoped that the Postmaster-General would also grant the municipality in question gratuitous land and house to house distribution. He trusted that simple justice would be done in the premises.

*Motion agreed to.*

### INSOLVENT ESTATES.

#### MOTION FOR RETURNS.

Mr. YOUNG moved for any returns which may be in position of the Government relating to the number of failures, the assets and liabilities of Insolvent Estates, and more particularly of the number and character of the compromises which have taken place throughout Canada during the last twelve months. He said he was not sure whether the Department was in a position to bring down the returns. He understood that, last year, efforts were made to collect all cases of insolvency and the amount of the estates involved, and the amount paid in the shape of dividends. If the Department was not in a position to bring down a report this year, he trusted that the system would be perfected so that full returns might be made next year of all such cases as took place throughout the country. He believed one of the Mercantile Agencies published a statement of the kind he referred to, which was said to be tolerably correct; but it was easy to see that an official statement from the official assignees of the number of insolvencies, &c., would be a great advantage to the trading community. He did not know whether it was practicable to get a statement of the number of compromises which took place; but, if it was possible, he would strongly urge that steps be taken to get the return. The number of compromises throughout the country was very great, and they occurred very frequently; and he felt convinced that a great deal of injury was being done by them to solvent traders. In fact, the large number of compromises had a demoralizing effect upon the business of the country. If it were possible to put some restrictions upon them he would sustain such action. In the case of a person failing, his stock might be sold, and, as a rule, he went out of busi-

ness; but the man who compromised continued in business and unfairly competed with solvent tradesmen.

Mr. BURPEE (St. John) said the official assignees throughout the country had been asked to send to the Department the very full information asked for in the motion. Very few of them had sent returns, and the returns that were sent were very imperfect and had to be sent back to be corrected. At present there was very little information which could be brought down. However, what returns were made from time to time would be brought down without any further motion.

*Motion agreed to.*

### INTERCOLONIAL RAILWAY EMPLOYÉES IN NORTH- UMBERLAND.

#### MOTION FOR RETURN.

Mr. MITCHELL moved for a return of the resident employés on the Intercolonial Railway within the County of Northumberland, the date of their employment, when they were located or stationed in their present positions, the nationalities of the several individuals, and the number of them which were at the time of their appointment residents of the said County, with the rate of wages which they respectively receive. He said the impression prevailed in the county which he represented, that the persons residing there received very little consideration at the hands of the Government in the appointments on the Intercolonial Railway, even in that part located in the county of Northumberland. He had not given an ardent support to the Government, and he really believed this was the reason that his constituents were not fairly treated. Of course, he did not imagine that the Government would oppose the motion. He cared very little whether they did or not.

Mr. MACKENZIE: I suppose my hon. friend only wants a return of the regular staff, not the labouring men.

Mr. MITCHELL: Just the regular staff.

*Motion agreed to.*

## APPOINTMENT OF OFFICIALS.

#### MOTION FOR RETURN.

Mr. McCARTHY moved for the names of persons appointed to office between the 1st of January and the 7th of November, 1873, the names of the officials whose salaries were increased during the same period; the names of those so appointed whose appointments were cancelled subsequent to the 7th November; a statement showing whether the positions which were filled up by those whose appointments were cancelled have remained unfilled or have been since filled up, and, if so, when and by whom; and whether the salaries of those officials which were increased during the period named have been since reduced or increased, and showing the reduction or increase in each office respectively? He said he made the motion in consequence of a statement that the First Minister made at a meeting held in Whitby during the election in South Ontario in 1876. The hon. gentleman stated that:

"The new appointments during that time (from 1st January, 1873, to 1st July, 1873,) were 230 in number, with annual salaries amounting to \$110,836; while the salaries of 360 other officers were increased to an amount of \$38,881, being altogether during that six months, a total increase to the burdens of the people from these officers, of \$149,717. But that was nothing to what was done afterwards. After July 1st, they knew tolerably well that their period for making appointments was fast drawing to a close, and so they exerted themselves with redoubled vigilance to discharge this portion of their duty. . . . During this time, up to November 7th—you will recollect they resigned on November 6th—during this interesting period in the history of that Administration, they made 374 new appointments, with salaries of \$147,353; increased 973 salaries at a cost of \$104,841, being a total of \$252,214. We took the liberty to cancel \$52,286 worth of these appointments. I do not include in these appointments those that were made to fill vacancies, for they have to be made any way. Of these there were 54, with salaries of \$35,312."

That statement was very possibly literally true, and yet perhaps it at the same time had the effect of creating a false impression not merely on the persons present at the meeting, but on the whole country, for of course a speech by such a distin-

guished gentleman as the First Minister of the Crown would be read generally. He (Mr. McCarthy) desired to see whether, as a matter of fact, these appointments were properly or improperly made. If they were improperly made, then he supposed it would be the duty of the Government, on obtaining the reins of power, to have them cancelled. If they were properly made, then it was no great credit to the Government for having them cancelled and the places simply filled with different persons. The extract he had quoted was taken from the *Globe* newspaper, and he presumed was an accurate report of what was said. He was surprised to see on looking at the Public Accounts that, while the expenditure for salaries in 1874, the first year in which any new appointments could be made, was \$883,685; for the subsequent year it was \$909,265. He could not understand how the old Government had increased the burdens of the people as had been stated by the First Minister, in face of these figures, which went to show that the amount had increased under his Administration. A great deal had been heard about the importance and necessity of hon. gentlemen who made statements outside the House being prepared to substantiate them inside the House, and the First Minister had been one of the foremost in urging this rule.

*Motion agreed to.*

#### NEW BRUNSWICK ORANGE INCORPORATION ACT.

##### MOTION FOR CORRESPONDENCE.

Mr. COSTIGAN moved for a return of copies of all correspondence and proceedings in Council regarding the Orange Incorporation Act of New Brunswick, passed in the Legislature of that Province in 1875.

Mr. BLAKE said he supposed the hon. gentleman meant any Orders in Council, and not "proceedings in Council." There was no correspondence except the letter of the Lieutenant-Governor, and there were also the general Orders in Council dealing with this Act and a number of other Acts. There was no objection to the motion,

Mr. MCCARTHY.

with the amendment he had suggested. However, within forty-eight hours a return was expected which would contain the information asked for. Perhaps, therefore, the motion had better be withdrawn.

Sir JOHN A. MACDONALD: This Act was not reserved?

Mr. BLAKE: No.

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

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

##### MOTION FOR RETURN.

Mr. APPLEBY moved for a return shewing the number of Post Office and Custom House buildings owned by the Dominion, designating those built since 1867; the names of the cities and towns where the same are situate, with the population of each at the last census, and the amount of Customs, Post Office and Inland Revenue respectively collected at each place during the year 1875 and 1876.

*Motion agreed to.*

#### VOLUNTEER MILITIA.

##### MOTION FOR RETURN.

Mr. BOWELL moved for a return giving the names of all the Deputy Adjutant-Generals and Brigade-Majors on the staff of the Volunteer Militia Force of Canada on the first day of January, 1876; the Districts in which they were stationed; the date of their appointments respectively; the length of time they had each served; the names of those who have been removed from the staff; the date of such removal; and the names of those officers who have been appointed Deputy-Adjutant-Generals and Brigade-Majors since the first of January 1876; and the length of time they have served in the Volunteer Force of Canada before such appointments were made.

*Motion agreed to.*

#### MAILS IN THE COUNTIES OF BEAUCE AND DORCHESTER.

##### MOTION FOR CORRESPONDENCE.

Mr. BLANCHET, in the absence of Mr. ROULEAU, moved for copies of all

the correspondence having reference to the change of mail conductors for the counties of Dorchester and Beauce since the first of January, 1875; and also the names of those parties from whom such contract was taken away since that date, before the term for which they held such contract had expired; and also the names of those parties who took their places.

Mr. HUNTINGTON asked the hon. member to amend his motion so as to make its terms more explicit.

Mr. BLANCHET said the hon. member for Dorchester placed the motion on the notice paper, no doubt, on account of the change which had taken place in the mode of transporting the mails from Quebec to the County of Beauce. The Kennebec Railway was opened for traffic in July, 1875, when the Government adopted that means for conveying the mails, a mail conductor being appointed on the trains. The hon. member for Dorchester desired to obtain the names of the party who had the contracts and the name or names of the party or parties who were appointed mail conductors on the Kennebec Railway.

Mr. HUNTINGTON said the information would be furnished.

Motion as amended, *agreed to*, as follows:—

*Resolved*—That an humble Address be presented to His Excellency, for copies of all the correspondence having reference to the change of Mail Conductors on the Kennebec Railway since the first of January, 1875; and also the names of those parties from whom contracts were taken away since that date, before the term for which had expired; and also the names of those parties who took their places.

## ARICHAT WEST BREAKWATER.

### MOTION FOR REPORTS AND PLANS.

Mr. FLYNN moved for copies of reports and plans of breakwater at Arichat West, in the county of Richmond. He said the south-east end of the island which formed the harbour of Arichat was connected by a narrow neck of land with the mainland. Some years ago a heavy gale swept it away and the harbour was entirely exposed. In 1865 the matter

was brought to the attention of the Local Government, and a sum was appropriated for the purpose of erecting a breakwater from the island to the mainland so as to form a harbour again. The work was commenced in 1865, and 500 feet of the breakwater, or less than one-half of the width of the gap, was completed at the time of Confederation. The work then passed into the hands of the Dominion Government, and he could not understand why they had left it unfinished for so long a period. Some years ago he brought the subject before the notice of the Minister of Public Works, and an engineer was subsequently sent down to survey and report on the work. That officer submitted a report in the autumn of 1875, estimating the cost of completing the breakwater at about \$12,000. Neither last Session nor this Session was any sum placed in the Estimates on that account. The work should be finished at once to prevent the harbour from being destroyed. Before the land was carried away the water in the harbour was of sufficient depth to accommodate vessels of 500 or 600 tons burthen, but, according to the Engineer's report, the depth had been reduced to twelve feet. Arichat West was a place of considerable importance, owning about forty vessels, aggregating 8,000 tons, which were engaged in fishing and general business. It was also in the direct line between the Strait of Canso and Cape Canso, and was used as a place of shelter by vessels plying between those points. He thought a less sum than that estimated by the Engineer would be sufficient to complete the breakwater, and he hoped the First Minister would place an amount on that account in the Supplementary Estimates.

*Motion agreed to.*

## NORTHERN RAILWAY ENQUIRY.

### MOTION FOR INSTRUCTIONS TO COMMISSIONERS.

Mr. ROBINSON moved for a return of instructions given to the Commission to investigate into the affairs of the Northern Railway. He said the motion to which he proposed to call the attention of the House was

a counterpart of a notice placed upon the paper by the hon. member for North Oxford a week or ten days ago. Unfortunately, or perhaps accidentally, his hon. friend was not in the House when the notice was called. As the motion referred to a matter in which the Northern Railway was concerned, and as he was also personally interested in it, his name having been mentioned by the Commissioners in their reports, he naturally wished to speak to the notice placed on the paper by the hon. member for North Oxford. He was, however, ruled to have been out of order, on the ground that he had not asked leave of the hon. member to move the motion in his absence. Hence it was that, being so much interested in the question, he had placed a motion on the notice paper. He hoped he would not be charged with discourtesy towards the hon. member for North Oxford. As the House was aware, a return had been sent down from the Commissioners appointed to investigate into the affairs of the Northern Railway, in which return his name was mentioned in the following terms:—

“We find that various sums, amounting together to \$5,440.68, were paid out of the railway funds for the election expenses of the Honourable J. B. Robinson, as a candidate for the District of Algoma (the said Robinson being at that time President of the Northern Railway Company), and that, under Mr. Cumberland’s direction, the said amount was thus charged in the books of the said Company, viz.: one-third to “Contingencies,” one-third to “Parliamentary Expenses,” and one-third to “Legal Expenses,” in instalments of one-twenty-fourth per month,—making in all seventy-two instalments. We further find that the Honourable J. B. Robinson, whilst President of the said Company, overdraw his account to the extent of about \$4,900, which sum is in addition to the sum of \$5,440.68 above mentioned, and is, with interest, still unpaid.”

What he complained of was this—and it was a point respecting which every hon. member placed in his position would complain—that the Commissioners did not give him an opportunity to explain the items charged against him. They did, however, afford such an opportunity to gentlemen of their own political stripe—Mr. J. D. Edgar, Colonel Denison, and Messrs. Wells and Gordon; but he was

Mr. ROBINSON.

perhaps wrong in asking that the same opportunity should be given to him. Nevertheless, the fact remained that, though he was as prominent as any man in Toronto in connection with the construction of the Northern Railway, as he, when an alderman, submitted the motion to the City Council which resulted in the grant of \$200,000, though he had been President of the road during thirteen or fourteen years, yet he was not called before the Commissioners, as might certainly have been expected if there was any matter connected with the Northern Railway to be investigated, especially when some rumours had been circulated in Toronto, perhaps by the Commissioners themselves. He remained in Toronto five weeks for the purpose of being examined by the Commissioners if any charge existed against him, but he was not examined, and, notwithstanding that fact, the Commissioners thought it was consistent with honest fair play and honourable dealing to mention his name in their report, although the opportunity given to others to explain matters was not afforded to him. It was true that Mr. Cumberland, as appeared from the report, referring to the item regarding election expenses in Algoma, was asked by the Attorney General of Ontario: “was there any arrangement made before hand that Mr. Robinson’s expenses should be paid by the company?” to which Mr. Cumberland said: “I invited Mr. Robinson, being our President, to seek the seat of Algoma, and proposed to him that if he did, we would pay the election expenses.”

Now, although perhaps Mr. Cumberland said what he thought was right for one man to say of another, still he would have infinitely preferred to have had the chance to explain his own matters to the Commissioners. That was what any one in his position would have liked to have had the opportunity of doing. As he had not been afforded such opportunity, he was forced, in vindication of himself, to tell the House, and through the House to tell the public, how it occurred that he was a member for the district of Algoma, or, rather, how he became a candidate for that constituency in 1872. In that year there was a general election, and

the late Mr. Crawford, late Governor of the Province of Ontario, wrote to him from his seat in the House of Commons, asking him to become a candidate for his seat as member for West Toronto. He had made up his mind that, having contested so many elections and having an extensive business at that time all to himself, and being interested in several enterprises, he decided that he would not be a candidate for any constituency. He wrote and told Mr. Crawford this. Mr. Crawford came to Toronto. Of course, there was considerable excitement, and prominent men of the party were discussing as to who should be the candidate. In the meantime, other gentlemen, who thought they would have an equally good chance of being returned, urged their claims. These claims came before a meeting attended by fifty or sixty prominent members of the party in Toronto, at which meeting he had the honour to be nominated chairman. He did his part in reconciling the differences between the candidates, he being at that time, as far as Toronto was concerned, entirely out of the running. The excitement became greater, and he felt that he might still be brought in to be a candidate for the representation of West Toronto, and so on the very next day he packed up his trunk and took the steamer for the shores of Lake Superior, at the same time informing his friend Mr. Crawford what he had done. Unfortunately for him, among the places at which the steamer stopped, was Sault Ste. Marie, a prominent place in the district of Algoma. When he got on shore with other gentlemen he heard, much to his astonishment, that a meeting was to take place of the different committees from parts of Algoma, to decide whether they would or would not approve of the re-nomination of Mr. Cumberland. Unfortunately, perhaps, for that gentleman, he seemed to have lost the confidence of his constituents; at all events, they did not hesitate to tell him so. He did not blame or attack Mr. Cumberland on that account; other prominent men occasionally lost the support and confidence of their constituents, and in this case it might

have been due to some local cause. Mr. Cumberland's constituents gave him distinctly to understand that not under any circumstances would they vote for or return him. As he (Mr. Robinson) had visited the district during six or seven years, and had been a sort of pioneer, being engaged in mineral enterprises, and as gentlemen interested in Algoma knew it, the gentlemen said, unfortunately for him: "Here is Mr. Robinson; he is just the gentleman we want, let him be the candidate." He told the people there, as he had done in Toronto, that under no circumstances would he become a candidate for the representation of the district of Algoma in Parliament. But Mr. Cumberland was so anxious on behalf of the Northern Railway bond-holders that there should be some representative of the interests of the road in Parliament, that he not only invited him to become a candidate, as he had said in his sworn testimony, but entreated him, and at the moment, having no time to consider the matter, he became a candidate for the district of Algoma. He had gone to the northern part of the district, and being acquainted, as he had previously mentioned, with a great number of the early settlers, he was returned as member; but he had not become a candidate—indeed he would have been a fool had he acted otherwise—until it was fairly and honourably understood on the part of the Northern Railway and himself, that his expenses would be paid. He had made a great sacrifice in the interests of the bond-holders of the road, and it was but just that this should have been done. On this understanding, he became a candidate, and now he saw, for the first time, in a paper sent to this Legislature, that the expenses of this election amounted to some \$5,000. He had not previously known what they were; and he could excuse Mr. Cumberland, or any one acting in the interests of this railway, for taking that step, for the time had come when the Northern Railway should be represented in Parliament; and why? because different political parties existed; and what was at present the case? It had been a matter

of complaint that traffic passing over this road to Lake Superior was carried over the Collingwood line of steamers owing to political influence, and had this traffic not now gone to Sarnia and other places? And why? perhaps because other gentlemen sitting in Parliament were interested in other lines of steamers, which were not as important as the Collingwood line, nor the route taken so well adapted for the purpose as the Northern Railway route. It had also been said that his account had been overdrawn to the extent of some \$4,900. It sufficed to say in this regard, that he had been the oldest officer of the road, with which he had been connected at the time of its commencement. The fact of his account having been overdrawn had been first drawn to his attention, he believed, in 1873, by a very respectable old gentleman, the accountant of the company, who also said to him in a jocular way:—"Mr. Robinson, if you don't look after this, you will be getting into trouble very probably some day." Large items had been entered against him, and the accountant had remarked on that occasion:—"I know you don't owe them, but still I think it just as well for you to attend to the matter." At the time, he was put out by the treatment he had received at the hands of the company and the Government, and he had told Mr. Hamilton, the accountant, as perhaps any other good-tempered man would have done under the circumstances, to attend to his own business, and he (Mr. Robinson) would attend to his; and gave the matter no further consideration until a year or so afterwards. In 1875 he was going up to Lake Superior, when he recollected the caution given him by Mr. Hamilton, and decided to look into his account, well aware at the time that he did not owe it. He went to Mr. Cumberland, with whom he was not then on friendly terms, and said to him: "Mr. Cumberland, I am told that my account has been overdrawn something like \$4,500 or \$4,600, and I want you to sit down and write me a letter stating that I do not owe it." Mr. Cumberland, after a little hesitation, complied, and this letter he had still in his possession.

Mr. ROBINSON.

Several amounts had been charged against him, with which he had no more to do than any other hon. member of the House, as far as his private account was concerned. As he had stated at the time, Mr. Hamilton might as well have charged him with the cost of engines, or anything else. Mr. Cumberland, in the course of the recent enquiry, had been asked by Mr. Mowat, he believed, whether he (Mr. Cumberland) had had any conversation with him about this account and the sum he should have received as President, and the answer had been in the affirmative, that the claims were for expenditure made in the company's interest; and that if he (Mr. Robinson) had received the same pay as Mr. Morrison, when President of the road, he would be a creditor instead of a debtor of the company. If he had obtained the same salary as Mr. Justice Morrison, who was President when the road was not earning one-third of what it earned when he occupied that position, this would have been the case. He had always contended that he should have received the same amount, and this had been the understanding. The road was to a great extent under the control of one man, Mr. Cumberland, in the interest of the bond-holders who had invested in it some five or six millions, and this man, who had sworn that he almost entirely controlled the line, had bargained that he should receive the same salary that Mr. Morrison had obtained, and was there a bond-holder or a share-holder in Toronto who would not say that to this he was justly entitled? He had been deeply interested in the road from the very outset; and, under the circumstances, he contended that there was no foundation for the charges which had been laid at his door. He would have given these explanations under oath, but this privilege was denied him by the political Commissioners, who, nevertheless, had extended a similar privilege to their political friends. It had been said, some two or three years ago, when he was turned off the road for political reasons, that his had been a political appointment. Whether such information had been given by friends of the Government or not, he did not know, but it sufficed to

say that this charge was inexcusable. He was the first man of all others in Toronto who had called meeting after meeting in favour of the construction of this road. He had done all one man possibly could do in its interests, and finally he had succeeded. He had secured a bonus of \$200,000 from the city of Toronto in favour of the line, twenty-three years ago; and this amount, compared with the then available resources of the city, was equal to \$1,200,000 at the present time. It would have pleased the Irish heart of the Speaker if he had been present at some of the assemblages in question,—rough meetings they were, and violent was the contest, but the friends of the project were not daunted, and by a majority of one, the City Council, of which he was then a member, granted the bonus he had mentioned. The people recognizing his services in this relation, elected him a director. This happened twenty years ago, and yet, as the excuse for turning him out of office somewhat recently, it had been averred that he had received his appointment on political grounds. Then he had not the honour of being acquainted with Sir John Macdonald, who lived at Kingston; and he had been told that unless the \$200,000 bonus had been secured, the contractors would have had nothing whatever to do with the road. He had since pursued the course he had always had at heart in the interests of the railway; and in 1860, he had introduced an Act placing the line in the position it at present occupied. Whenever he had an opportunity he had done service for the road. As far back as 1863 he had a letter from Mr. Cumberland to the effect that he had fairly won his way to the Presidency; and, when an attempt was made in that year to interfere with his position, Mr. Sandfield Macdonald wrote him a letter, alluding to his services in a handsome way and expressing the hope that he would retain the office. The right hon. member for Kingston, who knew the services he had performed, also wrote him a letter of sympathy on the subject. To charge him with such an offence was not fair under the circumstances. They might as well prefer similar charges against W. A. Thomson or George Laidlaw,

President of the Credit Valley Road. He did not like to speak of himself in this connection, but he thought any other hon. member placed in the same position would have availed himself of the same opportunity of putting himself right before the country. Why should he not be treated with the same courtesy as was accorded Mr. J. D. Edgar, Mr. Wells, and Mr. Gordon. The Commissioners said:

“In consequence of rumours that other parties had received sums of money for improper purposes out of the funds of the Northern Railway Company, and that Mr. J. D. Edgar had been the recipient of some for his election expenses, it was considered proper to have Messrs. Cumberland and Edgar examined in relation thereto.”

They charged him (Mr. Robinson) with having done certain things, but, although they knew he was ready and willing, they would not examine him. Still, the slurs and insinuations of the report were not calculated under the circumstances to destroy the good name and respectability of any man. Although the report was only six months old in the city of Toronto, where he was well known, it was already covered with the dust of ages—no one believed the charges contained therein. If, during the twenty years of his services, he had been rewarded as well as the gentleman he had referred to, he would have had \$100,000 to his interest in the road at this moment. He thanked the House for extending to him the courtesy which the Commission did not think it right to extend, and excused himself to the hon. member for North Oxford for his apparent discourtesy in taking advantage of the resolution to make this explanation. As the papers asked for were already before the House, and the motion had afforded him an opportunity to make this explanation, he would ask leave to withdraw it.

Mr. BLAKE: The hon. gentleman cannot do that, he must have his answer.

Mr. ROSS (Middlesex) said before the motion was withdrawn there were two or three other matters connected with the report to which he wished to call the attention of the House. He was sure they were all glad to hear from the hon. member for West

Toronto the evidence which that hon. gentleman would have liked to have given elsewhere. The right hon. member for Kingston had repeatedly told the House that the money expended in connection with the election of 1872 was given to assist promising young candidates, and he was glad to hear that the hon. member for West Toronto was not one of those promising young candidates. But the hon. gentleman had a liberal fund to draw from, as they found he was the recipient of not far from \$6,000.

Mr. ROBINSON: I was not the recipient.

Mr. ROSS said the money was spent in an election in which the hon. gentleman was a candidate, and he might apply it whichever way it suited. He was aware for the first time to-day that the Northern Railroad was particularly anxious to be represented on the floor of the House. As he understood parliamentary representation, he thought it was the constituencies, the people of the country, who were represented, and not corporations. Of course, he was young and inexperienced in political life, but he was surprised to hear the hon. gentleman state that Mr. Cumberland was very anxious he should have a seat in the House in the interest of the Northern Railway Company, particularly as it was known the corporation was indebted to the Government at that time. This admission placed parliamentary representation on a new basis to him, and he hoped that there were not many hon. gentlemen in the House who, when they spoke the truth, would be obliged to to make such an admission. He had no reason to follow closely the remarks of the hon. member for West Toronto, but he would make some other enquiries in regard to other statements in the report. Among other things, the sum of \$1,000 was paid out of the funds of the Company for stock in the *Mail* newspaper. This was an interesting item. He could understand how the Northern Railway Company would be very anxious to enlist the services of a gentleman of the respectability of the hon. member for West Toronto, and how the corporation would be willing to allow the hon. gentleman

Mr. Ross.

to overdraw his account to the extent of \$4,000 or \$5,000, but why they should subsidize the *Mail* and not be equally liberal to other newspapers in the Dominion he failed to see. But the liberality of the Company did not stop there. The report stated:

“ We further find that a sum of \$2,500, charged in the books of the Northern Railway Company to the Hon. D. L. Macpherson, was not money due to or by that gentleman, or for which the Company had received, or was to receive, value; but was a subscription paid by Mr. Cumberland to the said Hon. D. L. Macpherson, as Treasurer of a fund raised as a testimonial to the Right Hon. Sir John A. Macdonald.”

This was the climax of the liberality of the company. In the first place, the company must have a President who was able to engineer things so as to get \$200,000 from the corporation of Toronto; secondly, they required a President who understood his private accounts so well that he was quite able to overdraw to the extent of \$5,000 and not know it; thirdly, it was necessary to have a President whose capacity for public business was so notable that it would pay to subsidize his election expenses to the amount of \$6,000; fourthly, they subsidized a newspaper in Toronto for, he would do them the credit of supposing, the interests of the corporation; and, lastly, understanding the valuable services of hon. members of this House, they donated \$2,500 by way of a testimonial to one of the public men of Canada. He could appreciate liberality from whatever source it came, and he was sure the right hon. member for Kingston received that item in the testimonial fund as one of the highest compliments. For an individual to subscribe was a small matter, but for a large corporation, represented by the hon. member for West Toronto, was a great thing, especially when it was done so quietly, and only a private entry made of the transaction. That was, he repeated, the climax of liberality, particularly when they added the additional fact that the road was pretending to be bankrupt, and was appealing to the Government for relief from its proper and legal obligations.

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

### After Recess.

Mr. OLIVER resumed the debate. He said that when Mr. Speaker left the chair at six o'clock, he was about to explain why he had not moved his motion with reference to the Northern Railway, which he had put upon the notice paper two weeks ago. In the ordinary way he asked for certain information which he believed it was very desirable that the House and the country should see. The day after he put it on the paper, that information was brought down to the House, and, as a consequence, he did not proceed with the motion. The object he had in view was accomplished, and therefore he allowed the notice to drop when it was called. If his hon. friend from West Toronto had given him the slightest intimation, or the slightest hint that he desired to rise and explain, he would have allowed him an opportunity on that motion. But the hon. gentleman seemed to take it for granted, and perhaps he was correct, that when the motion was reached he would have moved it. The House had heard the hon. gentleman's justification for accepting his expenses in the Algoma election. No doubt the explanation was satisfactory to the hon. member, but he doubted whether it would be satisfactory to the people of this country. By the report brought down it appeared that the hon. gentleman was President of the road at the time; and he had every opportunity of knowing, and no doubt he did know, the financial condition of the company at the time he ran for Algoma. He knew that the Railway Company was offering to the county of Simcoe five cents upon the dollar for the stock it had; that Toronto was offered from five to ten cents for its stock, and that the Government was offered about seventeen cents upon its stock. Yet the hon. gentleman allowed the Managing Director to use \$6,000 of the funds of this bankrupt institution to pay his election expenses in Algoma. It was well known that the road was soliciting the Government to take \$500,000 for the sum of \$3,000,000 due to the people of this country by that corporation. It would be interesting to the House and country if a copy of

one of the hon. gentleman's election speeches could be obtained. No doubt he said he had sacrificed his personal interests in accepting the position, and that, through his influence, navigation of the lakes would be improved, and lighthouses would be erected. But, according to the confession of the hon. gentleman, he was not the representative of the District of Algoma, but of the Northern Railway. A query here suggested itself—Why did this railway require a gentleman of the ability of the hon. member for West Toronto to represent it in the House while other public corporations did not require a representative? It must have been to promote the interests of the railway and not the interests of Algoma, and to induce the Government of the day to compromise with the Northern Railway by taking seventeen cents in the dollar on the amount due. The hon. gentleman had stated that the dust of ages had rested upon the report. He (Mr. Oliver) was satisfied that the dust of a month or the dust of a day did not rest upon the copy which the hon. gentleman had in his hand, to judge by its appearance across the floor of the House. It must have been perused time and again, and every item marked. The dust of ages did not rest upon it, and the hon. gentleman would find the next time he presented himself to the electors, that he would be asked to explain why he took this \$6,000 of the funds of the Northern Railway. One thing struck him (Mr. Oliver) very forcibly in reading over the report, and that was in reference to the way in which the account was entered. If this was a straightforward, above-board, honourable transaction, why was this \$6,000 not charged to an account for election expenses? Why was it hidden in other accounts? Mr. Cumberland directed that one-third should be charged to contingencies, one-third to parliamentary expenses and one-third to legal expenses, in instalments of one twenty-fourth per month, making in all seventy-two instalments. Why was the account hidden under these three heads, if it was a transaction which the shareholders should become aware of? He did not desire to enter into the other amounts

that were spent, and he would not have entered into this had not the hon. member for West Toronto brought it up. But he had nothing to do with the other amounts which were spent for objects foreign to the railway, as he understood the Northern Railway had paid the Government all that it could be legally called upon to pay. As a consequence, they had nothing further to do with the railway. But it was interesting to know that these public corporations throughout the length and breadth of the country contributed so largely towards the election of hon. gentlemen sitting opposite.

Mr. ARCHIBALD said it seemed to him a matter of regret that the explanations of the hon. member for West Toronto were not taken before the Commissioners appointed in the matter. The Commission certainly required the explanations to make a perfect report, as, before they were made, there might have been a doubt as to the constituency which the hon. gentleman represented in 1873, but with them there could be no doubt that the hon. gentleman really represented the Northern Railway and not the constituency of the district of Algoma. He sympathised with the hon. gentleman in the way he was sought after. In order not to represent West Toronto he was obliged to take his flight to Algoma, and directly he set his foot in the village of Sault Ste. Marie he was pressed, not to represent the District of Algoma, but the Northern Railway. While the item with regard to the Northern Railway was very interesting, there were two or three other very interesting items. One of these was \$1,000 invested as stock in the *Mail* newspaper. They all knew that about 1871 or early in 1872 there was a good deal of anxiety expressed for the establishment of a newspaper in Toronto to support of a Liberal Conservative cause. It might reasonably be expected that gentlemen who held opinions in accord with the Liberal Conservative party would subscribe liberally, but he did not see what the Northern Railway had to do with the *Mail* newspaper. Nominally, the amount was charged to the advertising account, but it was in evidence that it was not expected that one

Mr. OLIVER.

single dollar would be repaid by way of advertising. Another remarkable entry was that of \$2,500 towards the testimonial for the right hon. member for Kingston. Under ordinary circumstances, had that right hon. gentleman not been in the House, there might have been nothing wrong in contributing to that fund; but there was something wrong in the money being taken without the consent of the directors or those largely interested, for the purpose of adding it to a sum to be given to a gentleman of considerable political eminence in this country. Wrong as it was under such circumstances, it was still more wrong when that hon. gentleman occupied the position of leader of the Government at the time, and when the Northern Railway expected to be a suppliant to the Government for certain favours. He thought these three items bore a very strange look indeed.

Mr. BLAKE said it was necessary, in order that they might fully appreciate the position in which the House stood on this occasion, and in which gentlemen whose names had been mentioned in relation to the payment stood, that they should recall to their recollection something as to what the position of the Northern Railway was at the time of Confederation and since. At the time of Confederation, and anterior to that, the Northern Railway was indebted to the old Province of Canada in two separate sums, which had been separate by reason of a prior legislation. The first was in the sum of £50,000 of second preference bonds, and the second sum was £475,000 for which the Government held a lien, with interest, on the railway. The way in which they became separate was this:—The original sum had been the first lien on the road altogether; but, by the patriotic and disinterested exertions which the hon. member for West Toronto had described—and the hon. gentleman must have been sorry that there was not some one else to panegyrize him—this lien was postponed, and was put to a comparatively low position; and as part of these transactions it was that the £50,000 was secured to the Government by the second preference bonds. There was a series of first preference bonds and

a series of second preference bonds; and then there was this lien of £475,000, that was to be paid by the earnings of the Company after paying the working expenses. At Confederation, these assets, with large arrears of interest, became the property of Canada; and from that time the Northern Railway was a frequent applicant for legislative assistance. In the very first Session of the Canadian Parliament, the Northern Railway Company had applied for legislative aid, and obtained it to a very considerable extent. It secured the power to issue £50,000 of what were called 3 A bonds, and £50,000 of what were called 3 B bonds, both taking precedence of the Government lien, thus postponing this lien still further by the amount of £100,000 sterling, or an interest charge of £6,000 sterling a year. This was the operation of the Company during the first Session of Parliament after Confederation; a debt tolerably insecure at that time was made, he need hardly say, very much worse by the postponement which had taken place, of interest charged with respect to that debt of £6,000 a year. This Act, while it brought the railway under the legislative authority of the Parliament of Canada, also provided specifically for the distribution of its earnings, and provided, in short, that after the payment of the working expenses and interest on the different classes of bonds to which he had referred—the First Preference, Second Preference, 3 A and 3 B—its earnings should be applied to the payment of the interest on the Government lien. There was then a statutory charge freshly created in favour of the Government—postponed it was true to the extent of £6,000 a year—but still a fresh statutory charge in favour of the Government was postponed for the interest on the lien; and the earnings of the company were first consecrated for the payment of the working expenses, the prior interest charges, and the interest on this lien. The company, which for a long time had continued in arrears with regard to the payment of the interest on the lien, he need hardly say, so remained in arrears. It was difficult to meet it. The company, nominally a company, and one supposed to be controlled by

the shareholders, was really under prior legislation a Company controlled by prior bond-holders, whose interest it was, of course, to have the road kept in as good a condition as possible, and to secure the payment of their interest. Beyond that, they had no direct pecuniary interest. This ultimate disposition of the profits; what might have been done with them; what salaries were paid to the President, &c.; at what price, for what consideration and to what extent members of Parliament might be retained or engaged in elections, &c., were considerations of which these bond-holders were disposed to take a large and liberal view, because the surplus assets of the company, beyond the payment of their interest, was not theirs. They had nothing to do with these things, which belonged only to the country, and, if out of the country's funds these expenses could be paid, and everything made very smooth and pleasant, the bond-holders would not lose. This state of things continued from 1868 all the way down to 1871, and at this time, as was very well known had been the case before the company sought to obtain what Mr. Cumberland in his evidence before the Royal Commission called a new Capital Account, and the convenience of having such an account was demonstrated in this evidence. Sundry awkward items were put into suspense—although in his opinion the creators of, rather than these awkward items themselves, should have been suspended—and were obliged to remain in suspense until a new capital account was opened, when they were quietly buried. For these and other purposes, Mr. Cumberland said they had for years been struggling for such an account. Such were the relations of this company to the Government and the Parliament when the transactions referred to by some of his hon. friends took place. The company, owing these large sums to the Government, paid no particular interest on on the lien whatever, and was controlled by the bond-holders, who had, as he had already said, no pecuniary interest in it after the dividends were paid, and was managed under their directions by Mr. Cumberland, and the hon. mem-

ber for West Toronto as President of the road. In that state of things it appeared by the evidence that a person then and now a member of the other branch of the Legislature applied, early in 1871, to the Managing Director of the Railway Company for a contribution to a testimonial, which was then being got up for the hon. member for Kingston, then a member of this House as he still was, and then Prime Minister of Canada, which he now was not. Under these circumstances, the contribution was asked for and was given; and the sum was \$2,500, as the Commission reported, and if these allegations were correct—of course they were open to dispute and question. This \$2,500 was taken out of the monies which should under the law have been paid to the Government, and which formed a portion of the earnings that were applicable towards the payment of the interest on the lien, and which by Act of Parliament should have been so applied. It had been taken out of the country's funds by persons who had no right so to do, and he held the hon. member for West Toronto responsible as the then President of the company, as much as Mr. Cumberland, for that operation. Either the hon. member knew of it, or he ought to have known of it. It seemed, moreover, that this hon. gentleman had received money for his services as President of the company; that this remuneration had not been sufficient, and that for these services he claimed the modest sum of \$100,000, to be paid out of the funds of the Company. With such assiduous attention as the hon. member for West Toronto claimed to have paid in his position of President of the Company, to its arrangements, he hardly supposed—as indeed the evidence of Mr. Cumberland led them to think—that the hon. member was not aware of the fact of the proposed addition to the testimonial then being collected for the hon. member for Kingston. That was done, the sum was paid, the assets of the Company applicable to the payment of the lien were by so much reduced, and the hon. Senator no doubt applied the sum to the purposes named. That sum, however, owing to the little

Mr. BLAKE.

difficulty to which he had referred—these were awkward items which it did not do to set down in plain black and white—was put in suspense, and poor Mr. McPherson was represented to owe to the Northern Railway Company this \$2,500; and so it continued until the goal of all hopes had been attained, and the capital account had been achieved, when it was debited to the very appropriate item—Municipal Bonus and Government Subsidies Expenses. To what Government and to what expenses were questions he left for others to answer; but there they found this item its resting place, and there it still remained. Time rolled on; he would pass over the Session of 1871 and the Session of 1872, and come to the general elections about which the hon. member for Kingston evinced considerable anxiety, and with reference to which his exertions were recorded, in speeches and in writings, and his difficulties with reference to Ontario particularly, and about which topic, the hon. gentleman in almost touching language, in his evidence before the Royal Commission, pointed out how desperate his situation was, how beset with enemies, and how essential it was to obtain assistance, not merely from local friends, but also from that great friend of the Conservative Party, at that time, Sir Hugh Allan. The hon. gentleman then pointed out that he had called for assistance from various quarters, and, as appeared from the evidence taken before the Royal Commission, these demands were responded to by Mr. Cumberland himself. Mr. Cumberland was asked "You took part in the elections in Ontario did you not? A.—I did. In Toronto and the vicinity? A.—Yes. Q.—Did you subscribe towards the elections in Ontario? A.—I helped in the elections pecuniarily." Mr. Cumberland did not reply simply yes, but said that he helped in the elections pecuniarily. They now knew how, he supposed. They saw that Mr. Cumberland identified himself, and justly, to a very large extent—with the Northern Railway Company, which was in some sort a corporation—and helped in the elections pecuniarily. Mr. Cumberland was also asked: "In subscribing to the elections did you consider that you

were in any way recompensing the Government for any interest in this railway?" (the Pacific, not Northern) A.—Certainly I did not; I subscribed and paid as a member of the party." There was proven in the evidence given a little before that the hon. member for Kingston was on intimate terms with Mr. Cumberland; that the hon. gentleman had applied to him to become a director of the Pacific Railway; that Mr. Cumberland was unwilling personally to so far make a sacrifice of himself—he (Mr. Blake) believed that this was the appropriate phase—as to put his name in the hands of the hon. member for Kingston; that the Government gave him *carte blanche*, and that he (Mr. Cumberland) at last consented to impose upon himself the trouble, toil and sacrifice and all the other losses incidental to becoming one of the directors of the Canadian Pacific Railway; that they were on these intimate terms, and that, under these circumstances, Mr. Cumberland, as a member of the hon. gentleman's party, subscribed and paid money towards the elections. Well, time rolled on; the elections were still more warmly contested, and the hon. member for West Toronto, as an hon. gentleman had observed, finding himself surrounded by evil ones in his own constituency, fled to Lake Superior. The hon. member felt that he could not resist their solicitations and that he would be forced against himself to contest West Toronto. He did not choose to do so, and so went northwards, but, unfortunately, wherever the hon. gentleman went, he still found constituencies eager to possess his services; and having escaped by flight,—he (Mr. Blake) did not say that it was ignominious—but by sudden and hasty flight, and endeavoured to place some thousand miles of fresh water between him and Toronto; he landed on the rocky shore of Algoma, and at once was the man for the hour. The hon. gentleman did not find it easier to resist the small number of persons who would surround him at one spot in Algoma, a constituency which, large and important as it was territorially, was not possessed of a great many votes, and at that time, many persons could not have congregated together to exercise that influence over the hon.

gentleman, of which he was so afraid in Toronto, still he resisted; but at length he yielded to the earnest representation of Mr. Cumberland, who, as the hon. gentleman had told them, with a frankness admirable in itself, impressed on him the eminent importance of the Northern Railway Company having a representative in Parliament. The electors of Algoma had lost confidence in Mr. Cumberland; possibly they had found that he was not the representative of the constituencies, but the representative of the Railway Company, but at all events, a new, fresh man was to be brought forward, not to be elected for Algoma, but as the representative of the Railway Company; and the man who was fleeing from Toronto and who was avoiding the honour of being elected for a constituency in the metropolis of the West, was brought forward as a free and independent member, according his support to the hon. gentleman opposite. The electors of Algoma were naturally induced to believe that they were electing a member to represent them, while all the time the hon. gentleman's moving cause had been what? It was not ambition to enter Parliament, and it was not ambition to represent the people, for he did not want to represent the noble constituency which that night must feel honoured in having him as their representative, but it was because the Northern Railway Company wanted to have a representative in Parliament, because he wished to sustain the hon. member for Kingston, and tell that hon. gentleman that there was a member for the company in the House at its back in the negotiations which that company had for years endeavoured to force on the Government of this country. He would not call these false pretences, because they were assented to by the hon. member for West Toronto—and because he supposed the term was not parliamentary—but under these pretences, by whatever parliamentary name they might be characterized—that hon. gentleman went before the people of Algoma. The hon. gentleman then, no doubt, lauded the efforts of the hon. member for Kingston; stated that, with a due measure of independence, which every

member, at any rate during his election, reserved to himself, he would support the hon. member for Kingston; and denounced his opponent as a person desirous of subverting that hon. gentleman, and destroying the Conservative party. But no doubt the hon. gentleman did not tell these electors that he was going to Parliament to represent a railway corporation, by which his expenses would be paid out of monies belonging not to them but to the people of this country; and these electors would hear with very great surprise that this was a fact; that money had been fraudulently and dishonestly applied to the payment of these expenses. But the hon. gentleman now declared, —and they had recently heard a great deal of the same sort of thing—that he did not know how much was spent on that action. He (Mr. Blake) found from *Morgan* that the hon. gentleman then polled 300 votes precisely, and consequently, as the expenses paid out of the public purse, of which the hon. gentleman and Mr. Cumberland were trustees, exceeded \$5,440, his votes cost the hon. gentlemen \$18 per head. He had heard that the hon. gentleman at that time had a steamer, in which he was going from port to port and from point to point in his constituency; and he saw that in the details of the account, there was an entry of \$700 or \$800 for a steamer. The amount might be larger; but so it was. The hon. member for Algoma had his election expenses paid by the company of which he was the President to the tune of \$18 per head for every vote polled, out of the moneys which, as his solemn, statutory duty, he should have applied towards the payment of the debt due to this country by that company, which the hon. gentleman came to Parliament to represent. The hon. member for Kingston had been the recipient of a testimonial, of which the \$2,500, as the hon. gentleman from West Middlesex had said, must have been a most gratifying item. Having succeeded in securing the return of so devoted a follower as the hon. gentleman, the hon. member for Kingston was called upon shortly afterwards to consider the proposition of the company. In 1871, this company obtained the

lease other lines, and it contained an express clause inserted, he believed, at the instance of his hon. friend on the Railway Committee, though for this he did not vouch, declaring that the rank of the Government lien should not thereby be altered. In 1872, another Act was passed, legalizing the leases taken under the Act of 1871, and, in addition, authorizing the Company to issue and guarantee a rather larger amount of new debentures on account of the leased lines under their direction, and providing that the interest on these debentures should also be charged as part of the working expenses of the Company; those working expenses which, as he had already stated, had been by the prior Acts declared prior in the distribution of the earnings. The Northern Railway, continued Mr. Blake, was thus permitted practically to add another large burden in preference to the Government lien. In the Session of 1873, the hon. member for the Northern Railway Company, fresh from the electoral honours he had won in Algoma, and true to that mission he now informs us he had undertaken in Parliament, introduced a Private Bill for the company, proposing to reorganize its capital and settle the Government lien. Objection was taken to a private member undertaking to settle a Government debt, and, in that Session, the Government came down with a policy which, between the 1872 elections and the Session of 1873, they had determined upon. Notwithstanding the conduct of the Railway Company in paying this sum of \$5,000 or \$6,000 to elect the hon. member for Algoma to sit in this House and support the Government, they proposed that the lien on the Northern Railway Company and the £50,000 second preference bonds and £50,000 third B's, which had just been issued, should be wiped out altogether for a lump sum of half a million dollars. That proposal was brought down by Mr. Tilley; but it was resisted, notably by my hon. friend from Lambton, as entirely too favourable to the Company; and, when it was shown that it would not be permitted to pass without strenuous opposition, it was withdrawn. So the hon. member for the company, not-

Mr. BLAKE.

withstanding the cordial support of the member for Kingston, and that hon. gentleman's readiness to settle these millions of dollars for half a million, in consequence of the exertions of my hon. friend from Lambton, did not succeed, and the scheme was dropped. In 1875, under the *régime* of my hon. friend, a new Bill was introduced, based on other considerations and proposed on an entirely different view altogether. In this case, as in 1873, the member for Algoma was a supporter of the Government, though, of course, his views might have been different if he had been a member for the Railway Company. That Bill proposed that the lien should be satisfied on payment of £100,000 sterling, with all the arrears of interest on the second preference bonds, the Government retaining the second preference bonds for £50,000, which were stated by Mr. Tilley to be worth almost par, and the third preference B bonds, the value of which is not so easily ascertained because they are not quoted, together with some £20,000 more of interest. The time was extended to November last, and up to that time the Government had received some \$560,000 in hard cash, besides retaining £50,000 sterling, worth from 93 to 95 in the market, or practically equal to stock, and the third B's with \$30,000 arrears of interest on them. So the result of that settlement was not so favourable to the company as that proposed when the hon. member for Kingston was supported by the hon. member for the company. Practically, we have received more than twice as much money for this debt as the hon. member for Kingston asked Parliament to agree to. Yet hon. gentlemen opposite have complained, if not in the House, out of it; their organs have complained; I have seen it made especially a source of complaint in the Province of Quebec, that such an unfavourable settlement for the country should have been made with the company; while hon. gentlemen are trying to bring back to power, as First Minister, the gentleman who tried to induce Parliament to take less than one-half the sum.

Mr. MASSON: It is probably because he has other qualities.

Mr. ROBITAILLE: He did not press it.

Mr. BLAKE: No; my hon. friend stated at a late stage of the Session that it would be opposed, and the hon. gentleman preferred the termination of the Session to the interests of the company. The hon. gentleman agrees that it was an indefensible proposal, but he assoilzies the hon. gentleman from Kingston because he did not press the indefensible proposal. The present scheme was carried, I think, without opposition.

Mr. BOWELL: No; I objected to all the propositions.

Mr. BLAKE: Was there a division?

Mr. BOWELL: It was carried on division.

Mr. BLAKE: I am aware of the hon. gentleman's extreme objection. I have no doubt the hon. gentleman would rather accept half a million from the member for Kingston than \$1,100,000 from my hon. friend from Lambton.

Mr. BOWELL: That is a mistake also. You had better stick to facts.

Mr. BLAKE: I am also at liberty to express an opinion. That is my opinion; I maintain it. I have pointed out what the relations of this company were to the public during this whole time. I was a supporter of the proposed settlement of my hon. friend from Lambton. I had myself made an independent examination, so far as I could, from the reports of this company and other inquiry into the subject, and I was satisfied that that sum was as much as we could expect the company to be able to raise, and that if we asked more they would fail; if less, we would be asking less than would be due to the country. But I should not have dreamed of supporting that or any other proposition for the settlement of that debt if I had known what Parliament knows to-day, that the funds, which should have been applied during these long years of bankruptcy, towards paying off this debt had been grossly and dishonestly employed, as they are proved to have been. Had I been aware that a single shilling had been applied to buy electors to return members to support

the hon. member for Kingston, had I been aware that a single shilling had been applied to give testimonials to the hon. member then First Minister, I should have asked for a searching enquiry into all these transactions to see what had become of all this money, and whether some part of it could not be paid into the public Exchequer before the settlement of the debt. I do not believe that this Parliament, or even the Parliament in which the hon. member for Terrebonne, who cheers me, was a supporter of the Government, would have condoned the application, under the head of "D. L. Macpherson," "legal expenses," "contingencies," "Parliamentary expenses," &c.—the dishonest and fraudulent application of sums belonging to the company to purposes which those who paid them were afraid to avow. The hon. gentleman objected to the form of that entry. I agree that in part it is wrong, but his censure is too sweeping. As to "legal expenses," I do not know whether the member for the company was also the lawyer for the company, and I agree that the Manager and President did in that err and authorize the entry of a wrong item. As to "contingencies," we know what an elastic term that is. The hon. gentleman seems to think that all natural and proper. Did no blush mantle his cheek as he spoke? He may perhaps believe it was a proper thing for a railway company, whose whole assets were due to the Government, to pay for the support of the return of a member to sustain a party which it was the true interest of the country to maintain in power. I have said the entry of "legal expenses" is wrong and that of "contingencies" questionable, but as to the third item he was too harsh when he characterized that as a mistake. It is for "Parliamentary expenses." I appeal to the hon. member for West Toronto whether it is not fair to charge as a "Parliamentary expense" the return of a member for the company. If the whole had been put down as "Parliamentary expenses," the item would be as honest as the day. I hope he will modify his censure on that item and agree with me that the return of a member for the company to Parliament is a Parliamentary expense. This

**Mr. BLAKE.**

subject deserves the attention and consideration of this House. If members of this House are to receive the funds due to the public by corporations, which, under the Statute, are bound to apply these funds in the payment of the public debt, if the President of a railway company, occupying a situation in which he was himself bound to see that the money was properly applied, shall accept a payment of this large sum of money towards the expenses of his return to Parliament, and if Parliament, having it brought to its notice, shall not pass upon it, I think Parliament will have failed to have done its duty. I do not think the circumstance is one we can avoid passing upon. I think the payment out of the funds of his Company—

**Mr. BOWELL:** Or any other fund?

**Mr. BLAKE:** Certainly; but there are degrees of guilt. It is a graver crime for the President of a company owing money to the Government to take the moneys, of which he is the custodian, and apply them to the payment of his election expenses, than for the Great Western or any other company to do the same thing.

**Mr. BOWELL:** Or to take the Government funds to buy members of Parliament?

**Mr. BLAKE:** I hold it to be about the same thing. It seems to me there should be an enquiry into these payments. I very much regret that the hon. gentleman was not summoned before the Commission and given the opportunity of making a statement. That ought to have been done. But no practical injustice was done him on two grounds—because, first, he has had the opportunity of giving his own account just as he pleased a few days after the statement was made public, and, secondly, because I am sure every one who heard him felt it would have been better for him, kinder for him, if his statement had not been made this day. Still the interests of justice would have been better served if he had been allowed to give his evidence, and I have no doubt that, if the law proposed by my hon. friend from North York had been in force, to allow persons charged with crime to give evidence on their own behalf, the Commissioners

would have called before them both the hon. member for West Toronto and the hon. member for Kingston. Perhaps they were influenced by the principle of the present law, that persons so charged should not be compelled to incriminate themselves.

Mr. STEPHENSON: Bah.

Mr. BLAKE: Does the hon. gentleman say it is not a crime? If it be a crime the person who perpetrated it is a criminal, and it is as such criminal that I now address the hon. member for West Toronto, through you, Sir.

Mr. CAMERON said he could not help thinking that the hon. the Minister of Justice had no justification for such an attack as he had made on the hon. member for West Toronto, and that it was a vivid recollection of past favours of a similar kind received from that gentleman by the Minister of Justice that prompted the bitter spirit in which the attack was conducted. But he thought the House was losing sight of a very important matter with reference to this Commission—a matter which concerned the hon. the Minister of Justice, and upon which he would be glad to hear him say something. He meant the question of the legality of the Commission—whether the whole thing from beginning to end was not a legal farce, a prostitution of the powers of the Executive for political and party purposes, whether it had any legal authority, and whether, in fact, the law of the land was not prostituted by hon. gentlemen opposite for the purpose of gaining an advantage over political opponents. He did not believe the hon. the Minister of Justice had anything to do with the matter, because that hon. gentleman was absent from the country at the time the Commission was issued; but he would be surprised if such an acute lawyer would say that the Statute would support such an exercise of the Executive power. The clause read:

“Whenever the Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter connected with the good government of Canada, or the conduct of any part of the public business thereof, and such inquiry is not regulated by any special law, the Governor may, by commission in the case, confer upon the Commissioners or persons by whom such inquiry is to be conducted, the power of

summoning before them any party or witnesses, etc.

Now, could it be said that the funds of the Northern Railway, or the manner in which the representative of the bondholders in charge of the road had used the funds, was a matter connected with the good government of Canada, or the conduct of part of the public business of the Dominion? No lawyer would hold that the Statute would cover inquiry into private matters. It might as well be contended that the Government could inquire into the affairs of a bank in which it had deposited money. In this case the Government were mortgagees. Could it be said that a mortgagee had a right to inquire into the actions of a mortgagor with a view to finding out whether, if he had been more prudent and economical, he could not have paid the mortgage money? He had come to the conclusion that the Commission was an illegal farce, and that the witnesses examined could not be indicted for perjury. This was shown in an opinion, at page 71 of the report, by the late Hon. John Hillyard Cameron. But there was another reason why the Commission should not have issued at the time it did. The Government had solemnly agreed by Act of Parliament to accept a composition, and they knew that the only means by which the company could raise the money to pay was to go into the money market. Knowing that the Government agreed to wait until the 1st November for the payment of the composition; but in July they issued this Commission, the result of which was to change the credit of the company, and, at all events, to prevent or endanger the payment of the composition. If a merchant acted in that way towards one of his customers, it would be looked upon as a piece of private dishonesty, and it was hard to characterize the conduct of the Government in this respect in other terms. There were, however, still further reasons. A suit in Chancery was pending in Ontario against the company in which those very transactions were impeached. The Court was seized and possessed of the legal power to investigate the matter, but the Government took it out of the hands of the Court of

Chancery and appointed a Royal Commission. It was not for him to defend the payment of the election expenses out of the Railway funds. His individual opinion was that any such payment was improper. He had no connection with the road directly or indirectly and never expected to have. He had no political sympathy with Mr. Cumberland, for that gentleman had read himself out of the Conservative party and gone over to the gentlemen opposite. He cared not whether Mr. Cumberland was right or was wrong, or whether the hon. member for West Toronto was justified or not in having his election expenses paid. These points were immaterial when they came to consider the greater question whether the Government had any right to issue the Commission or whether they had abused their powers for political reasons. As soon as sufficient evidence was obtained by the Commission to inculcate the political opponents of the Government it abruptly closed its labours. A half finished report of a half finished work was presented and the Government took the money from the company. Notwithstanding all the "scandalous" revelations the Government accepted the settlement. They did not want to go too far. The railroad had changed hands and the President had become a supporter instead of a political opponent, and the hon. occupants of Treasury Benches were willing to accept the money and end the whole matter. His hon. friend from Middlesex had spoken of the subsidy to the *Mail* as an outrageous transaction. If the enquiry had gone further it might have been found that another newspaper of even larger circulation, and more public influence, published in the same city as the *Mail*, had been also subsidized. It was well known that newspapers would not do anything without a *quid pro quo*, and, if the investigation had been carried further, they would have found that other papers had an interest in the Northern Railroad. The hon. member for Middlesex had spoken of the \$2,500 charged to Mr. Macpherson. If it had been enquired whether that was a matter sanctioned by usage, or whether any other company had done anything

Mr. CAMERON.

similar, the discovery would have been made that another railroad, whose President was not a supporter of the hon. member for Kingston, had previously subscribed a similar sum to the same fund, and that Mr. Cumberland simply followed the good example of the Great Western Railroad in this respect. Besides, if he was not mistaken, the Grand Trunk did the same thing. Mr. Macpherson had expressly stated, however, that the fact of this subscription being made by the Northern Railroad, was entirely unknown to the hon. member for Kingston; and he thought the hon. the Minister of Justice would have shown better taste if he had abstained from the personal comments he had made in regard to that right hon. member. The hon. the Minister of Justice had discussed the propriety of charging part of this fund to contingencies. Had the book-keeper sought for a proper term, considering that the bulk of the money had been spent upon wild Indians, he would have called it "missionary expenses." That was the proper Reform term, and was certainly appropriate considering the part of the country in which the money was expended. The hon. the Minister of Justice had also referred to the gross impropriety of any hon. member having his election expenses paid by any company or individuals, or coming here in any other capacity than that of a free and independent representative of free and independent electors. He had heard of other cases in which funds had been raised for electing members of Parliament, to which banks had contributed; and he had also heard of an election that once took place in that immaculate constituency, the West Riding of Durham, where the expenses of the hon. member representing the constituency were defrayed out of a subscription, to which corporations, as well as individuals were subscribers. He was convinced of the illegality of the whole proceedings connected with the Commission, and that its principal object was to embarrass and stultify political opponents.

Mr. MACKENZIE said the hon. gentleman who had just sat down had spoken as a lawyer. While he would not presume to offer any legal opinion

upon the point raised, he would say that, in the absence of the hon. the Minister of Justice, he sent the statement to the Department of Justice to obtain information as to the proper mode of procedure in reference to the investigation. He obtained an opinion from the late Deputy Minister of Justice, Mr. Bernard, which could be produced if the hon. gentleman would move for it. He (Mr. Cameron) would then perhaps see he was a little rash in characterising as illegal what so distinguished an ornament of the profession had decided was perfectly right and proper. He would call attention to the fact that an impropriety in connection with the management of the affairs of the Northern Railroad was known to the Government, which had not been developed by the Commission. He had been told by some person that an extraordinary payment had been made to some legal firm at Toronto. Upon being spoken to, Mr. Cumberland gave personal assurance that no such irregular payment had been made. Subsequent inquiry, however, revealed the payments which appeared on page 7 of the report. It still appeared that certain legal gentlemen obtained the sum of \$5,000, and other persons the sum of \$465.68 for purposes that he conceived were wholly foreign to the business of the Government and to the business of the company. It would also be remembered that in the Act of 1865 he provided the following clause—

“It shall be lawful for the Governor in Council, at any time after the passing of this Act, to nominate and appoint one additional Director of the Company, who shall, in all things, have the same power as an ordinary Director, but whose concurrence shall be necessary to any future expenditure upon new works or equipment undertaken after such appointment.”

He proposed this because he conceived it to be absolutely necessary that, if the Government had such a large interest in this Company, it should also have a voice in the management of its affairs. He found that payments were made without any reference to the Government, and absolutely without the knowledge of the President of the Company. He immediately addressed a formal letter to the President calling his attention to the extraordinary pay-

ments, and demanding on behalf of the Government, as an interested party, that steps should be taken preventing any such payments in the future upon the mere order of the Managing Director. At a meeting held in consequence of this letter, steps were taken to have the financial management of this deplorably mismanaged company put upon a sounder footing; and, as far as subsequent payments were concerned, there was nothing, he presumed, with which complaint could be found. Immediately after the transaction he referred to—and a disturbance created in the Board of Directors in consequence of this correspondence with Messrs. Gordon & Wells & Co.—the Secretary of the Company sent a letter through one of the directors to the Government Director, exposing the particular item referred to, and expressing the opinion that the time had come when he should clear himself from any impropriety of the company by exposing the transactions. The hon. gentleman who had spoken last said the enquiry was drawn to a close as soon as the items under discussion had been brought out. He thought he had shown that the Government knew of these matters before the Commission was issued. The Commission was issued because of the irregularities, and nothing could more clearly justify, nay demand, the issuance of the Commission than the formal letter of the Secretary of the Company, stating that these improper payments had been made. That disposed effectually, he thought, of that point which the hon. gentleman had made. The hon. gentleman accused the Commissioners of being partizan. He (Mr. Mackenzie) had nothing to do with defending the Commissioners, except to say that the chairman, Mr. Larratt Smith, was as well known as the hon. member for Victoria, and quite as well respected. The deprecating tone in which Mr. Smith had been spoken of would not be used where that gentleman was well known, and where he was able to defend himself. Mr. Smith would not dream of doing anything but what was thoroughly just and perfectly proper. The other two gentlemen named in the Commission were well known, at all events in their respective neighbour-

hoods. Mr. Hope, now a member of the other House, was a prominent merchant of the city of Hamilton, and was known far and wide for his probity. Mr. Featherstone, the other Commissioner, resided in Ottawa, and had been repeatedly elected Mayor of the city, and no person stood higher in character.

Mr. BOWELL: Mr. Hope did not serve.

Mr. MACKENZIE said Mr. Hope did not serve because he was on the Bank of Commerce Board, on which Mr. Cumberland acted, and he thought it was not proper that he should be on a Committee of enquiry on one of his colleagues. The hon. gentleman said that another railway company was indebted to the Government. The Great Western Railway, to which allusion was made, had made a settlement two years before this time, and what it had done did not at all affect the position the Government had taken. The hon. gentleman said it was the duty of the Government to refuse to accept the settlement made under the Act of Parliament if they believed that an improper use had been made of the funds. He would read the clause of the Act relating to this.

“If the said Company or any Company formed by its amalgamation with any other Company under any Act of the present Session, do on or before the first day of April, one thousand eight hundred and seventy-six, or within such extended time as the Governor in Council may grant, not exceeding three months thereafter, pay to the Receiver-General of Canada, or to the Financial agents of the Dominion in England, the sum of one hundred thousand pounds sterling, such payment shall operate as a full discharge and release of the said lien and of all principal and interest due in respect thereof; and the Receiver-General or the said financial agents (as the case may be) shall give the Company a certificate of such payment, which shall be sufficient evidence of the discharge of the lien and of all claims in respect thereof.”

He had only to say in regard to this that the Law Officer of the Crown, his hon. friend the Minister of Justice, decided as his legal opinion that the Government had no power to refuse the balance which the Company tendered the day before the expiration of the period prescribed by Act of Parliament. That opinion might be wrong, as might the opinion of the Deputy

Mr. MACKENZIE.

Minister of Justice in regard to the issuance of the Commission—as the hon. member for Victoria thought; but the Government thought proper to act upon that opinion, and so the money was accepted. What steps might be taken, or should be taken, if any, for the recovery of the money which undoubtedly belonged to the Government was something which would find its solution in the course of time. It was perfectly clear that when the Commission was discharged, the reasons which existed for its issuance had ceased. The company was a semi-public company and trustees of English bondholders and trustees of the Government. The Government payment rested upon their discretion, wisdom and justice in dealing with the funds. Next to the English bondholders—to whom the Government gave way some years ago—the Government stood first, and standing first, they were in exactly the position of an ordinary creditor, or in a condition of holding a lien which took preference of everything else except the interest to the bondholders. If the Government made any mistake, it was in not appointing a majority of the Board of Directors, in order to take charge altogether of the financial affairs of the company; and most certainly this would have been done had the Government any reason to suspect that the funds were being improperly disposed of. Could anything be more improper than that the manager of a company should pay £9,000 or £10,000 to two or three parties in the endeavour to get some arrangement made for the original shareholders; and yet, although no arrangement was possible without the assent of the Government, Mr. Cumberland chose to pay this sum in order to buy over opposition to the measures that were being passed through Parliament in 1875. The hon. member for Victoria said the President of the company went over to the Ministerial or Clear Grit side. That was the first he had heard of it.

Mr. CAMERON: He did; it is well known that he did.

Mr. MACKENZIE said he could only say that he knew nothing about it.

Even if it were so, it would not make any difference. The Government took the most prompt steps to stop the irregularities.

Mr. McCALLUM said, when the Bill for settlement with the Northern Railway was before the House in 1875, he disagreed with the Government and objected to it. The Minister of Justice said that it was the last plan which could be adopted. As reported in *Hansard*, Mr. Blake said :

“He agreed with his hon. friend from Welland (Mr. Thomson) regarding this matter, and, from a careful investigation of the affairs of the Company, it would be ruined if it were compelled to meet its obligations.”

The Minister of Justice used some not very kind language towards him, and then he (Mr. McCallum) quoted from the Hon. Mr. Crooks' report to the Lieutenant-Governor of Ontario in Council, on the 3rd of May, 1873, as follows:—

“Upon an examination of the returns of revenue as earned by this railway, and after a liberal allowance for expenditure on capital account, etc., it appears to the undersigned that the Company could with facility pay interest at the rate of five per cent per annum on this amount of the Provincial loan, and at the same time exist in full efficiency, and make from time to time such alterations and additions as its traffic and the public interests might require. The undersigned therefore considers this sum to be a good asset of the Province of Canada for the amount of \$2,311,666.67, and that the sum of £50,000, stg., of bonds, with interest from July 1st, 1867, is equally so, and that it would be a most disadvantageous arrangement, and unjust to this Province, if the proposition contained in said resolutions were adopted.

“(Signed) “AD. CROOKS.”

At this time it was well known that the hon. the Minister of Justice was in sympathy with the Hon. Mr. Crooks, but the hon. gentleman was in Opposition to the then Government of the Dominion. He (Mr. McCallum) moved in 1875 for a six months' hoist of the Bill, which was lost on a division. But he had his vindication now by the acknowledgment of the Government, and the hon. gentleman must have known that he (Mr. McCallum) was right in 1875, although he had said the contrary. In 1873, when the report of Mr. Crooks was made,

the hon. gentleman, then in Opposition, opposed the settlement with the Northern Railway, the real reason being that the Manager of the road was supporting the Government of the day. But, when the hon. gentleman crossed the floor of the House, he seemed to have got new light; and this accounted for the settlement of 1875. As far as the report on the Northern Railway was concerned, he (Mr. McCallum) was sorry that the enquiry had not been extended to the management of the Northern Extension Railway. If this had been done, in his opinion, a great deal more corruption would have come to light than had been developed regarding the Northern Railway. There was no doubt that the money which the people of this country ought to have had, as he had said on the passage of the Bill, had gone to the building of the Northern Extension, twenty-six miles of which, if he was informed aright, were constructed on a capital stock of \$13,000. As far as the hon. member for West Toronto was concerned, he could give his own explanation and justification, and he (Mr. McCallum) was not in the House to defend Mr. Cumberland. But he did not think that the fact of Mr. Cumberland subscribing \$1,000 towards the stock of the *Mail* newspaper was a proper subject of enquiry by the House. That matter lay between Mr. Cumberland and the Directors, especially as the Government had got all its claims paid. This, however, was not the first time the Government had assisted newspapers. For instance, last year the present Government paid the sum of \$1,100 or more to the *Globe*, for copies circulated in Europe, no doubt in the interest of a certain party, and to poison the minds of intending emigrants against another political party before even they set foot in the country. And many other newspapers had been subsidized by the Government in the same way. The Minister of Justice always seemed anxious to get hold of anything that would reflect injuriously upon any members on the Opposition side of the House. He forgot that the party with which he was allied had for its leader the man who made the “grand

stand" and the "big push," and appealed to the faithful to come down handsomely.

Mr. TUPPER said he thought the discussion was necessary. The Government had laid on the table a blue-book, being the report of the Northern Railway Commission, and he thought he expressed the sentiment of every member of the House, not in the secrets of the Government, when he said that no person could peruse the document without coming to the conclusion that there was nothing to explain its existence. There was nothing in the report to show why the Commission had been issued, and he had hoped that the Government would have availed themselves of the opportunity afforded by the discussion to give the House some reason for taking that extraordinary step. Both lay and legal gentlemen would agree with him in the opinion that nothing but circumstances of the most stringent public necessity would ever justify a Government in adopting a Star-Chamber movement such as this. The feeling of every person who rose from a perusal of the document would be one of strange bewilderment; first, as to what occasioned the appointment of the Commission; and second, as to what caused the suspension of its action. If there was a necessity for it, if the Government were justified in issuing a Commission, it was because they had a large lien against the company, and that the arrangement for its settlement was made under the representations presented by the company which the Government had reason to suppose were deceptive, and which, if proved by the Commission, would justify them in withdrawing from the arrangement and freeing themselves from the obligation they had undertaken. The report presented the extraordinary spectacle of a Commission issued and certain investigations made, the object of which, unless the party possessed some information outside the covers of the report, remained absolutely a secret. The general impression was that the Government was moved to institute the enquiry in the hope that they would unearth some scandals for which they had so remarkable keen a scent, and which they seemed to think it was their peculiar mission to reveal. The

Mr. McCALLUM.

general impression was (and it was an impression which any one not in the Government secret would arrive at) that, having pursued the investigation to a certain point, they found they were on tender ground, that, instead of being able to accomplish the object in view, every step they took would involve their own friends in discreditable acts, and so they thought that the sooner they hushed up any further enquiry the better. The hon. the Minister of Justice had referred to the proposition which Mr. Tilley as Minister of Finance had made to the House, and he had detailed the facts correctly in regard to the position of the Government. It was no secret that the general impression entertained was, both in the House and out of it, that the claim of the Government against the Northern Railway was not a good one, and that the circumstances of the company were such that the Government would never be able to obtain the face value of the claim. An application was made to the late Government for the composition of the claim. They very naturally took the step of obtaining the most able and efficient persons as Commissioners to investigate into all the facts and circumstances in connection with the company, and report to the Government the amount of money which the Government, taking into consideration the ability of the company, would be justified in accepting in discharge of its claim against the company. A report was made by Mr. Langton, the Auditor-General, whom they had no reason then, or now, to suppose was not eminently qualified to discharge the duty imposed on him. Mr. Tilley brought the resolutions before the House, and, upon the statement being made by some hon. members that they had reason to believe the company was in possession of a larger amount of assets than Mr. Langton's report led them to believe, the Government withdrew the resolutions, stating at once to the House that they would not assent to the proposition.

Mr. MACKENZIE: Does the hon. gentleman say that such a statement was made to the House?

Mr. TUPPER said that, on statement being made in the House that the company was able to pay a larger sum, the Government arrived at the conclusion that without further information and investigation it would not be justified in agreeing to the arrangement, and it did not press the resolutions to a conclusion.

Mr. BLAKE said the then Minister of Justice challenged his hon. friend the Premier across the floor of the House with being responsible for having, by his objection, stopped a settlement which was necessary in the interests of the country and the Northern Railway, and said he would be held responsible therefor by the people of Toronto and vicinity.

Mr. TUPPER said the recollection of the hon. the Minister of Justice might be correct, but the circumstances as they rested in his mind were that the discussion led to the withdrawal of the resolutions. The hon. member for Lambton was not the only member that objected. There were a number of hon. members on both sides of the House who took very strong grounds against the proposed settlement, prominent among them being the hon. member for Hamilton. The hon. the Minister of Justice seemed to think that every act must be corrupt; he had a most deplorable view of human nature. Hon. gentlemen opposite had, he admitted, some reason to suppose that the proceedings of the Northern Railway, after the change of Government had taken place, were not animated by that straightforward business-like integrity they had a right to expect. When they found that the management at once struck down a President on political grounds, and gave to the present Government the strongest assurance possible that the company would be used as a political engine in future, there was some reason to come to the conclusion that the Government were being approached, and that at their most vulnerable point; that if they could make a settlement with the company they would receive political aid, and the Northern Railway would be worked in their interests. The Government should have regarded with suspicion the poli-

tical complexion given to the Northern Railway Board, in view of the negotiations for the settlement of the Government claim. He was only expressing the sentiments of the House and country when he declared that the company would have effected no settlement to this hour if they had not adopted such a course in relation to hon. members opposite. He wanted to know why the settlement was consummated? If the Government had the power to issue a Royal Commission, and if it had ascertained that the company were guilty of fraudulent transactions, as the hon. the First Minister had declared, why was the settlement completed?

Mr. MACKENZIE said he did not declare that he had the proof, but that such an allegation had been made.

Mr. TUPPER said the hon. the Minister of Justice had distinctly declared that the Commission had proved transactions which were fraudulent and criminal against the company. If the Government could show that the engagement had been made with the Northern Railway under false pretences and false statements on the part of one of the parties to the transaction, the Government would have the right to say that they would not carry out the engagement. Having probed the circumstances of the company to the bottom, he asked the reason why the Government did not come down to the House and announce that they had refused to carry out the engagement with the company under the circumstances and were ready to accept the responsibility? The hon. the Minister of Justice could not shield himself behind the assertion that if they had known all this beforehand no settlement would have been made. That hon. gentleman would have to answer to the people and the House why, in the face of the information obtained by the Commissioners and by other means, he accepted the composition, especially in the face of the fact that the company were able to procure the money against the determined struggle of the Government to weaken their credit in England. The Government could not have done anything to deteriorate the

character and position of the Northern Railway equal to the issue of the Royal Commission at that particular juncture. The company having proved that they could raise the money notwithstanding the attempt of the Government to break down the credit and ruin the position of the corporation, had given the best evidence they could that the agreement with the Government should never have been carried out. The Government could not say that they had brought down all the testimony in their possession, and that the report contained all the results of the Commission. Why did they appoint an accountant to investigate the company's accounts, for they surely did not mean to say that he had done nothing? Why was his statement not before the House? Was it because it would have convicted hon. gentlemen on the Treasury benches of having closed a bargain by which an unfair sum was accepted? The Government would have to show the country why they had not refused to consummate the bargain and come to Parliament showing the grounds on which they had not carried out the engagement with the company. He was amazed at the wonderful purity that appeared to animate the Minister of Justice. When the hon. gentleman so far forgot his high position as to denounce the right hon. member for Kingston as a criminal, because the Northern Railway Company had contributed to a testimonial presented to him, it showed not only an absence of good taste, but it was an act of injustice that ought to stain the reputation of any public man. The feeling not of Conservatives, not of supporters of the late Government, but of every high-minded and honourable man in Canada was one of gratification that there was sufficient public spirit in a great political party to come forward and in the most substantial manner testify what they felt a public man deserved who had spent his life and talents in the service of his country, without being able to obtain the means of that pecuniary independence which his position required, in the interests of the Dominion. The public sentiment was that, although non-ourable and creditable as the act

was to the party and public sentiment, it was no more than a simple measure of justice to the high-minded and honourable man who, during a long period had shown himself to be a true and devoted patriot, and who had sacrificed himself at the shrine of his country; it would have been discreditable enough had the hon. the Minister of Justice so far forgot himself to have used that language in the absence of any statement made elsewhere, but it was the more so when viewed in the light of the fact that the Hon. D. L. Macpherson, a man of high character and unblemished honour, had pledged his word and honour that he had no communication with the right hon. member for Kingston, except in regard to the mode of investment, and that he was entirely ignorant as to who were the subscribers to the fund. This was not the first time that the hon. the Minister of Justice had applied the epithet of criminal to the right hon. the member for Kingston. The hon. gentleman went into West Toronto, and surrounded by his personal acquaintances and friends on a public platform, he denounced the hon. member for Kingston as a convicted criminal, and appealed to the electors for a verdict against the hon. member for Kingston, who was regarded by the large majority of the people of Canada as one of the most unstained and unselfish patriots to be found in the country. The hon. gentleman received his answer—500 of a majority in that magnificent constituency hurled the accusation back in his teeth, and branded him as a slanderer. That verdict had again and again been endorsed by the people, east, west, north and south, and, wherever there was a constituency of independent men, free from the corrupt seductions of the Government, the hon. gentleman would receive the same verdict, that the right hon. member for Kingston was an unstained patriot, and he a foul-mouthed slanderer. After a life spent in making the worse appear the better reason, which was the hon. gentleman's business and profession, he had become an adopt as a special pleader, and had he listened to him for the first time, he might have placed some confidence in his professions of purity, but he knew what de-

nunciations of corruption made by the hon. gentleman meant. He knew that where corruption was brought home to the hon. gentleman himself, and fastened on his Government that hon. gentleman just as sincerely and energetically defended the most corrupt and most indefensible transactions which had ever stained the reputation of any Government in this country. Did the hon. gentleman want to be informed on this point? He would recall to the mind of the House, a transaction which took place before he (Mr. Blake) had held for one month the position of a member of the Government of Canada; and point to the fact that, no sooner was the hon. gentleman in his seat as a member of the Government, than that Administration was negotiating with a great Railway Company, on the eve of a general election, and the result of that negotiation was the taking by that Government of \$69,000 of public money out of the Treasury of Canada, and the handing of it over to that company. He was not a lawyer; but he challenged the hon. gentleman himself to say, on the floor of the House, although the hon. gentleman might defend that corrupt and indefensible transaction,—that this act was not done, not only without the sanction of law, or parliamentary authority, but also that it was not done in express defiance of the law; and yet that hon. gentleman talked to the House about purity in reference to the transaction in question. The law required that, if the money could be paid at all, the Government before paying it must have the report of the Treasury Board, in express terms; but that money was paid without having the authority of the Treasury Board at all for the payment. And this was not all. That hon. gentleman himself ran an election in West Durham. A distinguished gentleman, well known to the people of this country—who he believed lived in West Durham—was Mr. Simpson, the President of the Bank of Ontario; and did the hon. gentleman not know that on the counter of that bank lay a subscription paper to secure money to pay that hon. gentleman's election expenses? Did he not know that

when customers came into the bank, they were requested to put their names to this paper and subscribe? And did he not know that, having paid the hon. gentleman's election expenses, which had been subscribed for on the counter of the Ontario Bank, and having collected the money to do so, the Bank of Ontario had drawn out of the pockets of the people of Canada something like \$50,000 a year, from the hour that hon. gentleman had taken his seat in the Government of Canada down to the present moment? And yet that hon. gentleman talked about purity to hon. members of the House, and about purity in running elections. He was not going to justify the transaction of his hon. friend (Mr. Robinson), but with relation to it he would say that his hon. friend's statement was plain, unvarnished and straightforward. His hon. friend made a clear statement of his convictions and feelings, and evidently felt justified in what he had done. The Northern Railway Company had felt they had to contend against hostile influences in the House, and that parties in the House were interested in attacking their interests, and they had thought it right and proper that they should meet that hostility by endeavouring to have some person in the House prepared to defend their interests when attacked. Did the hon. gentleman (Mr. Blake) mean to say that his hon. friend from West Toronto was the only man interested in railways who ever sat in that House, or who so interested sought aid and support from the Government. An hon. gentleman so situated had sat on their side of the House; and what did that hon. member do? He went over to the Ministerial side of the House, and immediately obtained substantial favours and assistance from the hon. gentlemen sitting on the Treasury benches, for that very railway. That hon. gentleman then at once secured justice at all events, and this was the only means of getting it. Night after night, and day after day, hon. gentlemen on both sides of the House, in the Committee Rooms vindicated the interests of railways and companies with which they were connected, yet they had never been at-

tacked. The truth was that the Minister of Justice in this instance had sought to pay off an old score which, years ago, was incurred by the spirited assault made by the hon. member for West Toronto in answer to excessive provocation given by the hon. gentleman from South Bruce, who should have reserved his wrath for the devoted heads of the overwhelming majority of his own friends and neighbours who rejected his advice on that occasion in sustaining his hon. friend from West Toronto. But one would suppose that the very name of electoral corruption would shock these hon. gentlemen on the Treasury benches. Had the Minister of Justice ever heard of the judgment—the legal judgment delivered by the Chief Justice of the great Province of Ontario in the case of the London election. Did he know the language in which Colonel Walker was then branded as one of the most corrupt men to be found in the bounds of Canada; and was he aware that this judgment was confirmed by the full Court, which further disqualified Colonel Walker, and branded him as worse than corrupt—as a man who had given testimony under oath which was unworthy of belief. But instead of these hon. gentlemen being shocked with regard to this matter, did they not find the Premier, when he received an ovation in his own county, have, as his body-guard, supporter and right hand man, this same Colonel Walker who had been branded by one of the highest Courts of the country as one of the most corrupt men in the Dominion. And not only that, but when the Minister of the Interior went to run an election as a Minister of the Crown, this man, who had been disqualified from even tendering a vote by a judgment of Court, and who was debarred from polluting by his presence any Legislative Assembly in the country, was the companion as the henchman, advocate, and supporter of the Minister of the Interior; and yet these hon. gentlemen had the audacity to talk about electoral corruption, and to make professions of purity which, however well-sounding in the ears of the hon. gentlemen behind them,

Mr. TUPPER.

only excited a feeling of disgust and contempt through the House and country on the part of every man who was not prepared to support and uphold unvarnished hypocrisy instead of purity.

Mr. HUNTINGTON said he did not propose to follow at any length the hon. member for Cumberland with regard to the rash and stale slanders to which the hon. gentleman had given utterance. He did not think that Col. Walker's case should be discussed on the floor of the House. There were some crumbs of comfort and sweet morsels which the hon. gentlemen opposite were entitled to enjoy and roll under their tongues; and, from the beginning to the end, he was glad that these hon. gentlemen were commencing to talk as they had done last summer. They said, as it were:—"We do not pretend to be pure; we have no respect for purity, though we did at one time make the country believe that we were honest; but now—look at Colonel Walker." He was not there to defend Colonel Walker.

An HON. MEMBER: I should think not.

Mr. HUNTINGTON: But he was there to defend the hon. gentleman from Cumberland against himself. That hon. gentleman, reckless as he was in denouncing the Minister of Justice as a foul-mouthed slanderer, and as a leading public man in this country, yet to some extent he had a reputation, if the hon. gentleman himself had no regard for it.

Mr. TUPPER: I did not say that the Minister of Justice was a condemned criminal.

Mr. HUNTINGTON: The hon. gentleman had, however, said that the Minister of Justice was a foul-mouthed slanderer. It was a shame to say such a thing in the House. No man occupying the hon. gentleman's position should have been willing so to degrade the discussion; such tactics were a disgrace to the House and the hon. gentleman. He was prepared to meet the hon. gentleman there or elsewhere, and settle the stale accusations of which the hon. gentleman had spoken. He did not pretend that human nature on his side of the House was better

than human nature on the other side; but he did affirm that the Liberal Party had been so led as to make political dishonesty in its ranks impossible. The hon. gentleman defended the Northern Railway transaction, and told the people to prepare themselves for a revival of the olden times, when railway companies had not only sent members to Parliament, but had also subscribed funds as an honorarium to the chief law officer of the Crown. The conduct of the hon. gentleman had been indecent and improper. He did not think that the hon. gentleman from West Toronto was so greatly to blame, and he was not going to attack the right hon. member for Kingston. These hon. gentlemen were the victims of a system which had existed for twenty years. They had been surrounded by a clique of men who believed that the benefits the country had to bestow were for them alone. The hon. gentleman for Cumberland had not only justified the action of the Northern Railway Company, but had also said it was naturally to be expected that railway companies should send members to Parliament to represent, not the people, but these corporations. The hon. gentleman from West Toronto was the victim of a system which had only been exposed in part. The right hon. member for Kingston had once declared in the House, he had proof that an American railway corporation had paid his own (Mr. Huntington's) election expenses, and that he (Mr. Huntington) sat as a representative of alien enemies; but of this no proof had been made. It appeared, however, that at the time the hon. member for Kingston was bringing that false charge against himself, he (Sir John A. Macdonald) occupied the position in which the Northern Railway Commission Report that night placed him; and the hon. member for West Toronto held the position in which he, too, had been placed. The country should understand properly the circumstances, because the hon. member for Cumberland, amid the enthusiastic cheers of his supporters, had announced that a railway corporation might fitly expend public money it happened to have in its hands, to send members to

the House to represent its interests and press its claims in it.

Some HON. MEMBERS: No, no.

Mr. HUNTINGTON thought it might be well to enquire how many other railway companies had acted on that principle. Hon. Mr. McPherson, whose name had been mentioned that night, had been a politician expecting favours from the country, and one who had canvassed and obtained subscriptions to the fund in question. The position was painful but the truth must be told. He solemnly called the attention of the House to the dangers connected with the doctrine which the hon. gentleman from Cumberland had advanced that night, with the clamorous approval of his supporters. As to the taunts of corruption which had been cast across the floor of the House, they were untrue. The Liberals had declared that elections must be purely carried on, and, if their own friends had suffered in the administration of the law, this only the more clearly proved the sincerity of the Party. He did not grudge the hon. gentlemen the comfort to be obtained from the fact that their friends had so suffered; but he would add that they had only followed the corrupt policy pursued by the hon. gentlemen opposite during the past twenty years.

Sir JOHN A. MACDONALD said the hon. member for Shefford had stated that they were the victims of a system which had existed for the past twenty years. The hon. gentleman did not blame them so much as he pitied them; and the hon. gentleman gave them the advantage of his sorrow. He could look back not twenty but thirty-three years; to nearly twenty years of official life, and to thirty-three years of Parliamentary life, and he would declare, in the presence of the House and in the presence of the country, that neither the men nor the Governments with which he had been connected could be justly charged with any acts of corruption. They could hold up their heads in this country as he held up his head in the House, and declare that, if ever a Government was conducted with a sincere, a simple, and an anxious desire

for the good of the country, and for no other purpose and no other wish, it was the Government with which he was connected. In a style similar to what they had heard that night, they had been charged by their opponents with improper conduct; all kinds of stories had been concocted against them; and all kinds of scandals had been sought to be raised and resuscitated; but, whenever these accusations were examined and sifted, they were found to be baseless and groundless. He remembered the time when there was a great cry throughout the country that the late Government had been guilty of all kinds of crimes which would drive them from public life, because they had paid too much for mucilage and penknives. From every hustings at every election, the cry of mucilage and penknives was raised against them, but a decent old Reformer said the other day in Upper Canada: "I don't know how it is Sir John managed the country with a little mucilage and a few penknives, when it takes millions of dollars to keep our people in power." The hon. gentleman said they had corrupted the country and the electors. The hon. gentlemen opposite did not corrupt the electors, but they bought up the elected. The hon. member for Queen's stated the other day that the whole delegation, headed by Mr. Laird, was bought up. That was not denied and could not be denied, and the hon. members had to ask why as they were promised the bribe, they did not get it. Mr. Laird got it, and the members for Prince Edward Island whose votes were drawn away from the late Government were diddled out of it. The hon. member for Shefford talked about purity. Why, neither in his public or private life, could that hon. gentleman talk of purity. The hon. gentleman had a face of copper.

Mr. HUNTINGTON: I challenge—

Some HON. MEMBERS: Order.

Mr. SPEAKER: I shall adjourn the House if order is not maintained.

Mr. HUNTINGTON: I desire, Mr. Speaker—

Some HON. MEMBERS: Order.

Sir JOHN A. MACDONALD.

Mr. SPEAKER: As I understand it, the hon. member for Shefford has risen to a point of order. I want to hear what it is before deciding.

Mr. HUNTINGTON: In order to state the point of order, I must repeat what the hon. gentleman has said. He said I had a face of copper, and that I had no respectability either in public or private life.

Mr. SPEAKER: Oh no; the hon. gentleman did not say that. The hon. gentleman said that the hon. member for Shefford had talked of purity in private life. What the precise meaning of that is I do not understand. It may be an insinuation, and a very improper one.

Mr. HUNTINGTON: I may be permitted to make one observation. It is not the first time the hon. gentleman has made the accusation. There is no ground for it, and I challenge him to repeat it.

Some HON. MEMBERS: Order.

Mr. SPEAKER: I am sorry to observe this great excitement, which has gone further than it is desirable it should go. I shall endeavour to watch very closely what is said, and if any observations which are out of order are made, I shall endeavour to call the hon. gentlemen to order. A statement was made by the hon. member for Cumberland which was not put in a way which seemed to be understood by some hon. gentlemen on my right. As far as I understand it, the hon. member did not charge the hon. the Minister of Justice with being a foul-mouthed slanderer, but said the hon. the Minister of Justice could not have used the expression "convicted criminal" in any part of the country without such a statement being made to imply that he was a "foul-mouthed slanderer." The language is very objectionable, and I am very sorry that it has been used. I shall endeavour to make parliamentary rules observed, and call any hon. gentleman to order who is out of order.

Sir JOHN A. MACDONALD said he had been called to order a little too soon; and he was sorry Mr. Speaker's warning had not been given a little earlier in the debate. The hon. mem-

ber for Shefford called him to order in one breath and in the next challenged him to repeat the statement. After securing a ruling that the remark was out of order, the hon. member challenged him to repeat it. If that hon. gentleman had not run away from the subpoena issued for him and had given evidence before the Pacific Scandal Commission and told the truth, he (Sir John A. Macdonald) could have made him prove, out of his own mouth, that he was in league with aliens for the purpose of doing away with the best interests of his country.

Mr. HUNTINGTON called the hon. gentleman to order.

Sir JOHN A. MACDONALD: The hon. gentleman alluded to what I said on a former occasion, and I have a right to justify everything I said. But I regard not the statements of that hon. gentleman; I will hand them over to the tender mercies of others,—to the hon. member for Chateauguay, to the Courts in Scotland, to the law—

Mr. BLAKE called the hon. gentleman to order.

Sir JOHN A. MACDONALD: The hon. gentleman himself said I was a criminal.

Mr. SPEAKER: I understood that to apply to the hon. member for West Toronto, and not to the right hon. gentleman.

Mr. BLAKE: Your understanding is perfectly correct, Mr. Speaker.

Mr. TUPPER: That is taking back.

Mr. BLAKE: Not at all; I say that Mr. Speaker's understanding of my remarks is perfectly correct.

Sir JOHN A. MACDONALD said he knew that statement had been made in Toronto, but he thought the hon. the Minister of Justice had reconsidered the matter, and that the amicable arrangements established between them would have prevented the repetition of that unjust and injurious language towards himself. And he (Sir John A. Macdonald) must consider such language unjust and injurious, when, after styling him a "convicted criminal" on the hustings at Toronto, the hon. the Minister of Justice held out the right hand of fellowship or hospi-

ality to him. He believed that the hon. gentleman had regretted, even in the hour of political triumph or excitement, ever having used the expression. He could not pretend that everything he had done had been correct. He had often confessed, upon looking back at his long political career, and seeing things with the light of ripened experience, that he should like to undo many things. He had no desire to raise himself falsely in the estimation of his countrymen, but he believed he had earned this character at least: "With all his faults, frailties and failings, still we believe he did what he thought best for his country." The late circuit he had made had proved that he had not only the esteem of those politically connected with him, but the good-will of those politically opposed. His whole soul, while in Parliament, his every feeling and ambition were governed by a desire for the good of the country. That, in a country like this, could only be obtained by the assistance of political friends, and that he was a strong party man and had been supported by strong party men was a necessity before he could do the good which even his opponents admitted he did. He was grieved extremely at the tone which the hon. the Minister of Justice had adopted towards him. He thought a new era had commenced—that the very appropriate lesson the hon. gentleman gave the House the other day, when he appealed to hon. members to set aside all strong language and irritable feeling, would abolish all this bitterness. Yet the hon. gentleman had availed himself of this opportunity to give the hon. member for West Toronto a good return for what he said of him (Mr. Blake) in that city a year ago. But the hon. gentleman was not satisfied with that, but by a series of insinuations he attempted to injure him (Sir John A. Macdonald) in the good opinion of the House and the country. The legislation respecting the Northern Railway, regarding which so many inuendoes had been uttered by the hon. the Minister of Justice, was carried on in Parliament like the legislation affecting any other road. Everything they required doing was investigated by the Railway Com-

mittee, which was composed of leading men on both sides of the House. He did not remember that he was present at any one of the discussions upon any Bill affecting the Northern Railway; and hon. members knew that after being fully discussed in Committee, railway Bills generally obtained the sanction of the House with little observation. His hon. friend for Cumberland, to whom he must return his most grateful thanks for the manly defence he had made in his behalf, had truly said that the effort made to receive half a million of dollars from the Northern Railway Company by the late Government, and brought down to the House by Mr. Tilley, was done after careful consideration by the Auditor-General. The Government was so anxious that the matter should be fully considered that, although the railway laid all their statements before them, and used all the arguments that ought to be required in order to obtain the Government sanction, the Government refused to accede. The report as to the road was made by Mr. Langton, and he was known to be both honest and capable. He, at all events, was not bribed by the Northern Railway; he, at all events, had no election expenses to be paid; he, at all events, had no testimonial given to him. He went to Toronto to examine the books as a public officer, and on his report the Government felt itself satisfied in coming down with that proposal. If had truly been said that on discussion in the House, and on objection by the hon. the Premier—who had a perfect right to object if he thought it his duty—the Government withdrew the resolutions. He (Sir John A. Macdonald) did not profess to be a man of accounts, but he placed the most implicit confidence in the statement of Mr. Langton, and he thought Parliament was making a mistake in refusing to accept the report of that gentleman as to the amount the Northern Railway could be called upon to pay. But what he (Sir John A. Macdonald) most desired to impress upon the House, was that the Government in making that proposition did so upon the report of their trusted officer. How often, nay, how univer-

sally did the hon. the Premier justify everything done by a report of a officer of a Department. In every point his reference was the officer in charge of the particular work. In the issuance of the Commission he acted upon a report of an officer.

Mr. MACKENZIE: No.

Sir JOHN A. MACDONALD: He justifies himself by it.

Mr. MACKENZIE: No; I stated that we accepted the report as a matter of course.

Mr. MASSON: You said you were no lawyer.

Sir JOHN A. MACDONALD said his hon. friend could not help that ministerial responsibility. It was said the Minister of Justice was absent from the country at the time, but the services of the Deputy Minister were called in, and, his report being accepted, the Government must assume the responsibility of it. The late Government, in like manner, acted upon the report of Mr. Langton, he being the head of the Accounts Department of the Dominion; and the insinuation that the Government were bought or induced from friendly, political or any other object, not to the good of the country, was what he (Sir John A. Macdonald) believed he might fairly call a calumny—a calumny of the worst kind, whether insinuated or asserted. And now, as to his own case. The hon. gentleman had said it was a very suspicious circumstance that the road had subscribed to his testimonial. He (Sir John A. Macdonald) was surprised at this attack upon him after the statement made by the Hon. Mr. Macpherson. It was always unpleasant to have personal matters brought up in this way; but in the vicissitudes of political life one must expect that kind of thing. He had had a great deal of it in his time, and he submitted, as he was obliged to do and as he had been accustomed to do for many a long day. It would be remembered that, in 1870, he was struck down with illness supposed to be mortal. He lay for months in a state, as Mr. Macpherson had stated in his remarks in another place, which was supposed to be his last. This being made known,

Sir JOHN A. MACDONALD.

his friends began to consider as to what would become of his family. He did not like to speak of this, but he supposed he must. His friends, finding it exceedingly probable that his family would lose their head and protector, began to consider what could be done. On enquiry they found—whether through his own fault or his devotion to public business—that he would leave them but a slender provision. He himself was perfectly unconscious of what was going on around him; and it was then, as he understood it, that this movement commenced. It was taken up vigorously, not in the idea that it was to do any good to him, but to those he left behind him. It was feared that he was far beyond the need of any pecuniary circumstances, and that the place which knew him would know him no more. The movement was actuated simply by the feeling that his family should not be left in penury. After recovering his consciousness, he was taken to Prince Edward Island, where he stayed the whole summer, and was at that time unaware that the movement was going on. It was never communicated to him, never hinted to him, and he never heard of it in any way until, on his return to Ottawa in the fall, he saw some statements made in the newspapers that the project was rumoured. But his friends studiously kept the knowledge away from him. It was not until Mr. Macpherson asked his approval of the names submitted to him as trustees of the fund that he had any specific information of the matter. These names were submitted, and he was sure he had only to mention them for every hon. member to agree that they were as honourable men as there were in Canada, and that they would not allow anything to be connected with the testimonial so far as they knew, that would touch their honour, his own honour, or the honour of his family. Their names were Colonel Gzowski, Hon. George W. Allan, and Colonel Burnet. These gentlemen were the trustees of the fund at the present moment. He had the same complaint as his hon. friend from West Toronto, in that neither of them were called as witnesses before the Commission. Here was a

grave charge brought against them. Its animus was obvious from the way it was spoken of in the House, yet not the slightest intimation was given him that the matter would be brought up before a Commission. He did not know of any charge being made against him, except from what he was told by Mr. Macpherson. He would read Mr. Macpherson's statement. Why did not the Commissioners ask Mr. Cumberland to make his statement of the matter?

**Mr. MACKENZIE:** We did ask Mr. Cumberland.

Sir JOHN A. MACDONALD said the Commissioners took good care only to ask such questions as would inculcate him, and not those which might exculpate him. The statement of Mr. Macpherson was as follows:—

“I desire to make a personal statement. I have observed in the report of the Northern Railway Commission my name mentioned in connection with the subscriptions to what is known as the Sir John Macdonald testimonial, and I wish to impart some information to the House on the subject. The presentation of a substantial testimonial to Sir John Macdonald was a matter agitated by his friends from time to time for years before it was earnestly proceeded with. They considered that the long, useful, and distinguished services he had rendered to the country entitled him to some substantial testimonial at the hands of his friends. They were aware that he had devoted the best part of his life—nearly a quarter of a century—to the service of the country, receiving only a very small salary, which was inadequate to make provision for his family should he be taken from them, but it was not until after his severe illness in 1870—an illness which we all know proved all but fatal—that any earnest movement was made towards obtaining a substantial testimonial for him. At that time a number of his friends took counsel together, and decided upon proceeding with the project. They felt very deeply how painful it would be had he been carried away at that time, as there was every prospect of being the case. For weeks together the announcement of his death would have caused less surprise than the announcement that he continued to live. It was felt, I say, that it would be a painful and distressing event if those dependent upon him should be left on the world without adequate provision. It was then a committee was appointed; and I was asked to act as treasurer. I consented, and became perhaps the most active member of the committee. I state here that I never communicated with Sir John Macdonald on the subject, never told him that such a project was on foot; I never communicated

with him directly or indirectly until the subscription was closed, when, of course, he had to be communicated with, to ask him the names of the trustees he would like to have appointed to administer the fund. I am the only person who knew the names of all the contributors, and I never stated to Sir John Macdonald the name of any one of the donors to that fund. Sir John Macdonald was perfectly ignorant of the subscriptions to the fund except what he may have seen in the newspapers. If there was anything blameworthy in receiving the subscription referred to, Sir John Macdonald is entirely innocent of it. I don't think there was anything blameworthy. I am quite prepared to assume all the blame. If there is any blame, it attaches to the committee, and especially to me, because I was the acting member of the committee, but none can attach to Sir John Macdonald, for he was entirely ignorant of the names of the contributors to the fund. He was so then, and he is so to-day, except the one that has been made public through the agency of the Commission. As I have already said, I don't think it was at all blameworthy to receive that subscription; and, if there are any who think otherwise, they must, at all events, acquit Sir John Macdonald, for I repeat, as unqualifiedly and emphatically as I am capable of doing, that he was entirely ignorant of it, as he still is of every other subscription to the fund."

Every word of that was true. He could declare upon his oath that he did not know then and did not now know the name of one contributor except the Northern Railway, and what was said in the newspapers about the Great Western Railway. Excepting these, he did not know the name of a single contributor. He must say that he did not feel at all too proud to receive this testimonial from his friends. The fund was in the hands of the trustees. He had no control over it. He could not lay his hand on a dollar, the money being for the benefit of his family when he died. He was not ashamed that his friends took such an interest in him that they did something to provide for his family when he was no more. He did not think justice had been done the *Mail* newspaper respecting the stock taken by Mr. Cumberland. The *Mail* was not subsidized by the Northern Railway. Mr. Cumberland became a subscriber for so much stock. He (Sir John A. Macdonald) saw him write his name in the stock book. He (Sir John A. Macdonald) took a great interest in the starting of the *Mail* to counterbalance the influence of the *Globe*. He took

Sir JOHN A. MACDONALD.

ten shares himself, which he had not now, however. He, or the late Sandfield Macdonald, got Mr. Cumberland to subscribe. Mr. Cumberland was a member of the party and was supposed to be wealthy, and whose business was it if he took stock in the *Mail*? The *Mail* Company had nothing to do with the fund out of which Mr. Cumberland paid for the stock. The Northern Railway did not subscribe. It was Mr. Cumberland who subscribed, and if he chose to pay it with Northern Railway stock that was a matter to be settled between him and the directors. It was greatly to be regretted that the Commission had been appointed. There was no justification for it. If the Minister of Justice had been in the country at the time, he would not have sanctioned the issuance of the Commission. If an investigation were required, it could be had by a proper legal tribunal, and not by this Star Chamber. The existence of a Commission of this kind used recklessly in the way it had been, was the destruction of the freedom and liberty of the subject. If the Government of the day had a claim of £5 or £5,000 or £5,000,000, it did not matter; it was only in the position of creditor, and it had no power to appoint a Commission of judges of its own choosing, without reference to the debtor at all. The Commissioners were judges; they tried the case; and they were chosen by the Government alone for political reasons. Charges were made against gentlemen without giving them an opportunity of appearing before the Commission to answer them. Admitting, for the sake of argument, that what the First Minister had said about the individual character of the Commissioners was true, yet they were known to be violent political partisans. They were all men who would go great lengths for the gentlemen opposite; they would go as far as they could honestly, and perhaps, like other strong partisans, they might strain a point a little in favour of their political friends. Now, why did the First Minister issue the Commission? It was not, he ventured to say, because of the statement of old Mr. Hamilton—a man dissatisfied with Colonel Cumberland because he refused to raise his sal-

ary—that \$2,500 had been paid into the Testimonial Fund. The real reason was to have an opportunity to get a stab at a political opponent. The hon. the First Minister said the Commission could not continue to sit after the Northern Railway had paid the claim of the Government. But the Commission was issued after the agreement to pay the money had been made. The Government said they could not get over accepting the money. If so, if the bargain was obligatory, then why was the Commission issued after that bargain had been made? Yet the Commission was issued and evidence was taken behind the backs of the accused. But, when it was found that the investigation if pursued would affect gentlemen belonging to the Government party, then the Commissioners adjourned, and they did not meet again. They had got their object, base as that object was. The Commission was illegal. Fancy such a Commission being issued in England. Fancy the people of England, who wrote against the old Star Chamber in England, knowing that we had a Star Chamber in Canada. There was one lawyer among the Commissioners, but he was more of a business man than a lawyer, and did not practice at the bar. They took up the charges made by the book-keeper Hamilton, and tried them behind the backs of the accused, and then the report was sent out to the public. The idea of destroying the reputation of men as honest and as high in the estimation of this country as any one of the present Administration from the First Minister downwards, in this manner. See what would happen if this was accepted as a precedent. Again and again, when the Government wanted to stab a man behind his back, they would issue a Commission and call for such evidence as they liked, give such instructions as they liked, and have such private communications with the Commissioners as they liked. Men were to have their characters assailed and their reputations ruined by a Star Chamber of this kind. In England it would not be submitted to for a moment, and he was much surprised if the people of Canada either would

stand it when they understood what had been done.

Mr. YOUNG said this discussion had brought out some very grave facts, which it was absolutely necessary the House should take cognizance of. He should not follow the style of recrimination which had been indulged in by hon. gentlemen opposite. The hon. member for West Toronto had much to answer for in bringing about such an acrimonious discussion. It had been made acrimonious by the other side for the purpose of preventing the House from seeing the gravity of the facts brought before it. He wished to direct the attention of the House to the gravity of these facts. Funds, which properly belonged to the Dominion of Canada, which ought by Statute to have been paid to the Dominion, were taken out of the coffers of the Northern Railway Company, and applied to purposes which he felt the House was bound to investigate to the bottom. When such grave facts were brought to the attention of this Parliament, when it was proved and could not be denied that moneys belonging properly to the people of this country had been used in election contests on behalf of one political party, Parliament was bound to make a thorough investigation into the facts of the case. He would not enter into the legal bearings of the matter, but he thought it would be most extraordinary if the Government, having so large a claim upon the company, could not, when certain misdemeanours had been brought to its notice, issue a Commission to enquire into the way in which the company's affairs had been managed so far as the interests of the Government were concerned. The fact that the Commission had shown that this money was improperly and fraudulently used, proved that it was in the interests of the people that it should have been appointed. This company, which was indebted to the Government to the extent of about three millions of dollars, had taken funds properly belonging to the people of this country, and had paid nearly \$6,000 towards the election expenses in Algoma of the present member for West Toronto, and had overpaid him

about \$5,000 above the salary to which he was entitled as President of the road; and, further, had given \$2,500 towards a testimonial to the right hon. member for Kingston. He (Mr. Young) felt bound to accept, for the present at any rate, the statement of the right hon. gentleman that he was not personally cognizant of the fact that this amount was taken out of the funds of the Northern Railway Company and contributed to the testimonial in his honour; but could that be said of the Senator who got that money into his possession, and was there any doubt that that money was contributed by the Manager of the Northern Railway Company with a corrupt intent to induce the Government of the day not to press the company for its debt due the Dominion, or to agree to a composition of its claim? At about the same time that this contribution was given, a proposition was made to relieve the company of its debt of three millions for about \$500,000, and it was impossible to doubt that the amount was contributed by the Manager and President of the company with the view of influencing the Government of the day corruptly in regard to the claim which they had upon the company. Thus, whatever might be said in excuse of the course of the right hon. member for Kingston, it could not be said of the other parties who took these funds, and fraudulently and improperly devoted them to this purpose. These circumstances being disclosed a short time after the revelations in reference to the Pacific Railway, had created a very painful impression on the public mind. They were aware that great indignation was felt when it became known that the charter for the greatest public work ever undertaken in Canada was handed over to Sir Hugh Allan with one hand, while \$162,500 was taken by the Government of Canada with the other, and that this money was used to debauch the whole of the constituencies. It was then felt that a huge system of corruption had grown up under the Government of hon. gentlemen opposite, and, when it was found that the Northern Railway Company's funds had been employed, to some extent at least, in connection with the Government of

the day, the impression deepened, and still more was this the case, when, within the last few weeks, it had been found that a large portion of the Secret Service money had been retained in the hands of the right hon. member for Kingston. There was a strong impression that they had not yet got to the bottom of these matters, that there was a depth of iniquity not yet probed; and, in connection with this matter, they would be derelict in their duty to the people of Canada if they did not see that an investigation was made by a Committee of this House into the whole facts of the case. Let the whole truth be known, and, if the same statements could be made with respect to the present Government, he would insist upon an examination into them also. They had been made in reference to the Opposition. In this case they had been admitted by the hon. gentleman who had received some \$11,000 of this money, and they were bound, as Canadians, in duty to their country, and in vindication of public morality, to sift these facts to the very bottom. They were bound to consider that only two years ago this company came to Parliament professing to be bankrupt—professing that it was impossible for them to pay the claim which the people of Canada had against them. When the proposition was made, he was doubtful as to the position of the company, and he took the trouble to read the papers carefully, and was led to believe that the company had not misappropriated any of these funds, and that in deed and in truth, it was impossible to collect the claim which the country had against them. Now, however, they found that the management had been deliberately using funds which ought to have gone to the Dominion of Canada, in electing gentlemen to Parliament to sustain the Government of the day. That, of course, took away so much of what belonged to the people of this country. If he had been aware that this company was so misusing these funds—and they could not tell yet how large the amounts were which had been smuggled into their accounts, as, for all they could tell, sufficient to pay the whole claim of the people of Canada might have been so used—he would not have supported the proposal to re-

lieve the company. By that relief the people of Canada had lost a very considerable amount of money, having obtained only \$1,100,000, while the whole debt, including interest, amounted to about three millions. The whole circumstances, he thought, were of the most painful description. He regarded them as deeply to be regretted, and the hon. member for West Toronto showed too much courage—courage rather of the quixotic order—when he dragged the facts before the attention of the House. But having made the statement, and out of his own mouth confessed the leading facts, the House was bound to see that the whole circumstances were sifted to the fullest extent. Another reason for moving the amendment he was about to submit to the House was this: There was a very strong feeling throughout the country, and it existed to-day that when certain other facts came to the knowledge of Parliament in 1873—that the charter for the Pacific Railway had been handed over to Sir Hugh Allan, and that he had spent \$350,000 in trying to carry the elections for the Government of the day—this House ought not to have allowed the matter to drop, as it did, but should have made a most searching investigation, and taken the steps which would have been taken in England, provided the charges had been satisfactorily proved. If such a charge had been made in the Imperial Parliament as was made in 1873, if the facts had been brought out there as they had been revealed here, he felt satisfied that the Parliament of England could and would have taken only one course, and there were many people in Canada to-day who believed that, in 1873, Parliament stopped short of its duty, and that action should have been taken which would have marked the indignation of the people at the wide-spread corruption that prevailed at that time. He, therefore, felt that no excuse was necessary in moving an amendment, and it was one which few hon. members would take the responsibility of voting against. He moved in amendment:

“That all the words after ‘that’ in the said motion be left out, and the following inserted instead thereof:—‘the allegations

in the Report and evidence of the Commission on the Northern Railway Company, as to the application of moneys payable to the Government, deserve the serious consideration of this House, and that a Select Committee of nine members be appointed to inquire into, and report upon the said allegations, with power to send for persons, papers and records, and to report from time to time.’”

Mr. TUPPER asked the ruling of the Speaker as to whether the amendment was in order, as it did not amend the motion but swept it away and dealt with a question altogether outside of it. At the same time he was in favour of a motion which would give the Committee power to make an exhaustive enquiry.

Mr. SPEAKER ruled that the motion was in order.

Mr. BLAKE said he would offer a few words with regard to the two-fold proposition of the hon. member for North Victoria (Mr. Cameron): First, as to the legality of the Commission, and, secondly, as to the propriety of the Government accepting payment of the money in view of the facts which were disclosed. With regard to the question of the original issue of the Commission, although he assumed the responsibility as a member of the Government, yet he was absent when the question was decided. Upon his return to Canada, he was made cognizant of the issue of the Commission, and he decided to remain in his present position as a Minister, and to assume the official and technical responsibility in regard to the Commission. It was well understood that the Government possessed a very extensive power to issue Commissions, but those Commissions, unless they came within the language of the Statute and possessed the statutory powers, were simply voluntary Commissions, capable of receiving such evidence and obtaining such information as persons might voluntarily choose to bring before them. The law declared that, under certain circumstances, Commissions might be issued, clothed with greater power, and if it should be adjudged—and the Courts were open and the question could be raised at any moment—that a Commission had exceeded its powers under the Statute, that instant its powers ceased, as it

derived or assumed to derive vitality from the operations of the Statute; that instant the compulsory power of procuring the attendance and examination of witnesses ceased. If the legal argument of the right hon. member for Kingston and the hon. member for North Victoria were correct, that no witness need have attended before the Commission, then, if the Commissioners sought to enforce the attendance of witnesses or the production of papers, the question of the legality of their act could have been raised in the Court with the utmost facility. Therefore it was that the law itself provided against any abuse of that power, because, if it clothed with that power only the Commissions which were within the law, and if this or any other Commission went beyond the law, there were no means of obtaining more information than persons were willing voluntarily to give. Commissions had been issued very extensively in England for many years, but the distinctions were very clear and plain between such voluntary Commissions and Commissions assuming compulsory powers. The charge, which was not insinuated but made very broadly, as to the mode in which the investigation had been conducted, and as to the course which was alleged to have been assumed by the Commissioners to have obtained certain information and then closed the enquiry, was not warranted by the evidence contained in the report now before the House. No one who read the report and remembered what he read could say that there had been anything improper done either by the action of the Government or by the action of the Commissioners. To say anything else was to impute a wilful misstatement of facts to the gentlemen who had acted on the Commission, and, whatever might be their political views, they were certainly respected respectively in the communities in which they resided. He did not believe any such charge for a moment. They made as full an investigation as the obstacles and difficulties which they met enabled them to do, and their labours were terminated only on coming to the legal conclusion that the circumstance of the payment of the

\$560,000 had, in effect, put an end to their Commission. That view was pressed upon them by the solicitor of the company, and the respectable lawyer as well as respectable man, the Chairman of the Commission, came to the same conclusion. He (Mr. Blake) maintained that the conclusion was right, and it was the conclusion he had reached on the subject. Looking at the preamble of the Commission, it appeared to him that, so soon as this money was paid, the purpose for which the Commission was appointed ceased to exist, and it could no longer legally continue its labours. The Commissioners came to the same conclusion. It had been said that the Government should have refused to receive the money because, as was alleged, the settlement had been obtained by fraud, and the hon. member for the North Riding of Victoria had applied to this case the doctrines familiar to lawyers, and applicable to settlements between man and man. But this was not such a settlement, nor a settlement at all in point of fact. An Act of Parliament authorized the company to pay a specified sum of money, with certain arrears of interest, at any time before a fixed date, to the Government's financial agents in London or to the Receiver-General in Canada, and he had advised his hon. friend, who was anxious to be able to refuse the money, that, under the circumstances, this could not be avoided. Parliament alone could alter the prescribed conditions. He might have been wrong, but such was his opinion that he had also advised his hon. friend that the time for payment could not be extended, as was desired. Under these circumstances, within a day or two of the expiration of the parliamentary term, the £115,000 was paid to the Receiver-General. The hon. member for Cumberland alleged that, in 1875, the Government, from corrupt motives, made a settlement with this company; and that hon. gentleman, with the remarkable consistency which characterized his arguments, declared, a few minutes later, that because, with the assent of Parliament, the Government, in 1876, extended the time, they had determined to destroy the credit of the company,

by issuing a Commission of Enquiry; and, further, that, a short time afterwards, in order to regain the lost favour of the company, the Government had accepted the money. Such a course, sustained only by such suggestions, would hardly receive the credit or approval of the House. The hon. gentleman had also alluded to his election expenses in 1867, in the West Riding of Durham. His intended constituents had then told him that they proposed he should be elected free of expense to himself. At the close of the election, he said he thought it reasonable that they should not be at the charge of livery expenses and some little advertising he understood had taken place, and sent them his cheque for £25. This was returned, but he sent it back again, insisting on its acceptance. This was his account of his personal election expenses on that occasion. He, however, thought it quite probable that many electors had contributed small sums towards the general and legitimate expenditure. His successor, as representative of that riding, the present Chief Justice of Manitoba, had told him that he had been treated in the same way, as was the custom of the Liberal Party on such occasions in that constituency. He considered it alike a credit to the constituency, and no discredit to the candidate. In the South Riding of Bruce, the same course was pursued. He had, however, on the occasion of his election—without his consent—while in England, paid some \$300 or \$400 towards the expenses of his election. He believed that this was the proper way to act under such circumstances; and he thought that, if electors paid such expenses themselves, the expenditure at elections would be greatly reduced. The relations between candidates and electors involved mutual obligations. He would not comment on other observations made by the hon. member for Cumberland; but he left it to the House and country to decide whether they were merited. The hon. member for Kingston had alluded to the retort made by the hon. member for Queen's, P.E.I. It was to be remembered that the statement in question was made in the absence of Mr. Laird. It had been previously,

however, averred in the newspapers, after Mr. Laird had accepted office and before the elections. Mr. Laird, who had been returned by acclamation, in very distinct terms referred to it on the hustings in Prince Edward Island, when he announced that the hon. member for Kingston or some member of the late Administration informed him early in the preceding Session—that was indeed hinted at in the Speech from the Throne—that he would have a seat in the Cabinet before the close of the Session.

**Sir JOHN A. MACDONALD:** He did not make that statement in this House, and, if he had done so, he would have lied.

**Mr. McMILLAN:** Further than that, I question the right of the hon. member for South Bruce to make a statement of that kind.

**Mr. SPEAKER:** The hon. gentleman is in order.

**Mr. BLAKE** said he had never until that night heard this statement denied; and then the hon. gentleman with reference to an absent man, who was the Lieutenant-Governor of a Province, said he lied.

**Sir JOHN A. MACDONALD:** If he said so, it is so.

**Mr. BLAKE** said Mr. Laird went on to say that he had not been approached by the member for Lambton or any one of the then Opposition; and that from them he had had no offer, or the suggestion of an offer, of any office whatever. He (Mr. Blake) thought he knew all that occurred on that occasion, and the statement of Mr. Laird was fully and literally true. He himself had then had an interview with Mr. Laird and other of the island members, and what he had said to them was: "There is the blue-book; there is the evidence; you know our views on it; I pray you to study and consider it, and to act as the interests of your country require in this emergency." The hon. member for Kingston charged the Postmaster-General with having run away from the Royal Commission, but it was still open to the hon. member to prove the charges he had made against the Postmaster-General, if he

could do so; and the hon. member could then have proved them, if it were possible to do so, in the absence of the hon. member for Shefford. The hon. member for Kingston had attacked other persons in their absence before that Commission. Such a charge, under the circumstances, investigation being challenged, ought not to be repeated, except for the purpose of formulating the charge and proceeding to an enquiry. Justice apparently demanded that treatment of such painful questions. The hon. member for Kingston adverted to the fact that upon an occasion at Toronto he had used the phrase "public criminal" with reference to him.

**Mr. TUPPER:** Convicted criminal.

**Mr. BLAKE** said that phrase was not used merely by insinuation, but, on the face of it, and by obvious construction, in connection with that great public investigation when a serious public charge was established, as he believed then and believed even now, by the imperfect testimony of the Commission and from the evidence of the hon. gentleman and his friends. In no other sense was that phrase used. He was not in the habit of using words outside of the House with reference to the conduct of any gentleman which he did not use in it. In his speech in the debate on the Address in 1873, he certainly implied his opinion that the hon. gentleman was in that particular a public criminal, using the phrase in the sense in which it was used to a person guilty of such a political crime as was charged against the hon. gentleman. If the charge of the hon. member for Shefford, as formulated in the motion which was the foundation for the Royal Commission were true, the hon. gentleman would not deny, in the sense in which he put it, that he was a public criminal. His (Mr. Blake's) friends and himself believed the charge was established.

**Mr. ORTON:** Never.

**Mr. BLAKE:** I do not expect the hon. gentleman to believe it.

**Mr. ORTON:** The hon. gentleman did not prove it when he tried in Centre Wellington.

**Mr. BLAKE.**

**Mr. BLAKE:** I am not discussing whether I proved it or not. This book (the evidence taken before the Royal Commission) proves it. He regretted having been obliged to use that phrase, but it was, in his opinion, the only adequate expression to signify their meaning of the position of the hon. gentleman with reference to the Pacific Railway transaction. The hon. gentleman had alluded, in terms to which he had no objection, to what had occurred since that expression was first used. It had been their good fortune to resume habits of social intercourse, but Mr. Speaker had stated the import of the expression which had called for the reply of the hon. member for Kingston. He would say that, if it appeared from the report of the Commission, that the hon. gentleman had been cognizant of the fact that the subscription to the testimonial had come from the Northern Railway Company under the circumstances under which it actually did come, he should think the term applied to the hon. member for West Toronto applicable to the hon. member for Kingston. It was not established by the evidence that there was any such knowledge on the part of the hon. gentleman. The hon. gentleman had intimated that he had brought irrelevant matters into the debate for the purpose of proving him guilty of corruption. He was bound to explain to the House the whole relations of this company to the Government, with a view to elucidating what had been said by the hon. member for West Toronto, and which was still left in obscurity by that hon. gentleman. Was it not important to know that Mr. Cumberland had been subscribing money in the interest of an election in Ontario; was it not important to know what the circumstances were under which the then hon. member for Algoma had entered the House? The circumstances were such as he had described, and it was important that the matters he had touched upon should be before the House. It was a grave transaction when it was arranged that an hon. member should be assisted in his election out of the funds of the Northern Railway Company. Any insinuation that members of the Government were influenced by friend-

ship or favouritism in the final settlement with the road, was an unfounded calumny. They could not judge from the evidence that the company influenced the late Administration; but they knew what the company thought. They knew how important a vote was, and they had the evidence before them as to the pecuniary assistance rendered the late member for Algoma. In view of that fact, what was to be said of the malice of the insinuation that this Government had been actuated by corrupt motives in their dealings with the company? He was very glad that the statement of the hon. member for West Toronto had been made, even at this late hour. It would have been right for the hon. gentleman to have had an opportunity to go before the Commission if he chose; but he did not agree with the view that the Government was responsible for that. It would have been competent for them to have made the Commission public the moment it closed; but they determined not to do so, and that the evidence should not be divulged in any way or sense until Parliament met. It was competent for the hon. members for Kingston and West Toronto, the instant the report was brought down, to have made any statement they pleased, so that their explanations might go to the country contemporaneously with the allegations in the report. The hon. gentleman had made observations as to the circumstances connected with the subscription to the testimonial. He had never implied that there was anything wrong in the hon. gentleman receiving such a testimonial from his friends. It was quite another thing, however, when they considered whence the funds were derived. The hon. gentleman said he knew nothing about the source of the funds except by report. But the hon. member for North Victoria had told the House that another railway company had contributed to the fund. That came from the hon. gentleman's own side of the House. They did not know, and did not want to suggest anything more as to the remaining source from which the subscriptions came. The hon. member for Kingston said he was discharged from culpability on account of his ignorance of the source

from whence the money came, and he acknowledged he would have been inculpated had he known that the money was from the Northern Railway. Then what was the attitude of Hon. Mr. Macpherson who took the money, he knowing that the assets were mortgaged to the Government, working expenses excepted? It was the same as if the money was taken from the public funds. He would state frankly to the hon. member the fact of \$2,500 being given ought to have excited some degree of suspicion and evoked some degree of enquiry. There was a saying in the Sacred Book with reference to charity—that the right hand should not know what the left hand did, but it appeared this was reversed. The hon. gentleman implied that it was the duty of the recipient to remain ignorant of the sources from which the money came. The right hon. gentleman had made a mistake in not securing himself against that which might perhaps be the case, that which probably would be the case, and which turned out to be a certainty—that a large portion of this fund was derived from public sources, or from corporations that ought not to have subscribed, and that actually a considerable sum was public money belonging to this country, which the hon. gentleman stated, and his statement was not doubted, was so tied up that it was impossible for it to be restored. He (Mr. Blake) did not think that the term he applied to the hon. member for West Toronto was applicable to this transaction. The fault of the hon. member for Kingston was negligence in not seeing that there was no possibility of this thing happening, and in submitting to an arrangement which rendered restoration impossible.

Mr. DAVIES said that, when he had been in the House three weeks, his hon. friend from Queen's was concluding a speech, in which he said that he (Mr. Davies) had stated to him at a public meeting during the election which the hon. member had recently contested, that he (Mr. Davies) had bargained with the Government for a Minister for Prince Edward Island. On the occasion referred to, he did not think it desirable to reply, having only heard a portion of the speech, and no

opportunity to do so had presented itself until now without violating the rules of the House. The right hon. member for Kingston had just stated that the votes of certain Prince Edward Island members had been purchased. The best way to explain the matter would be to make a simple statement of the facts, as far as he was concerned, and he was perfectly indifferent whether it injured the party with which he was associated or not. After the Province of Prince Edward Island came into confederation, just prior to the first election, two members of the late Government, the hon. member for Cumberland and the Hon. Mr. Tilley—

Mr. DEVLIN: I rise to a question of order. I wish to know whether the hon. gentleman is really addressing himself on the question before the House, or not?

Mr. SPEAKER: The hon. gentleman has a right to reply to what he considers an imputation upon his character, or at least upon his conduct.

Mr. DAVIES: These two hon members came down, and it was then said by the hon. member for Queen's that they were in such a position with the Government as to secure a Minister for Prince Edward Island, and that that Minister should have the distribution of patronage.

Mr. POPE (Queen's, P.E.I.): No, no.

Mr. DAVIES said they thought it desirable to wait upon the Ministers and their views were ascertained. It was stated that it was the intention of the Ministers to give a portfolio to one of the members from Prince Edward Island; with regard to the distribution of patronage that would be a matter to be considered after the elections were over—the Ministry would be guided by the recommendations of those friendly to them. He and the hon. member for Queen's were freely interviewed, and the hon. member for Cumberland and the Hon. Mr. Tilley were very desirous of obtaining their support. No unfair overtures were made to them, but it was urged that they should support the Government if they saw it their duty to do so. They were also interviewed by the Opposition.

Mr. DAVIES.

Mr. BOWELL: By whom?

Several HON. MEMBERS: Name them.

Mr. DAVIES: It is unnecessary to name them.

Mr. POPE (Queen's): Name them. Don't name those on one side, and not on the other.

Mr. DAVIES said the leaders of the Opposition were desirous of having an interview, and accordingly waited upon them. The hon. gentleman, the present Premier, the hon. the Minister of Justice and the Hon. Mr. Dorion were present. They saw they were very desirous of obtaining their support, provided they could do so conscientiously and fairly. He said that in Prince Edward Island he had been allied with the local Conservative Party, but owing to the unfortunate Pacific Scandal he could not join the Conservative Party at Ottawa. There was very little said. The hon. gentlemen saw they had to contend against what they considered very great corruption, and they hoped they would feel it their duty to support them. This was three or four days before the resignation of the right hon. member for Kingston. He (Mr. Davies) said he felt bound to vote against the then Government. Incidentally he said to the hon. member for Lambton that he would like to know the policy of the Opposition regarding the appointment of a Minister for Prince Edward Island, in case they came into power. The hon. member for Lambton said their policy would be to assign a Minister to Prince Edward Island; but there was no bargain made. The question was asked, not from personal motives, but in the interest of the Province. Accordingly, when the Opposition came into office a Minister was appointed for Prince Edward Island. When he was removed the people in that Province did not think they had suffered a very great grievance, as it was unreasonable for them to expect a Minister for all time. It might be said that the votes of the members from Prince Edward Island were sufficient to turn the scale, but there was not a bargain or sale even if this were so.

Mr. POPE said he had made a statement the other day in the House in a few remarks that were designated as coarse and vulgar, which he would repeat if necessary. He had known the hon. member for King's for about fifty years, and he believed, when that hon. gentlemen made a statement, it was a truthful and honest one. The hon. gentleman stated at a large and intelligent meeting that the only stipulation he had made with the new Government was that Prince Edward Island should have a representative in the Cabinet.

Mr. DAVIES: I beg the hon. gentleman's pardon. I did not use the word "stipulation."

Mr. POPE: I will prove it in writing by gentlemen whose integrity cannot be doubted.

Mr. SPEAKER: When an hon. member of this House states distinctly that he has not used certain words, I think we are bound, in a parliamentary sense, to accept the denial.

Mr. POPE said he submitted so far as that was concerned, but he would take the earliest opportunity of putting this matter right. He understood the hon. member to say that the only stipulation he and his colleagues made was that a representative of the island should have a seat in the Cabinet. The hon. member himself stated that he put the question to the hon. member for Lambton, and that the latter announced the policy of the then Opposition as favourable to the proposition. Yet the hon. the First Minister declared the other day that he had never said what had been attributed to him, and that he knew nothing of the statement made by the hon. member for Kingston.

Mr. SPEAKER said the great inconvenience of such irregular debates was manifest. A distinct statement had been made by the hon. member for Kings, which entitled the hon. member for Queen's to make an explanation respecting something which he was alleged to have said. The hon. member had made his explanation respecting something which he was alleged to have said. The hon. member had made his explanations, and he and the

hon. member for Queen's differed very materially as to the precise points of the statement made at that particular time. The whole question was entirely apart from the subject under discussion.

Mr. MACKENZIE: If the hon. member for Queen's is allowed to proceed, I shall feel it to be my duty to reply.

Mr. POPE (Queen's): I submit that my veracity has been called in question. The hon. member for King's made a statement in which he stated that the hon. member for Lambton made that declaration to him.

Mr. MACKENZIE: The hon. member said nothing of the sort.

Mr. DAVIES: I said I had asked the hon. member for Lambton, the present Premier, what his policy would be in regard to appointing a Minister for Prince Edward Island. He replied that the policy of the Opposition, if they came into power, would be to give the island a Minister.

Mr. SPEAKER said it was desirable that the matter should be allowed to remain there.

Mr. POPE said he would take other means of proving the statement he had made. A slur had been attempted to be cast on him the other day by the hon. the Minister of Justice, when he had no opportunity to reply.

Mr. SPEAKER: I am afraid it would be improper to reply to it to-night.

Mr. POPE said the slur was in regard to carrying his valuable life across to the island in an ice-boat. He would tell the hon. the Minister of Justice that he (Mr. Pope) represented the finest constituency in the Dominion and was returned by the largest number of votes; that an insult to him was an insult to his constituents, and he would submit to no insult or slur from the hon. the Minister of Justice, or any Minister or hon. member, without taking an opportunity to reply to it. He cared not for himself, but he would adopt that course in justice to his constituents. The statement he had made with respect to the seat in the Cabinet had been fully confirmed. He had not the opportunity to bring it home to

the First Minister, but he could point to the hon. the Minister of Justice, whom he found at nine o'clock in the morning at the lodgings of his hon. friend.

Mr. DAVIES said the hon. member for Queen's never caught the hon. the Minister of Justice at his lodgings.

Mr. POPE said it was at the lodgings of Mr. Laird, and his hon. friend from King's was there. The hon. the Minister was astonished when he saw him (Mr. Pope) there, and he beckoned the hon. member for King's out. Those little negotiations were going on at that time. From the attention shown by the hon. the Minister of Justice to the hon. member for Prince Edward Island it might have been thought he was much in love with him. He smiled upon the hon. member his benignant smile.

Mr. SPEAKER said he was reluctantly compelled to call the hon. member to order.

Mr. POPE said he would not have risen to speak had not his name been mentioned. He felt he could justify what he had said, and he had endeavoured to prove that his statements were correct. He had risen to correct what had been said as to his position, which had been assailed. It was well known that at that time promises were made, as had been stated by the hon. member for Kingston, and he (Mr. Pope) was justified in stating the other day that promises were made, and that those promises should be carried out. Every word he had said was true and he was prepared to substantiate it. He well remembered the occasion of the Pacific Scandal debate, when the present Premier made his powerful speech and declared that he would consider that any member of the House who would vote for the other Government would be equally guilty with them, and ought to be so branded. His answer was that if he received the brand it would be in the true interests of his country. But he would not like to brand the hon. the Minister of Justice, and put a mark on him which he could not get rid of.

Mr. SPEAKER called the hon. member to order, and said the language was very unparliamentary.

Mr. POPE.

Mr. POPE said he was only following the example of those who had preceded him.

Mr. BLAKE said he did not intend to answer the harangue of the hon. member, but, as the hon. member had referred to a past debate, he desired to state that he did not intend to cast a slur on the hon. member for Queen's. When proposing the vote for a Penitentiary in Prince Edward Island, he stated that, as members of Parliament, including the hon. member for Queen's, had crossed the ice, convicts might do so. He regretted if the reference had been misunderstood, but it had allowed the House to learn the mode in which the hon. member conducted debates.

Mr. POPE: I desire to say—

Mr. SPEAKER: If the hon. gentleman chooses to speak on the matter before the chair he has the right to proceed, but I must beg him to confine himself to the subject before the House.

Mr. POPE said he would not like to put a mark on the hon. the Minister of Justice that he would not get rid of, but he recollected very well the circumstances when this alleged promise was made to Prince Edward Island. He recollected the trips the hon. gentleman made to negotiate these matters, and he also recollected a notorious character who was prowling about this building at that time. He would like to have his figure cut in wood, and to see some hon. gentlemen of his acquaintance with that figure slung around their necks.

Mr. SPEAKER asked the hon. gentleman if he could show that this matter was connected with the question before the House.

Mr. POPE: Why has the question of a seat for Prince Edward Island been brought up?

Mr. SPEAKER: It seems to me that the hon. gentleman has answered that. There were some observations made on my left which were replied to. The question now before the House is the appointment of a Committee to make special enquiry into the subject of the report of the Commissioners on the Northern Railway.

Mr. POPE: I was merely going to say---

Mr. SPEAKER: I must call the hon. gentleman to order. The hon. member for Queen's is so entirely out of order and so determined to persist in continuing out of order that it is impossible to allow him to proceed. I must ask the House to sustain me.

Sir JOHN A. MACDONALD: Do you decide, Mr. Speaker, that you are to be the judge of the manner in which an hon. member is to address the House? Never was there a Speaker in any House of Commons who made such a misrepresentation of British institutions.

Mr. SPEAKER: I stated distinctly that, if the hon. member persisted in speaking out of order, I must throw myself on the House.

Mr. POPE: Well, Sir—

Mr. SPEAKER: I must call on the House to sustain my position.

Mr. MACKENZIE: The hon. gentleman from Queen's has sat down at least three distinct times.

Mr. POPE: Only because the Speaker rose.

Mr. MACKENZIE: I was watching the whole thing, and he was allowed a latitude by the chair which is not usual. Mr. Sinclair has the chair, and I claim he has the right to speak.

Mr. SPEAKER: On that point let me say to the House that my impression is that the hon. member for Queen's sat down because I called upon him. I have called him to order because I think he persists in speaking entirely out of all relation to the matter before the House. I have endeavoured to explain that he is entirely out of order, and I am quite willing to hear him if he will speak to the subject. Twice he declared his intention of speaking to the subject, but in each case he resumed those remarks which were out of order. I said I would throw myself upon the House to sustain my ruling, and I do so.

Mr. PALMER: The question before the House is—

Mr. CAUCHON: You have decided the question of order, have you not, Mr. Speaker?

Mr. PALMER: As I understand the question before the House, it is in reference to these gentlemen who are said to be implicated in this report on the Northern Railway.

Mr. CAUCHON: That is not a question of order.

Mr. PALMER: I am speaking on the question of order. If the hon. gentleman interrupts me, I shall again repeat that it is entirely unnecessary for him to endeavour to prevent my speaking. He said that, whether the matter should be referred to a Committee or not, of course depended upon the opinion of the House. His hon. friend the Minister of Justice and the right hon. member for Kingston, as well as the member for Cumberland, had instanced cases of a similar description, and his hon. friend from Queen's, P. E. I., was only doing the same thing when he was stopped.

Mr. SPEAKER ruled that the member for Queen's was out of order, as he had introduced matter entirely irrelevant to the debate.

Mr. POPE said that, if the Minister of Justice would grant him a Committee or a Royal Commission—the latter seemed to be at present in great favour—and permit him to examine, under oath, the other members from the island, he would prove the statement he had made. He had been a long time in public life, though certainly in a smaller sphere than this, and he could only say that, if the language which he had heard the Minister of Justice use, was employed by the commonest possible man on the public street, it would be simply considered disgraceful.

Mr. SINCLAIR said that, as a member from Prince Edward Island, he desired to make an explanation. In 1873, when the island entered Confederation, they were not very familiar with party lines in Canada; but, when they came up to Parliament in October, it was no secret that the Conservative Government proposed to add two Departments to the Ministry, one for Prince Edward Island and one for British Columbia, and they were informed that, if they joined the Conservative ranks, they would have a representative in the Cabinet. The

members of the Opposition told them that it was contrary to their policy to create more Departments, on account of it being so expensive. The hon. member for Queen's had told them that a seat in the Cabinet had been offered to him, but that, if they would support the Conservative party, he was willing to resign his claim in favour of Mr. Laird. He considered that the island was entitled to a portfolio from whatever party in power, and they stated to both political parties that, on the question at issue then, they would vote according to their judgment, as they did vote. He had told his friends in the island, at the general election, that he thought they ought to support the Reform party; and upon that policy he was returned, and to this party he still gave an independent support. This was the whole affair. Both parties had been anxious to give them a seat in the Cabinet, and it was only too true that this seat they had since lost, which he considered they should still have.

Mr. TUPPER explained that on the occasion of the admission of Prince Edward island, he and Mr. Tilley had visited the island, but neither Mr. Tilley nor himself had then made approaches to the hon. gentleman for Queen's or any of his friends. Mr. Laird had requested them to give himself and friends an interview, and this was accorded. During that interview, at which, he thought, the hon. member for King's was present, Mr. Laird stated that their object was to state that the Dominion Government had no interest in the contest about to take place on the island, and that, whoever was elected during the struggle, whether members of the Liberal or Conservative parties of the island, they would come to Ottawa as friends and supporters of the late Government. They also asked that appointments on the island should be postponed until the election was decided. To this, he and Mr. Tilley acceded, as it was a fair and just arrangement; and his hon. friend for Queen's was obliged to admit that this was the case. Mr. Laird had further represented that, in the selection of Senators for the island, both parties should be represented, and they had replied that as to this

Mr. SINCLAIR.

point there would be no difficulty, as it was upon this principle that the other Provinces were represented in the Senate. That evening, for the first time, he heard that a portfolio had been promised to the island; this question, to the best of his recollection, had never been raised. At the elections of 1873 on the island, the Conservative Party, he believed, obtained two, and the Liberal Party four seats, and the members elected, as Mr. Laird had assured them, came to the House as supporters of the late Administration, and were introduced either by members of, or leading gentlemen connected with, that Government.

Mr. MILLS: Did these gentlemen not then stipulate that they were not to be considered supporters of the Government?

Mr. TUPPER said the Minister of the Interior misunderstood the plain statement he had made. All these hon. gentlemen came up as supporters of the late Government. Not a finger had been raised by himself or any of his colleagues with regard to the contest on the island; they had accepted Mr. Laird's statement in good faith, and they had carried out that arrangement in good faith. Everybody knew at the time all that was proved before the Royal Commission, and the evidence was before the country, when these hon. gentlemen from Prince Edward Island were introduced to the House by his hon. friend from Kingston or by himself, or some leading member of the Conservative party, and they then presented themselves to the House, as was the custom with party men under similar circumstances. He would do the hon. gentlemen the credit of saying that, down to the last moment, they believed that the late Government would have a majority. But they were followed day and night by certain Ministerialists, until they came to the conclusion that the late Government would fall, and they expressed great disinclination to being left in the cold shades of Opposition. When it became palpable that the majority was transferred, by means which he did not feel it necessary to characterize at the present moment in the terms such a transaction deserved.

it was agreed that the hon. members should have their pound of flesh—their seat in the Cabinet. No one would have listened with greater pain or regret to one statement of the hon. member for King's County, P.E.I., than the hon. the First Minister, who knew it would go into the *Hansard* alongside with the statement he ventured to make in the House on a recent occasion.

Mr. MACKENZIE said he would repeat the statement he made—that he made no promise with regard to a seat in the proposed Cabinet. They had an interview with the hon. gentlemen from the island, at which there were present Mr. Dorion, the present Ministers of Justice and the Interior, and himself. The whole situation was discussed, and his recollection of what took place was wholly different from what the hon. member for King's, P.E.I., had mentioned. It was utterly impossible that they could make any promise or condition of the character named, and he never sought or bought the support of any member by such a promise.

Mr. YEO said, as there had been a great deal said with regard to the hon. members from Prince Edward Island, he wished to make a few remarks. The hon. member for Kingston referred to them as having been bought. He (Mr. Yeo) could speak for himself and no one else, and he would explain the facts as he understood them. When he first came to Ottawa, his intention was to support the late Government, and the general feeling of Prince Edward Island leaned that way. But, on arriving here and noticing the dark cloud which was hanging over the Government, he thought he would await developments. The hon. members from the island were urged to support the late Government, and they attended one of the caucuses on the distinct understanding that their action in that respect should be considered non-committal. Afterwards, they had the interview with the Opposition, to which allusion had been made by the hon. the Premier. At that conference no seat in the Cabinet, or any other promise was made. They were told that the whole matter was before the House,

and that, if they supported the Opposition, they would deal with them in a right and fair manner. The hon. member for Queen's, however, told him that a seat in the Cabinet was to be given to Mr. Laird. He then declared that for one he should not sell himself for a seat. He wanted to see what was right, but he would rather sit in the cold shades of Opposition than support a Government that could not clear itself. He did not make any decision then, but waited for the explanation of the Government, but the next day they resigned. He knew nothing further until Mr. Laird had a seat in the Cabinet. He was sorry they should have lost their representation in the Cabinet, but he expected everything would come right after the next general election if the present party held office. He came to Ottawa free and independent, and he expected to leave as he came; under no other circumstances would he remain.

Mr. PERRY said he was sorry that this controversy had taken place, as he did not think any desirable results had been derived from it. He was sorry also that the Government had not seen fit to continue the representation of Prince Edward Island in the Cabinet. The island was so remote from the seat of Government that very often its interests might suffer if they had not a seat in the Cabinet. But, however that might be, he did not think it was sufficient reason for him to withdraw his support from the Government. The Government would have to be guilty of perpetrating an act of greater injustice to the island before he would think of withdrawing his support. The hon. Ministers from New Brunswick and Nova Scotia were conversant with the requirements of Prince Edward Island, and he thought they could trust those hon. gentlemen to see that none of their immediate wants were neglected. He would be sorry to see any of his hon. colleagues sold for a seat in the Cabinet, as Prince Edward was worth considerably more than that. He trusted that the Government would restore their representation in the Cabinet, or, if not, that the hon. gentlemen he had referred to would watch their interests closely.

Mr. ROBINSON said the object he had in moving the resolution—to get an opportunity of complaining of the injustice done him—had been answered. That injustice had been confessed, not only by the hon. the Postmaster-General but even by the hon. the Minister of Justice. Hon. members of both sides ought to feel obliged to him for giving them an opportunity to air their eloquence; he had given them, through his motion, one of the best field days that had occurred since the House was inaugurated. The hon. the Minister of Justice had called him a criminal. He had heard the hon. gentleman say a similar thing respecting the hon. member for Kingston, and a fortnight afterwards he invited the hon. gentleman to dinner. What would the hon. the Minister of Justice, then, do for him? He would be happy to withdraw the motion and agree to the amendment of the hon. member for Waterloo.

Sir JOHN A. MACDONALD: I hope my hon. friend has not made up his mind to do that, because I am going to move an amendment.

Mr ROBINSON: All right.

Sir JOHN A. MACDONALD said the motion of the hon. member for Waterloo, was a continuation of the injustice, as a full enquiry could not be made by virtue of it. He would move, in amendment to the amendment,

“That the following words be added after the word ‘allegations’; ‘and also to make a searching enquiry into the accounts of the Northern Railway and Northern Extension Railway, so as to complete the enquiry begun and left unfinished by the Commission.’”

Amendment *agreed to*.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That the allegations in the Report and evidence of the Commission on the Northern Railway Company, as to the application of moneys payable to the Government, deserve the serious consideration of this House, and that a Select Committee of nine Members be appointed to enquire into, and report upon the said allegations, and also to make a searching enquiry into the accounts of the Northern Railway and Northern Extension Railway, so as to complete the enquiry begun and left unfinished by the Commission.

House adjourned at  
Twenty-five minutes to  
Two o'clock.

Mr. PERRY.

## HOUSE OF COMMONS,

Tuesday, 6th March, 1877.

The Speaker took the chair at Three o'clock.

### FRENCH REPATRIATION.

#### QUESTION.

Mr. MASSON enquired of the Minister of Public Works whether he would bring down the correspondence with regard to the repatriation of the French immigrants, at least before concurrence in the item in question.

Mr. MACKENZIE: This correspondence will be brought down as early as possible, at any rate before concurrence.

### SALARIES OF JUDGES READJUSTMENT ACT AMENDMENT

BILL.—(BILL No. 50.)

(Mr. Blake.)

#### THIRD READING.

House *resolved* itself into Committee of the Whole on Bill (No. 50) To amend the Act 37 Victoria, chap. 4.

(In the Committee.)

Bill *ordered* to be reported.

House *resumed*.

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

### PRISON DISCIPLINE BILL.

[BILL No. 55.]

(Mr. Blake.)

#### SECOND READING.

Bill *read the second time*.

### GAMBLING IN PUBLIC CONVEYANCES BILL.—[BILL No. 56.]

#### SECOND READING.

Bill *read the second time*.

### GEOLOGICAL SURVEY AND MUSEUM BILL.

[BILL No. 13.]

(Mr. Mills.)

#### THIRD READING.

Amendments made in Committee of the Whole *read the second time, and agreed to*.

Bill *read the third time, and passed*.

ROCKWOOD ASYLUM TRANSFER  
BILL.—[BILL No. 40.]

(Mr. Blake.)

SECOND READING.

Bill read the second time.

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means and the motion of Sir John A. Macdonald in amendment thereto, read.

Mr. CHARLTON said that, as the debate had assumed a very wide range, and as hon. gentlemen who had preceded him had indulged in charges of a general nature against the Government, the House would perhaps excuse him if he also indulged in remarks not strictly relevant to the question before the House. In the first place, he would call attention to the difficulties which beset the Government when they took office, and which had continued to beset them up to the present time. One of the greatest of these difficulties was the bargain made with British Columbia, and the impossibility of fulfilling the terms of the agreement with regard to the completion of the Pacific Railway. The hon. member for North Ontario had expressed a fear that the country would not be able to bear the strain this would put upon the resources of the country; but, whether this would be the case or not, the responsibility for the inception of this scheme did not rest with this Government, which only succeeded to obligations imposed by their predecessors. He was bound to say that many hon. gentlemen on his side of the House agreed with the hon. member for North Ontario in entertaining fears regarding the ability of the country to carry forward the scheme. In addition, the Government, on taking office, were confronted by difficulties in Manitoba created by mismanagement and aggravated by continued mismanagement. They were also met by the inevitable

necessity of increasing the expenditure, in consequence of the addition to the Dominion of the great North-West, a vast region comprising one-third of the area of the Continent, which would probably yet become the home of tens of millions of people. Machinery for the Government of this territory had to be provided; our laws had to be extended to it, settlers had to be protected, military and trading posts established, and a police maintained. This entailed a very large expenditure, which would not give returns for a great many years. A still greater and an unforeseen difficulty was the great commercial depression which had fallen upon the country and prostrated its industries; it had continued up to the present and had caused shrinkage in the revenue and general distress, while at the same time the Government was called on to meet increased expenses. They had heard a great deal about this depression and its causes. He believed an hon. gentleman who had been a Minister of the Crown had stated in the House that it was due to the sins of omission and of commission of the present Government; and he thought the right hon. member for Kingston, in many of his pic-nic speeches, had assured the intelligent people of the Dominion that it was due to the Government. The hon. gentleman said that, when he left office, the country was happy and prosperous; and that now there was distress and depression. The hon. gentleman might as well have said that when he left office the Speaker was three years younger than he was to-day; and that now the Speaker was older and so much nearer his grave. The one was as inevitable as the other; and the Government had no more control over one than over the other of those facts. What were the causes of this depression? Had this Government anything to do with them? Could any Government have averted or mitigated the calamity? To these questions he would answer in the negative. The cause of it was the war of the United States, commenced in 1860, in which half a million of able-bodied men were consigned to untimely graves, and which piled up a debt of thousands of

millions of dollars; which swept one third of that country with fire and sword, and which destroyed the property of numerous industries in it. A period of inflation, extravagance and recklessness followed this war; the people consumed their substance in riotous living, and then the inevitable day of reckoning came, and, in the crash that followed, bubbles were pricked; the gas escaped; inflated values melted away; and the people came down to hard pan. Had this Government anything to do with this, or were they responsible for it? No great commercial nation could pass through a commercial disaster without affecting every commercial nation on the face of the globe, so intimate were trade relations. No sooner were industries prostrated in the United States than the blow was felt in Great Britain, Germany, France and to the remotest bounds of the civilized and commercial world. How did it affect Canada? If one half of the mechanics engaged in the United States in erecting buildings were idle, of course the demand for Canadian lumber was diminished; and if one half of this lumber was not required, this great industry would be prostrated. In this way the depression affected Canadian industries, and over these causes they had no control whatever and any assertion to the contrary could not be made without insulting the intelligence of the people. Was this prostration greater than it was in the United States, in England or in Russia? On the contrary, the condition of this country exhibited comparative prosperity. The Dominion, as to its material interests, had suffered less than older, more commercial and more wealthy states. Wherever there was disease, there would be, as a matter of course, doctors. The hon. member for Cumberland was a doctor, and this eminent medical gentleman had examined into the case. The hon. member had made his diagnosis and had prescribed the treatment. To be sure, doctors disagreed, and this was the case in the present instance, some believing that the healing effects of time would bring up the patient with proper diet. The hon. member for Cumberland, however, thought differently; he desired to

have the back of the patient blistered and the body compressed, and if possible, to induce a dropsical condition of the limbs; and to give the patient copious internal potions composed of Horace Greeley's Political Economy, and of Henry C. Cayley's Science of Trade and Domestic Production. He believed, however, that this hon. member had not always maintained the same opinion in this relation. Some two years ago, when the Finance Minister proposed to raise the duties, the hon. member found a good deal of fault with the policy, and denounced the Government for increasing the burdens of the people, pronouncing the policy false and uncalled for, and one which proved the Finance Minister to be an incompetent man, unfit to occupy his present honourable position. The following year it was generally believed that owing to the exigencies of the Government and the shrinkage of the revenue, the House would be asked to advance the duties, and it was stated that the right hon. member for Kingston, the hon. member for Cumberland, and many other hon. members on the opposite side of the House had speeches prepared denouncing the proposed advance. The Finance Minister, however, announced, to the surprise of the Opposition, that owing to the hard times it had been decided not to do so; and then was to have been seen a great elongation of visages on the opposite side of the Chamber. Their thunder was useless, and the gun they had primed so carefully, was not to be fired. But they were equal to the occasion, and, after one day's reflection, they denounced the Finance Minister for not raising the duties and protecting our struggling industries. A story occurred to him which admirably illustrated the case; it concerned two Indians, who were brought under the influence of religious convictions. One was named Ben and the other Sam. A certain missionary was accustomed, after talking with Sam about his spiritual condition, to treat him to cider; and Sam rather liked the religious exercises. One day Sam advised Ben to go and see the missionary. Ben declined, but Sam urged him to re-consider his determination. Ben asked what he could make out of it.

Sam replied that the missionary would talk about Moses, Joshua, Jehosaphat and Jerusalem, and then treat to cider. Ben went up on a Saturday and found the missionary busy. The latter nodded, and Ben sat down, waiting for the opening of the exercises. The missionary made no sign, and, accordingly, Ben thought that the duty devolved on himself, and he exclaimed: Jehosaphat, Judas Iscariot, Julius Cæsar, Jim Crow. The missionary, in surprise, asked who he meant, and Ben answered, "I mean cider." So with the hon. gentlemen opposite. Although there was much incongruity and inconsistency in their position, yet they kept their object in view, and this object (which was as desirable to them as cider to the Indian) was—office. They had heard a great deal said about protection *versus* free trade, but that was not the issue at the present time. The issue was as to the relative degree of protection it would be proper to afford our industries. We had now what some considered an efficient protection, and what others claimed to be insufficient. Last year he took the position that the duty on the 17½ per cent. list, looking at it from a protectionist standpoint, was sufficient, and he took that position to-day. He believed it would be mischievous and detrimental ultimately to the interests of the manufacturers themselves to give a larger duty. Had we anything to complain of at present as to the state and developments of our manufactures? In 1875, the exportation of domestic manufactures was \$2,293,000, and in 1876 it had increased to \$3,164,000. Surely an increase of 38 per cent. in one year was a satisfactory exhibit for any industry to make; and he ventured to say that in no other country, whether its policy had been free trade or protectionist, could be shown a better exhibit. Any one who visited the Philadelphia Exposition must have been proud of the Canadian exhibit there, and astonished at the progress the Dominion was making as a manufacturing nation. He wished to call the attention of the House to one point, that the consequences of depression were charged by manufacturers to the lack of protection. Now the depression had existed in Canada for

the last three years; it had existed in all commercial and manufacturing countries, and it was a fallacy to say that it was due here to a lack of protection. To arrive at a just conclusion, they wanted to draw a comparison between the condition of our industries and those of other countries. It was useless to deny that manufacturers were uniformly selfish in their demands. They had no objection—it was not natural that they should—to large dividends. When the manufacturers of the United States were crying out about hard times and depression, they were able to raise lobby funds of thousands of dollars and were able to influence Congress and get their measures through. At that very time they were paying dividends, in many cases, of 20 to 30 per cent. He did not think that Canadian manufacturers would go through this course as shamelessly as was done in the United States, but he verily believed they would have no objection to raise their dividends from 10 per cent. to 20 per cent. While listening to their arguments, the consumers, interests wanted to be taken into consideration also, and they should enquire what they were likely to derive from protection. Suppose the result of the discussion was the conclusion by the country that we should adopt a "sufficient protective system" as manufacturers called it, and suppose that at some distant day—he hoped it might be far in the future—the hon. member for Cumberland, as Finance Minister, was called upon, in accordance with this sentiment, to adjust the tariff, did they suppose that the difficulties of the hon. gentleman would be at an end when he arrived at the conclusion as to what his policy should be? His difficulties would just be commencing then. The hotels would be packed and the trains would be crammed with delegations from every manufacturing industry in the country to get their particular interests taken care of; and in every case the representatives of one particular interest would be opposed to the recognition of protection in other interests. Suppose the hon. member commenced with pig iron, and was about to put a 20 per

cent. duty on it, on the ground that it would enable the manufacturers to supply Canada with all the iron she used. Every manufacturer who used iron to make stoves and castings of any kind would at once protest, and say if that duty was imposed they would be ruined. Then, suppose the hon. member turned his attention to steel, and determined to impose a protective duty upon it, every manufacturer that made a tool would protest against it. If he attempted to put a duty on shoe-findings, every shoemaker would protest and say the imposition of such a duty would ruin him. The result would be the same as in the United States. The hon. gentleman would have to go round the whole circle and tax every conceivable commodity, and so leave matters in relatively the same position as before, only raising the price of everything and increasing the cost of labour and of living. It reminded him of the story of a man who stood one night against a lamp-post holding himself up and supposing he stood one hundred feet in the air while all the while his feet were on the clay, and he was drunk to boot. But no man would deny that the production in this country of all goods now imported would be a benefit, and he would be glad to see the operatives and artizans who were labouring to supply our wants living in Canada, provided that result could be secured at a cost not too great. In hearing hon. gentlemen descant on the advantages of protection, they would imagine that 1,000,000 at least would be added to the population, if the commodities we imported were manufactured here. A great many illusions were dispelled by hard facts, and, when the rosy picture drawn by the Protectionists came to be examined in the light of hard facts, he feared it would dwindle down to small proportions. We imported, it was estimated, \$50,000,000 of dutiable goods, which might be produced in Canada. On an average, operatives produced \$1,000 worth of goods per annum; a proportion of these operatives in the various trades would be women and children. By dividing \$50,000,000 of imports by 1,000, they had 50,000 as the number of operatives that would produce the

same goods. This increased population of operatives would comprise such women and children as were employed; but, if they made a liberal estimate, the number of those depending upon the labour of the operatives might be set down as two to one, which would make a total of 150,000 additional population. No man would deny that that would be an advantage, but what would it cost? In the first place, a duty of \$9,000,000 would be sacrificed on the goods. The tariff to exclude those goods would not be less than twenty per cent. more than at present; but if it was ten per cent. more than at present, it would add \$5,000,000 more to the cost of the \$50,000,000 of dutiable goods now imported. The raising of the tariff would tend also to enhance the cost of all other goods now manufactured here which would add, say, \$5,000,000 more, so that it would be seen that the total cost of adding 150,000 to the population would be an annual tax of \$19,000,000 or over \$1,200 per head. The country could not afford and would not consent to any such policy. It was asserted by the hon. member for North Ontario the other night that protection would not increase the burdens of the people. Last winter, while the Depression Committee was in session, questions were put to the witnesses as to the extent of their business, the length of the time they had been engaged in business, what capital they had when they started, &c. It was noticeable that they were very reticent as to their success, but the inference was fair in all cases that the large capitals employed in business were accumulated from small beginnings. They were unanimous in the assertion that business was very much depressed, and that higher duties would correct the evil. But, when the question was asked if the addition to the duties would raise the cost of their manufactures to the consumer, they hesitated in their answers, but generally, in a hesitating way, would reply in the negative. Then, when they were asked what good would result to them if the price was not raised, they could not give a satisfactory answer. The United States Protectionists

used to get over the difficulties by admitting that the price would be raised, and pointing to the compensating advantages in the shape of new works, increased demands for labour, and an advance in the price of farm products. The most important manufacturing industry in Canada, the lumber trade, had not been adverted to in the discussions of free trade and protection. The lumbermen were directly interested in having cheap supplies; duty placed upon the importation of goods used in this business was a blow to it, because all the products of the industry were sold abroad, and it was a matter of importance that the manufacturer of lumber should be able to produce as low as possible. In times past the most plausible argument in favour of protection was the great advantage of being the consumer and producer together. The cost of transportation, however, had been diminishing yearly, and it cost less to-day to carry wheat from California to Liverpool than it formerly did to send goods a two days' journey. Distant points in America reached by railway lines could now reach market almost as cheaply as those near at hand. This was owing to the fact that the trunk lines sacrificed local trade and carried through freight at very low figures. Wheat was carried from Chicago to New York last summer at twelve cents a bushel by rail, and the competition between these great trunk lines had practically wiped out the advantage of bringing the consumer and the producer together. Allusion was often made to the experience of the United States, as regarded protection. It was natural that such should be the case. They might talk about these things theoretically, but here at our very doors this question had been worked out and practised, in all its stages and phases, and it was perfectly natural to turn from theory to practice. Now what had been the result of protection in the United States? If protection could ever be beneficial, it would be in the United States. First of all, it had enhanced the price of goods enormously, and had unhealthily developed manufactures. The present development had been reached at a cost so enormous to the consumers as to

stagger human belief. No less than \$6,000,000,000 had been absolutely paid by consumers in order to produce that development which they have in their manufacturing industries to-day, and for all this the doubt arose whether that industry was on as healthy a basis and as healthily developed as it would have been without the contribution of one dollar of that mountain of taxation. The hon. member for Cumberland alluded the other night to the most gratifying condition of the export trade of the United States; and to the fact that the United States had, last year, exported of domestic manufactures the enormous sum of \$58,993,000. That was a considerable sum, but what proportion did it bear to the production of the manufactures of the country. According to the census of 1870, the manufactures of the United States produced \$4,000,000,000, and between \$58,000,000 and \$60,000,000 was only  $1\frac{1}{2}$  per cent. of the entire production. To reach the entire result of exporting  $1\frac{1}{2}$  per cent. of their domestic productions, the Americans had for many years been paying an annual tax of 44 per cent. upon the whole amount. That was a beautiful theory. There must be money made out of it. For the purpose of exporting  $1\frac{1}{2}$  per cent., they had, for years, bled the consumers of the country to an incredible extent. Was the whole export trade of the United States relatively larger to-day than it was when this extreme protective policy commenced in 1861? In 1857, the exports of domestic manufactures in the United States amounted to \$31,034,000; in 1859, to \$33,848,000; in 1860, to \$39,586,000. Now, if the rate of increase had been maintained to the present year, which was maintained between 1857 and 1860, under a revenue policy, or a policy very much like ours, in place of an export trade of \$58,993,000 in 1876, there would have been an export trade of \$84,386,000. Now, let them look at the exportation of cotton manufactures. In 1857, it was \$6,115,000, with an average of 21 per cent. tariff duty; in 1859, \$3,316,000, average duty 19 per cent; 1860, \$10,934,000, average duty 19 per cent; 1876, \$9,818,000, average duty 41 per

cent—\$1,116,000 less than sixteen years before. If the ratio of increase which existed between 1857 and 1860 had been maintained to 1876, the exportation in cottons in that year would have been \$35,526,000; and there was no earthly reason why the ratio of increase might not have been continued under the moderate tariff of the period from 1850 to 1860. It was claimed by Protectionists that protection was compensating the farmer for the increased price of what he had to pay for his goods, by furnishing him with markets at home at which he could get higher rates for his produce. He would examine into this, both in respect to the prices received for food, and the purchasing power of other commodities. In 1860 (when there was no protection) flour was 24 per cent. higher than in 1870. In 1860, 100 lb. Saxony wool would buy 37½ yards of cloth; in 1870, the same quantity of wool would buy 24 yards; in 1860, 100 lb. of Saxony wool would buy 14½ pair of blankets; in 1870, only 8½ pairs; the quantity of hides that would, in 1860, buy 132 pairs of shoes would only in 1870 purchase 6½ pairs. In 1825 to 1832 (protection) wheat averaged at New York \$1.10½, corn 62 cents; 1833 to 1842 (compromise tariff) wheat averaged \$1.35½, corn 77½ cents; 1843 to 1846 (protective) wheat averaged \$1.02, corn 57 cents; 1847 to 1850 (no protection) wheat averaged \$1.26, corn 68½ cents; 1851 to 1854 (no protection) wheat averaged \$1.44, corn 71½ cents; and 1855 to 1860 (no protection) wheat averaged \$1.69, corn 87½ cents. These stubborn figures rendered it doubtful whether the theory of protection enhancing the price of food was the correct one. Protection, he admitted, raised the price of food when it became necessary to import provisions. So long as a country had a surplus of food, no matter what system of protection was carried out it would not affect the price of the great food staples one iota. New England was the heart of the manufacturing industries of the United States. If protection produced any benefits upon the agricultural interests it certainly must be in New England. He would read an extract from a recent number of the *Springfield Repub-*

Mr. CHARLTON.

*lican*, one of the foremost New England papers. After giving statistics as to the decrease of the agricultural population, the article proceeded to say:

“The consequence is that much of the once reclaimed farm land will be forest in the next century, and the prices at which farms can now be bought in these towns seem marvellous indeed, after our experience in local real estate, less than the fences and buildings could be bought for. A one-hundred acre Savoy farm, with fair buildings, and timber valued at \$100, recently brought but \$1,200; and a two-hundred acre Hawley Place, with good house and sheds connected, and two barns, 30 by 40 feet, that was a year ago bought for \$800, was recently sold for \$400.”

His hon. friend from Cardwell—to whom he begged to present his humble compliments and congratulations—in the course of his maiden speech asserted that the question of free trade vs. protection had nothing to do with the recent Presidential contest in the United States. He did not agree with his hon. friend, as it had been one of the leading political issues of the United States for several years. The strength of the Protectionist party in the United States was waning day by day, and the manufacturers themselves were, to a great extent, convinced that the policy was pernicious. A good deal had been said about slaughtering goods—this was one of the grievances of the manufacturers. He was unable to see how this would be prevented by the imposition of ten per cent. additional duty. It was worth while to enquire who lost by the transaction. If any man gained, it would be the consumer. He apprehended that the Canadian consumer could afford to buy goods at seventy-five cents on the dollar, and still better at fifty or twenty-five cents, and he could even stand them being given to him for nothing. Manufacturers had proposed that, as the Americans exacted a duty of 35 per cent., we should exact one of the same amount, and if this did not stop the “slaughtering” they would retaliate by sending their goods into the United States to “slaughter” their market, and make them sick of the business. In addition to the 17½ per cent., Americans had to pay the cost of transportation to our markets, and other charges there; charges were an additional amount of about

2½ per cent., which made the protection to our manufacturers 20 per cent. The Americans, therefore, if they slaughtered goods, did it in the face of a disadvantage of 20 per cent. against them. Now, if our manufacturers wished to checkmate them by slaughtering their own goods, would it not be better to do it here where they had 20 per cent. the advantage, and drive them from this market, than to go, as they proposed to do, to the United States, where, even if the duties were no higher than here, they would be at a decided disadvantage. The remedy was certainly a quixotic one, but if they proposed to adopt it they should give our own countrymen the advantage. He was not opposed to manufactures, and would be glad to see all our goods manufactured here. It was better to have varied interests and diversity of employment. But this should not be attempted to be secured by a forcing process. Manufacturers were disposed to take advantage of the depression, and there was great danger of their getting the people to impose a heavier tax than their necessities required. In no country were manufacturing industries fully employed. They were depressed in Free-trade England and in Protectionist America, and there was the greatest amount of depression in the two countries that were remarkable for the stringency of their protective policy, namely, Russia and the United States. He believed that the policy of the present Government was calculated to build up the manufacturing industries of the country upon a sure and stable foundation. He believed that they had grown to a healthier development than had been the case in the United States. The latter country was enabled to export goods through overproduction, and not on a healthy basis. As the representative of North Norfolk, he would like the farmers, his constituents, protected by a duty upon corn, and he would not even object if the whole people were taxed fifty cents per head for their benefit; and the latter tax would be no more objectionable, perhaps, upon principle, than the former, as either would be a general tax for the benefit of a locality. But the First Minister must consult

the interests of the whole Dominion. He could not act as merely the representative of Lambton; he had to consider what was best for the whole country. He ventured to say that no duty could be placed upon corn that would benefit more than ten ridings in the Dominion, there not being more than that number which raised more corn than they could consume. As regarded wheat, so long as the Canadian and American soil yielded a surplus, which was sold in the same market, the price there received must regulate the price in each country. As to corn, he proposed to give a few statistics. In 1874, we imported 5,331,000 bushels, costing \$2,676,000; we exported 2,680,000 bushels, receiving therefor \$1,778,000; leaving 2,651,000 bushels in the country costing \$898,000. The average cost of the entire quantity imported was 50 cents per bushel, and, deducting the amount received for the portion sold, this left the net cost of what we retained for consumption at 34 cents per bushel. In 1875 we imported 3,679,000 bushels, costing \$2,457,000; we exported 2,080,000 bushels, receiving therefor \$1,589,000, leaving 1,599,000 bushels for consumption, standing the country in \$868,000. The average cost, per bushel, of the entire amount imported was 64 cents, and the net cost of what was retained for consumption after deducting the amount received for portion sold was 54 cents. In 1876 we imported 3,625,000 bushels, costing \$2,356,000; we exported 2,047,000 bushels, receiving therefor \$1,047,000. We retained 1,588,000 bushels, costing \$808,000. The average cost was 64½ cents, and the net cost of what was retained for consumption was 50 cents. Would the hon. gentleman tell them that the country lost in these transactions? We acted as factors, buying and selling, and made a profit by it. On the Welland Canal a great number of mills were erected, in which were invested \$1,000,000, and their owners were employed in buying, grinding, and exporting American wheat. Was this business detrimental to the country? These mills gave employment to millers, coopers, and others, and the business in which

they were engaged was advantageous to the country. The other night, the hon. member for North Ontario, with relation to this very canal question, told them that these canals were built for the Americans. The hon. gentleman would pardon him if he said that this reminded him of the South American Indians who dwelt amid the ruins of the temples and palaces of their ancestors and were ignorant of their design, or history, or origin. The hon. gentleman seemed equally ignorant of the purpose for which the canals were built, which was, not to benefit the Americans, but to build up our own commercial power. West of us lay a region, the richest on the face of the globe. It now contained eighteen million inhabitants, and would have a population of scores and scores of millions. The commerce of this region was a great prize; and for securing this prize were these canals designed. The imposition of a duty on grain—even so slight a restriction as the bonded system—would, under the present keen competition, drive from these canals the business they were intended to secure. Nothing could be more absurd than such a policy. It was called a National Policy. It had formerly been in existence a few months. It was slain in the house of its friends, and the neighbours were called in to assist at the obsequies, and now these neighbours were charged with the death of the bantling. Why was it defeated? The hon. member for Kingston told them it was owing to his absence in Washington. If so, this was not the only thing the country had lost in consequence of that visit. One advantage of the visit, he (Mr. Charlton) might mention: the fact that the country had then lost so much from the bungling of the member for Kingston was from one point of view evidence of the divine favour. The Bible said: "Whom the Lord loveth he chasteneth;" and in that sense, their losses might be taken as an evidence of love, otherwise no gratification whatever could be extracted from the Washington negotiations. As to the National Policy, a combination of special interests was foreshadowed. Nova Scotia desired a duty on coal; and the hon. member

for North Ontario had stated that the manufacturers of Ontario would agree to this in exchange for higher duties on their wares. An attempt was made to induce the farmer to believe that a duty on grain would be an advantage to his class, but, if five cents were thus added to the price of grain, it would cost the farmer a dollar. This policy would not be acceptable to the country. It had once been dropped by its advocates as a monkey would drop a hot potato; and they had better never take it up again. The general elections, he believed, would convince these hon. gentlemen that this policy was offensive to the country, if they were not sooner convinced. The hon. gentlemen of the Opposition were very bellicose. They wished to bring the United States to terms by imposing retaliatory duties and inaugurating a war of tariffs; the attempt to coerce the United States would be as absurd as to expect the tail to wag the dog; four millions could not coerce forty-five millions, and a tariff war with that country would be a petard which would hoist its engineer. We were not in a position to make the United States feel our wrath; that policy was absurd. The United States discriminated against all countries alike, and if we discriminated against them and attracted their notice, it would provoke bad feeling, and perhaps counter retaliation. The United States was our only market for sawn lumber, and we sent them one-thirteenth of what they consumed. A slight additional duty would stimulate their production and shut our lumber out of their market. The United States was our only market for barley, and sufficient additional duty on this article would lead to its production on the Western prairies to our great disadvantage. A retaliatory policy would be a sheer piece of fatuity, stamping any Government which attempted it with total inability to grapple with the questions of the day. Very little was known of Canada a short distance beyond the frontier, and an editor of a leading New York paper had told him a few months ago that they knew so little about this country, that there was no inducement to supply their readers with Canadian news. A retal-

atory policy would also prejudice our chances of obtaining reciprocity; and postpone its realization a great many years. He sympathized with the hon. gentleman from North Ontario when he expressed great dissatisfaction owing to the fact that the election in Bothwell had been so speedily consummated that he could not bring his influence to bear in that constituency. At the next election in Bothwell, however, that hon. gentleman might so make arrangements that he could mount his horse at the tournament, set his lance in rest, and unhorse, if he was able, the hon. member for Bothwell. A few days ago, he had noticed in a paper of which the hon. member for North Hastings was reputed to be the responsible editor, a charge that the First Minister had entered office three years ago a poor man, and that he was today a millionaire. This charge implied speculation, fraud, dishonesty and theft. It was a foul calumny, unworthy of utterance on the part of any public man. It was also there charged that the Minister of Justice did not give four months of the year to the performance of his duties; but this was also false. The right hon. member for Kingston, in his picnic excursions, had preferred many charges against the Ministry, which they would be glad to hear in the House; and, if they did not there hear them, they would consider these accusations to be false. The hon. gentleman was highly gratified because a great number of people had flocked to listen to him; but he was an object of curiosity in Western Ontario, and it had been a great many years since the hon. gentleman had made a triumphal progress through the country. The hon. gentleman had also an eminent reputation, though he would not say what kind of eminence it was; and hence, he thought, that the receptions in question were not an unmixed compliment to the hon. gentleman. The country wished to know whether the hon. gentleman was a picnic Knight, a hero invincible in peace, and invisible in war; and whether he was prepared to back up, on the floor of the House, the assertions he had scattered broadcast over

the country. The hon. gentleman had declared that the sins proven and established against the present Government were greater than all the sins charged even against the late Administration. There arose before his (Mr. Charlton's) mind a vision of the past; the memory of a broken constitution; the memory of a person who defied the authority of Canada, fed in a foreign land by money given by the head of the late Administration; the recollection of that scheme of madness, the Canadian Pacific Railway, entailing difficulties which a century might not remove; the recollection of the fact that a Conservative Government deliberately refused to pass an Election Law to prevent the disgraceful scenes which would forever stain Canadian history in connection with the year 1872,—in order that they might debauch and corrupt, by the use of a great fund of money dishonestly procured, the electors of this country; the mistakes, the sins of omission and commission, and the recklessness which had brought this country to the brink of ruin, and which made of Canadian politics a pit of corruption. If the present Government were guilty of greater crimes than these, for heaven's sake, let the country be informed of it. Slight differences existed among Reformers; they were divided as to protection and free trade; but, nevertheless, they were united in support of the Ministry. Of the head of the Government, the Province of Ontario was proud; he was a perpetual and standing example of the truth of Solomon's proverb: "Seest thou a man diligent in business, he shall stand before kings; he shall not stand before mean men." This hon. gentleman had mounted the ladder of promotion, round by round. They were loyal to these men, their leaders; they felt that the charges preferred against them were malicious, vexatious, foundationless, and false; but, if hon. gentlemen opposite could prove these accusations, let the proof be produced, or let these hon. gentlemen stand branded as manufacturers of accusations which were destitute of foundation.

Mr. GIBBS (South Ontario) said the House had listened with a great deal of attention to the able and elaborate

discourse which his hon. friend from North Norfolk had delivered. The hon. gentleman, however, had wandered from one part of the earth to the other, and not one solitary sentence that he had uttered touched upon the question before the House. The speech of the hon. member called to his mind an anecdote connected with the delivery of a sermon some time ago. One hearer asked another what he thought of the discourse, and the reply was: "I listened to it very attentively, and I came to the conclusion that, if the minister had taken small-pox as a text, there would not have been the slightest danger of his catching it, for he never came near it." What the House had to consider was the policy of the Administration upon the tariff, and he would admit, at the outset, that it was one of the most important questions which was ever considered by any Legislature. In dealing with the subject, he utterly denied the doctrine which the hon. member declared as he sat down—that they were here only as representatives of constituencies. He took the view announced by the hon. the Premier the other day, that it was their duty not only to look to the interests of the constituencies they represented, but in all legislation to see how the whole Dominion would be affected. He looked at the subject from a broad, national and Dominion point of view. \*Up to the year 1846, our policy was in imitation of that of Great Britain, which was then a protective and a discriminative one. In 1854, reciprocal trade relations were established between the United States and old Canada. That policy was continued until 1858, when the present system was introduced. A great many persons called the system "incidental protection." Sir Alexander Galt called it "modified free trade." But call it what they chose, it was a policy under which the industries of the country prospered, a vast amount of wealth was accumulated, and manufactures were established which gave employment to a certain class which they could not otherwise have obtained unless they left the country. He wished to quote an authority on this subject, whom every one would consider competent to speak thereon, and one who,

Mr. GIBBS.

without disparagement to the hon. the Finance Minister, might be called as able as that gentleman. In a letter written to the Hon. James Ferrier in 1875, Sir Alexander Galt used the following language:—

"Though a Free-trader theoretically myself, I have always recognized the necessity and advantage of adapting the application of principles, in themselves sound, to the circumstances of our country, the habits of our people, the conditions of our climate, and our political relations to Great Britain and other countries. My views on this subject have ripened, but have been in no respect changed since, in 1859, I then arranged the Tariff, and subsequently modified it in 1866. The policy adopted then, and which to a large extent remains in force still, was popularly known as Incidental Protection, though it might more appropriately have been termed Modified Free Trade. Under this system of revenue, it is well known that our manufacturing interest has grown to its present considerable proportions; and it is in the same direction I consider a re-adjustment of the Tariff should now be made. Sixteen years have, however, elapsed since that Tariff was passed, and within that period much has occurred to render a thorough revision necessary. Our Confederation now embraces a vastly greater and more varied area; our relations to Great Britain are happily unchanged, commercially; but, as regards the United States, their civil war, with its results upon the taxation and currency of that country, have caused most material changes, which may require corresponding legislation on the part of Canada. Without presuming to anticipate the direction of specific action, I think that it is the duty of our Parliament broadly to lay down the rule that, in the imposition of duties to be paid by our own people, the interests of Canada should be the ruling consideration. We cannot and ought not to ignore the interest which our fellow subjects elsewhere have in our revenue policy. But, as regards the United States, I frankly declare that they ought to be dealt with in the same purely selfish spirit with which they treat us. For my part, I am heartily tired of efforts at conciliating the United States commercially—they meet with no response, and even existing treaties and laws are administered by them in a spirit of petty but vexatious exaction. I trust that henceforth the sole consideration will be how our trade legislation is to affect ourselves. Possibly this course may produce a wiser policy on their part, more worthy of a great commercial nation. I do not myself attribute the present industrial depression to any special cause within the power of our Legislature to remove; it is doubtless the result, in great measure, of over-production elsewhere and among ourselves. But it is certainly the duty of the Government to examine the allegations of the sufferers most carefully, with a view to their relief if practicable. And

should such relief take the form of differential duties against the United State, I unhesitatingly adopt the position that we have a distinct and inalienable right to impose such duties if we choose."

His hon. friend from North Norfolk said we should be very careful in dealing with the people of the United States; that we should deal with them tenderly or we might provoke bad feeling. But that country had done much, since the abrogation of the Reciprocity Treaty in 1866, to provoke us. Had our cringing policy done anything for us; was it likely to bring about the object which everyone desired to see accomplished? He did not believe in waiting on the action of Congress at Washington any longer, and thought that our legislation for the future should be entirely different from what it had been in the past. We had now a country extending from one ocean to the other, and from parallel 45 to the North Pole, and we ought to legislate for the people living within this geographical area rather than to consider what effect our legislation would have on the people of the United States. After an enforced absence of three years from the deliberations of this Parliament—a subject which he would take occasion to bring before the House hereafter—he came back to find an hon. gentleman Finance Minister who was wont every Session to deliver a doleful dirge about the expenditure being likely to exceed the revenue. When that hon. gentleman made his speech the other day he seemed to feel exceedingly happy that his prognostications had been fulfilled at last. When we had a surplus, the hon. gentleman was miserable, and kept on predicting that our income would fall below the expenditure, and that was probably the reason why, when announcing the deficit the other night, the hon. gentleman was able to look hopefully to the future. The hon. gentleman had been to London; he went there annually, and it was to be hoped that he enjoyed himself; and it was also to be hoped that his next visit would result more advantageously to Canada. While in London last year, the hon. gentleman

addressed the capitalists as follows, on the financial position of Canada:

"REVENUE AND EXPENDITURE.—The revenue has shown a continuous surplus during each year since the Confederation in 1867, although it has in the interval been charged with much heavy expenditure of an exceptional kind, such as outlay connected with the several Fenian attacks on the country, the acquisition and organization of new territories, and providing an adequate defensive force for the Dominion, &c.

Year.	Revenue.	Expenditure.	Surplus.
1868.....	£2,851,652	£2,809,603	£42,049
1869.....	2,995,661	2,924,601	71,060
1870.....	3,231,714	2,988,648	243,066
1871.....	3,867,112	3,124,616	742,496
1872.....	4,142,963	3,517,893	625,070
1873.....	4,276,740	3,939,996	336,744
1874.....	4,973,649	4,791,023	182,626

In the year ending 30th June last, notwithstanding the unprecedented depression in trade in Canadian staples, the returns (though somewhat incomplete) show a satisfactory result, being—

Estimated Revenue.....	£5,050,600
do Expenditure..	4,850,000

Surplus..... £200,000

The eight years since Confederation, therefore, exhibit an aggregate surplus of £2,443,111 (not including the Sinking Fund), which has been partially applied in the redemption of debt, and partly expended on new works."

So that, making all the possible deductions, the aggregate surplus during the eight years since Confederation amounted to £2,243,111 sterling. The hon. the Finance Minister had brought down a tariff which he asked the House to adopt. The hon. the Premier had said it would be unwise, in the present state of the country, to remodel the whole tariff. If that position was correct, he would like to ask hon. members opposite who had been pleased by the effort made this Session to remodel it, as now proposed, in part? With the one exception of coal oil, not a manufacturer, producer or consumer of any kind had been pleased with what had been done. He wished to show the changes which had taken place in the trade of the country by the following table:—

Year.	EXPORTS :	
	To Great Britain.	To United States.
1873....	\$38,743,848	\$42,072,526
1874....	45,003,882	36,244,311
1875....	40,032,902	29,911,983
1876....	42,740,060	29,916,876

IMPORTS :

Year.	From Great Britain.	From United States.
1873....	\$68,522,776	\$47,735,678
1874....	63,076,437	54,283,072
1875....	60,347,067	50,805,820
1876....	40,734,260	46,070,033

Imports of Cotton and Woollen Goods from United States.

1874.....	\$1,178,264
1875.....	1,631,562
1876.....	2,499,227

Thus a diminution of exports to the United States as compared to Great Britain was shown, while a gradual and steady increase of imports from the United States as against Great Britain was taking place. What the manufacturers of this country complained of was that the United States imposed a tariff which prevented our manufacturers from exporting to their country while they could come to ours. By the returns just brought down the result was as follows: In 1873-4 manufactured goods were imported from the United States to the value of \$24,937,937; 1874-5, \$24,676,406, and 1875-6, notwithstanding the great depression, \$21,438,758. It was interesting to see that during the same period the exportations from Canada to the United States had greatly decreased. On many Canadian articles imported into the United States there was a duty of from 35 to 45 per cent, and upon the same class on which we only charged 17½ per cent. Was that a matter of small importance? Would not the Government for one moment entertain the propositions submitted to them from all parts of the country on behalf of manufacturers who desired their interests to be protected? The hon. gentlemen opposite had not taken the slightest notice of all the remonstrances made. They had been content to see some of our most important industries go down for want of encouragement and protection. He referred more particularly to sugar refining, by the failure of which in Montreal 400 heads of families had been thrown out of employment. Not only this, but a large and profitable trade with the sugar-growing countries had been lost. The following was a comparison of imports from sugar-producing countries for the years 1875 and 1876 respectively:—

MR. GIBBS.

	Lbs.
1875. Equal to and above 13 Dutch Standard, from 11th April.	11,031,612
Equal to No. 9, and not above 13, from 11th April.....	11,390,593
Below No. 9 D. S., for the year .....	20,366,261
Above No. 9 D. S., to 10th April .....	3,490,312
	<hr/> 49,278,778

Of this 13,488,054 lbs. were from Brazil, an important factor in South American trade, Brazil being an excellent market for our lumber.

	Lbs.
1876. Above Dutch Standard 13..	10,507,178
Equal to 9 and not above 13.	3,894,629
Below 9 Dutch Standard....	19,261
	<hr/> 14,421,068

Not a pound imported from Brazil.

Of all kinds of sugar:—

Year.	From Great Britain. Lbs.	From United States. Lbs.
1875....	25,488,811	40,861,240
1876....	56,606,697	36,085,881
Above No. 13 Dutch Standard—		
1875....	20,121,120	22,898,874
1876....	54,465,080	28,070,726

But this was not the only interest which was allowed to perish. Another important one was the importation of tea. The hon. gentlemen opposite, some years ago, thought fit to remove the 10 per cent. duty which was imposed on tea coming from the United States, and which encouraged direct foreign trade with China and Japan and elsewhere. But, on the duty being removed, teas could not be directly brought to Canada, wholesale tea merchants had been obliged to move from Montreal and other Canadian cities to New York, where they had a larger market and were still able to supply their Canadian customers. So strictly did the Americans enforce their law that a cargo of tea brought to Montreal direct from China, but afterwards diverted to New York, as profitable returns could not be made, was charged the extra ten per cent duty as coming from a point west of the Cape of Good Hope, although the bulk had not been broken. But what did the hon. gentleman care? Even the paltry little disarrangement of the tariff which he had made had been the means of wiping out several small industries in the Province of Quebec. It was

high time that the hon. gentleman awoke to the fact that the people of the country desired legislation in an opposite direction. The great depression in Canada had other causes than the depression elsewhere. It should at least have elicited some Government enquiry, with a view, if possible, of alleviating to some slight degree the difficulties under which our manufacturers were at present labouring. He should have supposed that was a subject worthy the attention of a master mind, even of that of the Finance Minister of Canada.

Mr. CAMPBELL (Victoria, N.S.) : You must look somewhere else for that.

Mr. GIBBS said the hon. the Finance Minister held that the more we imported the richer we were; and that, because we imported at the rate of \$22 per head, and the Americans at the rate of \$10 per head, therefore our business and trade relations must be in the most prosperous condition of the two countries. But very few people in Canada could be brought to entertain the same opinion. He (Mr. Gibbs) was one of those who desired to see the importations less than they were at present. He hoped by the establishment of manufactures that we would materially reduce our importations, and that even within the next few years. He must compliment the hon. the Finance Minister upon the imposition of 17½ per cent. upon the article of tubing. There were only three or four tube manufactories in the United States, and it was exceedingly doubtful whether a manufactory could be established here. This was the only instance in which the hon. the Finance Minister had attempted to meet the views of the hon. gentlemen opposite to him in the slightest degree, and he hoped it would lead to the establishment of manufactures of tubing in Canada. The question of Free Trade vs. Protection was one in which he did not propose to enter further in this discussion; he would await a more fitting opportunity. He trusted the day was not far distant when the Treasury benches would be filled by gentlemen who better represented the temper and spirit of the country.

Mr. PLUMB said it was perhaps fortunate that the House had an authentic record of what hon. members said in the debates. He found that the hon. member for North Norfolk last Session gave them the strongest possible arguments against the position which he now assumed. It occurred during the debate upon an amendment very similar to that now before the House. He said then, as reported in the *Hansard* :

“It may be safely assumed that no nation has attained to greatness in commerce or manufactures without having, in the course of its history, imposed exactions and restrictions. This has been notably the case with Great Britain herself; and I think the assertion that the development of various industries is necessary to the cultivation of the self-defensive power of a nation, is uncontrovertible. We have had an illustration of it in the neighbouring nation. The Southern States were without manufacturing industries, while the Northern States were filled with them, and the advantage this gave them, resulted in the suppression of the rebellion. No person will assert it is proper to protect industries that are not naturally adapted to the country, but when they were suited to the land it was the duty of the Government to foster them. Arts and manufactures do not spring up readily on a virgin soil. In the first place, trade has a tendency to remain in beaten tracks. Then the advantage is on the side of a nation in which manufactures are established, because money is always more easily obtained there than in a new country. Then, again, the possession of organized and skilled labour is an advantage that the manufacturers in a country where manufactures are established for a long time possess over a new country. But, although it may be conceded that protection is to the advantage of manufacturers, unless it can be shown that it is also an advantage to the other classes of the community, and the nation at large, all argument in favour of protection fall to the ground. It must be shown that the agriculturists are to be benefited by protection before it is incumbent upon the Government to adopt a protective policy. I believe that the interests of the nation at large would be promoted by judicious protection; I believe that the agricultural interests of the Dominion would be promoted by protection, and that the manufactures, being brought to the door of the farmer, would afford a market for a great many articles of produce that would not be saleable if the market were three thousand miles away. With a home market of this kind established by protection to manufacturers, the agriculturist can benefit his soil by producing a rotation of crops.”

That speech was a strong argument in favour of protection, but now the hon. gentleman had taken the other

side. It appeared that he was equally able to present an array of figures to support either side of the argument. Hon. gentlemen opposite seemed to think that those who favoured the protection of our industries contended for a prohibitory tariff; but this was not the fact. No one on this side of the House had advocated such a policy. Notwithstanding the immense inflation of the paper currency, and the false values and extravagance to which it gave rise. During the past seven years, the United States had been able to reduce their taxes about three hundred millions of dollars, their national debt four hundred and thirty-five millions of dollars, and create a balance of trade in their favour, in 1876, to the amount of about 120 millions of dollars. They had also been able to enter the markets of the world with their manufactures in competition with the greatest manufacturing interests existing, to sell everywhere and compete successfully everywhere. This was the condition of things produced by the policy of the United States, false as it might be with regard to excessive protection. Their paper currency had greatly appreciated in value; the rate of interest on their national debt was largely reduced, and they were now prepared for resumption of specie payments, which would hardly give them any financial disturbance. This state of affairs was a sufficient answer to those who held that the example of the United States with reference to protection was one which ought in all respects to be shunned. He was perfectly willing to submit this example, although no one, as far as he knew, desired to introduce into this country the excessive American tariff. The Americans were selling us everything and buying very little from us. Every year saw an increase of their sales to us, while the reduction in our sales to them was most startling. Last year, we purchased one-half of our imports from the United States, the figures being 46 millions upon an aggregate of 93 millions of dollars. Our exports to the United States were of the value of 29 millions of dollars, and the balance against us amounted to over 16 millions. Almost everything

**Mr. PLUMB.**

that could be manufactured was sent from across the border into Canada. The hon. member for North York had stated that, in the late election for President, the issues of free trade and protection had been made prominent, but he failed to discover that these were the great issues in the canvass. However, if any success whatever had been achieved in this relation, the victory was in favour of protection, because the Republican party was the Protectionist party, and had succeeded in securing the Presidency for its candidate.

**Mr. MACKENZIE:** Who had the majority of votes?

**Mr. PLUMB** said he thought the majority was in favour of Mr. Tilden. It was said that, if our manufactures were granted additional protection, it would be a tax on the consumer; but any policy which would stimulate trade, encourage capital, and give employment to the labouring classes would benefit the consumer. The industries of this country were at the present time so completely paralyzed, that it would be almost impossible to find a parallel to their existing condition. Such a policy would also stimulate immigration. He would not follow the example which the hon. member for North Norfolk had given in the concluding portion of his speech—in making or answering a bitter party harangue—but he would allude to statements made by the Finance Minister in bringing down the Budget. The respective positions taken by that hon. gentleman in 1874 and 1877, exhibited strong points of contrast. In 1874, the hon. gentleman had proclaimed a deficit, and intimated that the country was going to destruction, that nothing could save it from impending ruin but a complete reversal of policy; but no deficit really existed. The hon. gentleman had stated, when he subsequently appeared in the English money market as a borrower, that the country actually enjoyed a surplus. Now, however, the position was reversed. After three years of office, the hon. gentlemen opposite had to face a great and impending deficit, which could no longer be concealed by any art in figures, and how was it to be

met? They were told that large items of expenditure in the last year's accounts were exceptional; that they were not likely to occur again; that daylight was at hand; that the dawn of better days was visible; that the difficulty would be met by a slight increase in the tariff; and that by raising the revenue \$300,000 or \$400,000, a deficit of \$1,950,000 would be balanced. This cheerful tone was in strong contrast to the hon. gentleman's lugubrious manner in 1874, when the hon. gentleman announced that they would bring about salient reforms, reduce the public expenditure, and correct abuses which had crept in during a long Administration which they had stigmatised as essentially corrupt. Despite all these professions, the hon. gentlemen had not kept their promises or adhered to their principles. They, nevertheless, now assumed an air of hopefulness which he did not think at all borne out by the figures exhibited in the financial statement, warranted by the facts or by the condition of the country. These hon. gentlemen had everywhere denounced the extravagance of their predecessors and promised economy and retrenchment, but they had failed to meet their pledges. Even with regard to the Departmental services and disbursements, which were more immediately under the public eye, the Customs receipts for 1873-4 amounted to \$14,325,192.64, and to collect it had cost \$658,299.34. In 1876-7, the Customs collections amounted to \$12,341,371.13, and the cost of collection to \$721,608.60. Thus, with a reduced revenue, the expense of collection had been increased. Of Excise duties in 1873-4, there had been collected \$5,594,903.84, and the expense of collecting it had amounted to \$201,240.90. In 1876-7 the Excise duties amounted to \$5,563,487.12, and the expense of collection to \$218,359.01. In the Post Office Department for 1873-4, the receipts had been \$1,139,973.15, and the cost of maintaining the Department had amounted to \$1,387,270.48. In 1876-7 the revenue had been \$1,102,540.32, a falling off of \$37,000; and the expenditure had amounted to \$1,622,000. No doubt, he would be told that this increase in expenditure was largely due to the

great extension of postal routes; but on the other hand, it could be said that these extensions should not be made unless, at all events, they yielded some revenue. Doubtless, owing to the building of railways, the means for transporting the mails had also been cheapened, while correspondence had increased. Further, in 1874, there was charged to superannuation account \$73,949.19; while, for the year 1876-7, this account amounted to \$110,000. Notwithstanding the diminished revenue, year after year, the expenditure of the country was increased. It was no argument for these hon. gentlemen to say that they were forced in this expenditure by the policy adopted by their predecessors, for the policy of the latter they had bitterly denounced. These hon. gentlemen, moreover, with regard to the construction of the Pacific Railway, were not following the plan laid down by the late Administration, and, in point of fact, they had originated an entirely new scheme.

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

### After Recess.

Mr. PLUMB continued. He said it was claimed by the Government that, when they took office, they were saddled by the engagements of their predecessors, and that the Government had therefore been involved in large expenditures, for which they should not be held responsible. That might, in some degree, be true with regard to certain public works necessary to the improvement of navigation, but, in respect to such works, no complaint had been made, and if the Government had followed the policy of their predecessors in relation thereto, they had done wisely and well. One large expenditure, which had been freely criticised, and had received a great deal of attention, was that connected with the building of the Pacific Railway. As the plans adopted by the Opposition had been entirely departed from, he claimed that they could not be held responsible for the course pursued by the Government. He found, from reports laid before the

House, that the expenditure incurred upon that work already was over \$6,000,000. There were items of this expenditure which he thought were justly open to criticism. About two years ago, it was deemed necessary, in pursuance of the policy of the present Government, to open a line of road leading through the wilderness towards the Georgian Bay, to terminate at the mouth of French River. So pressing, apparently, were the public demands for that road, that its construction was to be hurried forward without delay, and without submitting the contracts for building it to Parliament. The matter was pressed with such haste that they might suppose there was immediate necessity for its construction. The hon. the Finance Minister, who was usually so cautious in his utterances, even went out of his way to endorse and recommend the project to the House. He (Mr. Cartwright) said: "Of all the schemes submitted to this House, that of my hon. friend the Premier, for opening up the fine and considerable tract between French River and the Ottawa Valley, is the one which, on the whole, is most likely to add to the paying productive population of the Province of Ontario." That was as vague as any utterance ever made by an oracle of Delphos, but no doubt it had the intended effect. The hon. gentleman did not exactly endorse the project; he meant nothing or anything, just as the statement might be read. He thought by this time the road ought to be approaching completion, and that very soon the wilderness would resound with the shrill echo of the whistle of the locomotive. But he feared that the solitudes would remain unbroken for some time to come, and that, upon examination, the project had either been found impracticable or that for some mysterious reason the contract had been abandoned. It was not unreasonable to suppose that there were strong motives for entering into this undertaking, and proper security should have been taken from the contractor, and steps ought to have been taken to hold him to his contract. There were, moreover, lines projected from Thunder Bay to Fort Winnipeg, which had been one of the most uncertain and varying of all railway schemes brought

Mr. PLUMB.

before the House. At one time it was proposed to utilize the "great water-stretches" of the West; another time there was to be a continuous railway line upon a certain route lying near to the water stretches; and, again, the line was to go farther northward, entirely outside the line first contemplated. This line of water stretches, which began nowhere, went nowhere, and terminated as it began, was to be utilized, not for traffic, for that would be impossible in a route so difficult and inconvenient for travel, but for the purpose of carrying the railway iron to the railway track. On the first line, large sums of money had already been expended, and the engineer had reported that it could not be completed in two years, and when it was finished it would be entirely useless, even for the purpose of carrying rails. Then, again, there was a telegraph line from Winnipeg, stretching to the Rocky Mountains, which had cost a large sum of money, and, as it was located before the line of railway was located, it would no doubt be found necessary to change its course. Those items were part of the system inaugurated by the present Government, who were solely responsible for them, and might go far to explain how it became necessary to meet deficits and incur new loans. The last loan of the hon. the Finance Minister had evoked considerable criticism. There could be no doubt but that the system of tender, which the hon. gentleman had departed from, was the correct one for a financier to pursue in making public loans. The plan adopted by the Finance Minister placed the loan in the hands of the large capitalists and enabled them consequently to control the price of future loans, and to dictate their own terms. The loan was placed at a commission of one per cent. Under the terms allowed to subscribers, they were to pay their subscriptions by instalments running through a series of months: 5 per cent. on application; 15 per cent. on allotment; 20 per cent., January 31st; 20 per cent., March 25th; 20 per cent., May 25th; 11 per cent., July 25th; interest accruing to the purchaser. Upon those terms the investors would get the loan, not considering the commission, at 89½. It was a price lower than the 4 per cents of the same

character were selling at in the market at the time, but in view of the magnitude of the loan, the conditions, and the position of the country, owing to circumstances over which the Opposition had no control, it might be considered a fair price, and he hoped every future negotiation would give as good a one. Borrowing and taxation went hand in hand. The next thing to be done was to endeavour to meet the deficit. That was to be met by the imposition of duties which, according to the calculations made by the Finance Minister, would yield about \$450,000, but which would not go very far to pay a deficit of \$1,950,000. The proposed duty on tea was put in the most objectionable form—that of a specific duty, taxing alike the cheapest and most expensive qualities of that necessary article. It thus became an onerous impost upon those who could least afford to pay the duty, while it was comparatively light and trifling to those who could best afford to be taxed for their luxuries. Another point was that the imposition of this duty—so far as it could have an influence—should favour the direct trade of the country, and make it an object to import from the countries where this article was produced rather than bring it from intermediate ports, thus encouraging our shipping trade and our commercial trade as a whole. The duty on malt and beer might be all very well, but he could not understand why that comparatively mild liquor, beer, should be taxed, and that no additional tax should be placed upon whiskey, which was also made in this country. He could not understand why beer should have been selected, and why those who consumed that beverage should be obliged to pay for it at a higher rate, comparatively, than those who drank whiskey, which many an hon. member would rather see prohibited by some legislation than fostered by the partial legislation proposed to the House. The reason for selecting tubing for taxation was neither valid nor sound, and it was difficult to understand why that article out of our long list of free imports should be specially marked for duty at this particular time, especially when the value of the whole quantity imported only

amounted last year to \$266,000. There might, however, be some special reason for the selection, and it might be discovered afterwards. If the expenditure of the country proceeded, additional taxes would certainly become necessary. He did not agree with the hon. the Finance Minister that we had yet reached the end of the depression in the country. He claimed that if more taxes were to be levied they should be imposed in such a way as not to increase the burdens on the people, but in some degree to compensate those who had to pay them by stimulating some of the industries of the country now languishing under the depression which had prevailed during the past two or three years. The hon. the Premier, in speaking of the amendment to the resolution, which he (Mr. Plumb) intended to support, had stated that it went in the direction of taxing the poor man for his necessities. But it would be much better to tax the poor man slightly, if thereby he was given the means whereby to subsist and to pay his taxation, and it was in that belief and hope that he advocated the introduction of the principle of protection in a revised tariff which members on his side of the House thought was necessary to the best interests of the country. It was not the business of the members of the Opposition to place a specific policy before the country; that was the duty of the Government. No doubt when the time came, as come it would in his judgment, when the position of parties was reversed, a policy would be brought forward by the right hon. member for Kingston, whom he had the honour to follow, which would be for the good of the country and satisfactory to it, and would show that the promises made on this side of the House, unlike those made by hon. gentlemen opposite, had been fulfilled when they came into power.

Mr. ROSS (Middlesex) said, on rising to address the House on the amendment of the right hon. member for Kingston, he did not propose to enter into a discussion of the question whether free trade, incidental protection, or a protection policy pure and simple, was the proper fiscal policy for the people of this country. The

commercial and fiscal character of the question had been already so ably and fully discussed by the hon. member for North Norfolk (Mr. Charlton) that little remained to be said from his own individual standpoint. He proposed, however, to address a few remarks to the House with regard to the position taken by the hon. member for Niagara, and particularly with reference to the views expressed by the hon. member for Cardwell on what he called the abnormal expenditure of the present Administration. He congratulated the hon. member for Cardwell on the ability with which he had handled a brief from the hon. member from Cumberland. He had the pleasure of devoting considerable attention to the former hon. member before his entrance into Parliament. He had the pleasure of meeting him on very many occasions as well as the hon. member for Cumberland, and, knowing the sentiments of the latter hon. member, and finding the hon. member for Cardwell so frequently in his company, he was not at all surprised to find that the member for Cardwell followed so closely in the footsteps of his illustrious predecessor. He congratulated the hon. member for Cardwell also on the fact that he seemed to appreciate the distinction between logic and sophistry, between fact and fiction,—much more closely, indeed, than did the hon. member for Cumberland in some of the financial statements he addressed to the House. In investigating the Public Accounts, the hon. member for Cardwell had come to this conclusion, namely, that the expenditure of the present Administration, during the years 1875-6, was greater by \$600,000, than the expenditure of 1873-4. This statement had an amount of fairness and frankness in it which did credit to his good judgment and close investigation of facts. It was a question long in dispute between hon. members on both sides of the House as to whether the present or the late Administration was chargeable for the expenditures of 1873 and 1874. The hon. member for Cardwell had admitted the responsibility of the late Administration for that expenditure, and, with that as his starting point he had come to the con-

Mr. Ross.

clusion, after omitting all exceptional sums for both years, that the present Government could only be justly charged with extravagance to the extent of \$600,000. He had taken the trouble to compare the statements of the hon. member for Cardwell with the Public Accounts and found that in the main his conclusions had been tolerably correct. Nevertheless, there were a number of items in 1875-6 which must be admitted as exceptional and extraordinary which had not been considered by the hon. member. The first, which was not included, was the grant of \$50,000 for the veterans of 1812. When that vote was proposed in the House, hon. members expressed themselves freely in regard to it, and there appeared to be only the one opinion entertained, that those who had served their country, encountered hardships and dangers in service should be even at this late day rewarded with some compensation. He was sure the hon. member for North Hastings, whose loyalty to his country was only excelled by allegiance to his party, would admit that the hon. member for Cardwell should not have omitted that sum from the Estimates of 1875-6. Then they had, to complete treaty obligations with Prince Edward Island, \$40,000; to pay running expenses of Prince Edward Island Railway, \$220,000; reporting and publishing debates, \$13,000; additional on printing account, \$13,000; expenses of Mounted Police, omitted by his hon. friend, \$170,000; for the administration of justice and the establishment of the Supreme Court, \$84,000; Insurance Inspection, \$10,000; besides several miscellaneous articles which more than absorbed this abnormal expenditure so much complained of. If the hon. member had pursued his investigation into the Public Accounts a little farther, he would have found, as he (Mr. Ross) had found, and as any hon. member might find, that the exceptional and extraordinary expenditure of \$600,000, which he charged against the present Administration, was not borne out by the facts. The hon. gentleman had referred in detail to the expenditures of some of the public Departments. First, he had noticed a deficit in the Post-office

Department for the past year, which he had stated correctly at \$520,000. A slight examination, however, would have shown him that last year was not exceptional, so far as the Post-office was concerned, because, from 1867 down to the present time, there had been an annually increasing deficiency. In 1867-68 it amounted to \$91,000; 1868-69, \$250,000; 1869-70, \$285,000; 1870-71, \$203,000; 1871-72, \$237,000; 1872-73, \$234,000; 1873-74, \$248,000; 1874-75, \$365,000; and last year \$520,000. He admitted that this was a large deficit, one that could only be justified on the ground that every individual, not only in the House, but in the country, was interested in the utmost postal accommodation that the public funds could afford. He asked hon. gentlemen opposite if they were prepared to declare that a reduction should be made in the number of post offices, or that the number of miles necessary to traverse in the postal service should be diminished in order to reduce the expenditure. He was confident hon. gentlemen opposite would not commit themselves to such a policy, knowing the eager demand on the part of all classes in the community for that accommodation. But there were some grounds on which a certain amount of the deficit could be accounted for. First, there was a reduction in the receipts of last year amounting to \$37,000, the depression of trade which seemed to have affected the general commercial revenue of the country having also affected the postal revenue; moreover, the postal service contracts made three or four years ago had expired, and it was necessary to renew them, and this could only be done at an increased expense. Again, the introduction of the free delivery system had cost the country \$36,000, an expenditure which did not enter into the items of 1873-74. Then there was the grant of \$6,000 for railroad mail service in the Province of Prince Edward Island. Those items added together would reduce the deficit in the Postal Department for 1875-6 to nearly the same amount as that for 1873-4. It was desirable, however, that the House should ascertain what was the average of those deficits. It was fair to assume that, if the present Adminis-

tration, in view of all the difficulties by which they were surrounded, and particularly the depressed condition of the trade of the country, had not increased the indebtedness or expense of the service in a greater ratio than the preceding Government, then at least they could not be chargeable with undue extravagance. During the seven years that the hon. gentlemen opposite were in power the expenses of the Postal Service had increased annually at the rate of 15 per cent., or 107 per cent. increase in seven years. During the present Administration the increased expenditure only reached 7½ per cent. per annum. So far, the comparison was satisfactory. Let it be compared on another basis. If the amount of work done was in fair proportion to the expenses, then there could be no fair charge of increase. Under the old Administration work increased 82 per cent., while the expenses increased 107 per cent. Under the present Administration the amount of work had increased 30 per cent., while the expenses had only increased 7 per cent. But was Canada the only country that had a deficit in its postal service. Hon. gentlemen opposite pointed to the United States. One would suppose by their interest in American institutions just now that they were willing to transfer this House of Commons to the other side of the line.

Sir JOHN A. MACDONALD: Oh, oh.

Mr. ROSS—And abandon Canada with its free trade fanaticism and settle themselves beneath another flag, under more beneficial and prosperous influences. Well, what did they find? In 1873 we had a deficit in the Post Office Department of a quarter of a million, while in the United States the deficit was \$6,088,204. In the following year the United States had a deficit of \$7,529,842, and in 1875, of \$6,562,216; or in other words in the United States there was an average deficit of \$200 upon every post office, while in Canada there was only an average deficit of \$100. The hon. member for Cardwell next attacked the Excise Department. The hon. gentlemen opposite seemed to be much

incensed about the matter. One hon. gentleman regretted very much, in the interest of temperance, that the Government proposed an increased duty on beer. He (Mr. Ross) was glad to see such an interest on behalf of temperance. He expected some day to deal with this question, and he would be glad to see the hon. members for Vancouver and Carleton advocate a Prohibitory Liquor Law. Well, under hon. gentlemen opposite, the expenses of this Department regularly increased. Between 1867-8 and 1873-4 there was an increase from \$78,938 to \$194,027, an increase of 150 per cent., or 20 per cent. per annum. Under the present Administration the increase was only  $2\frac{1}{2}$  per cent. per annum. This certainly did not show extravagance. The Militia Department was next attacked, and the charge made that the expenditure for militia purposes was of very little value to the country. True, the expenditure under this head was always very heavy, and it was quite possible full value was not received in any case for the outlay. But let them see the work done. In 1867, 37,170 men were drilled for 16 days; in 1868, 35,000 were drilled 8 days in battalion camp and local headquarters; in 1869, 34,000 for 13 days, do.; in 1870, 35,000, 16 days, in camp; in 1871, 34,503, 16 days, in large camps; in 1872, 34,340, 16 days, the same; in 1873, 30,358, 8 days in camp and 16 days at local headquarters; in 1874, 29,301, 12 days' drill; in 1875, 29,605, 12 days' local drill for infantry, and 16 days for field artillery in camp; in 1876, 23,000, 8 days' local drill, infantry, and 12 days, artillery, in camp. These figures showed that under the present Administration the number of men drilled had been nearly as great as under the late Administration. It was desirable that a large sum should not be expended for militia purposes. We were at peace with ourselves and at peace with all mankind. All we required was a nucleus in case of necessity. The present Government had effected a saving under this head last year of half a million dollars. An attempt was made by the hon. member for Niagara to show that in the superannuation connected with the public service some undue expenditures were

Mr. Ross.

made. He found that, from 1871 to 1874, the expenditure for superannuation increased under the late Administration 400 per cent., namely, from \$12,880 to \$64,442. Between the years 1873-4 and 1875-6, it increased from \$64,442 to \$101,627, or an increase of only 50 per cent. during the last two years. The expenditure under the Superannuation Fund was statutory, and as old men got unfit for service they were obliged to retire. Objection was also found with the Weights and Measures Act, but that Act was passed by the late Administration. If there was any blame for this notorious Act, the responsibility must rest on his hon. friend from Cumberland, who initiated the measure and carried it through Parliament in 1873. There was one peculiar feature about the remarks of the hon. member for Cardwell worthy of notice. While he pointed out the items of increased expenditure the items of decrease were all omitted. He would refer to one in particular. The average rate of interest paid upon the public indebtedness by the late Administration was  $5\frac{1}{2}$  per cent. per annum, while the average rate paid by the present Administration was 4.9 per annum, being a difference of one-half per cent. per annum on the liabilities of the Dominion. The effect of this reduction was the saving of \$20,000 per annum in interest alone. As it would be necessary for years to come to borrow largely, the importance of this reduction would be apparent. In the expenses for management also there was a large reduction. Under the old Administration the expense for management was 4 per cent., while under the present Administration it was less than 3 per cent. There had been also the following other reductions:—Dominion Mounted Police, \$42,000; \$83,000 in the management of Penitentiaries; \$157,000 in legislation; \$5,000 in hospitals; \$12,000 miscellaneous expenses; \$71,000 in management of the Dominion lands; \$118,000 in management of the Dominion forces in Manitoba. While these reductions were taking place, the present Administration had not forgotten public works chargeable to income. During the seven years in which the late Government

were in power the expenditure on public works chargeable to income amounted annually to \$1,121,307, and during the present régime they amounted to \$2,092,035. In 1867 our interest account was four and a half millions in round numbers. In seven years that increased to five and three quarter millions, nearly an increase of one and a quarter million, representing in capitalized debt \$30,000,000. The ordinary expenses of the late Administration in 1867 were \$3,630,298, in 1873-4 \$8,324,026. The increased charges on Revenue amounted to \$3,000,000. He was pleased to learn that the hon. gentlemen opposite had learned economy since then. He ventured to say if they remained in opposition for a quarter of a century, as it was probable they would, they would have so practiced and studied the principles of economy as to be a guarantee of the careful management of this country for all time to come. And now a few words about the loan. If his hon. friend the Minister of Finance was mistaken, as the hon. gentleman opposite said, what did they find? That the Finance Ministers of other countries had made the same mistake. Looking over the work quoted by his hon. friend from Cardwell, "Fenn on the Funds," he saw that, since 1871, no less a sum than £305,000,000 sterling, had been floated upon the English market, not by tender, but at fixed values varying from 73 to 96½. This statement was to him assuring, as it showed that the Finance Minister had acted with due caution and with due regard for the interests of this country. The hon. gentlemen opposite seemed to take a special interest in the affairs, and particularly in the commercial prosperity of, the United States at the present time. He admitted that it was perfectly fair and legitimate for them, wherever they found commercial prosperity, and those who were capable of managing the affairs of a great nation, to inquire into the policy by which they were governed, to see whether or not that policy could be transferred to our own country; but the evidence in their possession did not go to show that the United States were to any great extent

more prosperous than the Dominion. It was said by the hon. gentleman opposite that in some respects the labour market of the United States was much more prosperous than our own; but he found in a Liverpool paper, the *Enquirer*, a statement complaining that the labour market of England was not so prosperous as it was some years ago, and adding that this was no matter for surprise, since from the United States, which had at one time the reputation of being the paradise of labour, more immigrants of the artizan class had returned during the past two years than was ever known before to be the case; every transatlantic steamer arriving at Liverpool during this period had brought numerous passengers of this class. Besides, how was it that during the past year there had been such active competition in New York to secure employment on the Greenock Docks? If protection built up the financial prosperity of a country, as was represented to be the case, how could they account for this state of things? They should carefully examine other evidence of a general character before they would be satisfied in reversing our fiscal policy and adopting that of another country. For instance, taking the shipping of the United States in 1860, 77 per cent. of the whole trade of the United States was carried on in American bottoms. In 1868, under the protective policy advocated by the hon. gentlemen opposite, this was reduced to 44 per cent., and in 1873 it was further reduced to 28 per cent. The hon. gentleman, before proposing to change our fiscal policy, should also consider these facts. Last year the United States owned 2,424,000 tons of shipping, and Canada owned 1,460,000 tons. This was to say that the Americans had one ton of shipping for every 18 persons in their population, while Canada had one ton for every 2½ persons. This showed that our fiscal policy, whether free trade, incidental protection, or whatever it might be termed, had developed the commercial prosperity of the country and fostered its shipping interests in a far greater ratio than had been the case in the United States.

Our trade represented \$45 per head, while the trade of the United States represented only \$28 per head. Our burdens of taxation were also lighter. These were all elements which went to contribute and did contribute towards the prosperity and power of any country. At this period of our history, when we were endeavouring to bind distant Provinces together and lay the foundation as it were of future conquests, commercially and financially, and build up the nucleus of a British Confederacy on this continent, he thought they ought not to change the fiscal policy which during the past thirty-five years had increased the commerce of Canada 700 per cent., and during the last ten years developed to an extraordinary degree the prosperity of this country. His hon. friend from North Norfolk had referred to the Centennial Exhibition, and to the fact that there Canadians were not only able to compete successfully with the United States, but also with other countries. If protection had accomplished so much for the United States as was alleged, how was it that we, under the present fiscal policy, had in many respects not only stood side by side, but out-distanced the Americans? Every Canadian agriculturist would be pleased to know that with regard to the dairy, concerning which we had free trade as far as agricultural products were concerned, we had not only excelled the whole of the United States on the average, but also the dairy productions of the State of New York, which in this respect enjoyed the highest reputation among the States of the Union. This showed that we had achieved such great progress that our fiscal policy should not be rudely changed. He, for one, was not prepared to consent to such an alteration. England, under the operation of free trade had increased her trade 400 per cent.; and since the negotiation of the Cobden Treaty with France in 1854, her trade with that country had increased from \$95,000,000 to \$375,000,000. Did this show that free trade was adverse to commercial prosperity. He was not prepared to lay aside the teachings of men like Cobden, John Bright, Gladstone, Lowe,

Mr. Ross.

Joseph Hume and others of the free trade school, for those of men like the hon. member for North Ontario, the hon. member for Niagara, and other hon. gentlemen opposite. It would be a suicidal policy to do so, and he hoped the day was far distant when Canada would hedge herself around with protection, and when her people would not be able to buy in the cheapest market available, and sell their productions, agricultural or manufacturing, in the dearest market open to them in the world.

Mr. WOOD said he did not intend to discuss the abstract questions of free trade and protection; this he had the honour to do on a former occasion, and the House and country quite understood the position he took in this relation. Neither would he discuss the merits of the recent loan negotiated by the Finance Minister, but he would briefly refer to the tariff which had been submitted to the House. He and other hon. gentlemen, when last Session opened, had expected that the tariff would be changed as was demanded in the interests of the country; but this was not done, and he was in consequence disappointed. The country had also been disappointed because increased protection had not been accorded. When he returned to his constituency, he was besieged by friends who wished to know why the Government had adopted such a policy, and he had replied that he was not in the secrets of the Government, but he presumed the Government had sufficient reasons for the course they had taken; and that he was satisfied that they had done what they considered best in the interests of the country. He had ventured, however, to say he thought that the Government, during recess, would revise the whole tariff, and that during this Session such a tariff would be submitted, affording to the manufacturing industries of the country that measure of protection to which he considered these industries were justly entitled in the present condition of affairs. This prediction had not been verified, and he confessed to feeling disappointment in consequence. To his mind it was clear that, if the Government had added 2½ per cent. to the present 17½ per cent.

list, with a 20 per cent. tariff they would have done simple justice to themselves and to the country at large. He admitted that we at present occupied a better position than we did twelve months ago; greenbacks then were worth 85, while to-day they were practically at par, and to that extent our manufacturing interests were protected, but for this the Government could not claim any credit. With greenbacks at par and a twenty per cent. tariff, he was quite satisfied that the country would be content, and, if any industry could not prosper under these circumstances, it should no longer exist. He gave the Government a generous, but not, as the hon. member for Cumberland had stated on a former occasion, a slavish support; and he had criticised their actions freely on this question.

Mr. BOWELL: And always voted with them.

Mr. WOOD said he was still prepared to accord the Government that generous support to which they were entitled. With their general policy he heartily agreed, but in their commercial policy he must differ from them. He was, nevertheless, bound to admit that any amount of protection which we at present enjoyed was received from the Ministry of the day. The late Administration had reduced the tariff from 20 to 15 per cent., though this was not demanded, and though it was not in the interests of the country, and, if they had allowed the 20 per cent. tariff to remain, he was certain that an immense amount of difficulty and trouble experienced on the part of Canadian manufacturers would have been avoided; some of the changes made in the present tariff were made in the right direction; cigars and tobacco he considered fair articles of taxation, and malt was to be placed in the same category. And he believed that hon. gentleman knew, and that the brewers of this country knew and allowed that in this respect in the change made they were a great deal more frightened than hurt. He held in his hand a letter which he had received two or three weeks ago from a gentleman who was connected with some of the largest brewers in the

country for years, and was a man who spoke whereof he knew. With the permission of the House he would take the liberty of reading that letter, and he thought the hon. member for Cardwell and gentlemen holding the same views, that the Britisher would be deprived of his beer, or would get it at a very much increased price, would feel, when the letter was read, that that was a delusion.

"I see by the newspapers, the Finance Minister has intimated his intention to make some changes in the duties on coal oil. As I have long thought these duties an objectionable tax, and that anyone who will succeed in getting both Excise and Customs duties entirely wiped out would perform a just and most popular act, I now give my scheme for that object. From the Inland Revenue Report, as seen in the *Globe* of last Saturday, the amount of petroleum manufactured in the Dominion during the past four years was, in the aggregate, 32,074,694 gallons, of which it was said rather more than one-half was taken for home consumption. If, say, 17,000,000 were used at home, and which of course was the only dutiable part of the whole, the annual revenue derived was about \$212,000. In 1875, the only year mentioned, there was imported 691,960 gallons, paying 15 per cent., making a total of \$316,294. In order to compensate for the above amount of annual revenue, I would look to the duties on malt and ale.

"In the number of the *Globe* referred to, it is shown that of malt 30,693,447 lb., or 852,595 bushels were entered for home use, the duty on which at 1 cent per lb. is \$306,934.47, so that the anomaly is presented of the indispensable necessity of light being taxed to a larger amount than malt liquors.

"In Great Britain, the duty paid by maltsters and brewers is about £8,000,000 sterling, so that each million of its population pays about \$1,000,000 tax, whilst in this country a little more than one-quarter of a million is paid by 4,000,000 of people. Previous to the year 1868, a duty of three cents a gallon was levied on ale (with nothing on malt) which gave 96 cents on a barrel of ale. Now, the average quantity of malt used in the manufacture of a barrel of ale is just two bushels, which, at the duty now charged upon it produces 72 cents. So that it will be seen that by the change then made in levying the duty, there is a loss of revenue of 24 cents on every barrel of ale manufactured and equal to one-third of the whole duty now collected. As ale, when it is sold to the public, gives a great profit to the retailer—the cost to him of a barrel of 32 wine gallons being an average of \$7.50, and the product at least \$25—shows that it will bear a higher figure being paid for it, for \$17.50 on an article costing only \$7.50 is excessive. If the malt duty is raised to double the amount at present charged, it would about

make up for the total abrogation of Excise and Customs duties on coal oil. But I do not see why a still greater revenue might not be obtained than by doubling the duty on malt. I would suggest the addition of a dollar on each barrel of ale, in addition to the tax on malt, to be collected by a stamp being placed over the tap-hole of each cask, which cask or barrel could not be broached without destroying the stamp. This latter plan is in use in the United States, and it is a most effective way of preventing fraud. The revenue then would be—double malt duty, \$613,868.94, and duty on malt liquor, \$426,297, making a total of \$1,030,165.94. The increase here shown can be collected with the same expense as at present, and it would not lead to illicit manufacture, as a large duty on spirits does. The whole duty would exceed 20 per cent. on the wholesale price of ale. The present duty on spirits is at least 300 per cent. on the wholesale price. If, as is likely, the brewers will use their influence to oppose an increase in the duties, they can be answered by referring them to the ease with which they advanced the price of ale when the duty was changed from ale to malt. The Toronto brewers, having an advertisement in the *Globe* at that time, stated that, in consequence of the increased Excise duty, they would advance the price of ale \$1 per barrel from that date.

“As of course you are aware, there was, between 30 and 40 years ago, a tax upon window lights in Great Britain, and it was considered a very odious tax; still it did not fall upon people of small means, as our coal oil tax does; for a house of seven windows paid nothing, one of eight windows paying a tax on one window, seven out of any number being free.”

Mr. ROCHESTER: Name.

Mr. ORTON: Name of the brewery.

Mr. WOOD said the letter was from a gentleman who was for years connected with two of the largest breweries in this Dominion. He did not feel inclined to name him.

Mr. YOUNG: It is not necessary.

Mr. WOOD: If I am bound to give the name I am quite willing to do so.

Mr. SPEAKER: You are not bound to.

Mr. ORTON: I should like to ask whether he is now connected with a large brewery or not.

Mr. BOWELL: Where does he live?

Mr. WOOD: He lives in Hamilton.

Mr. BUNSTER: Name.

Mr. BOWELL: Is he in business now, or is he an Excise officer?

Mr. WOOD.

Sir JOHN A. MACDONALD  
Name.

Mr. BUNSTER: No bogus letters.

Mr. ROCHESTER: We ought not to have bogus letters read in this House.

Mr. SPEAKER: The hon. gentleman is entirely out of order in characterizing the letter as a bogus one. Hon. members can, of course, attach what importance they please to it.

Mr. BOWELL: In refusing to give the name, the House may understand that these are the views of the hon. member who read the letter.

Mr. SPEAKER: That is for the House to determine itself. The hon. gentleman is not bound to submit to the interrogation of any hon. member.

Mr. WOOD said he now came to another phase of the question before the House. When the hon. the Minister of Finance brought down his Budget speech, which disappointed a number of gentleman on the Opposition side of the House, and particularly the hon. the leader of the Opposition, he (Mr. Wood) must say that he also was disappointed at the course which that hon. gentleman had seen fit to take. He had expected from the right hon. gentleman a resolution which all true and honest protectionists in this House could have supported, and that he would have moved it at that time. But what did they find? The resolution submitted by the right hon. the leader of the Opposition was one in which he, as a Protectionist, could not concur. That resolution announced a principle which no gentleman representing a constituency such as he (Mr. Wood) represented could for a moment think of supporting. It included agricultural, mining, and manufacturing interests. It was a general omnibus resolution, including everything in the country, and might mean anything or nothing, just as circumstances might require. The only mining industry, that he knew of in the country which was particularly suffering at the present time was the coal mining industry and he supposed this part of the resolution was meant to catch those gentlemen from the Lower Provinces who felt that they ought to have protection

upon coal. It did not say coal mining, but mining, and he asserted that coal mining was the only mining industry, they had at the present time.

Mr. DOMVILLE: Iron.

Mr. ROCHESTER: Plumbago.

Mr. WOOD said he heard of no one asking for protection for iron mines. The only mines brought before the attention of the House were the coal mines of Nova Scotia. Knowing his constituency to be largely interested in the question of coal, he had telegraphed to a number of his friends in Hamilton, and asked them: "How much coal do you use in the year, and how much duty are you willing to submit to upon that coal?" He had received some eight or ten telegrams, and not one of those gentlemen was willing to accede to a duty upon coal. He had also a written protest from four of the largest manufacturers of that city consuming 7,500 tons of coal, and not one of them was prepared to concede the duty upon coal. That was a very important interest to the people of Hamilton. Manufacturers throughout the country with the present  $17\frac{1}{2}$  per cent. tariff could not agree to pay even 50 cents upon coal. But they had no indication that, if they agreed to that 50 cent duty, it would bring the coal from Nova Scotia into Ontario. On the contrary, they had it demonstrated that it would take from \$1.00 to \$1.50 to bring the Nova Scotia coal into Ontario. But this resolution of the member for Kingston made no exception. They would be compelled by this to vote for a duty on all kinds of coal. In Hamilton, they consumed about 50,000 tons a year. Two-thirds of this was anthracite coal, of which they could not get a ton from Nova Scotia if a tax of \$10.00 per ton were imposed. Was it fair to tax an article which they did not produce and could not get, and levy a tax upon the manufacturers and poor people of Ontario living in the large towns and cities? A tax upon coal would only reach a small portion of the population. The cities and towns of Ontario would have to pay the tax. The large farming population, the rural districts would not pay a penny of this tax. But this tax of a dollar a ton, which would be

the lowest amount they could impose in order to bring the coal into the country, would have to be paid by the people living in the large towns and cities, and the manufacturing centres. No one representing a large town or city would vote for a resolution like that. It also included agriculture. He would leave that to some of the practical farmers in the House who knew how to deal with it better than he did, but he was certain that the farming community understood what was best for their own interests, and he was quite prepared to say that they had, at the present time, a very large measure of protection. Several of the articles they produced were taxed very largely, and he thought they could safely leave them to be taken care of in the House by the gentlemen who represented them so well. He desired to put these gentlemen to the test as to their genuine feelings on the question of protection. They had been passing through the country, and at various pic-nics condemning the Government for not giving protection. He believed the only interest in the country which really required protection was the manufacturing industry. He believed that, as far as the coal interest was concerned, no protection they could afford would be of any use in bringing Nova Scotia coal into Ontario. He believed the farming interest was well protected, and the intelligent farmers who understood their own business did not ask for protection. If these hon. gentlemen would vote for a fair and square motion for protection to the manufacturing industry, he would say they were the true Protectionists they professed to be. He moved in amendment to the amendment:

"That all the words after 'Resolved' be left out, and the following inserted instead thereof:— That, inasmuch as it has deemed necessary to raise an additional revenue, it is the opinion of this House that the interests of the country would be better served by imposing additional duties upon such goods and wares as may be produced in Canada, thereby affording increased protection, while securing the additional revenue required."

Mr. COLBY said no one could have listened to the remarks of his hon. friend from Hamilton, who had just taken his seat, without being peculiarly

impressed with the disappointed tone which pervaded those remarks, and contrasting it with the confident, the ardent, the ringing manner in which he had hitherto addressed the House upon his favourite theme of protection. He was not surprised that the hon. gentleman found himself in that frame of mind. The constituency which he represented were largely interested in manufactures; they were, upon principle, and from considerations of interest, Protectionists. The hon. member for Hamilton came here with his protectionist views, he urged them upon his friends who were at the head of the Government, but he found no encouragement there. The door was slammed squarely in his face, and the frame of mind in which he found himself was evidently and clearly accounted for. His hon. friend could find no comfort in looking to the countenance of his friends, but he tried if he could not extract some small comfort from the proposition of his opponents, and, in the spirit of enquiry, doubtful, ingenuous, anxious to know how his constituents at Hamilton felt with regard to the imposition of a duty upon coal, he telegraphed to leading business men and manufacturers, and now gravely informed the House that he was assured that the manufacturers of the city of Hamilton were not favourable to the imposition of a duty upon coal. He expected that his hon. friend from Halifax would shortly rise in his place and produce telegrams from influential parties in that city, to the effect that the duty on flour would be a very obnoxious tax in that region of the country. The hon. member for Hamilton came here last year, like many others, interested in the protection of the struggling industries, when those industries were passing through a period of peculiar and unexampled depression, when manufacturers and manufacturing establishments were tumbling and tottering all over the country, when manufacturing towns and villages were being swept as by a besom of destruction—the hon. member came and urged upon the Government the necessity of doing something for their relief. In reply, the hon. the Minister of Finance informed him that this was not Utah, and he (Mr. Cart-

wright) was not Brigham Young. The hon. member for Hamilton was treated to a learned and eloquent dissertation on finance; he asked for bread and was given a stone. He was told that under no circumstances, conditions, or stress whatever was it the function of the Government to stretch out its hand to raise a finger, to do anything either to protect or encourage the industries of the country; that, unless a Government should assume the entire control of the manufacturing establishments, it must be quit of all responsibilities in regard to them; that, if a man went into any enterprise, he did it at his peril and must take the consequences; that it was not the function of the Government to interfere in any way to protect him, no matter under what stress of circumstances he found himself. That was the position the hon. the Finance Minister and the Government took last year. This Session his hon. friend from Hamilton and his fellow Protectionists came again with their complaints, urging the depressed condition of the manufacturing and other industries, and asking relief from the Government, and were told that the hon. the Finance Minister had always held that the Government was not justified in imposing any duties whatever that the necessities of the revenue did not fairly demand. The exigencies of the hour required changes in the tariff, and the opportunity was given to the Government to declare what their policy was to be. They illustrated their doctrines by an example, by the most apt illustration possible, by the changes now proposed. What were those changes? A duty upon tea, which protected and encouraged no industry in the country; a duty on malt, which protected and encouraged no industry; a duty on tubing, which protected no industry, but, on the contrary, depressed certain industries. They not only proposed to levy duties upon free-trade principles upon neutral articles, but the struggling industries were actually to be taxed, in order to show that the Government acquitted itself of all responsibilities except the one naked consideration of raising a revenue. And, lest there should be any doubt as to their policy, the hon. the Premier

**Mr. COLBY.**

emphatically endorsed the opinions of the hon. the Finance Minister, and said :

“The mere passage of an Act of Parliament would never establish any trade and would never foster any industry unless it were to change from one pocket to another the proceeds of the industries of the country. If a particular trade or industry were to be fostered, it could only be done at the expense of some other trade or industry. There was no theory more consonant with the Dark Ages of the world than that which protection offered.”

Those views were also the well-known views of the hon. the Minister of the Interior, of the hon. the Minister of Justice, and of the leading members who supported the Government. It was well, he thought, that the country should know and understand this. The counter proposition that was affirmed in the amendment of the right hon. member for Kingston recognized a different principle, and proceeded from a different theory. It recognized that it was within the power, and that it was the duty, of Governments and Parliaments to do something directly or incidentally, to do something in some way, for the relief of suffering industries, and for the encouragement and protection of new and deserving enterprises. Those were the two views, that was the issue which was to divide the parties in this country. One party said: “We can do nothing to help the industries; it is the duty of the Government to be actuated purely by revenue considerations.” The other party said: “It is within the power and competence of the Government to give proper direction to the energies of the country, to do something to encourage the growing and relieve the distressed industries, and it is the bounden duty of Government to exercise that power whenever changes are made in the fiscal policy.” This distinction was one of far-reaching consequence and effect. Situated here as a new political community, we found ourselves suddenly in possession of one half a continent, in possession of a territory stretching from ocean to ocean, with varied resources and capabilities; we found ourselves in possession of a country in which the political institutions were not yet thoroughly consolidated, and in which intercommercial relations had not

yet been established, in which there has not yet been that interchange of commodities and that fusion and blending together of people which was necessary to make a compact and powerful nation. We had a great work to perform. It was the mission of this Government and Parliament to found a nation. It was their mission to lay the foundations broad and deep for future greatness and prosperity, if it were possible for them to do so; and, while everything was plastic and new to their hand, it was possible by legislation to do much in the direction of the development of the country and of those industries which were essential to its prosperity. We had entered upon a career of unexampled expenditure for public works. We were about to build railways across the continent. We were about to build canals of unequalled magnitude. We were burdening this people almost beyond precedent for public works. Now, he believed that we should have in connection with our policy of public works, which was one approved of by the whole people, a fiscal policy which should utilize those public works and make them as valuable as they possibly could be made to the country. When the public works were completed, we did not desire them to be mere feeders to the United States. We did not want our railway, when built from the Pacific Ocean to the Rocky Mountains, to be merely a feeder to San Francisco. We did not want our railway, which would span Manitoba and our great West, to be merely a feeder to Milwaukee and Chicago. We did not want our canal system to be merely a feeder to Boston and New York, or our great improvements on the sea-board to be merely useful to the American cities on the Atlantic sea-board. If, by any policy which we could adopt, we could establish large industries; if we could build up towns and cities and give diversified employment to our population, we might keep within our territory the wealth which under other circumstances would flow out to enrich another country. He believed our fiscal policy should be made to harmonize with and supplement our policy of public works. He would suggest, with regard to the *laissez faire* policy which

seemed to have been adopted by the Government of the day, that the Government were in the position of the founders of a new nation.

Sir JOHN A. MACDONALD: Confounders.

Mr. COLBY: Or the confounders, as the right hon. member had said. The policy which the Government proposed to pursue, the *laissez faire* policy—the let-alone policy, the let-misfortune-take-the-hindmost policy, or whatever they might call it—that policy was not the one which influenced the great men who laid the foundations of the great Republic across our borders. That was not the policy of Washington, Hamilton, Jefferson and Madison. It was not the policy out of which had grown the unparalleled greatness of that country, or which had pervaded the intelligent masses of the free people of the Northern States. It was not the policy under which that country had attained greatness, and which culminated in the tariff of 1861 referred to by the hon. the Prime Minister as the Whig tariff, carried out by the Republican party. There had been a party in the United States many years that adopted free trade pure and simple, and where was that party to be found? Among the slave owners of the Southern States. Among the free people of the Northern States, the preponderance of sentiment was always in favour of a national policy that would build up home industries and develop the country. The policy of the slave holders was opposed to this. They cared simply for good returns from their great staples—their sugar, cotton and tobacco—and they wanted no greasy mechanics or artisans in their midst; they founded their conduct upon those doctrines which seemed to meet with such favour with the honourable gentlemen who shaped the fiscal policy of Canada to-day. But the free sentiment of the North had over been in favour of the protective policy. His hon. friend the Premier was at Philadelphia and saw the fruits of that policy there, and although he must have been proud of the Canadian exhibit, yet he must also have noticed what the protective policy had done for the United States.

Mr. COLBY.

He thought he could say without fear of contradiction that the period during which our manufactures were most prosperous was from 1862 to 1872-3. Although manufactures prospered, the prices of our commodities were not high. Domestic competition regulated prices and kept them down to a sufficiently low point. We were not much troubled with deficits either. During that period, the country enjoyed a greater degree of protection than any country with which he was acquainted. It was not a legislative protection by Act of Parliament, but it was protection *de facto*, an active, positive protection, a condition of affairs which protected us as thoroughly from the incursions of those across the border as a Chinese wall would have done. We had our own markets to ourselves, and were not troubled with goods sent here to be slaughtered. Our neighbours did not trouble us with their goods, because they could realize better prices at home. This was an exceptional condition growing out of their civil war. To our manufacturers it was equivalent to a valid protection, and under it they flourished and the country prospered. What he desired to show was that the doctrine of *laissez faire* was not the true doctrine for this country at this time. He did not understand that any hon. gentleman contended that under all circumstances the policy of this country was to be one of absolute and rigid protection; but he would point to the prosperity of the ten years he referred to as an instance which completely refuted the doctrine which was the foundation of the fiscal system of the gentlemen who now occupied the Treasury benches, viz., that nothing could be done by a Government to affect in any way beneficially the industries of the country. An hon. gentleman had read an extract from an English newspaper as to the condition of affairs in the United States brought about by a protective policy. He would himself quote from a prominent American paper, the *Philadelphia Press*, which was much more likely to be reliable than a foreign paper:—

“The wisdom of the protective policy is just now being signally vindicated. Protec-

tive duties have enabled us to establish and develop a manufacturing system that permits us to cope with the most industrial nations in the world. Our manufacturers have attained to such a degree of skill and excellence that they can undersell foreign manufacturers in their own native markets, and defy competition with them at home. The products of our looms and workshops are finding their way into every country, and successfully contending hand to hand with British genius and wealth in Sheffield, Manchester, in the Indian Empire, and in the Colonial possessions of England. Another curious incident growing out of the influence of protection is the emigration of foreign capital and labour to the United States. Rather than continue a hopeless competition abroad, foreign manufacturers are transferring their establishments to this country, thus adding to our wealth and productive resources. To this add the cheapening of every species of fabrics by the rivalry created between home and foreign industry, to say nothing of the means of existence afforded to the labouring masses, and we have a sum total of benefits flowing from the protective system that fully justifies the support it has received from Washington, Hamilton, Jefferson, Clay and other American statesmen, and from political economists of cosmopolitan reputation like Henry C. Carey and others."

Through its system of protection, America was now able to compete with England in the markets of the world. He knew of no country that had been successful in establishing manufactures that had not done so by protection. He knew of no great contending industry in any country that had not been built up by protection. Free trade could only become successfully possible in any country until after its industries had been strengthened by protection. Judging from the history of every country, before we could become a nation of Free-Traders, our industries must be strengthened by the same process to enable us to compete with the capital, experience, skill and established business of other countries. In any new country like our own, there was a period in which protection, pure and simple, was justifiable. He did not believe in trying to grow oranges in Canada or to foster impossible industries, but he did believe in protecting the manufacture of those goods we could make ourselves to as good advantage as others could make them for us. The fiscal policy of the Government was in his judgment unsound, and was not in the interests of the country. The doctrine that duties

were to be imposed for revenue purposes and for no other purposes, whatever the circumstances might be, was one which the country would not support. He did not argue in favour of a blind and indiscriminating protection, but rather of one based on a careful study of our condition, needs and capabilities, for this he believed would build up our great industries, and promote the welfare of the whole country.

Sir JOHN A. MACDONALD said he rose to make a few remarks with respect to the amendment of his hon. friend from Hamilton. His hon. friend was in an unhappy mood lately. To be sure he approved of the general policy of the Government, but he was deeply grieved and dissatisfied with their commercial policy. And he was equally "dissatisfied with the motion of the hon. member for Kingston." The hon. gentleman said he expected that he (Sir John A. Macdonald) would come down with a strong resolution in favour of protection, and with a resolution echoing the sentiments resounding through Ontario during last summer. The hon. member would remember that it was distinctly stated when the resolution was introduced that it was merely partial, and meant to provisionally meet the temporary deficit. It was not an opportune or a proper time to bring down a general discussion. If the Government had in their wisdom adopted the, no doubt, confidential suggestions of the hon. member for Hamilton on the tariff, and had proposed a general readjustment, then the hon. gentleman would have a right to say that he had failed in his duty and had not carried out his professions. This was only a temporary expedient, as it was alleged, to meet a temporary deficit. There was no doubt there would be an opportunity presented for the hon. member to discuss the subject in all its aspects, and then the House would see where he stood. The amendment proposed by the hon. member for Hamilton was ingeniously contrived to get as small as possible a vote. The miners were said not to require protection and the farmers not to desire it. The only parties that seemed to require protection were the manufacturers in Hamilton. The hon. member had telegraphed to his consti-

tudents to know whether they would like coal cheap or dear, and, wonderful to state, they replied they wanted coal to be cheap. The hon. member had rather restricted ideas on the matter, and should take occasion to enlarge them. Perhaps the hon. gentleman read the *Montreal Herald*, and in that paper of to-day he would find a letter by Mr. George Stephen, a gentleman who had put more of his own capital into new enterprises than any one else in Canada. The letter was as follows:—

“To the Editor of the *Montreal Herald*.

“SIR,—Will you give me space to say a few words with reference to the remarks which our member, Mr. Workman, is reported to have made in the House, the other evening, on the motion for the appointment of a committee to consider the depressed condition of the coal trade.

“Mr. Workman is reported to have denounced, in the interest of the manufacturers of the Dominion, the proposal to impose a duty of 50c. a ton on coals, and after expressing his opinion that the attempt to send Nova Scotian coals into Ontario would be a failure, and ruinous to those engaged in it, he proclaimed himself only ‘partially a protectionist,’ adding ‘that he was a manufacturer, and therefore, considered it judicious to vote against a duty on coal.’

“Although Mr. Workman omitted to explain what were the special branches of manufacturing industry to which his partiality extended, it may safely be inferred that the Côte St. Paul Shovel Factory was not very far from his mind. Now, if Mr. Workman will only widen the scope of his vision sufficiently to take in some of the other interests of the Dominion, giving them the same consideration as the scythe and shovel trade, I have no doubt the effect would be the disappearance of his objection to a moderate duty on bituminous coal, with the additional advantage that his influence in Parliament, as the representative of the leading commercial constituency of the Dominion, would be greatly increased. Partial protection is about as senseless a creed as partial free trade.

“As to the policy of imposing a duty on coal, having taken some pains to ascertain the feeling of manufacturers from all parts of the Dominion using coal in their business, I am able to say that I have never yet met one who would object to a moderate duty of say 75c. a ton, on bituminous coal, which is the only kind of coal Nova Scotia produces, provided the impost formed a part of a general scheme of tariff reform, and I may say further that I myself, though interested in an enterprise whose estimated consumption of coal will exceed 100,000 tons a year, am in favour of a 75c. duty. On the other hand, I have never met a manufacturer who would

consent to a duty either large or small, except on the condition stated. So it is, perhaps, just as well our Nova Scotian friends should understand this, as they seem a little inclined to adopt Mr. Workman’s ‘partial’ theory.

“They appear to be quite in favour of such a reformation of the tariff as will enable Nova Scotia to supply the Dominion with coals and refined sugar; but beyond that their principles of tariff reform do not go.

“Nova Scotia has all the natural facilities for the production of coal and iron as cheaply as any country in the world, provided she has equally favourable conditions of market, and her natural facilities for carrying on the business of sugar refining are said to be equally good.

“In like manner, each of the other Provinces of the Dominion has its own special advantages for the production of certain products, either natural or manufactured.

“Hence it seems to me that what the country needs most to-day, if you will allow me to say so, is a Government at once able and willing to apply themselves to the patriotic but difficult task of harmonizing these various interests—a Government who will try to estimate aright the capacities of the country, and decide what Canada can do successfully for herself, and what she cannot do, and ought not to attempt, and who would then so frame the Customs Tariff, that those industries for which we have a natural and special aptitude might have the advantage of an assured market within the Dominion.

“I do not ask that the volume of taxation should be increased one single cent beyond the sum absolutely required to carry on the government of the country.

“The lighter the burden of taxation, the better for all, but I do ask that the burden should be so adjusted to the back of the bearer, that the inference with his onward progress, shall be reduced to the minimum.

“I admit the present Government have shown a laudable desire to curtail expenditure, and so to lighten the weight of the burden, but they seem to have quite overlooked the fact that a burden may be light or heavy, according to the capacity and strength of the bearer and to the way it is distributed. If they have reduced the weight of the load, they certainly have not tried to keep up the health and strength of the bearer, neither have they shown the slightest disposition to adjust the distribution of the weight to the diminished strength of the carrier.

“Mr. Cartwright, in effect, tells us that all this is beyond the power and province of Government.

“The Premier expatiates on the advantages of Free Trade in terms which may be quite correct, but have no application to the circumstances of the case. If Mr. Mackenzie can give us Free Trade, let us have it.

“I am even willing to accept such a ‘partial’ modicum to begin with, as free intercourse with the United States would give us. Give us that, and the question of the duty on

iron, coal and cotton goods would soon settle itself.

"In conclusion, let me add that I do not pretend to say that it is within the power of any Government to bring back the good times of the ten years previous to 1873, but it is quite within the power of a Government, who will take the trouble to understand the circumstances of the country, to do a great deal in the way of ameliorating the depression and distress from which every interest in the country is suffering more or less.

"Yours truly,

"GEO. STEPHEN."

Mr. MACKENZIE: Does he say where this coal is consumed?

Sir JOHN A. MACDONALD: He does not. He saw that his hon. friend objected very much to his resolution, which his hon. friend called an anomalous resolution. He had also heard it termed, during the last few days, across the floor of the House, a log-rolling system, and the object of a log-rolling system was certainly to make the log roll. If only one man held a spike at one end, it would be shunted off the track, but if two men took hold, the miner and manufacturer having each a spike at each end of the log, with the farmer in the middle, the log would roll on. This, in fact, was the great merit of the resolution. It asked for united action with regard to all the great interests of the country, and sought to raise them out of the Slough of Despond into which all our industries had sunk, by acting together. It was said that trade was selfish, and certainly if all trade was conducted on the principle on which his hon. friend advocated this resolution, it was selfishness personified; it was the essence, the very quintessence of selfishness. The hon. gentleman would not have the miners or the farmers helped, and no one save the manufacturers, and only the Hamilton manufacturers at that. During the course of his remarks, the other day, he (Sir John A. Macdonald) had said, when speaking of this tariff, that if the Government had shown sympathy with any one interest, or any desire to help any one interest—that if the Government would not stick to their blind and fatuous fly-on-the-wheel theory, he would give them a partial support; and very sharply he had been attacked for his pains by an hon. gentleman opposite. If the

Government had taken one step, faltering, uncertain and feeble as it might be, in the way of helping a single interest in the country, he would have gone with them. He would have great pleasure in voting for the resolution of his hon. friend; and then perhaps they would see whether his hon. friend would vote for his own resolution. Last Session, the hon. member for North Norfolk had made a most eloquent speech in favour of protection and had then gone out of a small auger hole,—a smaller auger hole than was to have been seen in the barrel of cider of which the hon. gentleman had told them that day,—and said that he was in favour, just then, of a 17½ per cent. tariff, adding that they could wait a little while longer at all events before changing it. The hon. member for Hamilton had told them that he was in a great dilemma; he (Mr. Wood) approved of the political and general policy of the Administration, but was disappointed with their commercial policy. What was the hon. member to do? It was an old saying: "I love Plato much, but I love truth more." In the same manner, the hon. gentleman loved Hamilton and protection much, but he loved the Mackenzie Administration more. He believed that his hon. friend did not expect that the resolution would carry, or if he had, he would not have proposed it. The resolution was drawn for the purpose of inducing every miner and farmer to vote against it, but he believed that the miners and farmers would accept the test and vote for it. This resolution was an entering wedge, a first step, and they could not expect the hon. gentleman to take his second step with them. The hon. gentleman was selfishly willing to secure their assistance, but he would not assist in upsetting this obnoxious commercial policy of the Government; the hon. gentleman would not help them in log rolling,—he would not take a hand-spike and help the farmer and miner. But if, as he said before, the Government was *in extremis*, and the hon. gentleman thought that the Government was in danger, he was not sure that his hon. friend would have moved this resolution. But, as the Government had a large majority

in the House, who, like his hon. friend, believed in the general policy of the Government, he (Mr. Wood) knew that this resolution had no chance of being carried, and that he could safely, two years hence—if the elections did not come on before that—flourish this resolution in front of the hustings. The hon. gentleman would like very much to see the hon. member for Kingston vote against this resolution, and then, when the elections came around, he could tell the electors that this had been the case. He accepted this first step on the part of the hon. member, weak as it was, and then perhaps when he (Mr. Wood) saw how generously they acted towards the manufacturing interests, he might take the second step; and if he did so, the hon. gentleman would find that his kindness and liberality and generosity would not be ill-spent if he gave a helping hand to the interests of the farmer and of the miner.

Mr. THOMSON (Welland) said he thought the resolution of the hon. member for Kingston was a little in advance of the resolution of the hon. member for Hamilton. It struck him that hon. members, during the debates, were always running away from the point at issue, and their conduct reminded him of the trick of a ground sparrow, which if disturbed in its nest in the field, by flying from point to point, decoyed the disturber away so as to prevent the discovery of its nest. The question at issue was whether the Government or the Opposition were best capable of governing the country. If the Opposition were so ardently in favour of protection for the agriculturist and the manufacturer as they seemed to be, why had they not granted this protection when their leaders held, during eighteen or twenty years, the reins of power. The Opposition advocated a duty on corn, and this was all nonsense. They ought, however, to have a national currency. If this had been granted by the late Government, they would have been in power to-day, but, as it was, this Government would remain in power for twenty years. The hon. member for North Ontario had stated that, with a twenty per cent. tariff, the revenue of the country would be increased, but this was a mistake. If the tariff, however, was re-

duced to fifteen per cent. the revenue would be increased. The old Conservative party had had the chance to make of this a great country, and, having failed to do so, they had no right to seek to return to the Treasury benches. It seemed to him that the colonies were more slowly civilized than older countries. The idea of protection and the proclamation of all such retrograde policies reminded him of a lobster crawling backwards. It was simply impossible to prevail on the people of Canada to favour a protective policy. This might be carried in towns and villages, but seven out of ten of the population of Canada were agriculturalists, who ruled the House and who were the friends of the Reform Party. Until business in this country was conducted on a cash basis, there would be no salvation or safety for it. Credit was the curse of mankind. We were obliged to raise thirty millions in taxation, and this really cost the country ninety millions of dollars yearly, because, with these thirty millions, the people could have made ninety millions. It was within the scope of human intelligence and of the Ministers to make a Dominion currency based on the bonded redemption, which would save all taxation, build the public works of the country, and pay its expenses. He risked his reputation on this statement. The Conservative party had never meant to build the Pacific Railway, but they had hoped by means of so broad, so imposing, and so tempting a project, to secure such tremendous influence as to ensure their maintenance in power for fifty years. If the Opposition expected to get back into power by means of the protection cry, they would be woefully mistaken; and, as to the declaration of the hon. member for North Ontario, that the Conservative Party would win the next election, this was that sort of buncombe to which the people paid no attention. The agriculturalists needed money, and it was necessary that the whole monetary system of Canada should be changed. That system was a crying evil in this country, and unless it were changed it would be impossible to make a nation of the Dominion. The agriculturalists made

the country, and yet they received no assistance from the banking institutions. It was necessary that there should be a national currency of \$40 or \$50 per head instead of \$4 or \$5. The banks were making their money from interest on renewals, not from discounting fresh paper, and they were thus drawing the life-blood from the people. Such a system could not continue, no matter which political party was in power. The Opposition would never regain office upon a policy of protection, and they must abandon it. In regard to the loan negotiated by the hon. the Finance Minister, he was able to state, from a knowledge of London financial affairs, having raised money there, that the loan was made on the true principle, and, if the hon. gentleman had asked for tenders, he would have been a goose. The loan was the best that could have been made by any man in Canada; that was his judgment apart from politics or anything else. Two wrongs never made a right. When the Americans committed the wrong of charging a duty on Canadian products, that afforded no reason why we should charge a duty on goods imported from the United States. Duties always injured the country which imposed them. Let Toronto, Montreal, Kingston and Hamilton go to Jericho, the farmers were going to rule this country. While he personally regretted that the right hon. member for Kingston was out of office, it was in the interest of the country that he should be kept from power. Much was said of late regarding protection, but the true evidence of national prosperity did not depend on what the people produced but on what they consumed. With a House composed of two political parties, it was the duty of hon. members and of the Reform party to give a cordial support to the Administration of the day and keep the Conservative party out of power as long as possible.

Mr. MACDONALD (Toronto) said he proposed to offer a few observations upon the motion submitted to the House by the right hon. member for Kingston and the amendment of the hon. member for Hamilton. He would not say anything regarding the Pacific Scandal, the pic-nics, the "big push"

letter, or steel rails. He regretted that the Spoker's ruling the other night was not sustained, and that matters exceedingly irrelevant to the debate were not ruled out. He did not know the opinion held by other hon. members, but when he heard such matters introduced into every question which came before the House, these words always occurred to him:

"Enough of misery when words avail,  
And what so tedious as a twice-told tale."

He would, therefore, confine his remarks within the scope of the motions before the House. In reading the amendment proposed by the right hon. member for Kingston, it occurred to him that any party which could promise to secure for this country the present and continuous advantages set forth in the amendment deserved perpetual office at the hands of the people. He claimed, however, that it was not within the power of the right hon. gentleman, or of the members on the opposite side of the House, to carry out all that was proposed, nor was it within the power of the Government side, or of both sides of the House combined. The amendment implied the securing of good harvests, the continuance of good trade, the stoppage of the vicious system of cheap credit in England, the suppression of fraudulent dealings and many other matters which neither the Government nor any political party could secure. During the debate many references had been made to the system of taxation in the United States. It was important to know to which of the many tariffs of the United States the remarks applied, as they had ranged as high as 42½ per cent. *ad valorem*, and as low as 5 per cent. It was, perhaps, not generally known that the periods of great prosperity in the United States had been those when the lowest tariffs existed. The most prosperous period the American people had ever seen was under the working of the Hamilton tariff, when the average duties ranged from 5 to 7½ per cent. That was one of the earliest tariffs of the nation and continued during a period of 25 years. Under it cotton goods were charged 5 per cent.; iron, 7½ per cent.; woollens, 5 per cent.; pig iron being admitted free. An

American writer on political economy said :

“If we compare these 18 years of a low revenue tariff with any 18 years in our after history, when we had an avowedly protective system, we shall see that in point of steadiness, and especially in the point of a steady increase, they cannot be matched; they cannot be matched even by a comparison with the years 1846—1861, when we had ostensibly revenue tariffs.”

Until the year 1808 the average duties in the United States were about 11 per cent. During those 18 years the revenue increased from four millions in 1791 to 16 millions in 1808 and the ratio of increase to population was still more striking. The revenue began at the ratio of about one million dollars to one million of the population and steadily rose during that term to 2½ million dollars to one million of the population. The second tariff passed in 1816 and was called the Calhoun tariff. It was a highly protective tariff, the average duties under it reaching 42 per cent. The third was the Clay tariff, that of 1824, under which increased duties were still levied on protected articles, and it afforded proof that, when articles were protected by legislation, the parties who sought continuous and excessive protection were never satisfied. The Calhoun tariff gave certain articles very large protection, but, after eight years, instead of being satisfied with the protection they had obtained, they pressed the question further on the Government. The duties under the Clay tariff averaged from 28 to 32½ per cent. The next tariff was that of 1828, and was known as the tariff of abominations, and the duties were so excessive under it that it created the ire of South Carolina, causing misunderstandings and creating vexatious disputes and continuing throughout a long series of years, culminating in the civil war which rent the country. The average duties under that tariff were 42 per cent. Then came the Whig tariff of 1842; it was a highly protective tariff under which millions of capital were invested in the iron trade, and, when the duties were reduced subsequently, hundreds and thousands of people were reduced to beggary. The next was the Walker tariff in 1846, so called after the Secretary of

Mr. MACDONALD.

the Treasury, and it more nearly approached the tariff in Canada to-day than any other tariff in the history of the United States; its average duties were ranged from 17½ to 22½. Then came the Morrell tariff of 1861, the average duties of which from 1862 to 1867 were 34½ per cent., the average on dutiable goods being 41½ per cent.—a higher average than that imposed under any tariff except the tariff called the tariff of abominations. The original tariff of 1861 had many additions made to it until the actual amount of them was 2,317 distinct articles. The following articles paid the following rates of duty per cent of their value:—Common window glass, 49; pig iron, 55; bar iron, 63½; cast iron pipes and stoves, 109; wood screws, 66; carpenters' squares, 82; sheet lead and pipe, 54; salt in bulk, 108; rice, uncleaned, 165; blankets, 81½; white chalk, 833½. With such a tariff the people were made to pay five and even ten times as much as the Government collected from it. Mr. Perry, an American writer on commerce, said, in reference to this tariff, that—

“No legislator on general principles and without solicitation would ever have thought of such a tariff as ours. It is true even of the moderate protection accorded in the Hamilton tariff. It is overwhelmingly true, and at every point, of the Morrell tariff. Distinguished members of the Committee of Ways and Means had related to him at length the methods pursued to gain the sanction of that Committee, and thus the ear and the votes of Congress. These methods were scandalous. If they were generally understood there need be a speedy end of all such legislation. The condition of ship-building and ship-owning in this country is the best practical commentary on the influence of protection in general. The system is here reduced to its lowest terms. The perfection of protection is prohibition. Our navigation laws prohibit the buying of ships for the sole purpose of encouraging the building of domestic ships. Notwithstanding their absolute monopoly of the market under this law, such are the duties levied for protection on the materials that go into ship-building that our ship-builders cannot build ships at a profit, it is illegal to buy them, and the result is, that while at one time 75 per cent. of our imports were carried in American bottoms, to-day the American flag has well nigh disappeared from the ocean.”

With regard to the effect upon morals of this excessive system, Mr Perry said :—

"The effect on morals is to loosen them. When citizens see their Government is a respecter of persons, that rich and otherwise influential men can get laws passed for their individual behoof, and that the cry of thousands weighs little against the unjust claim of one, popular regard for Government declines, of course; respect for laws declines, of course; the smuggler never yet failed to accompany high protective duties and never will: the selfish informer never fails to follow the smuggler; the legislator loses sight of the general good in the desire to please a few powerful constituents; bribes direct or indirect have had much to do with our protective tariffs. The public conscience is demoralized by the spectacle of interest and influence ruling in high places; large fortunes acquired through favoritism enthroned in law provoke envy and ill-will; the poor are angered at and ready to despoil the rich; the rich in turn condemn the unorganized though plundered poor, and society gets secretly disorganized at and by the ears in consequence of a departure from the path of impartial justice."

Under the Reciprocity Treaty between the United States and British North American Provinces, the aggregate exchanges went up from \$20,691,000 to \$33,494,000, and in ten years to \$84,000,000. When the treaty was repealed in 1866 and the restrictive duties became operative again, it fell in one year from \$84,000,000 to \$57,000,000. He took up a paper and found that the total liabilities of the failures in New York for the month of February amounted to \$4,320,000. Whenever he took up a paper and looked at the state of trade on the other side he found the depression, shrinkage, ruin, and loss equal to, if not greater, than that which prevailed in Canada. Some hon. members might say: "But are those the sentiments you enunciated last Session; are you speaking to-day precisely what you spoke then, when you stated that you hoped that during recess the Finance Minister would take into consideration the interest of every manufacturer?" His sentiments were to-day what they were last Session. He then said he would advocate no tariff that did not take into consideration the interests of the manufacturer and the consumer. He held that would exclude the manufactures of Great Britain, the United States or any other country; that the very instant we excluded the foreign manufacturer we took away the chief

incentive the native manufacturer could have to compete with him; and that, the very instant the duties were raised to a point that excluded the foreign manufacturer, we were left entirely at the mercy of the native manufacturer. The experience of a high protective tariff in the United States was, that for every \$5 that went into the public treasury, \$9 went into the pockets of the manufacturer, and the entire \$14 came out of the pockets of the consumer. The word "protection" was a very vague one, as they had seen in this discussion. The hon. member for Stanstead spoke about a discriminating protection. If one hon. member was asked what that protection meant, he would say 2½ per cent.; another would say 20 per cent., and others would say 30 per cent. He could not vote for any resolution that contained simply the word "protection," without qualification—he would require to know definitely what was intended to be done, and that stated clearly and distinctly. To-day how strangely altered were the circumstances of our manufacturers compared with last year. Last year our manufacturers were depressed and needed help. What were the facts then? Gold was 115 and goods had reached the lowest point they had almost ever reached in the United States. No one could have predicted the great change that had since taken place. Last year there was not a Protectionist in the House who would not have felt he had achieved a great victory if 2½ per cent. had been added to the tariff. To-day, goods had hardened in price from 10 to 20 per cent., and the mere price of gold was now worth to every manufacturer what a tariff increase of 8 per cent. would have been last year. It might be said that Government was not to be thanked for that. True, the Government had nothing to do with it. But was there not some consistency in admitting that, if manufacturers were now some 8 to 10 per cent. better off, their position had been immensely improved. Individually, he now thought the protection we had as against Great Britain was excessive. First we had 17½ per cent. duty; then we had ocean freight, marine insurance, inland freight and home charges, which, if added

together, would bring the protection up to 30 per cent., which he thought was high enough for all purposes. With greenbacks almost at par, with the cost of freight between the United States and Canada, our position was not bad; and, perhaps, in a month or two, when gold might probably be at par, the Canadian manufacturer would have a protection of 20 per cent. against the Americans. While he might not be able to go as far as the author from whom he had quoted, they must not forget that the great industries of the United States sprang into existence without artificial assistance, not only without the help of England, but with her positive hostility, sending as she did agents to pull down several of the earliest factories. Still the industries of the United States flourished and grew. Were we as a people less energetic than the Americans; were we willing to admit we had less intelligence than they; or were we willing to believe that whatever they had achieved we were unable to accomplish? Looking at the question from all its aspects, he felt unable at present to vote for the amendment of the right hon. member for Kingston, or for the resolution of the hon. member for Hamilton.

Mr. BLAIN moved the adjournment of the debate.

Motion to adjourn debate *agreed to.*

House adjourned at  
Thirty minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

*Wednesday, 7th March, 1877.*

The Speaker took the chair at Three o'clock.

### BILLS INTRODUCED.

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

Bill (No. 65) To make provision for the Extradition of Fugitive Criminals.—(Mr. Blake.)

Bill (No. 67) To amend the Law respecting the Incorporation of Joint Stock Companies by letters patent.—(Mr. Cartwright.)

Mr. MACDONALD.

Bill (No. 68) For the better protection of life and property in the Mines of British Columbia.—(Mr. Bunster.)

### BREACHES OF CONTRACT BILL.

#### FIRST READING.

Mr. BLAKE moved for leave to introduce a Bill (No. 66) To repeal certain laws making breaches of contracts of service criminal, and to provide for the punishment of certain breaches of contract.

Mr. KIRKPATRICK said this was a subject in which the whole country was interested, and a short explanation should be given.

Mr. BLAKE said the object of the Bill was to some extent explained by its title. There were on the Statute-books of several of the Provinces—Quebec, Ontario, and Prince Edward Island—certain labour laws framed upon the antiquated models in England, in which breaches of contracts of service were made criminal offences, punishable by fine and imprisonment. The modern spirit of the law was not to treat such offences as criminal, but to deal with them, as in point of fact they were, as civil matters. One object of the Bill was to repeal so much of those ancient laws as made breaches of service criminal. One of the Provinces to which he referred, Quebec, had assumed to repeal certain provisions of its law relating to this subject. He had received information from a person who wrote him on the subject, that the Bill introduced for a similar purpose in Ontario was rejected, owing to the view that it was beyond the power of the Local Legislature to deal with this matter, inasmuch as the act had been made a crime before Confederation, and that it came now within the purview of the Dominion Parliament. The matter was somewhat of a mixed character, but no harm could be done by repealing the laws so that the local Legislatures might feel at liberty to make provision to dispose of those complicated and somewhat difficult questions which arose between masters and servants. The Bill recited that certain breaches of contract, whether of service or otherwise, were of a character which demanded their punishment

as crimes, and proceeded to describe those offences. Those exceptions were as follows:—First, breaches of contract which might probably involve the danger of serious bodily injury, or the loss and destruction of valuable property, real or personal; 2nd, breaches of contracts, whether of service or otherwise, in the case of a gas or water company, or other authority for supplying the gas or water to cities and towns, the breach of which would probably involve the deprivation of the city or town of its supply; 3rd, breaches of contract, whether of service or otherwise, the probable consequence of which would be to prevent or affect the progress of any locomotive, train or engine upon any railway carrying Her Majesty's mails or passengers. Those offences were declared criminal, and made punishable by a fine not exceeding \$100, or imprisonment not exceeding three months, the mode of prosecution being that prescribed in the law relating to conspiracy and intimidation.

*Bill read the first time.*

### REFUNDING OF FEES.

Mr. FRASER moved that the fees paid on Bill (No. 17) To extend the provisions of section 56 of the Act 34 Vic., chap. 5, intitled "An Act relating to Banks and Banking" to the Bank of British North America, be refunded, in accordance with the Report of the Committee on Banking and Commerce.

Mr. HOLTON said, as they might probably have other applications for the remission of fees, it might be as well to state the grounds on which this recommendation was made. The Bill was an amendment to the General Law relating to Banking, applicable, it was true, to the British North America Bank, but which was made an exception to the original provisions of the Act. The Bank came by petition and asked to be placed under the same provision as other Banks. The Bill was not of the nature of Private Bills, and ought not to be subject to fees.

*Motion agreed to.*

### LIFE INSURANCE POLICIES BILL.

#### FIRST READING.

Mr. TROW, in moving for leave to introduce a Bill (No. 69) to declare life insurance policies non-forfeitable, said the first section related to objections of a technical character, which were often raised against policy-holders. Provision was made that none of those objections should be raised, nor should the company take advantage of any informality, when the policy-holder had paid the premium for five years. Another section had reference to cases of suicide, and was designed to protect the assignee. It compelled the company not to take advantage of such cases, but to pay over a certain amount in ten instalments, extending over ten years.

*Bill read the first time.*

#### PRIVATE BILL.

Mr. MACMILLAN asked leave to introduce a Bill to grant certain powers to the Agricultural Insurance Co. of Canada to change the name.

Mr. SPEAKER said this was manifestly out of order, as the time allowed for the introduction of Private Bills expired on Monday. The hon. gentleman might introduce the Bill by special permission.

Mr. MACMILLAN said he would move for special permission.

An HON. MEMBER: Order.

Mr. SPEAKER said the objection of one member was fatal.

Mr. MACMILLAN said he would ask that the rule be suspended in this case in order that he might introduce the Bill.

Mr. BLAKE said the hon. gentleman was, no doubt, aware that a certain course was to be observed. If the rules were suspended, it must be on a petition to introduce, and that petition should set forth and establish certain very special circumstances which would justify the suspension. If they did not adhere to this rule, they might as well give up their efforts to remodel the practice with reference to Private Bills.

Mr. SPEAKER said he was informed that in this case not one of the rules regarding Private Bills had been complied with. The Bill had not been printed, the fees had not been paid, and so on.

### THE MIRAMICHI RIVER.

#### QUESTION.

Mr. DOMVILLE, in the absence of Mr. MITCHELL, asked whether it was the intention of the Government to expend during the current year a sum of money for the improvement of the navigation of the South-west branch of the Miramichi River?

Mr. BLAKE: It is not.

### THE INTERNATIONAL EXHIBITION.

#### QUESTION.

Mr. YOUNG asked whether the Government intended to place an item in the Estimates with a view to have Canada properly represented at the Grand International Exhibition to be held in the city of Paris in 1878?

Mr. BLAKE: The subject is now under the consideration of the Government.

### BAY DES CHALEURS RAILWAY.

#### QUESTION.

Mr. ROBITAILLE asked whether it was the intention of the Government to grant aid of some kind to help the building of the Bay des Chaleurs Railway, as a feeder of the Intercolonial Railway?

Mr. BLAKE: The subject has not been under the consideration of the Government.

### RIVERS VERTE AND CABANEAU BRIDGES.

#### QUESTION.

Mr. BLANCHET, in the absence of Mr. ROY, asked whether it was the intention of the Government to include in the Supplementary Estimates a sum of money to repair the roadway and rebuild the bridges over the Rivers Verte and Cabaneau on the Temiscouata Road; this road being an Interprovincial one.

Mr. BLAKE: It is not.

Mr. BLAKE.

### DOMINION NOTES IN BRITISH COLUMBIA.

#### MOTION FOR RETURN.

Mr. THOMPSON (Cariboo) moved for returns of the accounts of Dominion Notes of the denominations of one and two dollars (payable in Victoria) which have been forwarded by Government to the Assistant Receiver-General for the Province of British Columbia during each year since the admission of that Province into the Dominion, together with the amounts of such notes returned for cancellation during each year therein mentioned. He said his object was to call the attention of the hon. the Finance Minister to the fact that there were scarcely any Dominion notes in circulation in British Columbia, and that great inconvenience was caused by the scarcity of small change in that Province. The only change in circulation was American half dollars and coins of other countries of various denominations. Until recently, American coin had always passed at par, but there had been such an influx of it into Victoria that the merchants had been compelled to levy a discount of five per cent. Previous to the entry of British Columbia into Confederation, the local banks issued \$1 notes, but since Confederation they had stopped this issue, for what reason he did not know. For a time the Dominion notes took the place of local notes, but they had gradually disappeared. He did not know whether those notes had been returned for cancellation, or what had become of them, but their absence from circulation in the Province was a great inconvenience. About eighteen months ago he wrote to the hon. the Finance Minister on the subject, but that gentleman had not the courtesy to acknowledge the receipt of the letter.

Mr. CARTWRIGHT: I would be glad if the hon. gentleman would inform me whether the letter was addressed to myself.

Mr. THOMPSON (Cariboo): It was addressed to the Finance Minister.

Mr. CARTWRIGHT: This is the first I have heard of it, certainly. It may possibly have arrived while I was absent in England. As to the main

fact, I may just say that some considerable difficulty was experienced in getting our notes in circulation in British Columbia; a certain amount was sent there, I believe, two or three years ago. My attention was drawn to this matter some time ago by hon. gentlemen from British Columbia, and instructions were given to send a reasonable quantity of ones and twos to the Assistant Receiver-General of that Province, to be put in circulation. Whether they have arrived or not, I am not advised, but they are on the way, I believe.

*Motion agreed to.*

### HORSE-SHOE BAR CHANNEL.

#### MOTION FOR CORRESPONDENCE.

Mr. DOMVILLE, in the absence of Mr. MITCHELL, moved for copies of correspondence between the Minister of Public Works and the officer in charge of the dredging improvements and deepening of the Horse-Shoe Bar Channel at the entrance of the Miramichi River, with a statement showing the total amount of dredging originally contemplated; the quantity of material removed from said Bar in the respective seasons that the dredge has been at work; the length, breadth and depth of the excavations removed, with the length of the work yet to be excavated, and the probable period of its completion, with a statement of the depth of water proposed to be obtained in said channel by such improvement.

Mr. MACKENZIE: I am not aware of any such correspondence being in existence. However, if there is any, it will be brought down. The state the work was in was presented to the House formerly, and of course it is not expected that it is to be again submitted.

*Motion agreed to.*

### IMPORTED COAL.

#### MOTION FOR RETURN.

Mr. GOUDGE moved for a return of the quantities and value of the coal imported into the Dominion for the years 1873, 1874, 1875 and 1876; distinguishing the various kinds, say—Anthracite, Bituminous and Lignite; the countries and ports of the same whence brought;

the Province and ports of the Dominion where entered. His object, he explained, was to secure information which was not contained in the Trade and Navigation Returns. The total quantity of coal was given, but it was not classified into the different grades. He believed, from what he had learnt from the American reports, that a large portion, say two-thirds, of the coal imported into the Dominion was anthracite coal, and he desired to obtain accurate information on the subject. This was absolutely necessary in order to discuss intelligently the coal question, which was occupying to a very large extent the minds of the people of this country. He would suggest to the Minister of Customs the desirability of classifying the imports of coal in the future.

Mr. BURPEE (St. John): I do not think that we can furnish this information as far back as the hon. gentleman desires, as these returns have only been kept separately from the first of last July to the end of December. I do not think it possible to secure such information as to previous imports unless we apply to the different ports, and then it could not be depended on as accurate.

*Motion, as amended, agreed to.*

### REPATRIATION OF FRENCH IMMIGRANTS.

#### MOTION FOR CORRESPONDENCE.

Mr. MASSON moved for copies of all correspondence with the French Vice-Consul in Montreal, or other persons relating to the repatriation of French immigrants during the year 1876, together with a statement shewing the names of said immigrants who may have been repatriated, the date of their arrival in this country, their age and their occupations previous to their coming here: also all Departmental rules then and now in force relating to the same.

Mr. BURPEE (St. John): I will be happy to furnish the hon. gentleman with all possible information as to names, etc., but I do not know how the dates can be given.

Mr. MASSON said the dates were the most important point. If the

names could be given the season could also be easily indicated.

Mr. POPE (Compton) said it had been remarked a few evenings ago that these immigrants were repatriated under an old departmental rule. He could only say that this rule did not apply to any such case as the present; it was only intended to enable an immigrant who could not earn his living here, or who was poor or sickly, to be sent to the country from which he came. Under the late Administration only three or four, or at most five, persons had been so returned to their homes. He did not complain of the existence of the regulation, but he did complain of its abuse.

Mr. BURPEE said he had previously stated that this rule provided for repatriation in certain cases. Its application had however been enlarged and extended in this instance.

Mr. POPE: Do I understand that the rule has been changed?

Mr. BURPEE: It has been extended.

Mr. POPE: In what way? By an Order in Council, or how?

Mr. BURPEE: The correspondence will show.

Mr. CARTWRIGHT: I may as well state what I said the other night, that the Government, as soon as these proceedings were brought to their notice, stopped them. I considered that this rule had been improperly used. My hon. friend is perfectly right in saying that it was intended to apply to individual cases of exceptional hardship, and not to the return of several hundreds of people. The Government found that it was being abused and stopped the proceedings at once.

Motion agreed to.

## SEIZURE OF THE SCHOONER NAPIER.

### MOTION FOR CORRESPONDENCE.

Mr. CAMPBELL moved for papers and correspondence connected with the seizure of the schooner *Napier* in Ingonish, in the year 1872, for smuggling, and a statement shewing if the Hon. William Ross has redeemed

Mr. Masson.

his bonds for the release of said vessel. If not, why not? The amount realized from the sale of goods seized on board such vessel. He said it was notorious that the Hon. William Ross had been for years in the habit of smuggling at St. Peter's; that the hon. gentleman was at last caught; that his vessel was seized with the goods she contained, by order of the Government of the day; that the vessel was released upon bonds given by Mr. Ross; that he (Mr. Ross) had been elevated by the present Government to the highest position he could occupy in this country; and that these bonds had not been redeemed. He presumed that the leader of the Government had been in the dark with reference to this matter, and that when the hon. gentleman discovered it, he sent Mr. Ross about his business in order that he might not disgrace the Cabinet, until the matter was satisfactorily explained away, and that he then placed him in a very high position. He moved that the papers be brought down in order that the whole transaction might be revealed.

Mr. BURPEE (St. John) said this case happened in 1872. The vessel was seized on the 2nd October, 1872, and was released by the then Minister of Customs on the 7th October, the captain being relieved at the same time. A bond was taken from Mr. Ross. No information was asked for, nor was any demand made for the fulfilment of the bond until 1874, after the present Government came into power. The bond had not been collected yet. There was an important letter in 1872 written to the then Minister of Customs, the Hon. Mr. Tilley, explaining this matter, which had been lost, and, as yet, it could not be found, although it had been searched for. Mr. Tilley was telegraphed to, and sent the following reply:—

"Fredericton, Feb. 27, 1877.

"Jas. Johnston,  
Comr. Customs.

"Collector Ross, Halifax, telegraphs me that his letter to Department, Oct., 1872, referring to seizure schooner *Napier*, cannot be found. Must be somewhere in Department. Not in my possession. Bouchette may suggest where it is. If my memory serves me, enquiry established smuggling by

captain and crew, but exonerated owner from any knowledge of proceedings. Papers will, however, show.

“S. L. TILLEY.”

All the papers asked for would be brought down, but he thought it due to Mr. Ross that it should be explained that the delay arose from the loss of the letter referred to.

Mr. BOWELL: That does not release him from his bond?

Mr. BURPEE: He is not released.

Mr. MACKAY (Cape Breton) said the hon. member for Victoria ought to have very good grounds before he made such statements as he had regarding a gentleman who held a high position in the country, and who once held a seat in this House. He had known Mr. Ross for many years, and he thought it in extremely bad taste for the hon. member for Victoria to say what he had. The charge he was sure could not be made in the hon. member's own county, and it was rather strange that he had not made the accusation against Mr. Ross during the late election campaign. It struck him (Mr. Mackay) that an investigation had been held into the charge of smuggling on the part of the master of the vessel. Mr. Ross not being on board the schooner at the time the seizure was made, he had, it appeared, nothing whatever to do with the matter, except owning the vessel. It was clearly enough shown that Mr. Ross had nothing to do with the smuggling of liquors and other goods from St. Peter into Nova Scotia. In fact, Mr. Ross was neither a wholesale nor retail dealer in the trade in connection with the importation of liquors, but the hon. member for Victoria could not say that he was not interested in that way.

Mr. CAMPBELL asserted that he knew as a fact that Mr. Ross was for several years engaged in the trade of the importation of liquors, and that he had a vessel in that trade. Several merchants had been driven out of the business because they could not compete with a man who did not pay duty. He (Mr. Campbell) had examined the Customs Department, but he could not find the report as to the case. It seemed to him as if there had been some foul play. The money not then

paid into the Revenue Department was still owing, and he considered he had a right to enquire into the matter.

Motion agreed to.

## DEFALCATIONS AT PORT OF BADDECK.

### MOTION FOR CORRESPONDENCE.

Mr. CAMPBELL moved for papers and correspondence in connection with the defalcations of the ex-Collector of Customs, William Redston, at the Port of Baddeck, and a return showing if the amount had been refunded to the Department; and if not, the reason for its not being refunded. He said this officer had, he believed, kept back a couple of thousand dollars of the public money. The case was put into the hands of the Government Agent at Halifax, judgment rendered against him, and his property was ordered to be sold—or at least so he understood, but he could not follow the case out. But the money had not yet been refunded to the Treasury.

Mr. BURPEE (St. John) said of course there could be no objection to the motion passing or to the papers being brought down. He might say, however, that the case was one that dated back to 1870. Action was taken against the sureties, and judgment for \$2,400 rendered. In 1871, the lawyer in Halifax wrote that the sureties were worthless and could not be proceeded against. Action was accordingly taken against the Collector, but nothing was done towards collecting the amount until 1874.

Mr. TUPPER: The property was sold under an execution.

Mr. BURPEE said he did not think it was. The inspector was sent there to report upon the case, and he reported that the security covered a house and lot which was not worth more than \$1,000 at the outside. The inspector recommended, as the Collector was a poor man with a large family, that \$1,000 be taken in satisfaction of the claim. This was agreed to, and the Government had been trying to collect the money, but had failed so far, although they had several promises.

Mr. MACKAY (Cape Breton): I congratulate the House that the hon.

member for Victoria has at last in his enquiries departed from the feud which exists between him and the Ross clan, and has gone into another.

Motion agreed to.

### HARBOUR OF REFUGE AT RONDEAU.

Mr. STEPHENSON moved for returns shewing in detail the cost of the erection of the lighthouse at the harbour of refuge at Rondeau, under contract awarded by tender; the tender received and from whom; whether the lowest tender was accepted; the amount paid for extras in constructing breakwater on the lake side opposite the lighthouse, and whether such extras were done by tender publicly advertised for; also the name of the contractor for oil supplied to said lighthouse, the cost per gallon supplied, together with loss involved by the fire which occurred last fall in said lighthouse; and the correspondence relating thereto, whether from the lighthouse keeper or the Government Inspector. He said the piers of the lighthouse were left standing there for three years, after having been finished, before the lighthouse was erected. On the 7th September, last year, the lighthouse was erected, and on the 25th July—some months before the lights were put in—a keeper was appointed at a salary of \$400 a year. In October, a portion of the lighthouse was destroyed by fire. It was said that the fire was caused by the explosion of the oil, which was supplied by Mr. Fitzgerald, an active supporter of Colonel Walker in the London election, and which was not up to the standard by a long way. Some \$600 or \$700 damages were involved by the fire. Moreover, the harbour had been rendered comparatively useless since then, as vessels could not with safety enter in. The importance of the harbour was shown by the fact that in three months 27 vessels took refuge there. Although the lighthouse was constructed by tender, the lowest tender was not accepted, but the tender was transferred to another party.

Mr. SMITH (Westmoreland) said it would have been well had the hon. gentleman reserved his remarks until

Mr. MACKAY.

he got more accurate information from the returns. The transaction with regard to the oil was a *bond fide* one. He did not know before that the contractor, Mr. Fitzgerald, was a strong political partizan. The contract was let by public tender and Mr. Fitzgerald gave the lowest tender. The oil was inspected by the officer of the department and was found to be of a superior quality. The lighthouse, however, was not let to the lowest tenderer. The lowest tender was that of Squires & Co., Brampton, their figures being \$4,295. This was accepted, and the contract was awarded to them. But the firm afterwards refused to execute the contract, giving as an excuse that their sureties had failed. The rule was, that, where the lowest tender was not accepted, the Government fell back on others; if the estimate of their own officer was higher than the offer of the next tenderer, the contract was invariably given to him; but, if it was below, tenders for the contract were advertized for anew. The next tender was for \$4,694, and, as the Government Engineer reported his estimate higher than that, the tender was accepted. The contractor afterwards said some extra work was required to prevent accidents through a storm or high water. The Government Engineer reported favourably, and a breakwater, at a cost of \$400, was erected. In addition there were \$287 for extras. The whole work was performed to the satisfaction of the Government Inspector. As to the explosion, an enquiry was held, but no cause could be discovered. It appeared that the lighthouse-keeper had left about an hour and a half before the fire took place. It would take fully \$600 to repair the damage. He acknowledged the importance of the harbour, and no time should be lost in replacing the light.

Mr. STEPHENSON said the fire occurred, according to the report of the hon. the Minister of Marine and Fisheries, on 19th October last. It was well known that the harbour of refuge was repaired long after that date, and the navigators could not understand why the light was not in operation after that date, when without it the harbour was rendered useless. The matter had been represented to him by

steamboat-owners and others using the harbour, who had pressed upon them the necessity of having the light repaired at once. If the accident had occurred at Cow Bay or some place of minor importance, frequented by half a dozen vessels, the matter would have been properly attended to, and when the accident took place at the the only harbour of refuge on the north shore of Lake Erie, the people of Ontario could not understand why the same promptness should not be used.

Mr. SMITH (Westmoreland) said there had been no neglect whatever. The destruction of the light took place at almost the close of navigation. His impression was that lighthouse-keepers always showed temporary lights if accidents occurred to the lighthouses. He would, however, make inquiries into the subject.

Mr. STEPHENSON said it was stated in the report of the hon. the Minister of Marine and Fisheries :

“Owing to an accident from fire, the lamps and reflectors of the revolving apparatus of the main light were destroyed on the 19th October last, and the light has not been shown since that period.”

Navigators along the lake shore when they left Longe Point and steered for the Rondeau light had failed to discover it, and vessels had gone ashore in consequence of the neglect of the Government to repair the light. To show the necessity that existed for keeping the light up to a late period, he might state that steamers and row-boats were plying on the 1st January last year, and steamers were running to-day on Detroit river. When vessels were thus plying on our western waters it was absolutely necessary that a light of that importance should be re-erected the very next day, if possible, after it was burnt down.

Mr. SMITH said it was the rule of the Department that, if any accident occurred to a light, so that it did not any longer exist, information was given to the public at once. Therefore, the people of the district must have known that the light did not exist, because it had been burnt down, and he thought he remembered, though he was not positive on the point, that instructions were given to the light-

house-keeper to exhibit a temporary light, if possible. It was the invariable rule to exhibit a temporary light, if possible. He felt satisfied—nevertheless he would make inquiries and inform the House on the subject—that a temporary light had been exhibited, and if it was not exhibited it was the neglect of the lighthouse-keeper.

Mr. STEPHENSON said the report distinctly stated that the light had not been shown since that period.

Mr. MACKENZIE: It might refer to the regular light.

Mr. TUPPER said he could readily understand that great neglect had taken place in regard to this matter. He took that opportunity to call the attention of the hon. the Minister of Marine and Fisheries to the condition of the vessel at Cap D'Or, in the County of Cumberland.

Mr. SPEAKER ruled that notice should be given before that motion was brought up.

Mr. TUPPER said he would place a notice on the paper. It was most important that the measures adopted for the protection of life and property, at great expense to the country, should be carried out, because it was evident that, if such were not done in regard to lighthouses and fog-whistles, they simply became delusions and snares, and caused the destruction they were established to prevent.

Mr. SMITH said he would challenge the hon. gentleman to bring up the matter at any proper time. The hon. gentleman was not his judge, and, if he were, he was not a disinterested one, and he was therefore not disposed to submit to his views in regard to matters in the hands of his Department.

Mr. MCGREGOR said there was a temporary light exhibited at Rondeau Harbour after the fire.

Motion agreed to

## SPECIAL TARIFF FOR BRITISH COLUMBIA.

### RESOLUTION PROPOSED.

Mr. BUNSTER moved :

“That the House do now resolve itself into a Committee of the Whole to consider the following resolution:—That in the opinio

of this House the interests of British Columbia will be promoted by the adoption of a Special Tariff for the protection of the Farming, Mining and Manufacturing interests of that Province, until the construction of the Canadian Pacific Railway."

He said that, four years ago, he had the honour of bringing this subject before the House. Since then, circumstances had occurred which he thought would enable the House to judge of the matter in a more favourable light; the question possessing additional interest to entitle it to their favourable consideration. He was glad the Speech from the Throne had referred to the visit made by the Governor-General to British Columbia last summer.

Mr. CARTWRIGHT said the motion could not possibly be in order.

Mr. BUNSTER said if the hon. the Finance Minister would bear with him for a few moments, he would show that it was in order. It was not fair or honest that, whenever the members from British Columbia rose in the House, they should be interrupted in this way. It was rather singular, to say the least, that the hon. the Finance Minister should interrupt him when he mentioned the circumstance of the visit of the Governor-General to British Columbia last year.

Mr. CARTWRIGHT said the hon. member should place the motion in the hands of the Speaker before he proceeded to speak to it.

Mr. BUNSTER said he would do so at the proper time.

Mr. SPEAKER said he looked into the matter a few moments ago and found that the motion handed in was one of an abstract character, and therefore would be in order. Whether it was exactly consistent with the notice was another question.

Mr. BLAKE said the House had only to do with the motion on the notice paper, and that was the only one the hon. member could move.

Mr. SPEAKER said it had occurred to him that, looking at the motion as it appeared on the paper, it was entirely out of order; and he had, therefore, examined the motion itself. In his opinion it was in order, though it might be a very inconvenient abstract resolution.

Mr. BUNSTER.

Sir JOHN A. MACDONALD said that what appeared on the notice paper was merely a synopsis of the motion.

Mr. BUNSTER, continuing, said that, when His Excellency the Governor-General visited British Columbia last season, he was well received, as he deserved to be; and he, also, well received the farmers who waited on him *en masse*, and laid their grievances on this subject before him. His Excellency promised to aid them as much as lay in his power. It was reported that he (Lord Dufferin) had said that the farmers needed protection, but it was a question for his Ministers to deal with, the only thing he (Lord Dufferin) could do being to recommend the matter to them.

Mr. BLAKE: Hear, hear.

Mr. BUNSTER said the hon. the Minister of Justice would not find him saying anything except what was correct and in the interests of British Columbia. His Excellency, having given the farmers a hearing and assured them that he would give all the assistance in his power, they (the farmers), a large and influential body, had solicited him (Mr. Bunster) to bring the matter before Parliament, and ask that a special tariff should be granted in the interests of the Province. No doubt it would be argued that a special or differential tariff could not be extended to any particular part of the Dominion, but it should be remembered that British Columbia was labouring at present under the disadvantages of a tariff almost altogether opposed to the wants and wishes of the people of that Province. British Columbia did not enjoy the privileges acquired under the Washington Treaty by other Provinces of the Dominion, and upon that fact he based the claim to have a special tariff framed in her interests. It was a matter of justice that that distant Province should receive the consideration on this subject it was so well entitled to. Their markets had been flooded with American produce, to the detriment of the farmers, ever since the Province came into the Union. The farmers on the island of San Juan, who felt they were labouring under great injustice in this matter as subjects of Great Britain, now possessed a

market which they would not have obtained if they had remained part and parcel of the Dominion. He claimed, on behalf of British Columbia, that, inasmuch as there was already a differential tariff against the Province, the Government should take the subject into its favourable consideration and grant what was now so urgently needed and required, thus fulfilling the promise, or partial promise, made by His Excellency to the farmers of that country—a promise, he might add, that had made their hearts rejoice, giving them confidence, as it did, that they would be fairly and honourably dealt with by the Dominion authorities.

Mr. SPEAKER said that it was well known His Excellency could not make a statement on public affairs unless under the responsibility of Ministers of the Crown. It was not, therefore, strictly in order for any hon. member to inform the House as to what His Excellency did or did not say. His Excellency's name should not be used for the purpose of influencing the opinion of the House.

Mr. BUNSTER said he would also call the attention of the Government to a resolution passed in 1376 by the Local Legislature of British Columbia. It read as follows:—

“That, whereas, by the 7th clause of the Terms of Union, it is provided that the Customs Tariff and Excise Duties existing within the Province at the date of union should continue in force until the railway from the Pacific coast and the system of railways in Canada should be connected, unless by decision of the Legislature of British Columbia the Tariff and Excise Laws of Canada should sooner be adopted;

“And whereas, owing principally to the anticipated early construction and completion of the Pacific Railway, the Legislature of British Columbia adopted the Canadian Tariff and Excise Laws;

“And whereas the agricultural portion of the community throughout the Province have suffered severely from the adoption of the Canadian Tariff, which, while admitting some farm products free, imposed but a low rate of duty on all others—(he might say that scarcely any duties were imposed on foreign products)—and as connection between the Pacific Coast and the railway system of Canada is not likely to be accomplished so soon as was at first understood;

“And whereas, moreover, the neighbouring possessions of the United States of America overflow with a surplus of commo-

ditities which this Province can produce in sufficiency for more than its present need:

“Therefore, your memorialists respectfully ask that your Excellency may be pleased to sanction the adoption for this Province, of the following changes in the tariff now in operation.”

The changes in the tariff they desired to secure were the removal of the duties levied on mining and agricultural machinery; and, in lieu thereof, the imposition of a small tax on the cereals which could be produced in the Province of British Columbia. This would be only a fair and perfectly just proceeding, and if the Government wished to do the Province justice they would certainly accede to it; and this could be done without inflicting any injury on the other Provinces of the Dominion. One duty imposed by the American Government militated heavily against their interests. They employed Indians in “gathering” oil, which was excluded from the American market, and they were consequently obliged to send it to England. They did not share, it was to be remembered, in the benefits accruing from the Washington Treaty. He thought he had shown that it was perfectly practicable for the Government to grant British Columbia a modified tariff, in order that the bone and sinew of the country might not be driven out of it, and that their farming lands might not again become portions of the howling wilderness. If those other Provinces were overrun with American produce, as they were in British Columbia, he was certain that the consequent disadvantage would be felt, and no one could therefore be blamed under such circumstances for defending the interests of his constituents; particularly if, as he (Mr. Bunster) was, supported by the Legislature and the entire population of his Province. British Columbia only desired to secure an exceptional tariff until such a time as Canada would carry out her pledges and build the railway. It was also to be borne in mind that, since the Province entered Confederation, the tariff had been raised 2½ per cent. on articles which they consumed. Unfortunately, they did not have a sufficiently large population to encourage manufactures, and even if this were the case they would in

this relation be shut out of the American market. Many intelligent and thrifty farmers had gone to British Columbia from Ontario—some on the recommendation of his friends, and some on his own recommendation, which recommendation he now regretted having given, because they had said to him: "You have good land we know, because we see it before us, but you have no market; it is better to go to the States than to come to your country." Hence they lost settlers who were as good subjects and citizens as could be found anywhere in the world, simply because they lacked the small degree of protection which they desired, and which was necessary to establish a proper feeling of confidence. He earnestly implored the Government to take the matter into their favourable consideration. He thought that a tax on cereals would be preferable to the tax on malt. He asked hon. gentlemen to support him in his endeavour to secure what was simply a matter of justice for his Province. He would propose to add to the motion the proviso: "Until the Canada Pacific Railroad be built."

Mr. CARTWRIGHT: Does this imply compensation for any other unavoidable difficulty that may occur?

Mr. BUNSTER: The unavoidable delay will probably come up in another form. British Columbia is not insensible to the injustice done her.

Mr. CARTWRIGHT: I must inform my hon. friend that we cannot allow such a resolution to pass. However desirous we may be to meet his wishes, and those of other gentlemen from British Columbia, it is scarcely necessary for me to say that it is impossible for this Dominion to permit each separate Province to have a separate tariff adapted to its own especial needs; therefore, I hope that my hon. friend will not insist on pressing his motion. He has stated his case and his grievances, and I think it would not be advisable for him to press a resolution which I think the sense of the House will inevitably condemn.

Mr. DEWDNEY said that, prior to entering the Union, they had had the alternative of either retaining their own tariff or of accepting the Canadian

tariff, which, if not then accepted, was to come into force when the railway was built. He was willing, however, to let the matter drop.

Sir JOHN A. MACDONALD said he thought that as his hon. friend from Vancouver had had an opportunity for making his explanations, which would go to the country and to the hon. gentleman's constituents, he (Mr. Bunster) had better adopt the suggestion of the Finance Minister, and withdraw his motion. Its passage, of course, was hopeless.

Mr. BUNSTER said that he would comply with the suggestions of the Finance Minister and of the leader of the Opposition, but nevertheless he would probably move the motion in amendment to the motion of the right hon. member for Kingston or before going into Committee of Supply. He would merely add that British Columbia had been worse treated, and therefore had more cause to feel discontented than any other Province in the Dominion. He hoped the Government might see their way to granting what he had asked for at some future time, and bring it down as part and parcel of their policy.

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

## THE TORONTO HARBOUR.

### MOTION FOR RETURN.

Mr. MACDONALD (Centre Toronto) moved for a statement shewing the extent and character of the works carried on in the improvement of the Toronto harbour during the past year; together with all correspondence, plans, &c., having reference to the best method or methods of permanently securing the harbour against damage, and deepening it so as to admit vessels of largest tonnage navigating the upper lakes, with any estimate which may have been made of the cost of such improvements. He said he was aware that different opinions existed as to the best method of securing the improvement of Toronto harbour, and his object in moving for these papers was simply to obtain the best opinions that could be given in regard to a case of such gravity.

Mr. BUNSTER.

Mr. MACKENZIE said he thought that some of the information asked for was brought down to the House last Session. The papers desired he presumed were such fresh correspondence or reports as might have passed or been sent in since that date. No new plans had, however, been designed since the close of last Session in this regard. The only difficulty encountered in protecting this harbour related to the fact that the beach, which had formerly protected it on the south-east side, had been broken away. Experience had shown that the filling up of the harbour, which was anticipated in consequence of this breach having been made, had not occurred, and it might be that this breach would effect a sanitary reform in admitting purer water into the bay, besides preserving the depth of the water. The beach was wholly composed, as the hon. gentleman was aware, of sand, which shifted with the varying storms; sometimes, in consequence of this fact, the entrance of the water was less free on the eastern than on the western side of the harbour, and occasionally this was so much the case that ordinary lake steamers could not find an entrance there. There was, therefore, an uncertainty as to using the return passage for navigable purposes, for it was not at all absolutely certain that the destruction of the beach would move the obstruction of the harbour. The works carried on last year had been devoted exclusively to widening and deepening the entrance to Queen's Wharf, at the eastern end of the harbour. A considerable portion of the entrance to the harbour was composed of shaly limestone, which had been excavated by the ordinary dredging operations, and some of that work was yet to be done. When it was completed the entrance would be quite sufficient for almost any vessel navigating the lakes, while anchorage in the harbour was good and the water sufficiently deep after getting in. The maintenance of the depth along the wharves and landing places belonged to the Harbour Commissioners rather than to the Government, and that was a part of the work which they did

not propose to undertake. He would, of course, furnish every information to the hon. gentleman that had not been previously brought down, but in the present state of the public revenue they did not expect to undertake any extensive work for the protection of the harbour in consequence of the breach alluded to. The reports received showed that an expenditure varying from \$220,000 to \$375,000, according to the plans to be adopted, would be required for the purpose, and there was some reasonable doubt, in the first place, whether the work was necessary, and, secondly, whether any of the plans would be efficacious.

Mr. MACDONALD (Toronto) said he was aware of the opinion that had already been expressed, but he thought it would be well to have that opinion ratified. If it could be shown that an expenditure of \$220,000 to \$375,000 was necessary, it would be a subject for the Government to consider in view of the importance of the harbour, not only to the city of Toronto, but also to the whole Province.

Mr. MACKENZIE said they quite recognized the importance of the harbour; it was next to the harbour of Hamilton, which, of course, was always the best. The Government was bound to give the closest attention to harbours such as Hamilton, Toronto and Presqu' Isle, which were natural harbours of refuge; but he did not think any of them were in immediate danger from any of the natural causes which sometimes affected harbours.

*Motion agreed to.*

#### AMOUNTS PAID BY STEAMBOATS.

##### MOTION FOR RETURN.

Mr. CHEVAL moved for a statement as exact as possible, showing the amount paid by each steamboat to the Harbour Commissioners of Montreal, during the season 1875-6, for wharfage dues, together with the name and length of such steamboat.

*Motion agreed to.*

## IMPORTS AND EXPORTS OF LIVE CATTLE.

### MOTION FOR RETURN.

Mr. HIGINBOTHAM moved for a return showing, 1st. The value of live cattle imported into each Province between the 1st day of July, 1875, and the 1st day of January, 1877. 2nd. The value of live cattle imported into each Province during the same period, and entered in bond for exportation. 3rd. The value of live cattle exported from each Province during the same period, specifying what portion thereof related to cattle imported in bond. 4th. The value of meats, fresh or cured; the product of cattle imported and killed in bond, and exported during the same period from each Province. 5th. The total value of meats, fresh or cured; the product of horned cattle exported from each Province during the same period. He said his object was to obtain the most complete information possible on this subject. The section of the country where he resided was deeply interested in the cattle trade, and it was necessary they should be in possession of all the facts connected therewith.

Mr. CASEY said he recognized the importance of the additional information asked for, but he suggested that the date in the motion should be changed from July 1st, 1875, to January 1st, 1875, so as to make the return cover the same period as the one he (Mr. Casey) moved for the other day.

Mr. BURPEE (St. John) said he did not know whether he could furnish the details asked for in the 4th and 5th clauses, but everything that could be brought down would be submitted.

Mr. HIGINBOTHAM accepted the amendment of the hon. member for West Elgin.

Motion, as amended, *agreed to*.

## EAGLE HARBOUR.

### MOTION FOR REPORT.

Mr. CASEY moved for the Engineer's report of the survey of Eagle Harbour, in the county of Elgin, to decide on its suitability for a harbour of refuge; and map of the said harbour. He said

Mr. CHEVAL.

in the summer of 1875 the Government saw fit to send an engineer to survey this harbour with a view to ascertaining how far it was adapted for a harbour of refuge. The people in that part of the country were naturally curious to know what report had been made. This was perhaps not the time to urge on the hon. the Minister of Public Works any further action in connection with this matter, but he would probably take another opportunity to say something on the subject.

Motion *agreed to*.

## SALE OF CANADIAN SHIPS IN FRANCE.

### MOTION FOR RETURN.

Mr. KILLAM moved for copies of all correspondence between the Government of Canada, the Imperial Government, and any other Governments or persons, on the subject of the duty imposed on Canadian ships sold in France; also copies of such portions of recent Commercial Treaties between the United Kingdom and France, as permit the sale in France of ships registered in the United Kingdom on more favourable terms than ships registered in Canada. He said the object of the motion could be explained in a few words. About ten years ago ships built and registered in this country could be sold in France on payment of an import duty of two francs per ton. Since the last Commercial Treaty between England and France, ships registered in Great Britain were allowed to be sold on payment of the same duty, but Canadian ships were subjected to a duty of 40 fr. per ton. Whether this was expressly stipulated by the treaty, or whether it was a construction placed on the treaty by the French authorities, he did not know. In the latter case, it would be a similar construction to that which enabled the Americans to claim that seal oil was not fish oil, or that British Columbia was not part of the Dominion. He wanted to know, first, whether this evil could be remedied, and, secondly, whether the Government were taking any steps to remedy it. It would be as well to understand whether the Canadian ships were British only for the purpose of vexatious and

annoying interference by the Imperial Government, or whether they were to be allowed the privileges British ships enjoyed in other countries.

Mr. BLANCHET said the hon. the mover should be thanked for bringing this subject before the House. He (Mr. Blanchet) was not a shipbuilder himself, but he happened to live in a place where a great many vessels were built, and shipbuilders had informed him that the duty of 40 francs per ton amounted to prohibition. A few years ago the French markets were good for Canadian vessels, but they were now deprived of them under the operation of this duty. The subject was brought to the attention of the Dominion Board of Trade at its last meeting, and a resolution was adopted asking the Government to try and find some means of relieving the shipbuilders of Canada in this particular. It might be that the duty was imposed by way of retaliation for the duty put upon French products by Canada. He hoped the Government would take the matter into consideration.

Mr. SMITH (Westmoreland) said he was very glad that the correspondence had been moved for, because it was desirable that the country should know exactly how this matter stood. The Government had had correspondence with the Imperial and French Cabinets and they were met in this way: This is a matter of treaty arrangement between England and France. The last treaty agreed that British ships should be sold in France, but it stipulated that they should be vessels built in Great Britain. Of course, our ships were British and were recognised as such by Imperial legislation. The correspondence would show exactly the position of the matter at present.

Motion agreed to.

## THE POSTAL UNION.

### MOTION FOR RETURN.

Mr. JONES (South Leeds) moved for all papers or correspondence, if any, in regard to placing the Dominion of Canada in as favourable a position as any foreign country, under the provisions of the Postal Union made at Berne on the 9th October, 1874.

He said every hon. member would know that, under the Postal Union effected at Berne, which comprised all the countries of Europe, including the colonies of France and the United States, letters were conveyed to and from each nation at the rate of 5 cents. It was true that we had, with the United States and Great Britain, a very favourable postal arrangement, but we had not very good arrangements with other foreign countries. We had to pay a double rate of duties. For instance, a man on the other side of the St. Lawrence paid 5c. for a letter to France, while a man on this side had to pay 10c. for the same service. The colonies of Great Britain, and the Dominion of Canada were not included in this Postal Union, therefore he brought this motion before the House in order to know if the Government were using every exertion in this direction. He thought we should be placed certainly upon as good a footing as any country in the world in regard to postal matters.

Mr. HUNTINGTON said he was sure the House would be obliged to the hon. gentleman for the attention he had applied to this important subject, and he (Mr. Huntington) would take the earliest opportunity to bring down the papers. When they came down, he was sure the hon. gentleman would be glad to find that the Government had done its best to place this country in the same position as those countries which obtained a position in the Postal Union under the convention at Berne. By that treaty there were certain provisions, one of which was that, if any member of the convention objected to the admission of any applicant, the admission could not take place. It had been agreed that sea rates of postage were to be an open question in all countries beyond the sea, and were to be the subject of future arrangement. It happened, after the union, when British India and the colonies were asking to be admitted, that the British Government did not take the same view as France in regard to the sea rates. The views of the British Government, however, prevailed, and, in consequence, when application was made by Canada, or, on our behalf, by the British Post

Office, the French Government refused to permit our entrance into the Union. The Government had made every exertion last winter with the expectation, which was concurred in by the British Post Office, that the application would be successful in June last, but it was found impossible for Canada to obtain immediate admission into the convention. He was happy, however, to state that an application would be made at the next meeting of the convention by the British Post Office for the re-casting of the 17th rule in such a way that the majority of the members, instead of only one, would be able to accord admission to those seeking it, and then the Government hoped that Canada would be admitted. He thought the hon. gentleman would be glad to know also that, although Canada had not been able to obtain admission as yet to the Postal Union, whose benefits were so well known, the Government had been able to make such arrangements with the British Government, that we were in the same position with regard to them as if we were members of the Postal Union, and a treaty had also been made with Germany to the same effect, which would come into operation on the 1st of April next. The hon. gentlemen would find all the information in the papers.

Mr. JONES (South Leeds) said he was perfectly satisfied with the remarks of the Postmaster-General, and he thought it was unnecessary that that the papers should be brought before the House.

Mr. TUPPER said he hoped his hon. friend would not withdraw the motion for the papers, as there was no objection to bringing them down, and the subject was one of great interest to the country.

Mr. HUNTINGTON said there was no objection to bringing down a sufficient number of the papers to put the House in possession of all the requisite information.

*Motion agreed to.*

#### DEPARTMENTAL CONTINGENCIES.

##### MOTION FOR RETURN.

Mr. OLIVER moved for a return of the Contingencies voted and expended

Mr. HUNTINGTON.

in each Department of the Government, from the 1st of July, 1868, to the close of the last financial year. The returns also to show the amount expended from July 1st, 1873, to 1st November of the same year.

*Motion agreed to.*

#### DEPARTMENTAL OFFICIALS.

##### MOTION FOR RETURN.

Mr. OLIVER, in the absence of Mr. Ross (West Middlesex), moved for a return of the names and number of officials in each Department of the Government with the salaries payable on the 1st July, 1873, and on the 6th November of the same year, had the several Orders in Council then existing been carried into effect; also, a similar return for the Civil Service salaries payable on 1st July, 1874, 1875, and 1876; Return to show what proportion of the increase (if any) was made under the provisions of the Civil Service Act of 1870.

*Motion agreed to.*

#### WOOD LAND IN MARQUETTE.

##### MOTION FOR RETURN.

Mr. RYAN moved for a return showing the quantity of wood land in the county of Marquette, and the number of licenses to cut wood or timber in the said county, sold or issued by the Dominion Lands Office in Manitoba, during the last three years, to persons not being actual settlers. He said, in a prairie country, where coal did not exist or could not be easily or cheaply procured, the question of the wood supply became one of the greatest importance. Manitoba consisted chiefly of one vast prairie, within whose limits no coal existed. The nearest coal had been discovered in the valley of the Souris River, near the 49th parallel of latitude, between 250 and 300 miles west of the Red River. They did not yet know enough about the quality of the lignite or the quantity in which it existed to speak with certainty of the value of the discovery. Between 300 or 400 miles further to the North-West, however, veins of lignite of good quality and unusual thickness had been discovered on the banks of the Saskatchewan and other rivers of the

North-West Territories. Geologists informed them that large tracts of these territories were underlaid with lignite, and there was no reason to doubt that, when means of communication should be established between those territories and Manitoba, this lignite would supply not only the North-West Territories but also the Province with fuel. Until then, however, for several years, the Province would have to depend entirely upon wood for fuel. When that portion of the Canadian Pacific Railway from Selkirk to Rat Portage should have been built, they would tap the extensive wooded regions lying between the prairies and Lake Superior, and for all those portions of the Province upon the line of the Canadian Pacific Railway, or its connections, the wood question would be deprived of much of its difficulty. Until then, it seemed that Lake Winnipeg was the natural source of wood supply for the town of Winnipeg and all the Red River valley. The shores of the lake were in many places well wooded, as were also the banks of many of the streams running into the lake. The water was sufficiently deep to admit of navigation by schooners, drawing several feet of water, which could ascend the Red River as far as Selkirk, where the wood could be transhipped into barges and supplied to the whole Red River valley. Hitherto, however, all the wood consumed in the town of Winnipeg had come, not from Lake Winnipeg, as it should, but from the Assiniboine valley. It was easier to float wood down the Assiniboine than to convey it in boats against the current, and, consequently, wood was procured more cheaply from the Assiniboine than from the lake. All the wood from the Assiniboine was found in the county of West Marquette. Six years ago, there was a sufficient quantity of wood along the rivers and streams of West Marquette, if it had been carefully husbanded, to have answered all the requirements of settlement for several years to come. Unfortunately, it had not been husbanded. The new settlers and the natives had been guilty of extravagance, fires had been allowed to waste, and thousands of cords had gone down the Assiniboine year after year to supply Winnipeg and the Red River

valley. The settlers were beginning to feel the scarcity of wood now. Six years ago there was no difficulty in procuring, in West Marquette, good white oak timber, forty and fifty feet long, squaring ten and twelve inches. To-day, the settler had the greatest difficulty to procure logs of a sufficient size to build his dwelling. Nearly all the square or flatted timber used in the town of Winnipeg had come from West Marquette. No hon. gentleman could contradict him when he asserted the principle that the settlers of the prairies of West Marquette had the first claims upon the woods of that county; that it was necessary in the public interest that these woods should be devoted, first of all to the wants of settlement; that, until every settler had enough wood to build his humble cottage, to warm his fireside, to build his stable and granary, and to fence his fields, it was unfair, it was impolitic and inconsistent with the public interest, to allow any wood or timber to be floated down the Assiniboine out of the county. He did not refer to this question merely for the purpose of finding fault, which was a duty members from his Province had frequently to perform. He desired to suggest a remedy; and he had sufficient confidence in the new Minister of the Interior to believe that, when, speaking for the settlers upon the prairies of West Marquette, he (Mr. Ryan) made a suggestion, it would receive from the Government the consideration it deserved. In the fall of 1874, a prairie fire had swept across thousands of acres of West Marquette and destroyed thousands of cords of wood. Two or three recurrences of such a fire would leave the country without wood, and seriously enhance the difficulties of the problem of settlement. During the Session of 1875, following the fire, he had directed the attention of the Government to the question. In response to his question on the floor of the House, the hon. Mr. Laird had taken, as he (Mr. Ryan) believed, an untenable position. Mr. Laird had denied the responsibility of the Dominion Government as the guardian of the wood lands of Manitoba, and endeavoured to fasten the responsibility upon the Provincial Gov-

ernment. To whom did these wood lands really belong? The fact was the Provincial Government did not own an acre of these lands, they were held by the Dominion Government as trustees not for the people of Manitoba alone, but for the people of the whole Dominion. As such trustees they could not deny their responsibility, and, if to-morrow a prairie fire swept across, and destroyed the woods, the people of Canada would justly hold the Dominion Government responsible. He did not deny that the people of Manitoba had a special interest in the preservation of these woods, which special interest might, if they were able, prompt them to take special measures for their preservation. But they were not able; the Province was financially embarrassed, struggling with debt. Within a year, the House had seen the Provincial Government suppliants for an increased subsidy. There were many legitimate demands upon them which they were unable to meet. Moneys were required for roads and bridges, and schools, strictly appropriate demands upon the Provincial Treasury, which they were unable to pay. Under the circumstances, therefore, it was unreasonable to expect the Province to defray expenses which were, in the first place, chargeable to the Dominion.

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

### After Recess.

#### PRIVATE BILLS.

##### THIRD READINGS.

The following Bills were severally read the third time and passed.

Bill (No. 13) To incorporate the Dominion of Canada Civil Service Mutual Benefit Association.—(Mr. Wood.)

Bill (No. 17) To extend the provisions of section 56 of the Act 34 Victoria, chapter 5, intituled "An Act relating to Banks and Banking," to the Bank of British North America.—(Mr. Fraser.)

Mr. RYAN.

#### CANADIAN SECURITIES COMPANY INCORPORATION BILL.—[BILL No. 61.]

(Mr. Jetté.)

##### SECOND READING.

Bill read the second time.

#### CITY MORTGAGE LOAN COMPANY BILL.—[BILL No. 58.]

(Mr. Ouimet.)

##### SECOND READING.

Bill read the second time.

#### NEW BRUNSWICK CRIMINAL PROCEDURE BILL.—

[BILL No. 38.]

(Mr. Palmer.)

##### BILL WITHDRAWN.

Mr. PALMER said his object in bringing the Bill before the House was to point out to the Minister of Justice what he considered an evil in the Criminal Law in New Brunswick. From the information he had been able to obtain the same evil applied to Ontario and the other Provinces. Prior to Confederation, the larger crimes were tried by the Superior Courts alone; but since that time crimes of the very gravest nature, capital offences excepted, were tried by County Court Judges, who were all single Judges. The same principle applied to other parts of Canada, although at the time he drew up the Bill, he was under the impression that it was peculiar to New Brunswick. He had always thought it was a very hard thing that, just as in the Court of the highest jurisdiction, there could be no appeal from the decision of a County Court Judge. He had seen no trouble arise from this, owing to the manner in which the Courts were constituted, and the fact that the Judges always gave the prisoner the benefit of the doubt, both in fact and in law. While, theoretically, this non-appealing power seemed an enormous jurisdiction, yet practically no injury had arisen. Nevertheless, he had seen, according to his judgment, evils which arose from the present system. Of course County

Court Judges were very necessary, and, while they had performed their duties remarkably well, and he had nothing to say against them, still, as a rule, the leading men in the profession of the law were not appointed. He would put it to the Minister of Justice whether this was not a subject worthy of consideration—as to whether there could not be some appeal from the decision of these gentlemen, and that, instead of leaving it discretionary on the part of the County Court Judges whether they reserved questions of law for a Superior Court or not, it should be made compulsory. He thought the time had come when the security of feeling in the matter should be increased. He had brought forward the Bill as he thought the case of New Brunswick was exceptional, but such not being the fact he would ask that the order be discharged.

Mr. BLAKE said he was glad that his hon. friend had taken that course. Upon receiving the Bill, he had taken no steps to investigate the grievances complained of, because there was no opportunity of discovering whether the grievances were real and substantial or not. He had reached the same conclusion as the hon. member, namely, that there was no exceptional legislation in this respect as to New Brunswick. He had not been able to reach any conclusion as to the wisdom of the proposed change; but, the hon. gentleman, who occupied a distinguished position at the bar in his own Province, having brought the matter before the House, the Government would take some pains to ascertain whether there were any substantial grievances. In the absence of such particular grievances, it would be rather a dangerous thing to alter the law, with its present certainty, simplicity and inexpensiveness.

Order discharged, and Bill withdrawn.

## INSOLVENT ACT REPEAL BILL.

[BILL No. 39.]

(Mr. Palmer.)

BILL WITHDRAWN.

Mr. PALMER: The principle of this Bill is already settled by the House.

Therefore, I will ask that the order be discharged.

Order discharged and Bill withdrawn.

## THE COAL INTEREST.

ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. MacKay (Cape Breton) "That the petition of Henry Mitchell and others, be referred to a Select Committee," and the motion of Mr. Cartwright, in amendment thereto, read.

Mr. SPEAKER said he might as well state to the House that any hon. member who spoke against the matter being referred to a Committee under the original motion could not be a member of it if appointed under that motion. If the amendment was adopted, however, the case would probably be somewhat different. He would not pronounce his judgment in advance.

Mr. MACKAY (Cape Breton) said he would have very much preferred to have had the motion stand in its original shape; but, inasmuch as he considered it advisable to take half a loaf if he could not get a whole one, he presumed he would have to bow to necessity and accept what the Government saw fit to grant. At the same time, he would suggest to the Minister of Finance the addition of the following words to the amendment: "And to inquire into the best means of promoting inter-provincial trade, with power to send for persons and papers, and to report from time to time to this House." It seemed to him that this was a very important matter for a Committee to take into consideration, and to examine into; if the Minister of Finance would consent to the addition he suggested, he presumed that his best course would be to assent to the adoption of the amendment. He did not feel inclined to let the matter drop. He must enter his protest against the position assumed in this regard by the hon. members for Halifax and Pictou. The latter stated that no legislation could be of any service to the coal trade. The hon. member did not appreciate the position which either the petitioners, or those who brought the matter before the House took in this connec-

tion; they simply endeavoured to induce the House either to impose a duty upon all coal imported from the United States, or to grant a bounty upon all coal exported from the Dominion. Another matter was also submitted. Those engaged in the coal trade laboured under exceptional disadvantages. He contended that the statement of the hon. member for Pictou that this was a fallacy was not borne out by the facts. On looking at the tariff, it would be seen that almost every article which entered into the working of a coal mine paid 17½ per cent. duty; and, consequently, the allegation that legislation could be of no service to this industry was incorrect. In his opinion a great deal could be done by this means to raise this industry out of its present depressed state. If some of the most expensive articles used in connection with coal mines, such as locomotive engines, wire rope, powder, dynamite, tubing, and a great many others, were put on the same favourable footing with articles which entered into the construction of ships, and made use of in manufacturing in the Dominion, then legislation would go very far towards ameliorating the condition of this important interest. The hon. member for Halifax had taken the same position as the hon. member for Pictou; and to this hon. gentleman he would return the same reply. The hon. gentleman was very much mistaken if he considered that the interests of the Province of Nova Scotia could only be subserved by either placing a duty on coals imported or a bounty on coals exported. Remembering the vast importance of this interest, in which was invested some 12 millions of dollars, he thought that the least which might have been done by these hon. gentlemen would have been, at any rate, to refrain from throwing cold water on the application made for the purpose of having the matter referred to a Committee, to see what could be done. The hon. member for Waterloo had given the House to understand that it would probably be impossible for Nova Scotia to send coal to Ontario. Did the hon. gentleman not know that iron ore was sent many hundreds of miles in the United

States by rail to places where coal was raised from the mines, in order to have it smelted; and this was a paying investment. Hon. gentlemen should also remember that, as this scheme was practically untried as yet, it was worth while, at any rate, to consider the question seriously and see whether an interchange of products could not be made between the East and the West. This was a duty, the performance of which this Legislature and its statesmen owed to the country, and for which they would receive credit throughout the Dominion, if a union on paper could be changed into a union based upon sound trade principles, and an interchange of commodities. He disclaimed any intention on the part of the people of Nova Scotia to force Ontario to take their coal. He believed a large trade could be done between these two Provinces. Ontario had a vast quantity of breadstuffs, and manufactured articles which Nova Scotia had to import from the United States, while Nova Scotia had coal in abundance, which Ontario required. He thought that Ontario occupied rather a humiliating position in the presence of the rest of the Dominion, and of the United States, when it was considered that the slightest civil commotion in the latter country might cut off the supply of so necessary an article as coal. The people and representatives of Ontario should make provision for such a contingency. He thought that the House was to a very large extent alive to the importance of this question. Whatever claims the manufacturing and agricultural interests might have on the attention of the House, they paled before those of the coal interest, as both the farmer to a certain extent at present enjoyed a certain amount of exceptional legislation made in their behalf, while the tariff, as it had existed ever since Confederation, bore more heavily on the coal than on any other industry in the whole Dominion. He begged leave to ask the House to consent to the appointment of the Committee to ascertain what could be done to relieve this trade from its present depressed state.

Mr. WALLACE (South Norfolk) said the hon. member for Essex had stated that American coal could be laid

**Mr. MACKAY.**

down in Toronto at \$3.50 a ton. He admitted that this was correct, but such coal came from Ohio and was of very inferior quality. It was unsuitable for house purposes; coal suited for these purposes was worth a great deal more. He held in his hand a circular from a house engaged in the coal trade. He found that at Buffalo, Briar Hill coal No. 1, cost \$4.50 instead of \$3.50, to be laid down in Toronto, and No. 2 Briar Hill, \$4.25. These were the prices in June last. In September and November last, the same quality was worth in Buffalo, \$4.25 instead of \$3.50 a ton. Again, hon. gentlemen opposite said it was impossible to bring coal from Nova Scotia to Toronto for \$2.50 per ton, although it was shown that such a contract had been made. It was contended that this was an abnormal state of things. He apprehended that this was also the case with regard to bringing coal from Cleveland to Toronto for 90 cents per ton, a rate much lower than usual. The hon. member for South Waterloo said that the Opposition claimed to be the friends of the manufacturers, and yet they wanted to tax manufacturers; that we imported 794,000 tons of coal a year, that it would be necessary to put on a duty of \$1 a ton, and that therefore this tax would amount to nearly one million of dollars. But this was not at all correct. The Opposition did not ask for a higher duty than those who were interested in the coal trade petitioned for, and this was 50 cents per ton. The case ought to be stated and discussed fairly. Again, such a duty would not be a tax entirely on manufacturers, because a large portion of these 794,000 tons was anthracite coal, which was not used by manufacturers, except by those who were engaged in the furnace business and who used Lehigh lump for blasting and smelting purposes. The hon. member for Pictou said he was well acquainted with the shipping interests, and that it would be impossible to bring coal from Cape Breton to Toronto for \$2.50 per ton; but, if coal could be carried from Cape Breton to Pictou for \$1.50 a ton—as has been stated—why could not it be taken to Toronto for \$2.50. He was further informed that coal had been brought

from Liverpool to Montreal for \$2 a ton. He saw no reason, under the circumstances, why it could not be carried to Toronto for the price mentioned.

Mr. TUPPER said that he consented to serve on this Committee with a great deal of pleasure, but, when he learned that the Government were disposed to move an amendment which would emasculate the Committee as to their power to do anything of the slightest value, he had not felt inclined to do so. The motion of the Minister of Finance simply threw discredit on the petition itself, and the duty of the Committee was confined to ascertaining the truth of the allegations contained in the petition. He proposed, under these circumstances, to move in amendment to the amendment, a resolution, asking for the appointment of a Select Committee to enquire into the best mode of promoting inter-provincial trade, and to report upon the products that might be profitably interchanged between the Lake Ports and the Maritime Provinces. This question he considered one of very great importance, embracing the objects mentioned in the petition as well as many others. If the Minister of Finance, however, would accept the proposal of the hon. member for Cape Breton, he would be quite satisfied, and would be very glad to do the best in his power to accomplish the objects which the Committee should be named to accomplish.

Mr. CARTWRIGHT said he did not object to the proposition of the hon. member for Cape Breton.

Mr. McDONALD (Cape Breton) said his hon. colleague no doubt had very little confidence in the Government when he asked for the Committee in question. He must have less now, when they refused the Committee first offered. He regretted very much that the Government had not deemed it proper to grant what had been demanded, and he believed that, if this had been done, a report would have been presented supporting every allegation contained in the petition. It appeared the Government did not desire this. He considered the amendment the reverse of complimentary to

the signers of the petition, who comprised leading men in the Province of Nova Scotia. He believed that a large number of intelligent coal-owners and commercial gentlemen in Halifax and other districts of Nova Scotia had signed it, and they knew what they were doing. It was not at all complimentary, under the circumstances, that the Government should ask for an investigation into the truth of the allegations they had so made. It was well known that inter-provincial trade was quite possible, provided a little assistance was given in the shape of a duty on American coal sent into the Dominion. A writer in the Toronto *Monetary Times* said :

“The argument used by the Nova Scotia delegates before the Dominion Board, and the burden of the memorials presented to that body, as well as in the further petitions largely signed, which are to be laid before Parliament, was that the imposition of a duty of fifty cents per ton on American coal would enable Nova Scotia mines to send a larger quantity of their products into Ontario and would build up an inter-provincial trade by lessening the cost of downward freights on breadstuffs. That, indeed, the coal vessels coming up would take flour to Cape Breton more cheaply than the Americans could supply it from Portland or Boston. It would, doubtless, be a good thing if, by such means, the mines of Cape Breton and Pictou county, in which it is stated that twelve millions of dollars are invested, could be stimulated into a paying activity, while assisting to develop direct trade with the wheat fields of Ontario. But a word is pertinent as to whether the benefit to the lower Provinces will equal the disadvantage which that policy might imply to the portions of the Dominion bordering upon the Lakes.”

It would thus be seen that an arrangement could be made, with a small duty on American coal, that would be mutually beneficial both to Ontario and Nova Scotia—that a large amount of money now going to the United States would be kept circulating in our own country. A writer in one of the Halifax journals said :

“My second suggestion is that, in order to have a market within our own Dominion, and independent of the United States, the trade of Ontario be secured by Parliament subsidizing a line of steamers to ply from Cape Breton and Pictou to Toronto and Hamilton, or other western cities on the lake shore. Although the ordinary class of sea-going steamers cannot go beyond Montreal, yet it has been proved that steam propellers of very large carrying capacity can go through

the canals, and at the same time be able to undertake the sea voyage to Cape Breton. I think there is not much doubt that with the proper class of boats this business might be made to pay; but, as there is a doubt about it, I think Parliament would not refuse granting a generous subsidy, and more particularly as this is a trade that would benefit Ontario and Nova Scotia exclusively.”

He hoped the Government would consider this suggestion and show that they had a desire to assist the coal industry. If the Government would at once subsidize a line of steamships and make the experiment, it might ultimately lead to a very large trade. As he believed the Government did not intend to take any action in the direction of imposing a duty on coal, they might subsidize a steamship line to promote the coal trade, and at the next Session of Parliament they would be able to report whether the enterprise had proved advantageous or not. He would not reply to the statements made by the hon. members for Pictou and Halifax, but those hon. gentlemen would be called upon by their constituents and answered when they next went before them at the next election.

Mr. THOMSON (Welland) said the eastern Provinces had large coal fields furnished them by nature, and the proposition to give protection on coal seemed an outrage upon the people of those Provinces. They had fish on one side and coal on the other, and they did not need any such protection on their coal as 50 cents a ton.

Mr. JONES (Halifax) said he regretted that on a question of so much importance as that under discussion he was compelled to differ from the argument of his hon. friend from Cape Breton. When the question was before the House on a former occasion, he felt it to be his duty, in order to consider it intelligently, to direct the attention of the House to some information which gentlemen interested in the coal trade had submitted to a Parliamentary Committee last Session. He at that time quoted the opinion of a gentleman who was competent to give the information, and who, perhaps more than any other man in Nova Scotia, had given his time and attention to the coal interests, and when he gave evidence before the Committee

Mr. McDONALD.

last year, no testimony, it was admitted, was of so much importance as that of Mr. Rutherford of Halifax. Mr. Rutherford stated that the cost of laying down coal in Toronto was \$6.00 per chaldron. When they had the evidence of another gentleman that American coal could be laid down in Toronto for \$3.50, it was a self-evident proposition that, if they were to force Nova Scotia coal into Ontario, it could only be done by Parliament placing a duty of \$2.50 per ton on American coal. That was the conclusion at which he (Mr. Jones) had arrived from the facts, and he thought that was the view which would be borne out by documents before the House. The hon. gentleman who had spoken on the question on the other side said that if a duty was to be placed on coal they must expect a similar duty to be imposed on flour. That was a natural conclusion, and he would not ask that a duty should be placed on coal without admitting that a duty should be placed on flour. It would be an untenable position for any hon. member to occupy, to ask that the products of his own Province should be protected by a duty at the expense of the consumers in other Provinces, without at the same time admitting the justice of giving protection to the products of those Provinces taking Nova Scotia coal. They knew very well that Quebec, Ontario, Prince Edward Island, and New Brunswick would be compelled to pay a duty on coal for the benefit of Nova Scotia alone, and he could not think that such would be a satisfactory arrangement to those four Provinces, because it would be for the benefit of only one Province. He was rebuked on a previous occasion by the hon. member for Cumberland—a rebuke which he would have felt a severe one if it had come from any other source—and he was told that he had abused his position in the House by acting in a certain direction on a question upon which his constituents had expressed a different opinion. He would direct the House to some of the points contained in the petition, and he would ask hon. members if the hon. member for Cumberland had not abused his position at any time, and whether the Government with which he was asso-

ciated had not laid itself open to that suspicion, if the statements of the gentlemen who signed the petition were correct. The petitioners said:

“Your memorialists deeply regret that in consequence of the subject of our coal trade having been lost sight of by the public, through the agitation on the subject having ceased when the duty was imposed on imported coal, the influence of American monopolists and of those who sympathize with them in this country, was sufficient in the following year to bring about a repeal of the duty of 50 cents imposed on imported coal.”

The petitioners declared that the influence of American monopolists and those who had sympathy with them had been sufficiently strong in the Dominion Parliament to bring about the repeal of the 50 cents duty imposed on American coal. The hon. member for Cumberland had said on a previous occasion that it was not his action or the action of the Government, but it would be held as a constitutional principle, acknowledged by all parties, that the Administration of the day was responsible for the legislation that was effected under its rule, and, if the hon. member for Cumberland was opposed to the policy which the House forced on his Government, if he had not valued his place more than his principles, it was his duty to have retired from office, taken an independent position, and maintained the interests of his country in Parliament. Those were the principles which any statesman who valued reputation and consistency would have carried out, and he would not have attempted to shelter himself behind the excuse that the policy was forced on them by the Opposition, when the Government of the day had a majority in the House. There was another point from which that hon. gentleman might perhaps extract some comfort. The memorialists having proceeded to point out the different modes by which the interests of the Dominion would be promoted, came to this conclusion:—

“We therefore ask in the interests, not of protection, but of free trade, that you request the Legislature to neutralize this hostile duty of 75 cents by giving an equal bounty on all coal sent to the United States; or else to impose a duty of 50 cents on all imported coal.”

It thus appeared that the petitioners were exactly in accordance with his

views, and that they were not seeking an imposition of duties for protection but for free trade. So, when the hon. member for Cumberland accused him of having abused his position by the stand he had taken, he would ask that hon. gentleman to carefully study the petition before making such a reference. That hon. gentleman had stated during the last debate, as well as on previous occasions, that the action of the Dominion Government in imposing a duty on American coal had forced the United States into a reduction of their tariff. The hon. member for Pictou, during the late discussion, had called attention to the fact that, while the National Policy, so called, under which the duty on coal was repealed, was passed in March, 1870, the duty in the United States was not reduced until 1872 from \$1.25 to 75 cents per ton. An examination of the evidence on the question showed that the statement made by the hon. member for Pictou on the previous occasion was strictly correct. The report of the Inspector of Mines and Minerals for Nova Scotia, in which a statement was given of the quantity of coal exported to the United States from 1860 to 1875, showed that from 1860 to 1865 it was free, from 1866 to 1871 the duty was \$1.25, and from 1872 to the present time was 75 cents. The coal-owners of Nova Scotia had been under the impression that the cost of laying down American coal at the different lake points was very much larger than it proved to be. At the present time they believed—and he gave them the impression from information gathered last year from a gentleman who was before the Committee, and statements then furnished—that the average price in Toronto and Hamilton was \$4.50. It appeared, however, that the true value was only \$3.50 in Toronto, about the same price in Hamilton, and going west towards Sarnia the value was reduced to \$2.75, \$2.50 and \$2.00. He was told that, in Ottawa, Ohio coal was laid down at \$5.30 per ton. If the petitioners in Nova Scotia, who were under the impression that the cost of laying down American coal in Toronto was \$4.50, had been correctly informed as to the facts, instead of asking for a duty of 50 cents they would

have asked for one of \$2.00. He observed the strange position in which hon. members found themselves in asking for that protective policy. The member for Hamilton (Mr. Wood) thought it was his duty to ascertain the views of his constituents with regard to the proposed duty on coal, and there was no city where protection principles prevailed to a greater extent. But the Hamilton manufacturers, who came to Parliament and asked that the duty of 17½ per cent. on manufactured articles should be increased, instructed their representative not to vote for a duty on coal under any circumstances. That was only the logical result of the position occupied by hon. members when they attempted to argue in favour of a protective policy. At the last debate, the right hon. member for Kingston read a letter published by a prominent gentleman in Montreal commenting on the views of the hon. member for Montreal West, who styled himself a moderate Protectionist, and any one following the right hon. gentleman as he read that letter would have gathered from it that the writer was entirely in accord with Protectionists in regard to the duty on coal. They would have imagined that the writer of the letter was quite willing that such a duty should be imposed, even if it amounted to 75 cents per ton, although he was interested in a great industry which used 100,000 tons annually. But the right hon. gentleman did not inform the House that the industry with which the writer was connected was that of steel works at Londonderry, in the heart of Nova Scotia. Under such circumstances, if a duty were imposed, that gentleman, interested in that large industry, would have the benefit of it at the expense of manufacturers in other parts of the Dominion. If the Government consented to impose such a duty, that gentleman would afterwards represent to them that he was one of the largest manufacturers of pig iron, and therefore asked that a duty should be imposed on that article, which entered largely into other branches of manufacture. But there was another point which had been kept out of view by the hon. gentleman. While he was willing, as

Mr. JONES.

Artemus Ward used to say, to sacrifice his wife's relations—to sacrifice every other interest in the country—so that he might ultimately get a duty on iron under the guise of paying a duty on coal, while he was willing the duty should apply to coal, he took care that it should not apply to bituminous coal. This was the position assumed by other hon. gentlemen; and therefore the gentleman who wrote the letter strictly confined himself to the position that they were willing to pay 75 cents duty on American coal, because he had not to pay one cent himself. It was to him a source of deep regret that the coal interests were in their present depressed state; but he could not see that any legislation, short of the amount he had indicated, would be of any benefit to the coal interests of the Lower Provinces. As a representative from Nova Scotia, he could not ask the House to impose a duty on coal, unless at the same time he supported the placing of duties on other articles produced in other parts of the Dominion; and that was a policy which he could neither advocate nor defend. Looking at the subject in that light, he thought the coal interests would have to bide their time. He confessed he was not very sanguine about their future. Whatever chance that industry had was destroyed when the late Government negotiated the Washington Treaty; and the hon. gentlemen opposite must stand the responsibility with the people of Nova Scotia of having struck the most vital blow that could be imagined against that great interest. If that interest was languishing or less prosperous than formerly, it was the fault of the Government which negotiated the treaty, and not of the Government which refused to build up a protective policy at the expense of the people at large.

Mr. CAMPBELL said he was sorry to hear the views expressed by the hon. member for Halifax. The argument that the people of Toronto would have to pay a duty of \$2.50 to enable the Nova Scotia coal to compete with the American coal in Ontario he thought was scarcely borne out by the evidence. The petition itself only asked for a duty of 50 cents per ton,

and it was reasonable to think that the men who drafted that petition knew what they were about. The hon. member for Halifax had tried to make the question a political one; it should be kept entirely free from politics. When the Provinces entered Confederation, it was with the intention and object of forming a country for ourselves. They supposed that every sectional interest would be buried for the benefit of the whole. He could only account for the sentiments expressed by the hon. members for Halifax and Pictou by supposing that the old sentiment of Annexationism still dwelt within them. The hon. gentlemen probably wished that the country should go to wreck, be sub-divided, and fall into the hands of our American neighbours. Two years ago, he expressed a similar view with regard to the Government, and the more he saw of their policy the more convinced was he that he was right. Coal should be treated with more consideration than other interests. There were \$12,000,000 to \$15,000,000 invested in that industry, and there was a large class of the community dependent upon it for their support. In allowing it to fall behind, dangerous advantage was given to the United States. What would be the result in case of trouble with our neighbours, if the coal was not fostered? We would be almost entirely at the mercy of the Americans in case of war between them and England. For years we had been importing immigrants at a cost of \$28 a head, and at the same time we were starving the people brought up in the country, who were compelled to emigrate to the United States in order to make a living. There was no sense in such a policy. No other industry in the country suffered under the same disadvantages as the coal industry. If the Government would only place the mining interest on the same footing as the shipping, it would be some advantage; but the Government showed no disposition whatever to help the mine owners. Before Parliament met this Session, the feeling was general that the Government would do something to relieve the suffering industries of the country. But every one had been disappointed. All the Government had done was to

make a penny-whistle change in the tariff. The poor man's beer was taxed, and even the popular beverage, tea, had a duty put upon it by a Government, the chief of whom was a teetotaler. He could not comprehend this. The present tariff was a cobbler tariff. It would raise a revenue, but would not protect our industries at the same time. Other industries which ought to be protected besides coal were those of fire-brick and lime, for we had plenty of raw material.

Mr. CARMICHAEL said he rose to correct a misapprehension which existed with reference to his remarks the other evening. The hon. member for South Norfolk stated, as evidence to prove that coal could be carried from the Maritime Provinces to Toronto profitably, that he (Mr. Carmichael) had said that he had carried coal from Pictou to Poughkeepsie for \$1.50 per ton. He was afraid he was not explicit enough, but he did not think that he had been misapprehended. His object in making the statement referred to was to show that the present depressed condition of the coal trade was not caused solely or mainly by the remission of duty on coal brought here from the United States. To prove this, he said that he had offered to carry coal from Pictou to New York for nothing. Following the same argument, perhaps the hon. gentleman might say it could be carried from Sydney to Toronto for nothing. But that would hardly admit of proof. He (Mr. Carmichael) further said that he had succeeded latterly in obtaining some 600 tons of coal to be carried up the Hudson at \$1.50 per ton; but he did not intend to convey the idea that it could be done very profitably, as he had also offered to do it for nothing but could not get a cargo. They had to send a ship of 2,000 tons to New York, and 500 or 600 tons of ballast was required. He offered to carry the cargo free, on condition that the owner would pay for the loading and unloading. The hon. member for Cape Breton had said he would leave him and the hon. member for Halifax to their constituents. It might be that his constituents would disagree with him, but it mattered not. He had to act according to what he

Mr. CAMPBELL.

conceived to be to the interests of his constituents, and he preferred to conscientiously perform his duty than to maintain a seat in the House. In regard to the statement of the hon. member for Victoria that his interest in coal mining was not very great, it was true he had not a large direct interest, but, in addition to having some interest, he lived in the midst of the Pictou coal fields, and, being interested in shipping, he was also interested in coal.

Mr. GOUDGE said he thought it very desirable that the coal interest should have a hearing as well as other interests, as it employed a large number of persons and a great amount of capital. By the last report, there were 4,000 men engaged in coal mining, averaging 136 days in the year. One of the reasons why the House was averse to granting a Committee to enquire into the matter, was the belief that coal from the Maritime Provinces could not possibly be delivered profitably at Toronto and other points west. But gentlemen who ought to know said this could be done, if Canadian coal was properly protected against American coal, and under the circumstances it would be wise to ascertain who was right.

Mr. TUPPER said he desired to draw attention to the statement made the other day by the hon. member for Pictou (Mr. Carmichael), to the effect that the American duty on coal was not reduced until June or August, 1872. He was very much surprised at this statement, as he remembered distinctly a discussion which took place in 1871, in which the statement was made, and it was accepted on all sides, that the duty had already been taken off. It might be remarked also, that the authority quoted by the hon. member for Halifax, namely, Mr. Rutherford, was second to none in the Dominion. That gentleman was at one time official Inspector of Mines in Nova Scotia, and since that time he had been employed by one of the largest companies in England as their representative in this country. His name was signed on the declaration that the American duty was reduced immediately after the imposition by the Canadian Govern-

ment of the fifty cents a ton, as was also the name of nearly every mine-owner in Nova Scotia. On looking at the debates of the House in 1871, some remarks on this very question were found:

"Mr. Workman referred to the action of the American Government in remitting the duty on coal, and said it was absurd to suppose that any action of our Government had influenced them to do so."

It seemed, then, to be accepted that the American duty on coal had been reduced subsequent to, if not in consequence of, the imposition of a duty by this House. This being the case, the reduction must have taken place in June or August, 1872, the date assigned by the hon. member for Pictou. In the report he found that he (Mr. Tupper) had made some observations:

"He (Mr. Tupper) would remind those who said that the duty on coal in the United States had not been repealed through the course pursued by this Government, that although efforts had frequently been made to remove the tax, it had not succeeded until the Canadian Government imposed the duty on coal and flour. If the action of the American Government was not *propter hoc*, it was at least *post hoc*."

From the *Congressional Globe*, containing the official report of the proceedings of the American Congress, he found that Mr. Ward, on the 6th June, 1870, introduced a resolution relative to the matter, and again on the 14th June there was a discussion as to decreasing the duty on coal. While he had not had time to investigate the question thoroughly, he was satisfied that the reduction of the American duty followed immediately after the imposition of the Canadian duty.

Mr. MILLS said that discussions on the subject might be found both before and after the dates mentioned by the hon. member for Cumberland.

Mr. ROBINSON said that, coming from Ontario, he was not particularly interested in this question, certainly not so much so as those who represented Nova Scotia constituencies. Under any circumstances Ontario could obtain coal from Pennsylvania and Ohio. It was, however, for the representatives of Nova Scotia to consider the fact that Ontario spent yearly in buying American coal something over two millions. It was for his hon. friend

from Halifax to say whether, under these circumstances, Nova Scotia, by means of some wise legislation, might not at all events secure one half of this sum. The hon. member for Halifax had quoted Mr. Rutherford, who was undoubtedly a high authority with respect to mines, but he was not aware that Mr. Rutherford knew anything about freights between Nova Scotia and the West. Certainly it was not evidence of such knowledge, if he said that it would cost from \$4 to \$5 a ton to convey coal from Sydney or Pictou to Toronto. His hon. friend from Cape Breton (Mr. Mackay) had been in Toronto in August or September last, and together they had visited several shipowners, and they had received an offer to take coal from Sydney to Toronto for \$2.50 per ton, provided a down cargo could be got. Mr. Dobson, an intelligent broker of Sydney, was one of the delegates to the Dominion Board of Trade, and, this gentleman having brought the coal question up, these practical business men, representing all the commercial interests in the Dominion, had passed a resolution in favour of the imposition of fifty cents a ton on coal coming into Canada. This fact could not be ignored, as the hon. member for Cumberland had stated; a gentleman of Toronto had tested the matter sufficiently three or four years ago to find out that coal could be profitably brought from Sydney and Pictou to Toronto or Hamilton. Mr. Dobson had also laid the question before the Toronto Board of Trade, and these shrewd business men had thought there was something substantial and encouraging in his representations. Objections had been urged to the distance, say 800 miles, from Sydney to Ontario, but it should be recollected that iron was brought from Lake Superior by rail and by water, to the magnificent furnaces of Pittsburg, over 800 miles, and it was a melancholy consideration to reflect that we bought this very iron for our Canadian purposes after it had been thus manufactured at Pittsburg, while we in Canada had better iron at our very doors. These facts were known in Ontario, though they seemed to stagger some gentlemen in Nova Scotia. We had propellers capable of carrying 3,500 bar-

rels of flour to Halifax, Pictou and Sydney, and they could bring back 500 tons of coal. Say it cost 60 cents per barrel to send the flour down, and \$2.50 a ton was received for the return cargo of coal; this would be a fairly profitable freight upon which a calculation could easily be made. He was strongly in favour of the cultivation of an inter-provincial trade, instead of sending our money to the United States for an article we might, with a proper protection, keep among our own people. The soft coal of Nova Scotia, as to durability, and lighting and heating qualities, was superior to the Ohio coal. He had received the following telegram from a coal dealer :

“Do not let McGregor’s statement that coal can be laid down here (Toronto) at \$3.50 go uncontradicted; poor coal may be laid down at that, but the best Briar Hill coal, with which ours must be compared, costs over \$4, and even \$4.50; also contradict Charlton’s statement that Nova Scotia is inferior coal. It is superior in heating, in durability, and in cleanliness, and is out-and-out a better coal.”

Pennsylvania, by rail, supplied the United States with 72 per cent. of their coal, and he could not see why a profitable inter-provincial trade could not be done between Ontario and the Maritime Provinces, in this and in other respects, particularly as it was all to be done by water carriage.

Mr. METCALFE said he was surprised to hear the member for West Toronto advocate the imposition of a duty on coal, when the hon. members for Halifax and Pictou stated that the coal-owners did not want such a duty. He remembered when 50 cents was levied per ton on coal in 1870, and great complaints were made in consequence by the ship-owners of Ontario. It was not alone on account of the fifty cents duty, but also on account of the trouble, annoyance, and expense of landing it in Toronto, and this was considered equal to fifty cents more. Landing waiters had also to be appointed, and loss of time was involved. On the whole, he believed that a more odious or objectionable tax to Ontario could be conceived than a tax on coal, especially when they considered the fact that the poor of Toronto found it sufficiently difficult to warm themselves under the existing condition of things.

Mr. ROBINSON.

Mr. YOUNG said that the hon. member for East York was in error in stating that certain hon. gentlemen had announced to the House that coal-owners did not desire a duty on coal. The hon. member for Halifax had said that, on the whole, the adoption of a protective policy would not be in the interest of Nova Scotia. If it were true that, by the imposition of a small duty on American coal, the American Government, on a former occasion, had been induced to take the duty off Canadian coal, this would be a point of considerable importance; and it would be a most admirable course for the House to take; but he was convinced that the statement to this effect was entirely inaccurate. He was of opinion that a retaliatory policy, which had its advocates, would be a most dangerous one to pursue. He had observed that, in another portion of the building, an hon. member had given a notice of motion apparently in favour of a retaliatory policy, but the agitation of this question was fraught with the greatest danger to the people of Canada, and no man who favoured such a system could be properly considered as acting from patriotic motives. As to the other matter, the facts were as they had been stated by his hon. friend from Pictou; the American Government had not taken off their duty, or, rather, lowered it to 75 cents per ton, until 1872, while our duty on coal was imposed in 1870, and in 1871 it was removed. The first evidence of that which he would submit was a report of the Department of Mines for Nova Scotia for the year 1875, which contained a statement of the quantity of coal exported to the United States from 1865 to 1875, with the amount of duty paid in each case during each of those years. He found that, in 1871, the duty was \$1.25 upon coal going into the United States, while, in 1872, the report stated that the duty was then 75 cents, showing that it was not until 1872 that the duty was reduced on the other side of the line. Then again he held in his hand a copy of the Statutes of the United States referring to fiscal duties. On June 6th, 1872, the Act chapter 315 was passed, of which he would read the first two classes:—

"On and after the first day of August, 1872, in lieu of the duties heretofore imposed by law on the articles hereinafter enumerated or provided for, imported from foreign countries, there shall be levied, collected and paid the following duties and rates of duty, that is to say :

"On all slack coal or culm, such as will pass through a half-inch screen, forty cents per ton of twenty-eight bushels, eighty pounds to the bushel.

"On all bituminous coal and shale, seventy-five cents per ton of twenty-eight bushels, eighty pounds to the bushel."

That showed most conclusively that, wherever the hon. member for Cumberland obtained his facts, they were entirely incorrect, and that the statement made by the hon. member for Pictou was to the letter in accordance with the facts, viz., that we placed our duty on coal in 1870, and took it off in 1871, and that it was not till 1872 that the American Congress lowered the price of coal there, so that it was impossible that it could have been brought about by any action of ours two years before.

Mr. TUPPER said that, in the debate, a report of which he had in his hand, he saw a statement by Sir Alexander Galt that the duty had been taken off in the United States, so that, if he was mistaken, he was not alone in the mistake.

Mr. KIRK said this was a very important question, and the Committee, if appointed, would be a very important one. He hoped the Government and the House would have no objection to the appointment of the Committee. He thought the information they would obtain would perhaps demonstrate whether the allegations made that coal could be carried from Nova Scotia to Ontario at a profit were true or not. If they reported in the affirmative, it might induce some ship-owners to engage in the trade. He had no objection to placing a duty for the purpose of revenue on kerosene oil, which was produced only in the Province of Ontario, nor would he have any objection to placing a duty on coal for the same purpose; but, when they were asked to place a duty on coal which would involve a system of general protection, he must enter his solemn protest. He, as a representative from Nova Scotia, was there to

protest against the imposition of a policy of protection on this Dominion. The Province of Nova Scotia was not a manufacturing Province. They had very few manufactories there, and those that were there could exist without protection, or with the protection they now had of 17½ per cent. If these manufacturers desired protection at all, it would not be against the importation of goods from the United States, but from Canada. He believed the manufacturers of Nova Scotia found Canadians their closest competitors. They had other industries in Nova Scotia besides coal industries and manufactures. They had ship-building, a most important industry, they had gold-mining, copper-mining and iron-mining. These, of course, required protection just as much as the manufacturing and coal industries. They had also another very important industry which had been lost sight of, the industry of fishing, of which his hon. friend the Minister of Marine and Fisheries knew something. How were they to protect the fishing industry of the Maritime Provinces? They had the very large industry of lumbering, and how could that industry be protected with the others? The imposition of increased duties on goods of any description would be an additional burden on each and every one of these industries. The only way then in which these industries could be protected at all would be by a system of bounties—a bounty on every barrel of fish, every foot of lumber, and every ton of shipping. He did not think the House was prepared for any such system of protection, and unless they did this they would be protecting the manufacturing industries at the expense of the others. For that reason, as a representative of the people of Nova Scotia, he protested against the imposition of increased taxation.

Mr. SPEAKER said it would be necessary that the addition to the amendment, which he understood had been agreed to, should be proposed by way of amendment to the amendment.

Mr. DYMOND moved, in amendment to the amendment :

"That the following words be added to the amendment:—And to inquire into the best

means of promoting inter-provincial trade, with power to send for persons, papers and records."

Amendment to the amendment agreed to.

Amendment, as amended, agreed to.

Motion, as amended, agreed to as follows:—

"That the Petition of Henry Mitchell, and others, be referred to a Select Committee, composed of Messrs. MacKay (Cape Breton), Laurier, McGregor, Flynn, Fraser, Workman, Macdonald, (Toronto), Campbell, Power, Tupper, Appleby, Sinclair and Dymond, to enquire into, and report upon the allegations as to the state of the Coal trade, contained in the said Petition, and to enquire into the best means of promoting inter-provincial trade, with power to send for persons, papers, and records."

### INSOLVENT ACT AMENDMENT BILL.—[BILL No. 15.]

(*Mr. White, Renfrew.*)

BILL WITHDRAWN.

Order for second reading read.

Mr. BLAKE suggested the withdrawal of the Bill. The measure he had introduced was in the printers' hands, and he had made provision to meet the difficulty.

Order discharged and Bill withdrawn.

### PROCEDURE AND EVIDENCE IN CRIMINAL CASES BILL.—

[BILL No. 3.]

(*Mr. Irving.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 3) Respecting procedure and evidence in criminal cases.

(In the Committee.)

Bill ordered to be reported, with amendments.

House resumed.

Bill, as amended, reported.

### GOVERNMENT BUSINESS.

Mr. MACKENZIE moved:

"That Government business shall have precedence on Thursdays during the remainder of the Session."

Sir JOHN A. MACDONALD said he thought this movement was prema-

Mr. DYMOND.

ture. They had only been a few weeks in Session, and there was a great amount of business on the notice paper, and a large number of returns moved for which had not yet been brought down. He did not think it was proper, at this stage, to take a day from the general business of the House especially as the Government had so few measures to dispose of.

Mr. MACKENZIE said there was not a Public or Private Bill on the order paper, and more motions had been moved already than at any previous Session up to this time. Last year, the Thursday was taken some days before this. It did not interfere with any portion of the general business. It was the object of the Government to facilitate all the business, and he believed that could best be done by taking this additional day.

Sir JOHN A. MACDONALD said the Sessions were far too short for the good of the country, the good of the House and the good of the Administration. It was of importance that the propositions of the Government should go to the country, and that the people should have an opportunity of expressing their opinion on them in some way during the Session. In England, the Government measures were brought down during the first few weeks, and the people had four long months for discussing them before they passed into law. Here there was no such opportunity. He hoped at any rate, his hon. friend would allow to-morrow to private members.

Mr. MACKENZIE, after some further discussion, consented.

Motion as amended, agreed to, as follows:—

Resolved, That Government business shall have precedence after to-morrow, on Thursdays, during the remainder of the Session.

### IMPROVEMENT IN PRISON DISCIPLINE BILL.—

[BILL No. 55.]

(*Mr. Blake.*)

THIRD READING.

The House resolved itself into Committee of the Whole to consider Bill (No. 55) To make provision for improvements in Prison Discipline.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

GAMBLING PRACTICES PREVENTION BILL.—[BILL NO. 56.]

(Mr. Blake.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 56) For the prevention of gambling practices in certain public conveyances.

(In the Committee.)

Sir JOHN A. MACDONALD said he wished the hon. gentleman would insert a clause prohibiting pools on races and pools on elections. There was more bribery through pools at elections than through any other mode of gambling.

Mr. BUNSTER said the miners of British Columbia must have something to amuse themselves with, and therefore he would ask that the Act should not apply to British Columbia. The miners travelled a great deal on steamboats, and had to wile away the hours somehow. The miners were the bone and sinew of the country, and delivered vast wealth from the bowels of the earth. He did not want to see such arbitrary laws placed on the Statute-book. They did not all want to be parsons, but they wanted to be free men, with liberty to play a game of cards or drink a glass of beer if they desired. If people in other parts of the Dominion wanted these laws they could have them, but that was no reason why they should be forced down the throats of British Columbians. Sir James Douglas, one of the best of Governors, said: "Let the boys enjoy themselves," and this was the correct principle. He doubted very much whether the Dominion had the right to interfere with the Province in these matters. The Bill was paltry and would need a large force to maintain its operation. Fancy a regiment of militia being sent out to British Columbia because the miners played a respectable game of cards.

Mr. JONES (Halifax): A telegram states that two English regiments are going out to British Columbia.

Mr. BUNSTER: What for?

Mr. JONES: I do not know.

Mr. BUNSTER said he knew, but the people of British Columbia did not care for two or three regiments, for they were independent and fearless. If the law did not suit them, they would resist it. The law would be unjust and unkind. He had now and then indulged in a game of cards, and would again, even in defiance of the law.

Some HON. MEMBERS: Order.

Mr. BUNSTER claimed the right, as a member of the House, to express his opinion freely.

Mr. BLAKE said he could not adopt any special rule for British Columbia, but whether there was any necessity to apply the law to steamboats or not he did not know, although at present it was not intended. He understood that at present it would not apply to British Columbia, as there were no railways there.

Mr. BUNSTER said the hon. the Minister of Justice was, as usual, making a farce of the Canadian Pacific Railway. But, without the Pacific Railway, British Columbia would be of no use to the Dominion.

Mr. DYMOND: Do not say it is of no use to the Dominion.

Mr. BUNSTER said at the proper time he would answer the hon. member. At present he was answering the Minister of Justice. He had not lost confidence in the road being built. If this Government did not build it, some other Government would. It might broak twenty Governments; yet, nevertheless, the advanced opinion of young and intelligent Canadians would, in spite of old fogyism, insist upon the road being built.

Mr. MACKAY (Cape Breton) suggested that the words, "Unless he can disprove the presumption," should be added to the first clause. It might often occur that persons might play cards for a trifle quite innocently, and yet, according to the law, they would be criminals and liable to be placed in solitary confinement.

Mr. BLAKE said he would consider the suggestion.

Sir JOHN A. MACDONALD said gambling in public conveyances was a great evil; still, it was possible for a Bill to be too strict. He had often noticed, in travelling on the Gulf, very respectable people playing cards, evidently for a small sum.

Mr. CAMERON said it often happened that gentlemen, when on a long railway journey, engaged in a game of cards, and just to give a vim to the game a stake of perhaps \$1 was put up. He thought the intention of cheating ought to be proved. However, he thought the whole matter was a difficult one.

Mr. BLAKE said it would be better for a few gentlemen in travelling to forego the pleasure of playing even for \$1 or twenty-five cents, than that the evil of gambling should not be put down.

On Section 3,

Sir JOHN A. MACDONALD said he thought the conductor ought to be the only person authorized to arrest any one found gambling on the train. The duty should not be left to subordinates.

Mr. BLAKE said it was necessary that brakemen and other assistants should have the power of arresting, as sometimes card-sharpers worked in gangs.

Bill ordered to be reported.

House resumed.

Bill reported.

#### THE NORTHERN RAILWAY COMMITTEE.

Mr. MACKENZIE said he thought it would be convenient to strike the Committee appointed to enquire into the Northern Railway Company's affairs to-morrow.

Mr. TUPPER said formal notice was given last year under similar circumstances, of such intentions.

Mr. BLAKE said he did not remember that this was the case.

Mr. SPEAKER said he was informed that, in the case referred to last Session, notice was given that the Committee should be struck by the House.

Mr. MACKAY.

Mr. BLAKE said it was obvious, under these circumstances, that the House must strike the Committee.

Sir JOHN A. MACDONALD suggested that, particularly as the hon. member for West Toronto was not in his seat, it was advisable to give notice of the intention to appoint the Committee.

Mr. MACKENZIE announced that on Friday the House would be asked to strike the Committee.

House adjourned at

Fifteen minutes after  
Eleven o'clock.

#### HOUSE OF COMMONS.

Thursday, 8th March, 1877.

The Speaker took the chair at Three o'clock.

#### THE PENSIONERS OF 1812-15.

##### MINISTERIAL STATEMENT.

Mr. VAIL, in presenting a return regarding the pensioners of 1812-15, stated that he had received a very large number of petitions—but from whom he was not aware—signed by a great number of persons, praying that amounts equal to the sums granted by the British Government to pensioners, be given to the pensioners of 1812-15. He took this opportunity of saying that it was quite impossible to appropriate for this purpose a larger sum than the \$50,000 which had been voted by Parliament.

#### PROTESTANT INDIANS AND THE SEMINARY OF MONTREAL.

##### QUESTION.

Mr. BOWELL asked whether the arrangement mentioned by the Hon. D. Laird, in reply to a complaint by the Aborigines Protection Society, on the subject of the "alleged infringement of the land rights of certain Protestant Indians by the Seminary of Montreal," by which it was agreed to pay out of the Indian Funds the cost of certain litigation in respect of said rights, was still in force in respect of the litigation now proceeding in the Courts between said Indians and said Seminary of Montreal.

Mr. BLAKE: It is impossible to answer this question with any certainty, because the Government has no information except what is derived from the public prints, regarding the litigation between these Indians and the Seminary. The only suit that was authorized, insomuch that it was agreed that the expenses of counsel on their behalf should be paid out of the Indian Fund, is still proceeding, I believe. In this case it is alleged that a judgment was obtained by some slip or other, and it is announced in the newspapers that this is still going on, the intention being to secure the cancellation of that judgment. This agreement—as to the payment of counsel—has not been cancelled, and if that be the litigation to which the hon. gentleman refers, of course this arrangement remains in force; but, if the hon. gentleman refers to any other litigation, no other arrangement has been made.

#### WOOD-LAND IN MARQUETTE.

##### DEBATE RESUMED.

Order for the further consideration of the proposed motion of Mr. Ryan for a return showing the quantity of wood-land in the county of Marquette, read.

Mr. RYAN said that, when the consideration of the motion was adjourned last evening, he was endeavouring to show the great necessity of some steps being taken to protect the woods of West Marquette, and that the responsibility of taking those steps rested with the Dominion Government, and he was about to suggest what seemed to him best to be done in the matter. All those acquainted with the Province knew that the woods extended along the banks of rivers and streams, sometimes for miles, in belts varying from one hundred yards to one or two miles in depth. If those belts were cut across where they were narrowest, it would do much to prevent the extension of the fires and would afford a vantage ground upon which to fight them. If, in addition to this, eight or ten labouring men were employed for a couple of months each fall, when the prairie grass was dry and fires most frequently and dangerously

occurred, an amount of security against damage by fire would be obtained much more than commensurate with the trifling cost which would have to be incurred. If, moreover, the Government would establish the principle that under no circumstances should an acre of wood-land in West Marquette be sold, or a license to cut one single tree be granted except to actual settlers in the county, and for the purposes of settlement only, then he thought they would make a very great advance in the right direction. The adoption of those two suggestions would, in his opinion, make the woods go much further and last much longer than they were at present likely to do. He did not pretend that any management could make the woods adequate for all the purposes of settlement; a time was close at hand when the scarcity of timber would press hard upon the settlers; at best, that time could only be postponed. In connection with that question, he desired to call the attention of the hon. the Minister of the Interior to the case of one Captain McMillen, who, two years ago, was permitted to buy 320 acres, a half-section, of wood-land which he (Mr. Ryan) would not hesitate to assert was as valuable as any half-section of wood-land in the Province of Manitoba. It was situated in the heart of West Marquette, near the Assiniboine River, in a place where it was particularly valuable to settlers. Captain McMillen had been allowed to buy it at one dollar per acre when it was well worth ten dollars per acre; he had been allowed to buy enough wood-land to supply fifteen or twenty settlers with all the wood and timber they would require, at a time when Government were actually refusing to sell a single wood-lot of twenty acres to any actual settler in the county unless he belonged to that class of actual settlers known as homesteaders. Captain McMillen bought under the pretence that he intended to establish a tannery. Pretence was a pretty strong word, but he believed the circumstances justified its use, because, in the first place, although two years had elapsed, no tannery had been built or even commenced; and, in the second place, if a tannery had been actually intended, the

land chosen would naturally have been oak land, as oak bark was used for tanning, and poplar bark was for such purpose worthless, and the land chosen and bought was the best poplar land in the Province, almost without a stick of oak, when oak land could have been easily procured. As the sale was made upon the condition that a tannery was to be built, if the public interest had been guarded with sufficient care, a clause must have been inserted in the patent avoiding the sale if the conditions were not fulfilled. He earnestly requested the attention of the hon. the Minister of the Interior to the matter, for the public interests urgently demanded the cancelling of the patent. He regretted that the hon. the Minister of Militia was not in his place, but he supposed that what was said would reach him through the *Hansard*, if not otherwise. Two years ago a company of the troops stationed at Winnipeg were sent up the Assiniboine to cut fuel. Swinging an axe might be a very good military exercise; attacking a forest might be a very good preparatory exercise for attacking an enemy; so far as he was concerned he had no objection to the troops indulging in this military exercise; but, in the name of his constituents, he did most emphatically protest against the sending of troops into West Marquette to cut wood that was absolutely required for the purposes of settlement. He could not repeat too often that there was not sufficient wood in West Marquette for the settlers themselves, and they had the best claim to it. If it was desirable to send the troops to cut fuel, let them be sent to Lake Winnipeg, where the wood could be spared. If the Government did not wish to send them there, and wished to send them west, they ought to be sent as far as the Riding Mountains, where the timber would not be wanted for settlement at once; but he doubted the advisability of sending them even there, as none of the land west of Winnipeg had sufficient wood on it. The latest news of interest from Winnipeg was that Mr. Whitehead had received a contract for 50,000 railroad ties. He was delighted, as was every citizen of Manitoba, to learn that ties were being got out, because it

Mr. RYAN.

looked as if business were really meant in the matter of railroads, but there was one phase of the question that was not quite so agreeable. Those ties were being got out south-west of Lake Manitoba. It would be remembered that, when the comparative merits of both routes of the Canada Pacific were being discussed in the House, the one crossing at the narrows, and the other running south of the lake, it was urged in favour of the northern route that it was well timbered. The fact that those ties were proposed to be got out on the southern route was a striking commentary upon the argument in favour of the northern one. He was glad to know that the ties were to be got out, but he protested against their being taken from the country south or south-west of Lake Manitoba, as the timber could not be spared. In conclusion, he wished to call the attention of the hon. the Minister of the Interior to a defect in the departmental regulations respecting the sale of wood-land. A few days before leaving to attend the Session of the House, a number of his constituents had called upon him, and complained that they were not allowed to buy any wood-land. They were respectable farmers residing near Portage La Prairie; several of them had been residing there for five or six years. They had large farms, some of them having as many as one hundred acres cropped: their farms were prairie land and absolutely without timber. In order that there might be no mistake in the matter he accompanied them to the Branch Office of Dominion Lands at Portage La Prairie. Mr. Mills, the officer in charge, informed him that his instructions did not permit him to sell wood-lots except to persons having homesteads. While he contended that wood-land should be only sold to actual settlers, and for the purposes of actual settlement only, he thought it extremely unfair to discriminate between persons having homesteads and other actual settlers who had no wood upon their lands. When a man was *bona fide* an actual settler, cultivating and residing upon land bought from the Government, which land was without wood, it seemed very strange that the departmental

regulations should say to him: "It is true you are an actual settler and have made extensive improvements; it is true you require wood and must have it for fencing, for fuel and for building; it is true you have no wood on your land; but, inasmuch as you paid the Government for your land and did not get a free grant of it, we will not sell you a wood-lot; they are only to be sold to persons having homesteads." He would request the hon. the Minister of the Interior to have the matter set right, and the instructions to the land agent rectified.

Mr. MILLS said the subject had attracted his attention, and he had written to the land officer at Winnipeg for what information he possessed on the subject. There was a good deal in the observations of the hon. member for Marquette in reference to the distribution of lands, and he would give the subject the fullest possible consideration as soon as he could find time to devote to it.

Mr. RYAN said he wished to make one more remark in connection with the subject. He saw by the last report from Winnipeg that Mr. Whitehead, one of the contractors, had given a contract to a gentleman residing in his county to cut out 50,000 railroad ties. He was as delighted as any other citizen of Manitoba to see they were likely to get a railroad; but there was another part of the news which was not so satisfactory—the ties were to be cut out in West Marquette. When the subject of the routes was under discussion, the advantage urged in favour of that running north was that the wood-land was largely in excess of that of the southern route. That was quite true, and he hoped the hon. the Minister of the Interior would give this matter his attention. It would be a serious matter if 50,000 ties were taken out of his county.

Motion agreed to.

## ELECTION ACT AMENDMENT BILL. —[BILL NO. 47.]

(Mr. Richard.)

### SECOND READING.

Mr. RICHARD said his object was to amend section 19, which provided

that every candidate should deposit \$50 in the hands of the Returning Officer to be applied to election expenses. He thought that section gave too great facility to persons to become candidates, and that it gave rise to sham candidature and other abuses. It was all very well to make it easy for the poor man to become a candidate at an election, but he thought they should guard against abuses which might result from it. By the abolition of the property qualification and simply requiring this deposit, almost any one could run at an election. The result would be that, instead of two men supposed to possess the confidence of their parties becoming candidates, several might run merely on personal or local grounds. If such a practice should prevail to any extent, the result would be to lower the standard of representation in the House. Their position in Quebec was different to that in Ontario. In that Province there were Reform and Conservative Associations who nominated the candidates, who were the only persons likely to run at the election. In Quebec there was no such system, and all attempts at establishing it had failed. It was desirable, under our form of Government, that every election should be the test of confidence in the Government; but, if opportunity was afforded several persons instead of representatives of the two parties to run, there would be danger of the ability of the Government being lost sight of, and purely personal or local questions made the issue. The Bill raised the deposit to \$200. As under the existing law, \$50 would be devoted to election expenses, and the remainder would be returned to the successful candidate, and to all other candidates having at least half the number of votes of the successful one. This provision would make very little difference to a *bonâ fide* candidate; he would only disburse \$150 more than at present, which would be returned in the course of a few weeks. But, while not interfering with genuine candidates, the effect of the amendment would be to make the bogus candidates pause and reflect before running. He did not think the Bill would meet with any opposition; at any rate, the hon. the Finance Minister

would not object to it, as its operation would probably send a few thousand dollars into the Treasury.

Mr. BLANCHET said he had listened with a great deal of attention to the remarks of the hon. member for Megantic, but he was unable to discover any reason for the adoption of the Bill. He was astonished at his hon. friend, who was an advanced Liberal, bringing in a Bill to limit the choice of the people. The Bill was a retrograde instead of a progressive measure. Instead of raising the deposit he thought it should be abolished altogether, and that the Government should bear the expenses of carrying on elections. He would move that the Bill be read a second time this day three months.

Mr. CAMERON said he agreed with the hon. member for Bellechasse that there was no necessity for the Bill. If a pecuniary deposit was required at all, \$50 was certainly sufficient. He did not know there were so many bogus candidates as to render such legislation requisite. When they found that throughout the Dominion, men, without any *bonâ fide* expectation or possibility of being elected, became candidates at elections, it might be necessary to attach this safeguard to the law. But he was not aware that the practice was at all general. The Bill was contrary to the principle of the law which provided that no candidate should be required to have a property qualification. Surely a man might become a candidate without such a paltry security as the deposit of \$150. If a man received less than half the number of votes of his opponent, it was no proof that he was not a *bonâ fide* candidate.

Mr. LAURIER said he was astonished that a good Conservative like the hon. member for Bellechasse, should take so much interest in the rights of the people. The hon. gentleman should remember, however, that liberty was to be kept within certain bounds. But he did not think that the Bill under consideration was any invasion of the rights of the people. He saw no reason for the hon. member for Bellechasse taking the course he had. He (Mr. Laurier) was not pre-

pared to say that he would vote for the Bill, but it was a proposition which deserved consideration, and to shut it out from the House now would be premature. The better and more logical course to pursue was to allow the second reading, and have the Bill referred to Committee. If he thought necessary on further consideration, the hon. member for Bellechasse could make his motion when the Bill came up for the third reading.

Mr. BLAKE said he had hoped it would not be proposed to dispose of the Bill in the way proposed by the hon. member for Bellechasse, inasmuch as it was his intention to suggest that the order should be discharged. He thought it should be laid down as a general principle that all amendments of the electoral law should be conducted under the immediate and direct responsibility of the Government of the day. He did not wish to convey that it was improper, or anything else but commendable, for private members to bring forward any amendment for the purpose of preliminary discussion, or, it might be, to take a vote; but the final elaboration of those amendments would be more conveniently managed under the responsibility of the Government and in a general Bill. It was not the intention of the Government to introduce any such measure this Session, but he would suggest that the motions of the hon. members for Megantic and Bellechasse should be withdrawn, and the order discharged, with the view of the question being considered by the Government during recess, and dealt with in a general measure at the next Session. If no such proposition was then introduced, it would be quite competent for the hon. member for Megantic to move and take the sense of the House on his amendment.

Sir JOHN A. MACDONALD said he would oppose increasing the deposit from \$50 to \$200. He thought the experience of the last election had shown that the requirements of the \$50 deposit had been amply sufficient to stop the nomination of bogus candidates, who were proposed simply for the purpose of making a speech or annoying their opponents.

Mr. RICHARD.

Mr. BLAKE: The hon. gentleman perhaps forgets that the last election was not held under that law.

Sir JOHN A. MACDONALD said he paid his \$50 deposit nevertheless. He was very glad to hear the hon. the Minister of Justice say that the Government would assume the responsibilities of the question, as well as of other questions connected with the General Election Law of the country; and it had been suggested, and perhaps intimated, that the Government would next Session bring down a Bill on the subject. Under the circumstances, he thought the suggestion of the hon. the Minister of Justice should be adopted, and the Bill and the amendment withdrawn.

Mr. CURRIER said he objected to the solemn declaration of the hon. member for Drummond and Arthabaska that the Reform party did not seek to deprive the people of their rights in any manner. It was only last night that the hon. member for Vancouver had pointed out how the Government sought to interfere with the liberty of the subject in making a game of euchre an offence. He thought his hon. friend who proposed that the deposit be \$200 had made a mistake, as every one ought to have the liberty of becoming a candidate for election to this House, without any deposit at all. The proposal to make the deposit \$200 was a retrograde movement.

Mr. BLANCHET said it would not only interfere with the rights of the people, but with the rights of the Government. If the Bill were withdrawn, he would withdraw his amendment.

Mr. RICHARD said, although his opinions had not been altered by what had been said, yet, as the hon. the Minister of Justice had intimated that he would introduce amendments to the Election Law next Session, he would withdraw his Bill.

Amendment, with leave of the House, withdrawn.

Order discharged, and Bill withdrawn.

## QUEBEC GRAVING DOCK.

### ADJOURNED DEBATE.

Order for resuming the adjourned debate on Mr. Blanchet's proposed

motion for a copy of the reports of Engineers, and other documents relating to the proposed Graving-dock at Quebec, read.

Mr. ROULEAU said he was greatly astonished when he heard the Premier, a few days previously, accuse the hon. member for Bellechasse and certain of his friends, with having treated this question from a local and too narrow point of view. The First Minister had stated that these hon. gentlemen would not settle the matter; that no decision would be made until all the engineers' reports were fully completed, and that these hon. gentlemen deceived themselves greatly if they thought they could carry off this enterprise. He was the more astonished owing to the fact that hon. gentlemen on that side of the House had not made any charge in this regard against the Ministry. In support of this assertion, it was only necessary to refer to *Hansard* of last year. It would be there seen, no doubt, that the hon. member for Bellechasse with his well-known talent, had represented the advantages presented in this relation by the South Shore, and the objections to the North Shore site; but he contended that hon. gentlemen were fully justified in taking such a course. Though representing the whole Dominion, and though bound to regard the general interest, yet it was necessary that members acquainted with the localities in question should inform other hon. members of the reason why these localities should be selected for public improvements. Therefore, they should not be charged with treating these matters from local points of view. In this instance, members who supported the South Shore project were sustained by all the engineers' reports presented up to the present time, and even by the majority of the deliberating body, whose sympathies were naturally opposed to the action they had considered their duty to recommend. This was at least sufficient to give hon. gentlemen the benefit of the doubt as to the irproachable intentions with which they were animated. They perfectly agreed with the Premier that the site of the Graving-dock should be chosen on the advice of professional men. The members of the left, advocates of the

south shore, unfortunately of little influence with the Ministry, were above all interested in having this question decided on its intrinsic merits, and not according to the weight of influence which might be brought to bear upon the Cabinet, and which would be opposed to the interests of Lévis. They desired the dock to be placed in the least costly and the most advantageous position. All directly interested in the affair had a right to express surprise on account of the fact that they saw no progress being made. Over four years ago it was decided to build a Graving-dock in the harbour of Quebec, and the Harbour Commissioners had taken steps to procure the necessary funds. This was usually a thorny question, but this case was an exception to the rule. The Government had agreed to advance a certain sum towards the object, on condition that they would have the privilege of controlling the choice of the site. He saw no harm in this, as the Dominion was interested in the matter, but the Government should have reached a conclusion before to-day. Certainly the citizens of Quebec were badly treated by this delay—especially those who had taken the trouble to secure the election of one of the most influential members of the Administration whose experience with reference to the public works of the country was a guarantee that all would be for the best, and that expedition would be shown. Many of the Conservative electors of Quebec Centre had voluntarily sacrificed their political convictions in order to promote the material interests of their city; and these must have been greatly disappointed in the inaction of the Ministry. It seemed to him that the President of the Council, whose department did not require much of his time, should have made use of his so-greatly-wanted energy and of his experience, which went back one-third of a century, in order to hasten the execution of an undertaking in which his constituents were so directly interested. Either the hon. gentleman's influence was declining, or his will was being enfeebled; and they would believe him no longer when he repeated what he

Mr. ROULEAU.

had said some months ago:—"A man who has been thirty-two years in Parliament, who has encountered the strongest adversaries that could be opposed to him, who had been betrayed by his own friends, and whom success had nevertheless always crowned, could accomplish many things." Some thought that the amount advanced by the Government should have been given and this seemed proper, as the dock would be built for the general benefit of the country; but in any event, if Quebec was obliged to pay for all she received, this ought to be an additional reason to prevent delay in this respect. He who paid, should be well and timely served. As this had not been done, complaints were natural. He did not doubt that the President of the Council would take the same course if he was a private member. The hon. member for the county of Lévis, who was possessed of a warm temperament, had nevertheless restrained himself regarding this question, which had a special interest for his constituents. Not content with mere moderation, the hon. gentleman had given them advice last year with reference to this subject. Fearing that, if imprudent zeal were shown on the part of members of the Opposition, the great influence he enjoyed with those who were in a position to affect the interests of the town of Lévis might be injured, the hon. gentleman had urged that "it was not politic to endeavor to embarrass the Ministers, in whom he had full confidence, and who would be obliged to render a decision so important to the country in general, and to his constituents in particular." He asked this hon. gentleman whether they had not followed his advice; was it possible for them to have been more moderate? He believed that, if the hon. member had shown more energy, the state of affairs would now be more satisfactory. A year had passed since the Government engineers had visited the sites, and still they were told that the plans were not yet sufficiently complete to justify a definite decision. The hon. gentleman should not be surprised if his constituents exacted a more decided course on his part. He had heard from the hon. the Premier that, according to present information, it appeared

that the south shore was the best adapted for the building of the dock, though the Quebec site was preferable from a commercial point of view. The hon. gentleman should, consequently, show the House and the Government, of which he was one of the most faithful supporters, that he represented one of the finest counties in the Dominion, and that the town of Lévis, which was the terminus of the Intercolonial Railway, and in which terminated another not less important line, would, in a few years, be the equal of Quebec, even from a commercial point of view. The hon. gentleman's friends believed that he would be successful if he displayed the requisite energy and determination. If the dock was not built at Lévis, the hon. gentleman knew well that his constituents would not be content with the accusation that the Conservative Party had made political capital out of the question; especially as his constituents knew that exactly the contrary was the case. The political capital had been made by the Liberal Party and against the interests of Lévis. The Liberals had commenced the agitation in this regard not only in the Federal but also in the Local elections. He did not believe that his hon. friend could charge the Conservatives a second time with having made political capital out of this question; to do so required the consummate experience of the President of the Council. In the elections of 1875, Mr. Shehyn sought election in Quebec East, and had been aided by the influence of the Dominion Government with reference to improvements then projected. The President of the Council assisted this gentleman, both in his paper and on the platform. All the organs of the Liberal party had followed a similar course. The *Evenement* of the 9th June, 1875, stated, in its report of a meeting held on the 8th June in Mr. Shehyn's interest: "Mr. Shehyn said in his speech that he came out particularly to advance public undertakings in the city of Quebec. He attributed delays in their execution to the hostility of Conservatives, and above all, of the Local Government against the Federal Government. He hoped that no delay would be shown in beginning these works." The *Evenement* stated that

Mr. Cauchon, who succeeded Mr. Shehyn, "spoke in the same sense, repeated the promises made by the candidate of his choice, and assured the electors that a municipal representative of St. Roch would be placed on the Harbour Commission." The *Journal* stated in its report of this meeting: "Mr. Cauchon spoke in his turn, and made some practical observations on the situation"—the hon. gentleman was always eminently practical—"and the desirability of electing men of business, who had a material interest in the city." As his candidate was reproached with not being a resident of the Division he said: "It is not residents who have assured for Quebec the construction of the Graving-dock and other docks." In the *Evenement* of the 12th June, 1875, in a report of a meeting held on the 11th of June, it was stated: "Some one in the crowd having said that they must have the North Shore Railway, Mr. Cauchon said that they must have both the North Shore Railway and the Graving-dock. He informed the electors that Mr. Shehyn would be one of the members of the Harbour Board." According to the law these Commissioners must choose the site of the Graving-dock. The *Evenement* of the 15th June stated: "The Harbour Board having voted \$5,000 for the best plans," the *Journal de Quebec* said: "That this was only a matter of form, and that they wished to give the first prize to Messrs. Kimball & Morris." It asked at the same time if it was not true that \$2,000 had already been given for a Graving-dock which would certainly never be built. It said that it had seen other plans besides those of Messrs. Kimball & Morris, which were preferable. It was then known that the plans of Messrs. Kimball & Morris were in favour of Lévis. The *Journal* of the 16th June stated that the prize for the best plans had been awarded Messrs. Kimball & Morris, but that this was of no consequence as the approbation of the Government must be obtained. He (Mr. Rouleau) believed he had clearly shown that the opinion of the President of the Council was then clearly in favour of Quebec in this regard. Let them now see what the hon. gentleman had done

after his accession to a seat in the Cabinet. The following questions were put the hon. gentleman by the electors, but not answered: "Will the Graving-dock be built this spring, and will it be located in the St. Charles River? Should the Government build it at their own cost, and not simply advance the money?"—(*Canadien*, 1st December.) The *Journal* of the 18th December stated: "Mr. Cauchon says that this was a snare which was laid for him, and that the law did not permit him to make any promise, as this would render him ineligible." Nevertheless the hon. gentleman had a letter addressed him by the Mayor of Quebec, Mr. Murphy, in order that no doubt might exist with regard to his intentions. It was as follows:—

"SIR,—I am surprised to see the opposition made to Mr. Cauchon, especially in view of the exceptional circumstances in which it places Quebec, and of the suspicions it is sought to excite with regard to his intentions concerning our fine city. Having been present with him as a delegate of the Quebec Commissioners at a conference held with the Premier with respect to the Graving-dock, I saw what he then did and said, and I related it at a public meeting of the City Council. I give this spontaneous testimony as to these important services which he has rendered our city, from a feeling that it is my duty, and that it is but just to repeat them in public. I am sure that Quebec will not ignore its most vital interests to such a point as to reject the man who by his indomitable energy, his talents, his experience, and his position, can best secure them."

As Mr. Murphy was attacked for having written this letter, the *Journal* defended him as follows:—"The Mayor of Quebec has been insulted for having dared to express his opinion with regard to the present election. This was to have been expected, but what is consoling is the fact that what has been affirmed by Mr. Murphy is not the less incontestable." After having heard these extracts, he did not think the House could come to any other conclusion than that even the reply of the President of the Council to the delegation of electors that waited upon him, was an implicit promise to the effect, that he (Mr. Cauchon) would do all in his power to secure the Graving-dock for Quebec. He moved to amend the motion by adding the following words:—

Mr. ROULEAU.

"With copies of all plans, specifications, and estimates of cost which have been prepared with regard to the locations proposed for the Graving-dock on both sides of the St. Lawrence."

Mr. MACKENZIE said he did not think the Government had either plan or specification of the dock in their possession; if they had, he did not think it was in their power to produce them yet.

Mr. BLANCHET: Does the hon. gentleman say the Government has no power?

Mr. MACKENZIE said the Government could ask the engineers for them, but he did not think they were forced to give them. They were supplying the Government with plans and specifications for their approval, but the Government were still waiting for the documents referred to.

Mr. MITCHELL: The Harbour Commissioners were said to be creatures of the Government, and they would not dare to refuse the information asked for.

Mr. MACKENZIE said he did not suppose they would refuse the information. Still, they were not ready. The Government had seen the plans and specifications, but he did not think the copy furnished them could be used as a return.

Mr. CAUCHON said that the hon. member had certainly not been logical in the argument which he had presented to the House. The hon. gentleman had accused the hon. gentleman from Levis of having failed in the performance of his duty, and he had also accused him (Mr. Cauchon) of similar dereliction of duty. The hon. gentleman had contended that both he and his hon. friend from Levis were equally guilty in this relation, and the position assumed was assuredly illogical.

Mr. ROULEAU: I do not accuse either the one or the other hon. gentleman. I said that nothing was done regarding this question.

Mr. CAUCHON said this accusation was levelled both against himself and against the hon. member for Levis. Hence, if he had succeeded in this regard on behalf of Quebec interests, the hon.

member would be placed in a false position; and if the hon. member for Levis succeeded on behalf of Levis interests, the hon. gentleman would likewise be placed in a false position. The hon. member had also intimated that if this matter was not now settled, it was proved that those who had interested themselves in this enterprise had merely sought to secure what they desired of the electors; but the hon. gentleman ought to know that, until the work of exploration, &c., was concluded, the result could not be indicated. The hon. gentleman had endeavoured to establish that, before he entered the Cabinet, he had advocated the building of this dock; this was true, but was it a crime? He had sought to promote the interests of the city of Quebec at that time, and was this a crime? But he could easily prove that he had never made any promises with reference to this dock either during his own election. or during any other election. He had previously written articles stating that he desired justice to be done to Quebec, but he had expressly declared that, if the surveys showed that the dock could not be properly placed on the Quebec side of the river, he would submit to the decision. He was reproached for having made promises to the electors in this relation; he was not ashamed to say that he had advocated Quebec interests before he became a member of the Government, but he defied any one to show that either privately or publicly he had made any promises in this connection since he had entered the Ministry. He had done nothing of the kind.

Mr. OUIMET reproached the President of the Council with having promised the electors of Quebec the location of this dock on their side of the river, during his last election.

Mr. CAUCHON denied having done so.

Mr. OUIMET said that, if the hon. gentleman had not promised to secure the building of the Graving-dock at Quebec, the hon. gentleman's friends, who sat behind him (Mr. Cauchon) had made such pledges in his name.

Mr. CAUCHON: No; they did not.

Mr. OUIMET understood the hon. member for Dorchester to urge that, if this dock was not to be placed at Quebec, the site should at least be located somewhere. This question had been before the electors during the past three or four years, and during this period, it had been used for political purposes in constituencies on both sides of the river St. Lawrence. It was far from desirable that the settlement of the site should be left over until the elections of 1878, to be utilized in a similar manner, and he thought it was time that this was definitely effected. It was not a new thing for the Liberals to make use of important public works to influence elections; in December last, in Jacques Cartier, it was the Lachine Canal, and in Quebec, it had been the Graving-dock. He thought it was time to put an end to so objectionable a state of affairs, and he trusted that this great undertaking would be shortly placed in such a position that it could no longer be made use of to secure political ends.

Mr. CARON said that, for years past, and more especially since 1873 and 1875, when the law affecting the Quebec Graving-dock was amended, this question had been prominently before the public. From what his hon. friend from Dorchester had stated, it was quite evident that public opinion in the Province of Quebec in this regard was divided. Those who relied upon the report of Messrs. Kimball and Morris, whose names were connected with some of the most important English works of this character, considered that the Levis side should be selected. On the other hand, those who believed, as he did, that the Graving-dock should be in direct communication with the deep water terminus of the North Shore Railway, and near the centre of business, held that it should be placed on the Quebec side of the River St. Charles. If the spot could not be selected, there was no reason why Quebec should lose the dock, as another spot, Wolfe's Cove, had been considered under an engineering point of view perfectly acceptable. When this question was brought before the House, a few days previous, on the motion of his hon. friend from Belle-

chasse, for papers connected with this most important matter, he had stated that it had been used as a political engine on several occasions during the last general Local elections in Quebec, and during the election which had followed acceptance of office by the hon. member for Quebec Centre. In answer to this remark, the President of the Council, with that delicacy of expression which always characterized his utterances on the floor of the House and outside of the House, had stated that it was not true. The hon. gentleman declared that this question had never been used for political purposes during any election in the city of Quebec. He was really astonished at the defective memory of the hon. the President of the Council. On more than one occasion the hon. the President of the Council had shown a defective memory. It would be remembered what a difficulty the hon. member had in calling to mind the fact of his being connected with an important public institution, receiving money from the Government, when he occupied a seat in the Local Legislature of Quebec. It required all the force and eloquence of the hon. the leader of the Opposition of Quebec, Mr. Joly, to convince him of this fact; and, before the committee struck to investigate this matter could bring down a report, the hon. the President of the Council resigned his seat in the Local House.

Mr. CAUCHON: I have no objection that the hon. gentleman should pursue that course of attack, provided that I have the right to rejoin. I need only say that the statement was unfounded as regards myself personally; and I proved it.

Mr. SPEAKER: I must call the hon. member to order.

Mr. CARON said it might be good tact for the hon. the President of the Council to have addressed the Speaker in French. The hon. gentleman certainly went as much out of the subject as he did in telling the hon. member for Dorchester that he would have been more eloquent had he been asking an appointment for his brother; yet the hon. the President of the Council was not called to order. It would be

Mr. CARON.

remembered how positive the hon. the President of the Council was in denying the statement he made as to the matter, namely, that the question of the Graving-dock had been made use of as political capital. It was not astonishing to hear that the hon. the President of the Council, with all his political experience, had determinedly refused to sign a declaration presented to him during his election—as the hon. gentleman had explained to the House on a previous occasion—for then he would have placed himself in a position which would have led to his disqualification, and he would have been deposed from his position as leader of the great Liberal Party of Lower Canada. The hon. gentleman denied that political capital had been made out of the Graving-dock, either in the Local or general election. Years ago, when there was a hostile feeling between the hon. gentleman and the hon. Senator who edited *L'Evenement*, he might have refused the testimony of that journal, but he would surely not do so now, when he and the hon. Senator were political allies. On the 9th of June, 1875, *L'Evenement* contained a report of a meeting held in the interest of Mr. Shehyn, the Liberal candidate for Quebec East in the Local House. Mr. Shehyn spoke as follows, according to *L'Evenement*:—

“You will obtain in a few months the Graving-dock, that enterprise which will not only help the progress, but be the life of St. Roch and St. Sauveur. That Graving-dock is the beginning of important and gigantic works which will be built on the St. Charles. I think I can rely on being a member of the Commission.”

This was at a meeting at which the President of the Council was present, and at which he himself spoke. The report proceeded to say:—

“Mr. Cauchon was called and spoke with great success of the candidature of Mr. Shehyn, of his magnificent position in business and connection with the North Shore Railway, which was to be constructed by the Local Government. He also referred to the Graving-dock, the construction of which would throw \$1,200,000 in St. Roch and St. Sauveur, to say nothing of the large amount which would be expended in Quebec for harbour improvements. Do you understand the effect of this? It is life and immense property for the city.”

Before going to the meeting, the hon. the President of the Council must

have known the cost of the work. In the hon. gentleman's own election, the *Chronicle* published an article, in which it stated that the only ground on which it supported him was because of the influence he would have in securing the Graving-dock for Quebec. The *Chronicle* said on the 21st December:

"As we take it, the question which presents itself for Quebec in this election is not one of party by any means, although stump operators and partizan writers may seek to place it on that narrow ground. The question is, which of the two candidates is likely to exercise the greatest influence just now for the advantages of Quebec? There can possibly be no hesitation in pointing to Mr. Cauchon as the one who, by his present high position and connections, is best fitted in every way to do so. This language may seem strange on our part, but where the real interests of the city are concerned, we have never yet hesitated to sink our personal prejudices and dislikes in order to advocate the cause best calculated to promote the welfare and prosperity of the people. We have never had an overweening affection for the new President of the Council; we have fought him bitterly more than once, always speaking our mind of him and his conduct very plainly indeed, but this has never prevented us from recognizing the marked ability and great energy of the man, nor does it now blind us to the fact that much of the future destiny of Quebec depends upon the present endorsement by the electors of the Centre Division of his acceptance of office in the Mackenzie Administration. The moment is a critical one for the ancient capital, and the people in the Centre Division possess interests identical with those in the remainder of the city. We must all hang or fall together, and it can only be by accepting Mr. Cauchon, with all his faults, and returning a friend and supporter of the Government, and not a foe, that Quebec may expect the administrative favours it so much needs, and realize the long cherished hope it entertains. It is only reasonable, if we wish the Government to help us, that we should at least meet them half way, for it must not be put out of sight that great public works and improvements are contemplated in this city and neighbourhood in regard to which the Government has much to say. Let us take, for instance, the proposed Graving-dock, on the construction of which, on this side of the river, we all place so much stress. Is it at all likely we shall improve our chances of obtaining this great work by showing ingratitude to a man like Mr. Mackenzie, who has so frequently expressed his willingness to act for the benefit of Quebec? Is it not more human to expect that in such event his decision would be favourable to the side which returns a professed and enthusiastic supporter. We believe so at least. Then, again, we have Lord Dufferin's proposed embellishments of the city, and new castle of St. Louis on the

the citadel, which, if carried out, will not only lastingly improve Quebec beyond her hitherto wildest aspirations, but entail the expenditure of a large amount of money to the advantage of our population. Is it possible to conclude that the rejection of Mr. Cauchon and the election of Mr. Tarte would be calculated to propitiate the Federal Government and advance our interests in these particulars? For it must be remembered that more than three-quarters of the large sums necessary to carry out His Excellency's proposition must come from the Ottawa treasury. We must not be understood to say that the realization of all these undertakings depends wholly upon Mr. Cauchon, but we believe it will be generally admitted that it is much better to have a powerful friend at court than none at all; while, on the other hand, Mr. Cauchon's defeat—which, however, we do not admit to be possible—could only indefinitely retard works pre-eminently needed at this moment by Quebec and its people."

Mr. CAUCHON said he had never intended to insult the hon. member for Quebec county or any other hon. member. He did not promise anything in connection with the Graving-dock question; and he was not responsible for any statements made by the *Chronicle*.

Mr. CARON said he never accused the hon. the President of the Council of having made a promise. That would have annulled his election. What he stated was that the question of the Graving-dock had been used as a political engine at local elections in Quebec. He now—from his seat in Parliament—reiterated that statement, that the question was used as a political engine, and, moreover, that the hon. the President of the Council was perfectly aware that the question was so used.

Mr. CAUCHON said the hon. member for Quebec county had quoted extracts from the press to show that he (Mr. Cauchon) had used the dock question as a political engine. In articles written by him, and for which he was responsible, there was no promise made in regard to the dock. Every hon. member had the right to represent his own interests, but the question was whether he (Mr. Cauchon) made any promise regarding the Graving-dock. He denied that charge and declared that he had not used the question as a political engine. In regard to the *Chronicle*, he was elected against its influence and that of its

friends by a large majority, and he was returned in 1874 and 1875 without the Graving-dock question having been used in any way for political purposes.

Mr. CARON said he desired to repeat, in French, the remarks he had addressed to the House in English, as the hon. the President of the Council had spoken first in French and afterwards in English.

Mr. SPEAKER said it was a question which rested with the House. It was quite in order for an hon. member to address the House in one language and then in the other; but it was a different matter when an hon. member had taken his seat, and afterwards desired to make another speech.

Mr. BLAKE said, as the hon. the President of the Council had stated that he did not intend to make, and had not made any charge against the hon. member for Quebec county, he should rest satisfied.

Mr. ROBITAILLE said the question as to the right of an hon. member to address the House in French was involved.

Mr. MASSON asked if any hon. member objected to the hon. member for Quebec county making explanations in French.

Mr. MACKENZIE said he objected.

Mr. DESJARDINS moved the adjournment of the House.

Mr. TASCHEREAU said he had heard with great astonishment the assertion that this matter had been made use of during the local elections of 1875, and during the election of his hon. friend from Quebec Centre. This pretension was incorrect. It was to be remembered that the election of Mr. Shehyn in 1875 was contested; the trial of the case had lasted a long time and a great number of witnesses were heard; the most distinguished lawyers of the Quebec bar were employed, and the Court had unanimously confirmed Mr. Shehyn in his seat. It was consequently evident that this matter had not been used as had been represented. A great deal of noise had been made with reference to the election of the hon. member for Quebec Centre, and it had been said that the hon. gen-

Mr. CAUCHON.

tleman had formally promised to the electors to secure the construction of the dock on the Quebec side. Meetings had been held in various parts of the Division, and he had taken part in the successful election of his hon. friend, but he had not heard any promise whatever with regard to this subject, either on the part of the hon. gentleman or any of the hon. gentleman's friends. Strenuous efforts had been made to draw the hon. gentleman into a trap in this regard, but the hon. gentleman's opponents had been unable to secure a tithe of the evidence desired in order to contest the election. Everybody was aware that it was a matter of importance both to Quebec and Levis, to secure the location of this dock; a strong rivalry existed upon the subject between these two cities, and Messrs. Kimball and Morris, eminent English engineers, had been charged with the examination of the Quebec harbour. Their motives were suspected, and consequently the Government, in order that justice might be done in the premises, had instructed their own engineers to visit Quebec. These engineers had passed a great part of last winter in the survey of the harbour, and had even extended their labours into the spring, in order to discover what was the action of the ice in the harbour of Quebec at that period of the year. Their report was presented to the Government in the course of last autumn, and in view of this fact it was unreasonable to suppose that an important work of this character could be commenced during the winter season. Besides, other improvements in the harbour of Quebec were under the consideration of the Harbour Commissioners, and tenders for these works were to be submitted on the 26th of the current month. These improvements were very important to the city of Quebec, and if under the circumstances, fault could be found with the Government, censure should, for similar reasons, be passed on the Harbour Commissioners. He maintained the delays which had occurred were unavoidable. He readily understood why the members for the county of Quebec, the county of Levis, and even the county of Dorchester made use of this

question, as they desired to annoy the President of the Council, but he could not understand so easily why the hon. member for Laval (Mr. Oimet) should adopt the course he had taken before the House, in view of the fact that the hon. gentleman's constituency was situated so far from the point in issue. The arguments of which hon. gentlemen opposite had made use might very justly be retorted against themselves, because the Local Government was not free from blame in a similar relation. The President of the Council was under no obligation to contradict all the articles written about him in the public prints. The great question to be considered was whether the Government had done anything wrong or not with reference to this important undertaking; and he thought it had been conclusively proved that the Administration was in no way to blame.

Mr. MASSON said he thought the discussion had demonstrated the wisdom of the position assumed by the hon. member for Cumberland, when the resolutions in favour of the Graving-dock were submitted to the House. The hon. gentleman had then maintained that this step should not have been taken by the Government unless they were prepared to indicate where the site would be located. He remembered that, when he sat on the other side of the House, he had expressed a similar opinion with regard to fortifications which it was proposed to erect; and, at that time, the hon. member for Chateauguay had made a motion with regard to this subject, in order to force him to vote with the Opposition, which he had done. It was an easy thing for a Government to promise to build a work of great importance, involving the expenditure of a large sum of money, and then to keep this dangling before the representatives and electors of the constituencies for political ends. This had been done in the present instance. The sound rule was to settle the location of every public work before it was submitted to the House. It was time that this question should be settled once for all; and it should not be left over until the next general elections, in order to enable the Ministerial candidates for

the county of Levis and the city of Quebec to assure the electors that, if they were returned, they would have an excellent chance of securing this dock. Not only had this matter been utilized during elections, but advantage had been similarly taken of the Jesuit Barracks question. The electors of the city of Quebec had been told that, if they aided in overturning the De Boucherville Administration, they would secure the transfer of the Jesuit Barracks sooner than would otherwise be the case. The Government were wholly to blame for the false position in which they had placed themselves in this relation. Public opinion in the Province of Quebec had been greatly excited touching this important matter. When the Local Parliament opened at Quebec, after the general elections, he had seen the President of the Council with other persons, lobbying in the corridors of the building, while the report was circulated that, if the De Boucherville Administration were defeated, not only the Graving-dock, but also the Jesuit Barracks, would be obtained much sooner than was otherwise to be expected. What he had said last year was borne out by the facts. The documents and correspondence filed proved that the real difficulty did not relate to the title of the Jesuits' Barracks. Improvements devised for the city of Quebec had also been used for political purposes, and, by these means, enemies of the Administration were induced to support Ministerial candidates. The Premier last year, when he (Mr. Masson) had spoken of organs of the Liberal party, had said that the *Chronicle* was not one of the Liberal organs. This fact, however, made the case worse; this paper had then been induced to turn its coat, and become practically a Liberal organ under the circumstances. He thought that this was the best proof of the assertion that the Graving-dock question had been used in the city of Quebec as an instrument to secure the election of the hon. member for Quebec Centre, and to injure the De Boucherville Administration.

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

### After Recess.

Mr. DESJARDINS said that, as the rules of the House had been suspended for the benefit of the President of the Council, who had spoken in both English and French, he thought that hon. gentlemen sitting on the Opposition side of the House were entitled to the same privilege. The great majority of the members supported the Ministry with all the readiness and docility that could be desired, and the First Minister had no reason to fear the effect of the explanations which the hon. member for Quebec county might make in reply to the President of the Council. This, however, seemed to be only a continuation of the policy which had been adopted on the other side of the House. Not a long time previously the First Minister had spoken repeatedly in disregard of the rules, but, when the hon. member for Cumberland had attempted to reply, as appeared to him perfectly proper under the circumstances, the Minister of Justice had objected. He had heard hon. members from the district of Quebec express surprise in view of the fact that hon. members from the district of Montreal ventured to say a word on the subject of the Graving-dock. Whatever might be the importance of a public work, under these circumstances, the hon. members from the Quebec district considered the attitude of hon. members from the Montreal district an intrusion on their rights. They, however, considered that the public interests were concerned in this matter, which was important not only for the cities of Quebec and Levis, but for all cities having any connection with ocean navigation, and to all members from whatever city or Province they might come. He remarked with pleasure that, for the first time, the Ministerial leader from the Province of Quebec had sought to defend his acolytes; and, on the other hand, at least three Liberal members from the district of Quebec had successively recognized the President of the Council as their leader, and had defended the hon. gentleman's policy, in connection with which they all evidently felt that they shared, to a certain extent, a common guilt. This was only right on their part.

Mr. MASSON.

It was long since these hon. gentlemen had exhibited such generosity towards their leader. It was no matter for surprise that the question of selecting a site for this Graving-dock, had been used as a means for securing Ministerial votes. In 1875, during the election in Montreal West, when the principal point at issue appeared to be whether or not the Government would grant increased protection to our industries, the hon. member for Montreal West was permitted to use the name of the Government to persuade the electors that the Ministry was favourable to a protection policy, and that the following Session would witness the commencement of the fulfilment of their desires and hopes. The electors had been constantly kept under this impression, and the Ministerial journals had taken such a course as to strengthen this feeling. The Minister of the Interior also, when in need of votes, had shown great willingness to make promises as to what he could secure for his constituents. The hon. member had, in effect, said to his constituents, that, if he could do so much as he had done when he was a simple member of the House, what would he not be able to do in their interests, while occupying the position of Minister. If the hon. gentleman had imitated the modesty of his leader, the President of the Council, he would not have so rashly compromised himself. Various matters had been brought before the electors of the county of Jacques Cartier; and among them the famous subject of the Lachine Canal.

Mr. LAFLAMME objected to the hon. member continuing his remarks on this subject, unless he were given the privilege of reply.

Mr. SPEAKER said that, on the question of adjournment, a member might speak on any subject,—a most inconvenient practice, but one which Parliament had refused to abolish, and he could only appeal to the good sense of hon. members not to extend the discussion beyond all reasonable bounds.

Motion to adjourn *lost*.

Mr. MACKENZIE: I beg to call the attention of the hon. gentlemen who proposed the motion and the amend

ment to the fact that I cannot bring down the reports of the Engineers at present. One of them is not prepared. The only plans and specifications which we have in the Department are the general specifications of the harbour. The contract is now about to be let; and we have only one copy of them and the general plan of the harbour. The plans for the Graving-dock proper have not yet arrived; and it is quite useless to pass a motion for papers that do not exist.

Mr. BLANCHET said he inferred from what had been stated that the decision on this question was very nearly settled, and that the Government had come to the conclusion that it was impossible to place this dock in the St. Charles River. He thought the President of the Council had made up his mind that no more political capital could be made out of this question in Quebec. The hon. gentleman could say it had been shown by the surveys of scientific men that the St. Charles River could not be chosen for the purpose; the hon. gentleman would be satisfied, and so also would the city of Quebec; hence he concluded that the hon. gentleman's case was hopeless. The reason why the hon. member for Levis the other day did not move his motion was, he thought, because the Premier had told him sufficient to let him understand that it would be of no use.

Mr. FRECHETTE: The hon. member is wrong.

Mr. BLANCHET said he would not discuss the question further. He thought that on the whole the reasons given in favour of the south shore were the strongest, and before long they would learn that the Government had not been able to adopt the St. Charles River site for the Graving-dock. The question would then arise as to when the work would commence. He would leave that to the Premier, who was a practical man, and as he said he did not want to make political capital out of the question, it was to be hoped he would commence the work as soon as possible, and not wait until next election before commencing operations. As the hon. member had stated there

were no reports, no plans, no specifications—

Mr. MACKENZIE: I did not say so.

Mr. BLANCHET said he understood the hon. the Premier to say he had no report before him except the report of the engineer. The documents belonged to the Department of Public Works. The surveys made last spring and during the summer were made upon instructions given by the Public Works Department to Mr. Page, and the Minister of Public Works could not be excused if he said he did not know of any report, because they belonged to his Department.

Mr. MACKENZIE: I never said anything of the kind. I said I had Mr. Page's report, but I had not the report of the other engineer, and I was not prepared yet to bring them down.

Mr. BLANCHET said the specifications and plans belonged to the hon. the Premier's Department. If he was willing, he might bring them down, but, if he said they were not ready, and that he could not bring down the information asked, the hon. gentleman should state so to the House. He was, however, willing to withdraw his motion in accordance with the wish expressed the other day by the hon. the Minister of Public Works.

Mr. FRECHETTE said he must protest against the insinuation made by the hon. member for Bellechasse that the hon. the Premier approached him on the subject of the motion of which he gave notice a few days ago, a motion exactly the same as that proposed by the hon. gentleman. He denied the allegation, and protested against such an insinuation being made. Neither the hon. the Premier nor any of the Ministers said a word to him about the question, and his motion was withdrawn because he happened not to be in his place at the time. The hon. member for Bellechasse, being desirous of obtaining the advantage of initiating the matter, gave notice of the same motion, and that was the reason why his motion was not pressed before the House instead of that of the hon. member for Bellechasse.

Mr. BLANCHET said that during the first two days of the Session he enquired if the Government had a report upon the site of the Graving-dock, and the hon. the Premier answered "Yes." The hon. member for Levis gave notice of a motion for papers, and allowed that motion to drop twice, as he now said, because he was absent.

Mr. SPEAKER: As the hon. member was not in his seat.

Mr. BLANCHET said there was a way in which that might be done.

Sir JOHN A. MACDONALD said that in his opinion the hon. the Premier should have taken the advice which was offered him in 1875 by the hon. member for Cumberland, when he pressed him to settle the site for the Graving-dock at once, and thus remove it from the possible competition of rival politicians. Had that advice been accepted, perhaps the whole of that discussion, the cross-firing and the imputations cast to-day would have been saved to the House and the country. The hon. member for Cumberland said on that occasion:

"He learnt from a communication he had received from one of the Harbour Commissioners of Quebec, that not only had the officers of the Imperial Government, who were deeply interested in this matter, decided upon Point Levis as the proper location for this work, but that seven out of nine of the Harbour Commissioners of Quebec—the men he supposed best qualified to judge what site should be selected—concurred in the opinion expressed by the Imperial officers in relation to this work. He regretted that under such circumstances the Premier was not in a position to state to the House whether the best location would be chosen, or whether that was to depend upon the amount of political pressure brought to bear upon the Government by parties in this House or outside of it. There were gentlemen in this House to whom the Government would be disposed to defer a good deal, who were ready to exercise all the influence they could bring to bear upon the Government, and he hoped the Premier would invoke the assistance of the House, if necessary, against any pressure that might involve a very large increase in public expenditure."

The hon. the President of the Council had said that everybody knew he was working to get the Graving-dock placed on the north side of the river. It was quite right that the hon. gen-

Mr. FRECHETTE.

tleman should have so worked when he was a private member of Parliament, if he was conscientiously of the opinion that that was the best position for it, and if he thought it would be for the benefit of his constituents to have it there. Although they had heard the extraordinary doctrine propounded that various interests and classes should not be represented in Parliament, yet, practically, they knew it was absolutely necessary for the good of the country that the various sections and local interests should be so represented. But after the hon. the President of the Council ceased to be a private member and became a member of the Cabinet, and as such a member of the Privy Council went back to seek the suffrages of his constituents and a renewal of their confidence, he was debarred by constitutional principles, and by his oath as President of the Privy Council, from working for the dock, and, more than all, from saying that he was working for it. The hon. gentleman said he never made any promise. It had been proved by statements uncontradicted that, while he did not make any promise himself, he heard promises made in his presence and he did not deny them.

Mr. CAUCHON: Where is the proof that I heard them?

Sir JOHN A. MACDONALD: Hon. gentlemen say so.

Mr. CAUCHON: They were never made before me.

Sir JOHN A. MACDONALD said hon. gentlemen around him had said so time and again, and the hon. the President of the Privy Council must submit to be criticised upon the statements of half a dozen gentlemen in the same position as himself. The hon. gentleman was debarred from stating what his opinion was with reference to the site of the dock, or what he was going to do with regard to it, because he had sworn not to divulge what was the advice he was going to give to his colleagues. It was a sacrifice which every constituency must submit to which elected a Cabinet Minister, that their representative must cease to advocate any special interest with Government. As one of

the Government he must sit in Council and act for the benefit of the whole country, even if such action was opposed to the interests of his own constituency. The hon. gentleman had said that everybody knew he was working for the dock. How could they know it unless he told them? and he ought not to have told them. They had a judicial decision in Lower Canada the other day that, if a candidate sat in a church and heard a priest say anything in his favour, he was *particeps criminis* if he did not rise in his place and protest against the statement. Never had such an instance of undue influence been exercised as that shown by the hon. the President of the Council—undue influence exercised by a Minister of the Crown, having the opportunity of pleading the cause of his constituency before his own colleagues in private. When the hon. gentleman stated that he was going to work for his constituents with his colleagues, if that was not undue influence he did not know what undue influence was, and it was undue influence of the most corrupt and corrupting kind. The hon. gentleman went down to St. Roch, a constituency composed in a large measure of working men, who depended on the employment of their labour for the support of their families, and the people were told in the most public manner: "Although the hon. gentleman may be personally obnoxious to you; although you may condemn his principles and practice in leaving the old Conservative party and accepting the leadership of the Liberal Rouge party; although you may feel disinclined to support an hon. gentleman in such duplicity of political principles, yet we must keep the pot boiling and have the chicken in it every day, and this can be had at the expense of the Government if you only re-elect the hon. gentleman who has taken a seat in the Cabinet." What was the use of passing the much praised Electoral Corruption Bill, what was the use of adopting measures to prevent individual bribery in individual cases, if a member of the Government was allowed, by such a statement as the hon. the President of the Council admitted he had made, to bribe a whole constituency? If the hon. the Premier as head of the Government

had settled the site of the Graving-dock sooner, this would have been avoided, and perhaps the hon. gentleman would have had a different colleague sitting beside him as President of the Council. Then what was the moral of this whole matter? That whereas the question of the Graving-dock site had had a very corruptive influence at the last election, the hon. the Premier should see that the site was selected before the next election. Why did not the hon. the Premier bring down Mr. Page's report at once, for probably it might settle the whole difficulty? Mr. Page was Engineer-in-chief and deserved the confidence of the head of his Department. The hon. the Minister of Public Works had trusted that gentleman's report on many other occasions, and why therefore did he not depend on him now and take his advice, whatever it might be, and thus remove the question from the arena of conflicting political parties and avoid the unseemly recriminations in this House, and out of it, which had arisen from the delay that had taken place in the selection of a site.

Mr. MACKENZIE said the moral he drew from the whole affair was this: That hon. gentlemen opposite had so little to find fault with that they could occupy the greater portion of two days in discussing a trifling matter like this. He was somewhat surprised that the hon. member for Bellechasse had ventured two or three times to doubt his good faith to the House. The hon. member had ventured to suggest that, if there was not a report from one officer, there might be from another. He was not, however, in the habit of double-dealing with the House. Whether right or wrong he always stated the case frankly. He had told the hon. member for Bellechasse at the outset of the discussion that the report of Mr. Page, which he had previously informed the House was in his possession, could not at present be presented. He had told the hon. member the reason—that the report was submitted to another eminent engineer with a view of ascertaining whether he coincided in the views expressed. The hon. gentleman should have accepted that statement unless he had some reason to doubt it.

He had also chosen to state that a conversation had occurred between the hon. member for Levis and himself (Mr. Mackenzie) in regard to the motion which that hon. gentleman placed on the notice paper. He had never had a word of conversation with that hon. gentleman or any person in his behalf since he came to Ottawa about the matter. The Act simply conferred upon the hon. the Minister of Marine and Fisheries and himself the approval of the site after they had obtained plans and specifications and all particulars in regard to the dry dock. The plans had never yet been presented to them. A little over two months ago he called the attention of the Commissioners to the fact that they had not yet been forwarded, and he had stated on the last occasion when the subject was brought up, that Mr. Morris, one of the engineers, had recently come to Quebec, and the Government were in daily expectation of receiving the papers essential to a decision as to the site. Not a statement had been made during the debate, so far as he understood the French language, to inculcate the Government in any way whatever. They had not used the question for political purposes; if it had been so used he would have known it. It would have been a work of supererogation to have used it to have influenced the constituency of Quebec Centre. An article had been read from a Conservative paper, as if that paper could be accepted as evidence against the Government.

An HON. MEMBER: It was the *Nouveau Monde*.

Mr. MACKENZIE said the article had simply proved that Conservatives could be obtained to write almost anything that suited their purpose at the time; it proved nothing against the Government.

Mr. CARON rose to a point of order. He said he wished to correct an error.

Some HON. MEMBERS: Order.

Mr. MACKENZIE said the extracts had simply proved that this Conservative journal and its editor, animated by the usual spirit of selfishness of the Conservatives, chose to write an article strongly in favour of this location of the

**Mr. MACKENZIE.**

dock in Quebec, and urged the election of one of the city members to the Administration, believing that Quebec would thereby secure some particular benefit. If the article had been written by the hon. the President of the Council he could understand the quotation; or if the paper had been the property of the hon. gentleman, as the *Mail* was the property of the hon. member for Kingston, he could understand the quotation.

Sir JOHN A. MACDONALD: The *Mail* is not my property.

Mr. MACKENZIE said, if the paper had been paid for like the hon. gentleman's paper, he could understand the quotation. But they had no connection whatever with the paper, and they had endeavoured faithfully to carry out the intention of the Legislature, which would be carried out. They were responsible for that; they accepted the responsibility and would perform the duty. It was a thoroughly good evidence of the miserably small policy of the Opposition when they would waste a day on such a question.

Mr. CARON said the papers he had quoted from were not Conservative. He had never heard them called Conservative except by the hon. the Premier, and he probably knew as little of and took as little interest in them as he did in the matter of the Graving-dock. There was no doubt whatever but that this question was used as a political engine during the election. He did not accuse the hon. the First Minister as being to blame for this, but he did accuse those who supported him in the Province and city of Quebec for using it as a political lever to a great extent.

Mr. CAUCHON said, even if the responsibility of those articles were on his shoulders, he defied any hon. member to show that there was anything in them by which he was compromised in any possible way. Stress was laid on the ability of the hon. member for Kingston on constitutional points, but unfortunately the logic and science of the hon. gentleman were frequently at fault, and they came to the conclusion that he was not infallible. In this matter he had worked as much as he could for the good of his consti-

tants, but, if the engineers reported that the dock could not be at Quebec, they must submit to that decision.

Mr. MITCHELL said he had listened to the discussion with a great deal of interest, because the question was one which deeply affected the commerce of the whole country. He counted Quebec as the first maritime port in the Dominion, and every one who knew anything of the geography of the country must take the same view. When Confederation was formed, he found the harbour trust of the port in a state next to bankruptcy, and as Minister of Marine and Fisheries he did everything in his power to remedy the evils which existed. He endeavoured to carry out a policy in regard to the ports of Montreal and Quebec, which he thought warranted by his own and the experience of other commercial men. But while working in this direction he was libelled by the hon. the President of the Council in the *Journal de Quebec*. Despite that, however, he persevered, and, after years of vile misrepresentation and attack, he succeeded in getting the bonds of the Harbour Trust of Quebec purchased by the Government. He afterwards submitted measures reorganizing the Harbour Trusts and Trinity Houses of Quebec and Montreal, placing the powers under one executive. As the trusts were supported from the taxes on shipping, they gave a certain representation to the shipping interest, the Corn Exchange, Board of Trade and the cities. To those popular bodies, which were mainly concerned in the administration of the Boards, were given five members out of the nine. But one of the first acts of the present Government was to change the constitution of the Boards, and to transfer their control from the interests named to the Government of the day. He appealed to the House whether that was a just measure. Its effect was to allow a large amount of politics and partyism to enter into the control of the Boards, which was to be deprecated. In reference to the question immediately under discussion, the hon. the Premier had said the Harbour Commissioners might not be disposed to give the information asked for. Now, the

Commissioners were the creatures of the Government, and they could be compelled to furnish the information if the hon. gentleman wished it.

Mr. MACKENZIE: I never said that the Harbour Commissioners might not be disposed to give the information.

Mr. MITCHELL: What did you say

Mr. MACKENZIE: I said I knew could get anything in their possession but I was informed they had no plans yet of the Graving-dock.

Mr. MITCHELL: My hon. friend stated they might not be disposed to give them to him.

Mr. MACKENZIE: No.

Mr. MITCHELL: Then I will be set right. I will say, however, it is a remarkable thing that there are no plans of a work which will necessitate an expenditure of public money, or half a million of dollars as the President of the Council says, but of a million and a quarter as the friends of the hon. gentleman say.

Mr. MACKENZIE: There has not been a dollar of it spent.

Mr. MITCHELL: Kimball & Morris have had £1,000 paid them for making plans.

Mr. MACKENZIE: Not from us.

Mr. MITCHELL said the money was paid by the Harbour Trust, however, who were the creatures of the Government, the majority of them being Government nominees; and the public would hold the Government responsible for maladministration or delays on the part of the Commissioners. If not a dollar of public money had been spent by the Government, it was very strange that tenders were received five weeks ago for the construction of the work.

Mr. MACKENZIE: The hon. gentleman is entirely mistaken. There are two distinct sets of plans—one for the general harbour works, now under construction, and one for the Graving-dock proper, which the Government have not yet received. We received the plans of the general harbour work long ago.

Mr. MITCHELL said he did not catch the remarks of the hon. the Premier on that point. But it was remarkable that something like three

years had elapsed since the work was taken in hand, and there were no plans ready yet. At this rate it would take a century to complete the Graving-dock. Considering the great distress existing among the labouring population, it was also remarkable that the Government had not taken the opportunity of relieving that distress by forcing their nominees on the Harbour Trust to proceed with the work in a more expeditious manner. Eight or ten years ago, an additional tax of five cents a ton was levied on all shipping, for the purpose of paying for improvements in Quebec harbour; and yet to this time not one dollar's worth of benefit had the shipping received. It was high time for either the improvements to be made, or the five cent. tax to be taken off. He was speaking on behalf of commercial and shipping interests, and not from a party point of view. It might not be known, but the Government should awake to the fact that the harbour in Quebec was a stalking horse to obtain political influence. Everything was done on account of partisanship. He knew he was hitting his own friends, for much the same course was pursued under the late Government. Three sites for the Graving-dock were named, Levis, the River St. Charles, and Wolfe's Cove. He heard men of a great deal of judgment who were largely interested in shipping say that neither Point Levis nor the St. Charles River were suited for the Graving-dock, but that Wolfe's Cove was the best place. First-class engineers should thoroughly examine the various proposed sites and report to the Commissioners, who should report to the Government as to the cost and the time in which the work could be completed. This should have been done two years ago, and the Graving-dock would nearly have been completed by this time.

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

#### PROCEDURE AND EVIDENCE IN CRIMINAL CASES BILL.

[BILL No. 3.]

(*Mr. Irving.*)

THIRD READING.

Order for consideration of amend-

Mr. MITCHELL.

ments made in Committee of the Whole to Bill (No. 3) respecting Procedure and Evidence in Criminal cases, *read*.

Mr. BLAKE called the attention of the House to a proposed amendment of the hon. member for Cardwell, which had been postponed. Unfortunately the hon. member was not enabled to be present. But the hon. member and himself had agreed upon the form of the amendment. It was to meet cases where the signatures of witnesses examined in a preliminary investigation were denied, and where it was necessary to prove the signatures in the absence of the magistrate. He moved in amendment:

"That the Bill be re-committed to a Committee of the Whole, with an instruction to add the following clause to the said Bill:—

"The 64th section of the said Act is hereby amended, by adding the following words:—

"Provided that for the purposes of this section, a deposition of the witness purporting to have been taken before a Justice or Justices on the investigation of the charge, and to be signed by the witness and the Justice or Justices returned to and produced from the custody of the proper officer, shall be *prima facie* presumed to have been signed by the witness."

Amendment *agreed to*.

House *resolved* itself into Committee of the Whole on the said Bill.

(In the Committee.)

Bill, as amended, *ordered* to be reported.

House *resumed*.

Bill *reported*.

Amendment *read* the first and second time, and *agreed to*.

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

#### CRIMINAL PROCEDURE LAW AMENDMENT BILL.—

[BILL No. 5.]

(*Mr. Dymond.*)

SECOND READING PROPOSED.

Mr. DYMOND said he was aware of the dangers that might beset the too adventurous layman who dared to trespass on what was regarded as the legal domain. But the question which he had brought up for consideration had its popular as well as its judicial aspect. It was quite true that the proceedings of our Courts were conducted by

lawyers, and that in those proceedings, either on the Bench or at the bar, lawyers played the most agreeable, if not the most interested part. But as a rule both the prosecutor and the accused were not lawyers, but laymen. It was seldom that members of the legal profession were placed in the unpleasant predicament of being accused of crime; and with a shrewdness, that did them credit, they very seldom attempted to invoke the powers of the law as prosecutors. But while that was the case, the layman frequently stood imperilled of his life or his liberty, or as a suitor for justice against a man who had wronged him. What, under these circumstances, therefore, might be sport to the lawyers, might be death or suffering to the laymen, reminding one of Æsop's fable about the boys and the frogs, where the latter exclaimed: "What is sport to you is death to us." A year ago he had the honour of calling the attention of the House for the first time to the subject of allowing persons charged with crime to give evidence on their own behalf, if they were desirous of doing so. A Bill was introduced into the House proposing some measure of legal reform by a learned gentleman (Mr. Hillyard Cameron), whose death was deeply regretted by many besides his own political friends, for he was one who was always ready to give advice or counsel, whether he agreed or not with the proposition submitted to him and whether it came from a legal or lay member of the House. He (Mr. Dymond) proposed an amendment to that Bill, embodying his views on the subject, and in the short discussion which took place it was suggested by the hon. the Minister of Justice, without the expression of any opinion on his part as to merits of the question, that the proper mode of bringing the proposal before the House would be by a substantive resolution or by a separate Bill. He (Mr. Dymond) had acted on that suggestion, and the Bill now before the House was the result. Since the last Session of Parliament the subject has been discussed in the British House of Commons, on a motion similar to the one he now proposed, brought in by Hon. Evelyn Ashley. In that discussion an

opinion was expressed by an eminent lawyer and Judge, who perhaps, as an authority on such a subject stood higher than almost any man at the present time,—he referred to the Right Hon. Russell Gurney, Recorder of London, a lawyer of exceedingly conservative instincts and whose experience as one of the principal Judges of the Central Criminal Court would not for a moment be questioned by any one acquainted with the working of the judicial system in the mother country. Mr. Russell Gurney in speaking to Mr. Ashley's Bill, expressed his opinion in the following words:—

"Having been brought up to the profession almost from a child, he had been favourable to the institutions and practices that he found in existence; but his experience, the experience of many years, as Recorder of London, and one of the principal Judges of the Central Criminal Court, had convinced him that it was most important for the interests of justice—for the conviction of the guilty, and the acquittal of the innocent—that some such change as was now proposed should be made in the law of this country (Great Britain)."

The scope of Mr. Ashley's Bill was somewhat wider than that of the measure now before the House, for it proposed that not only persons accused of crime should be permitted to give evidence under oath, but that the wives or husbands of such persons should also be admitted as witnesses. He did not propose to go so far on the present occasion. If the principle of the measure he now submitted should be approved, it was quite possible, in due time, that the further reform he had just referred to might come; but there was no occasion to encumber the consideration of the subject to-night by travelling at all beyond the simple proposition he had presented to the House. His attention had been called by an hon. member opposite to a very able article which appeared in the *Law Magazine*, published in London, showing that the subject was there obtaining increased attention, and exciting increased interest; and within the last few years the matter had been frequently debated in England in Social Science Congresses and on the floor of Parliament. The object of all judicial investigations, it would be admitted, was simply to discover the truth; it was not to obtain

the conviction of the offender, or his acquittal, but it was to discover the truth of the allegations which might be presented by the Crown in the public interest. It would further, he presumed, be admitted that no one was so competent to tell the truth—supposing he would tell the truth—as the person who stood indicted at the bar. The witnesses might be mistaken, the Court might be wrong in its conclusions, but the accused must know whether he was guilty or not of the matter with which he was charged. The onus of refusing to accept the truth at his hands, if he were willing to tell the truth, must rest with those who objected to the proposition embodied in the Bill. It was sometimes imagined that the silencing of the prisoner was an inherent principle of British institutions. But up to the year 1836, in Great Britain, when the Prisoner's Counsel Bill was passed, the practice of putting suggestions to the prisoner by the Court, although not under oath, was almost a necessary part of every trial. The prisoner had to speak, if he spoke at all, in his own defence; his advocate could only address the Court on questions of law, and the Judge was compelled to question him in order to bring out his story. So late as 1848 only were magistrates in Great Britain prohibited from putting questions to the prisoners before them. So far as he had been able to gauge public opinion on the subject, two objections were urged to the course he proposed should be pursued. One was that, to put an innocent man upon his oath and examine him might tend to his own disadvantage; that, in the cross-examination by counsel, statements might be extracted from him which might prejudice him in the minds of the jury; that he would become confused, being unequal to the contest, and possibly admit what he might intend to deny. But the answer to that objection was that the examination would, under the Bill, be perfectly voluntary; no man would be compelled to put himself in the witness-box and submit himself to an examination unless by his own voluntary act. Then, again, it was asserted that encouragement would be given to commit perjury; that a man stand-

ing in peril of life and liberty would be tempted to commit perjury in order to effect his escape. He (Mr. Dymond) believed the value of an oath of far less value than a skilful cross-examination, and he could imagine no more certain mode of convicting a guilty man than to allow him to be examined and cross-examined by learned counsel. He ventured further to assert that it was unjust to an innocent man to deny him the right to purge himself on oath from a grave crime of which he might be accused, because a guilty man might add perjury to his other offences. Again, they were aware that the enforced silence of the prisoner was used frequently by counsel as a plea on his behalf. Hon. gentlemen connected with the legal profession knew that if they had nothing better to say for their client they could appeal to the jury to believe that if the man's mouth were not closed he might say something that would bring about his acquittal and justification. He believed, however, the chief reason why this reform had not been adopted earlier was due to that sort of British conservatism which was inherent in all our institutions, and which made us very slow to adopt anything in the nature of a change. There was also a dread arising from the fear of introducing anything like the continental system, the system which in France and some other continental countries placed the unfortunate person accused with crime on a sort of moral rack in order that the Court might extract from him some admissions of guilt, but he thought such a fear on our part might be dispelled when we remembered the wide difference there was between our judicial system and those of the countries to which he had referred. There, when proceeding by indictment, the Court practically began the inquiry by assuming the guilt of the prisoner, whereas, under our system, innocence was always assumed until guilt had been actually proved. Should the Bill which was now before the House go further, it might be possible to add some clauses which would effectually restrain any Court from exercising its power of examination to an extent unjust to the

prisoner. He would venture to submit to the House some extracts taken from the proceedings of the meetings of the Social Science Association which were always attended by many very able lawyers, some of whose observations embodied not simply a statement of opinion but also an argument in favour of the views he held. At the meeting of the Association in 1874, Mr. Sheriff Dickson read a paper in which he used the following language:—

“In most criminal cases, as in all cases of personal injury, theft, forgery, and other frauds, there are really two parties—he who suffered from the crime and the accused. At present, one of them, who in England prosecutes and in Scotland has usually promoted the prosecution, is not only admissible but is usually the chief witness, whereas the other is excluded. In perhaps the majority of charges of rape and criminal assaults the rule operates with grievous injustice; as the fact of the intercourse is often not disputed, and the only question is whether it was voluntary—upon which the woman is under the strongest motives to give false evidence. A large proportion of other assaults are the sequel of quarrels; yet the jury are allowed to hear only one of the disputants, who, from having suffered in the fray, often feels bitter animosity to the accused, whose evidence, not likely to be more biassed, and equally necessary for a full and fair investigation, is inadmissible. The rule operates even more unjustly and unfairly in charges of perjury, especially where the evidence to which it applies has been given against one accused on a criminal charge. In that case one of the parties has been examined and the other excluded; but in the prosecution for perjury their positions are reversed. Or the case is quite possible of a civil suit, in which the grounds of action or defence involve a criminal charge, such as forgery, in which both the alleged forger and his accuser may be examined. This may be followed by the prosecution of the one party for forgery, in which the other alone is admissible. The jury may find him not guilty, and the third scene may be enacted of perjury against the witness on the former criminal trial, in which he is excluded in his turn, and his indefatigable and exasperated adversary has the field to himself. This state of things would have occurred in the recent Tichborne trial if the Claimant had been acquitted and had prosecuted Lady Doughty for perjury. In the civil trial both of them gave evidence at full length. In the one criminal trial, only the one, and in the other only the other could have been examined at all.”

Serjeant Pulling, also a high authority, in another paper enforced a similar view of the subject. So long ago as 1860 Mr. John Pitt Taylor, a

gentleman well known and respected in the legal profession, laid down the proposition:

“(1.) That in all judicial investigations the object to be attained is the discovery of the truth, and no species of evidence ought to be excluded which can materially aid in that discovery; (2) the rules of evidence ought, so far as is practicable, to be the same in civil and in criminal proceedings.”

Mr. Taylor afterwards proceeded in a very sustained argument to advocate the admission of prisoners as witnesses in their own behalf. Right Hon. Joseph Napier, a most distinguished Irish lawyer, addressing the Social Science Association, in 1861, referring to this subject, said:

“There are cases in which no one but the accused could expose the falsity of the accusation, and there are cases also in which the accusation would not have been made, perhaps not even contemplated, but for the very rule which may screen it from exposure. The accusation indeed should always be sustained by independent evidence, but for this very reason it should be open to the accused to meet such evidence by his account of what he alone may be able to testify; and, moreover, as whatever the accused may state would naturally be received with jealous suspicion, he should be allowed to submit his testimony to cross-examination, that its value may be tested.”

The Right Hon. Russell Gurney, in the speech to which he had already referred, alluded to the experience he had acquired during two years residence in the United States. His statement on the authority of Chief Justice Appleton of Maine, and the Attorney of the United States District Court of New York, was that it would be considered the ends of justice could not be served by anything short of the admission of the accused to give evidence. But we had some experience in our own country to guide us to a right conclusion in this matter. He remembered the hon. and learned gentleman, the late member for Cardwell, speaking a year ago of his experience with reference to the measure to enable plaintiffs and defendants to give evidence in civil suits. Mr. Cameron remarked that a Bill which he introduced in the first instance was, shortly after it had been passed, repealed, but after the lapse of a few years was again introduced and became law, and its oper-

ation since that time had given universal satisfaction. He did not mean to assert that there were not cases in which perjury was committed, for perjury had been too often committed under all systems, but on the whole, the ends of justice had been better served by admitting the plaintiff and defendant to give evidence, although until a very recent period a strong prejudice adverse to the practice had existed. There were also many cases of persons charged with serious offences, which, if not technically criminal, were attended, on conviction, with severe penalties, who were admitted to give evidence on their own behalf, such as prosecutions under the local liquor laws, revenue prosecutions, and election trials; and some hon. members in the House owed their seats and their escape from being disqualified to the fact that they were allowed to enter the witness box, and, by a frank, straightforward and faithful statement, explain the circumstances which appeared to press most hardly against them. Before Parliamentary Committees of enquiry, and Royal Commissions, as well as in the cases he had mentioned, the penalty attached to a decision adverse to the persons charged was of a character quite as serious to them as was the punishment of imprisonment to a great many who were brought before the Criminal Courts; and, if men under those circumstances could be relied upon to tell the truth, and were not likely to commit perjury, he did not think it should be assumed too hastily that members of other classes, who were charged with offences that were in law held to be criminal, would be more likely to yield to the temptation to commit perjury. There were numerous cases in which, even supposing that the amendment to the law were not made as complete as he had ventured to suggest, it might be possible that the experiment might be advantageously tried; such for example as prosecutions for fraud, false pretences, embezzlement and all cases involving questions of account. He remembered the late member for Cardwell, while he disapproved of the proposed amendment of the law and expressed the opinion that the time had not come for

its adoption, pointing out that the change proposed might be approached gradually by some such partial amendments as he (Mr. Dymond) had just referred to. The only other point to which he would allude related to an expression which fell from him a year ago, which had been commented upon at the time by some of his legal friends in the House and which appeared to have excited, if not irritation, at all events a little concern in their minds. That was, that he thought the adoption of the system would be conducive to a higher tone of morality in criminal proceedings. There was no member of the House, lawyer or layman, who had a higher opinion of the character of the bar than he entertained, and he would be grieved if anything he had said implied that members of the legal profession did not occupy in that respect not only a respectable but a most exalted position. By admitting persons charged with crime to give evidence, all temptation on the part of those entrusted with their defence to set up theories which might not be founded upon truth was removed. He thought that in many instances counsel would feel themselves constrained to adopt a different style of defence if they knew that they would rest the foundation of their defence upon the testimony of the person accused. He was aware that in Canada legal gentlemen did not usually follow what was called criminal law practice exclusively; it came to them in common with other branches of their profession and probably they did not enter so completely into the spirit of that business as those in Great Britain who devoted themselves almost exclusively to it. But he ventured to assert, from a pretty long observation in years past of criminal procedure in the mother country, that the system of defence adopted did not exercise an elevating influence upon the minds of counsel. It was in that sense, and in that only, that he ventured to make the remark which he did on a former occasion. He believed, in conclusion, that the proposition he had the honour to submit to the House would, if adopted, conduce to an improvement in the administration of justice and be more fair to those persons who unfortunately stood in the

MR. DYMOND.

position of being charged with crimes against the law.

Mr. CAMERON said he did not think the hon. member for North York need have apologised as a layman for introducing this important subject to the House. The hon. gentleman had shown an amount of research and careful consideration of the subject which no lawyer could have exceeded. At the same time, it was not to be expected that the hon. member, or any other layman, could have that practical experience of the working of alterations of the law, such as proposed, which those engaged continually in practice in the Courts necessarily acquired. The hon. gentleman had quoted some authorities in favour of the proposed alteration. Mr. Russell Gurney, however, was the only one out of eight or ten distinguished lawyers who spoke on Mr. Ashley's Bill in the English House of Commons, who favoured the principle of the measure. The Attorney-General opposed it with great vehemence, as did also Sergeant Simon, Mr. Knatchbull Hugessen, and others. This was sufficient to show that the general current of legal opinion, at any rate in 1874, when the Bill was introduced, was strongly and overwhelmingly against the proposed alteration in the law; indeed, so strong was the opinion in the House, that Mr. Ashley withdrew the Bill. After this discussion had proceeded for a short time, the hon. member for North York would find that the same state of things existed here. When we began to make any alteration in the law, it should first be considered whether an evil existed of a character which required redress. The practical experience of Judges and counsel certainly did not lead to the conclusion that any such evil existed which required the proposed amendment. In the words of one of the hon. gentlemen who spoke in the debate in the English House, "he never knew a case where innocence had suffered, or justice had been defeated for the want of this proposed alteration of the law." He thought the legal gentlemen of the House, who had had much experience in criminal trials, would probably echo these words. For himself, he could certainly endorse them, as in

his own experience he had never seen a case in which, through the absence of a rule allowing the accused to testify in his own behalf, an innocent man had been found guilty, or a guilty man acquitted. There were two points to be considered, whether the alteration of the law was required for the purpose of acquitting the innocent, or of convicting the guilty, or for both purposes. In regard to convicting the guilty, a very strong argument used against the amendment was that it was striking at one of the fundamental principles of the English law, that a man should be presumed innocent until proved guilty. If the measure was adopted, it would have the effect of shifting the presumption—the accused would have to prove himself innocent before he was proved to be guilty. But it was claimed that this was only a permissive act, and that a prisoner could not be compelled to give evidence. What would be the practical effect of that? Every jury would convict and every Judge agree with the conviction, if a man, who had the right to testify in his own behalf, did not avail himself of the privilege. During the debate in the English House, it was suggested that that difficulty might be obviated by inserting a clause providing that neither Judge nor counsel should call attention in any way to the fact that the accused had not tendered his evidence. Such a provision would amount to nothing. The jury would know that the man could become a witness if he chose and could have pledged the value of his oath, whatever it might amount to, and the conclusion would be formed that, if he did not say on his oath he was innocent, he was guilty. Another objection was that the Bill would introduce a temptation to commit what was termed the heinous crime of perjury—in many cases a much more serious crime, or in no case could it be a less serious moral crime, than any crime of which the prisoner accused could be charged. There would be a great temptation to a man to go into the witness box and swear he was innocent even if he were guilty. Then he much questioned whether the Bill would have the effect of protecting

the innocent. They should bear in mind that, when once the accused had tendered his evidence, he would necessarily be subjected to a rigid cross-examination by the counsel for the Crown, and it was just likely that an innocent man under such an ordeal, conducted by an acute and experienced lawyer, would become confused—especially if he were a man of simple character—and so create the impression that he was guilty. In this way, therefore, the protection to the innocent would not be so great as it would be to a guilty person who possessed the bold effrontery and hardened conscience that would enable him to stand unmoved through a severe cross-examination. But the strongest argument that could be used against the Bill was that there was no general feeling that such an alteration of the law was necessary. In the absence of such a sentiment it would be better to leave well alone. There was also another objection to the Bill. It would tend to produce unseemly controversies at times between the Judge and the accused, because, if cross-examination were allowed, on many occasions it would become the duty of the Judge to flatly contradict the accused and to engage in discussions of a character to which we had not been accustomed. The Bill would also be introducing the inquisitorial German and French system, whereby the accused was often coerced into a confession of guilt; perhaps he might not be guilty of the offence, but would be actually driven into the confession. Under the German system, the accused was examined privately by the Judge and obliged to give an account of every event of his life, which was scarcely fair or just to the prisoner. As one member of the English House of Commons had said, to adopt the measure would be returning to the practice of the dark ages in England. The difference between the Bill of the hon. member for North York and that of Mr. Ashley was that the latter admitted a clause providing that wives and husbands could respectively give evidence for themselves. The propriety of making that change was discussed by a member of the English House who was opposed to the general principle of Mr. Ashley's Bill.

Mr. CAMERON.

The hon. member for North York seemed to think that step should not be taken, but there could be no question that, if any change in this direction were desirable, the privilege should be extended to wives and husbands. He would suggest to his hon. friend that there was no great feeling in favour of the Bill, or that, at any rate, the time was not ripe for such alteration of the law, as experience did not teach that any great hardship resulted from the existing law.

Mr. BROOKS said he had listened with great attention to the remarks of the hon. member for North York as well as those of the hon. gentleman who had just spoken. The former need hardly have apologised for bringing the matter forward, as the research and study he had bestowed upon it had eminently qualified him, as a layman, for the investigation and discussion of the measure. It had been properly said that the proposed change was more of an abstract than a practical question. In our criminal practice there had not been shown any necessity for the measure; no case in Canada had been cited in which an innocent man had been punished or a guilty man acquitted owing to the absence of any such provision in the law. There was now a Bill in the English House of Commons similar to the one introduced a few years ago, the provisions of which were much more extensive than that introduced by the hon. member for North York. The former not only extended the privilege to persons charged with felony and misdemeanour, but allowed wives and husbands to testify and also gave the same right to parties jointly charged with such crimes. When two or more parties were accused, they could be examined in behalf of each other, and no comment was allowed by counsel on the fact that a man had not availed himself of the right to give evidence. He fully agreed with what had been said about the practical result being that a prisoner charged with a crime would have his silence taken as presumptive evidence against him. Not only that, but the prisoner would be placed in a terrible temptation, of an almost irresistible nature, to commit

perjury. One of the provisions of the Bill was to the effect that the prisoner so committing perjury laid himself open to punishment. The law then placed the prisoner under a terrible temptation to commit perjury, and indeed almost drove him to commit perjury, and then punished him for doing what he could hardly help under the circumstances. There was no pressing necessity for the Bill, and, as we had introduced the English Criminal Law into Canada, it would be much better to wait until the experiment was tried in England. At present the English Government were discussing the matter, and perhaps the amendment would be introduced. If so, Canada could see how it worked, and if it were satisfactory it could be also introduced here. He was glad that the subject had been brought up for discussion, as it was one that ought to be brought under the consideration of the public and the profession.

Mr. DEVEBER said he failed to see anything in the arguments used by the professional men against the passage of the Bill. He hoped the principle of the Bill would be conceded.

Mr. GUTHRIE said he was inclined to think that the day had come when the change should be adopted. At first, the proposal to allow defendants in civil suits to give evidence had met with much opposition, but after several attempts the law was passed. It had been successful in elucidating the truth, and in criminal cases it would not tend to perjury any more than in civil cases. There was a universal opinion that the change was beneficial. In many cases, as in those of assaults of more or less aggravated character, the prosecutor was influenced by malicious motives, and, being able to give evidence, placed the accused in a position of very great disadvantage. However, he would prefer to adopt the course proposed by the member for North Victoria, and defer further consideration of the matter until we had the advantage of legislation on the same subject by the Imperial Parliament. He gave the member for North York credit for having introduced this motion, and for the able manner in which it had been set forth.

Mr. WRIGHT (Pontiac) said he had been at first prejudiced against the Bill, but he now thought that its passage was advisable. He would refer to a circumstance which had occurred some time ago at Aylmer. Four persons were arrested for assault, when, as afterwards proved, only two were really guilty. There was only one witness of the affair, and on his evidence the Grand Jury returned a true bill against the four. They severed in their defence, however, and the two who were innocent were acquitted. If the four had been tried without severance in defence, they would probably have been all convicted. The great objection advanced against the Bill was that such a law would provide a great incentive to perjury, and this was certainly a very strong argument. But from a moral point of view, the prisoner, who pleaded not guilty when he was guilty, was equally guilty of perjury. It was true that such a law would be an innovation in the criminal law of this country, but this would not be the case as far as the civil law was concerned; and it was universally admitted that the practice of allowing a defendant to give evidence in civil cases had proved very beneficial. On the assumption that the refusal of a prisoner to avail himself of such a privilege would be considered, as it were, *prima facie* evidence of guilt, he was not inclined to place much dependence; because such testimony would not be received until the defence was concluded, and if the Crown had not succeeded in establishing the charge brought, there would be no necessity for a prisoner to enter the witness box. In any event, the prisoner could not be placed in a worse position than he at present occupied. Besides, if a prisoner declined to give evidence in his own behalf, this fact ought not to militate against him, as the jury was sworn to base their verdict on the evidence submitted; and, if they formed an opinion unfavourable to the accused, merely because he did not give evidence, they would disregard the solemnity of their oath.

Mr. DESJARDINS said he did not think the proposed change would be beneficial, especially as it would prove

a great incentive to perjury. A prisoner might also have peculiar reasons for not wishing to give evidence, and his silence would be construed into an admission of guilt.

Mr. KERR said he did not rise to express his views upon the question at any length, but rather to state that he was in sympathy very largely with the views of hon. members who had spoken against the proposition before the House. But, while he made that statement, he did not think he would be just to the hon. member who had brought the question before the House did he fail to express his high appreciation of the very full and able manner in which he had submitted that proposition. It was another lesson to him, as he believed it would be to other members, that on no question, however strongly their minds might be prejudiced in favour of a certain view, should they too fully make up their minds until they had heard all that could be said on both sides. He admired the pluck of the hon. member for North York who, had dared to rise and express views on that important subject with which a large portion of the House might not be in sympathy, and it was perhaps well that it fell to the lot of the hon. member to bring the subject before the House. But while he made that declaration, he was not in favour of the measure which was proposed for their consideration. He shrank from the very thought of too frequently interfering with our laws, more especially with the criminal laws of the country. They were a rich inheritance from the mother country, and it appeared to him that it would be prudent on the part of the Canadian Parliament to follow in the tracks made by the mother country leading the way. The present Bill appeared to be brought forward in the interest of the accused. So far as his experience and observation went, he did not think that practically it would be favourable to that interest, but would prove rather to the detriment than to the advantage of the accused. He was confident that, in nine cases out of every ten, there would either be perjury committed, or, in the event of the accused not coming forward and giving evidence, the im-

Mr. DESJARDINS.

pression would be created that he was guilty of the crime with which he was charged. Although previous speakers had expressed their convictions that the law, as it at present stood in regard to civil cases, making the parties to an action or suit competent witnesses in his or her own behalf, had worked satisfactorily, there was no doubt of this unfortunate fact that one of the evils resulting from the law had had been the multiplication of cases of perjury. It was by no means a practice upon which all were united, but it was rather one upon which there was great room for difference of opinion, and on which great difference of opinion existed at the present time. But, if there was temptation for a man to commit perjury in civil suits where there was nothing beyond property involved, how much greater would be the temptation when both character and liberty might be involved. The time had not come when the House should adopt such legislation as was proposed. He was aware that the theories and speculations of to-day, in this age particularly, became the results of to-morrow; but in a matter of that importance Parliament should hasten slowly, and await the fuller discussion which would be given to the question in the Imperial House of Commons, and, as it should finally be decided there, so might this House decide in like manner. He, therefore, submitted that the question with many others of a similar character should be handed over to the serious and careful consideration of the hon. the Minister of Justice, who must of necessity be held responsible in an especial manner for the criminal laws of the Dominion.

Sir JOHN A. MACDONALD said it would be desirable that on such an important question the House should learn the views of the hon. the Minister of Justice.

Mr. BLAKE said he was obliged to state to his hon. friend the member for North York (Mr. Dymond), who had introduced the measure, that he was not in a position to recommend to the House the second reading of the Bill at this time. He thought the discussion of that evening would have convinced his hon. friend that the measure was

not ripe, even in the opinion of those who thought it would be in a reform, to be placed on the Statute-book. It was no doubt a very important question. The object they had in view in providing for the trial of issues, whether they involved questions of property or questions of personal liberty, was neither to provide for the escape nor for the conviction of either party, but to provide for the ascertainment of the truth by endeavouring to get at the bottom of the facts which were in controversy between the parties. For many years it was insisted that the temptations to commit perjury were so great that it would be wrong on two grounds to permit persons being parties to the case to give evidence: first, on the ground that they ought not to be exposed to the temptation to commit perjury, which would be inevitable; and second, because they would commit perjury so constantly that the investigation of the truth would be rather retarded than advanced by their being called as witnesses. As the hon. member for North York had stated, the earliest attempt to introduce the system into Canada had an ignominious ending. The Bill became law one Session, and, if he rightly remembered, it was repealed the very next Session; at all events it certainly did not live through two Sessions, and that was in consequence of the very strong opposition given to it by many of the Judges, their views preconceived and, as they believed, supported by the short experience of the operation of the law being that it would not conduce to the administration of justice in most cases. After an interval of many years in Ontario that same measure became law. Although the hon. member for Northumberland (Mr. Kerr) had declared there was a vast difference of opinion as to the working of the law, and he (Mr. Blake) admitted there was some difference of opinion regarding it, he did not esteem that difference as general as did the hon. member. His view was that the opinion in favour of the law enormously preponderated over the adverse opinion. His own conviction, drawn from a tolerably wide experience of the application of the law,

was that it had been found exceedingly useful in attaining the object of all trials, namely, arriving at the truth. There were cases, however, occurring every day in civil matters, in which the interests in regard to property and still stronger the excitement occasioned by hostile feelings, particularly in suits between relatives, were so great that the temptations to commit perjury were very great, but, notwithstanding that fact, the operation of the law had been as he had stated. With respect to criminal cases, it was quite true that certain circumstances arose which did not arise, or did not arise in the same proportion, in civil cases. The hon. member for Hochelaga (Mr. Desjardins) had stated one class of cases, fortunately the rarest class, in which there would be no peril to the criminal in committing perjury. It was true that, in cases in which punishment was capital, the terrors of human law were not sufficient to deter the criminal, who was standing on trial for his life or a term of imprisonment for life, from committing perjury. But it would be a mistake to argue that he should form a new law solely with regard to a class of cases which was happily very rare in Canada. Thousands of persons were tried for crime during each year and only, on an average, ten of those were for the crime of perjury. An objection which applied solely to that particular class of crime was not one which could be properly urged as applicable to the whole range of judicial investigation into criminal matters. The question whether the proposed law would bear more in favour of than against the prisoner, was one in which there might be much investigation. His own impression was that in practical operation there would be, as a rule, an unfavourable impression created with regard to prisoners who did not submit themselves to examinations. It was a result regarding which they need scarcely stop to reason, but it was a result which had been found from experience in civil cases. If such were the case, it followed that, as a rule, prisoners would be obliged to give evidence. The question then arose as to whether the law would prove injurious in cases in which the

accused was innocent. In the majority of cases it would not be to his injury, but to his advantage. He could conceive of some cases—they had occurred in his own experience in civil suits—in which an innocent man, owing to his nervous habit, great excitement at the time, or unhappy mode of giving testimony, was placed rather at a disadvantage than otherwise; but those cases were so very few that, upon the whole, the innocent party who was telling the truth would be in a better position by having an opportunity of giving evidence. In criminal cases, however, under the present law, following the practice obtaining in England, the jury, as a general rule, presumed that the prisoner was innocent, which circumstance was not unfrequently skilfully used by his counsel, who suggested to the jury what might have been said if the prisoner had been allowed to give evidence as a witness, and that presumption, which was sometimes strained, was, in his opinion, quite as great a security, though not as legitimate an one, as the possibility of giving his evidence. He thought the general impression of those conversant with criminal trials was that there were very few cases indeed in which innocent persons were convicted, and such cases were so rare that they could hardly be taken into account. His belief was that the cases in which guilty persons escaped preponderated very much over those in which innocent persons were convicted, and, believing as he did, that the fear of cross-examination was such that the story of the prisoner, if untrue, would be demonstrated to be so, he thought that this law could not be calculated to be in favour of the escape of the guilty, though he thought the existing securities for the innocent were as powerful as, and perhaps more powerful, than the protection obtained by the prisoner telling his own story. Upon the whole, he believed that the main difficulty in the question was to be found in the question of perjury, in the very great temptation which already existed in civil cases, and still more in criminal cases, not to tell the truth. He was satisfied that there was one class of cases in which the accused might be allowed to give evidence,

Mr. BLAKE.

namely, that of assaults between parties to which there were no witnesses. All those considerations left the question in an exceedingly perplexing condition, and his view was that public opinion was not ripe for the introduction of such a system as that proposed. If there was a practical defect in the criminal law, it was rather that the guilty escaped than that the innocent were convicted. That being the state of affairs, he thought Parliament could wait for some time to come—although he did not say that it should wait for an Act to be passed in Great Britain in order to produce a more logical state of things in the Statute-book, and in order to produce more efficient means of convicting the guilty—before the country tried the measure to which the hon. member for North York (Mr. Dymond) proposed to commit the House. He would therefore second the view expressed that the order should be discharged.

Mr. DYMOND said the arguments of hon. members were more favourable to going beyond his proposal than to stopping short of it, and to advocate the examination of wives and husbands of accused persons. He moved that the order be discharged.

Order discharged and Bill withdrawn.

House adjourned at  
Thirty minutes after  
Ten o'clock.

## HOUSE OF COMMONS.

Friday, 9th March, 1877.

The Speaker took the chair at Three o'clock.

### COAL OWNERS' PETITION COMMITTEE.

NAME ADDED.

Mr. MACKAY (Cape Breton) moved that the name of the hon. member for Hants be added to the Committee appointed with reference to the Coal Owners' petition.

Motion agreed to.

## NORTHERN RAILWAY ENQUIRY.

## COMMITTEE SELECTED.

Mr. MACKENZIE moved:

"That the House do now name the Committee ordered on the 5th March last to enquire into the matters connected with the Northern Railway and Northern Extension Railway."

Motion agreed to.

Vote taken and the following Committee selected:—Messrs. Guthrie, Archibald, Bertram, DeVeber, Casgrain, Killam, McCarthy, Palmer, and Bowell.

Mr. MACKENZIE moved:

"That it is desirable that any witnesses which are to be examined by the Committee appointed to enquire into the allegations contained in the report and evidence made and obtained by the Commission of Enquiry into the affairs of the Northern Railway Company should be examined under oath."

Motion agreed to.

## DISMISSALS FROM OFFICE.

## EXPLANATIONS AND REMARKS.

Mr. VAIL: I desire to say a few words with reference to a personal matter, for which, under the circumstances, I hope the House will pardon me. It will be remembered that a few days ago a debate took place in this House on the question of the dismissal from office of certain men in the county of Victoria. Reference was then made to a letter written by myself to the member for Victoria, and that letter was produced and read in the House. It was marked "private and confidential," but nevertheless I expressed my willingness to have it read here. I find in a paper printed in Toronto—which I understand to be the organ of the Opposition—reference made to this letter, and there is printed what purports to be a perfect copy of it as to both wording and spelling. I have nothing further to say with regard to this matter than this: I do not accuse or charge the hon. member for Victoria of having had any part whatever in this transaction for which other persons are responsible, and I desire, as I think is but fair, that this letter should be laid on the table in order that hon. members may have the opportunity of examining it for them-

selves and of seeing whether it corresponds with the printed letter.

Mr. TUPPER: I am equally reluctant to take up the time of the House with a personal matter, but I am quite certain that the House will give me the same opportunity that has been extended to the Minister of Militia. On the occasion of the debate referred to, the Minister of Customs stated that the dismissals to which reference was made were made on the report of the Inspector, and the Minister of Militia stated, in his place, that the hon. member for Cumberland ought not to complain as the dismissals were made on the report of an Inspector appointed by himself. I have now in my hand a copy of the papers brought down under order of the House by the Minister of Customs, and these papers disclose the fact that no report was received from any Inspector, and that the only report upon which the Government took action were letters from the two candidates against whom these men had voted at the elections, Mr. Ross, the Collector of Customs at Halifax, and Mr. Tremain, a late member of this House.

Mr. BURPEE (St. John): As this matter has been brought up, I have only to say that, when I made that statement, I said "letters or a report."

Sir JOHN A. MACDONALD: But from the Inspector.

Mr. BURPEE: I called the attention of the House to the fact I have mentioned the same day, and when the hon. member for Kingston made a speech on another occasion, I again repeated it. I then said that I was not prepared to say precisely whether it was done on letters or a report.

Sir JOHN A. MACDONALD: The hon. gentleman stated that it was done on letters or correspondence received from the Inspector.

Mr. BLAKE: I understood the Minister of Customs to say what he says he did state, and not what the hon. member for Kingston says he stated.

Sir JOHN A. MACDONALD: The following is from the *Hansard* report:—

"Whatever action was taken in the matter was on the recommendation of the

Inspector \* \* \* Mr. Campbell's dismissal was recommended by the Inspector and consented to by the gentleman himself, who considered that his services at his business were worth a great deal more to him than his salary as an official of the country."

My hon. friend did state this, and he had no right to shelter himself behind the Inspector.

Mr. BURPEE: I distinctly said what I have stated.

Sir JOHN A. MACDONALD: There is no doubt that you said it was done on the report or letter of the Inspector.

Mr. BURPEE: I called the attention of the hon. member for Kingston to the matter at the time, and I referred to it the following day. I made the statement I have mentioned in the most distinct manner in my place in the House.

Sir JOHN A. MACDONALD: The Minister of Militia is reported in the *Hansard* to have said:—

"My hon. friend has referred to another matter in connection with the dismissal of Customs officials in the county of Victoria. This I know nothing about; but I think he is the last member in this House who should condemn it, after the Minister of Customs had stated that, to the best of his recollection, they were removed on the report of Mr. Kerr, who, it is well known, was appointed by the hon. gentleman himself."

Mr. McDONALD (Cape Breton): I have a distinct recollection of the matter brought up—

Some HON. MEMBERS: Order.

Mr. McDONALD: I am not at all surprised—

Mr. SPEAKER: A question of order has been raised. There is nothing before the House.

Mr. MITCHELL: I move the adjournment of the House, in order that the hon. gentleman may make his statement.

Mr. McDONALD: I have a distinct recollection of what took place when the hon. member for Victoria brought this matter up. The Minister of Customs then distinctly stated that the dismissals were made on the recommendation of the Inspector of Customs for the Province of Nova Scotia, but that he had not had sufficient time to read the report.

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD; Exactly.

Mr. McDONALD: That was distinctly stated; but, when the question came up the second time, the Minister of Customs qualified that statement.

Mr. BLAKE: I understand it to be the rule of the House that the statement of any hon. member as to what he may have said during a debate is to be accepted as conclusive. I do not understand that this is susceptible of contradiction at the hands of any other hon. gentleman, and still less certainly is it susceptible of contradiction at the hands of reporters, whether official or unofficial, for which no member will allow himself to be held responsible. I took occasion during the debate on the *Hansard* to say that, for my part, I would not be held responsible for what the reporters at that table may make me say, any more than I would hold myself responsible for what the reporters in the gallery might make me say, and I am sure I would be very sorry to be held responsible for that.

Mr. BOWELL said the hon. the Minister of Customs stated that the dismissal took place either on a letter or a report received by him from the Inspector. The hon. gentleman had failed to bring down those letters as part of the documents which had been laid before the House.

Mr. BURPEE (St. John): That is another matter.

Mr. BOWELL said he was quite aware of that fact. The understanding of the statement of the hon. the Minister of Customs on this side of the House was distinctly that given utterance to by the hon. member for Cumberland. In almost every return he had moved for himself he had scarcely ever received the information asked for.

Mr. MASSON said he could add another instance as to the incompleteness of the returns. He referred to that relating to the Jesuits' Barracks. He did not blame the hon. the Premier for this, as he did not think he (Mr. Mackenzie) intended to deceive the House; but the House was deceived nevertheless.

Mr. MACKENZIE: The House was not deceived.

Mr. MASSON said when he first brought up the question he was met by the declaration of the hon. the Minister of Public Works that the transfer of the barracks could not be made because there were technical difficulties in the way. The return subsequently brought down showed that, immediately after the Session was over, the barracks was transferred without any further correspondence with the Local Government. He again brought the matter up, and it was promised that the correspondence should be laid before the House. When it did come down, a letter of the 5th April was wanting. When he brought this to the notice of the hon. the Minister of Public Works, he said there might have been a mistake, and that it existed in some other correspondence. However, when that correspondence came down, the letter of the 5th April was still wanting. He would say openly and frankly that he did not think the hon. the First Minister wanted to deceive the House, but he really believed that the hon. gentleman had been deceived by somebody.

Mr. MACKENZIE: I am very much obliged for the repeated attempts of the hon. gentleman to cast evil imputations on my statements, but I throw back the imputation with the utmost scorn with which it is capable of being thrown back. I can only tell the hon. gentleman that I do not care what his opinion is, and I tell him further that I made no statement at the expense of any party. The statements I made in reference to the matter I believed to be correct. The hon. gentleman and those around him endeavour systematically and continually to give the worst possible interpretation to anything said on this side of the House.

Mr. MASSON: Was there any correspondence going on?

Mr. MACKENZIE: I do not intend to be catechised by the hon. gentleman.

Mr. MITCHELL said his object in making the motion was simply to give a young member of the

House who was sat upon whenever opportunity offered the chance to make a personal explanation. It was better to exercise a little forbearance in such matters, and not compel hon. members to make a formal motion. The hon. the Premier had said the Opposition deliberately misrepresented him. He (Mr. Mitchell) had never done so. As an independent member, he had always considered the motives and dealt with the measures of the hon. gentleman in a fair, honourable and straightforward manner; and he hoped the hon. gentleman would reconsider that statement. He had no disposition to misrepresent the hon. gentleman, nor had he had any experience of its being done.

Mr. CARTWRIGHT called attention to the fact that the hon. member for Victoria (N.S.) was now in his place, and that the hon. the Minister of Militia had moved that the letter should be laid on the table of the House.

Mr. BOWELL asked if it would not have been as well for the hon. the Minister of Militia to have stated the fact that the letter first appeared in a Halifax paper. He was not apologising for any paper, but the evident intention of the hon. gentleman was to cast the whole odium of the publication of the letter on a Toronto paper. The hon. gentleman knew well that it first appeared in a Halifax paper and had been copied by the Toronto paper.

Mr. VAIL said the Halifax paper had systematically abused him for several years, but, when such a thing appeared in a paper like the *Mail*, he felt compelled to bring the matter before the House.

Mr. CAMPBELL said, when he asked leave of the hon. the Minister of Militia to refer to a certain paragraph in the letter, he only read as little as he possibly could for the purpose of substantiating the statements he had made. He was not willing to make use of the rest of it until occasion required it. If he had read it incorrectly, the hon. the Minister of Militia should have taken him to task for it at the time. He did not think he was now in a position to bring that letter forward and expose the rest of what the hon. gentleman said.

Mr. BLAKE said he was sure that, on a moment's consideration, the hon. member for Victoria would recall that statement. It was impossible that the letter could have got into the hands of reporters connected with the press, save by its having feloniously abstracted from its place of keeping, which he did not believe possible; or by the hon. member having given it to some one who had betrayed the trust, or by his having given it to the reporters to publish. The hon. gentleman was at any rate responsible for its publication; he had allowed a forged impression of it to be circulated through the length and breadth of the land for the purpose of disgracing a public man. On reflection the hon. gentleman would be disposed to produce the letter for inspection, but, if he did not, the House would no doubt declare it was his duty to do so.

Mr. CAMPBELL said he had read a portion of the hon. the Minister of Militia's letter, and, if he had misrepresented anything in it, it would appear in the *Hansard*.

Mr. MACKENZIE said, if the reporters took the spelling down, he did not know what they would do for the hon. gentleman's pronouncement.

Mr. CAMPBELL said he would say candidly that the spelling of the published letter was not according to the original.

Mr. BLAKE: Then I understand the hon. gentleman to say that the spelling in the newspaper is not the same as in the letter?

Mr. CAMPBELL: Yes; it is not exactly the same.

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

#### ROCKWOOD ASYLUM TRANSFER BILL.—[BILL No. 40.]

(*Mr. Blake.*)

##### THIRD READING.

Amendments made in Committee of the Whole to Bill (No. 40) Respecting the transfer of Rockwood Asylum to the Province of Ontario, and to amend the Penitentiary Act of 1875, *read the second time and agreed to.*

*Bill read the third time and passed.*

Mr. CAMPBELL.

#### SUPREME AND EXCHEQUER COURTS ACT AMENDMENT BILL.—[BILL No. 64.]

(*Mr. Blake.*)

##### THIRD READING.

*Bill read the second time.*

House *resolved* itself into a Committee of the Whole on the said Bill.

(In the Committee.)

*Bill ordered to be reported.*

*House resumed.*

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

#### WAYS AND MEANS—CONCURRENCE—THE TARIFF.

##### ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means, the motion of Sir John A. Macdonald in amendment thereto, and the motion of Mr. Wood in amendment to the proposed amendment, *read*.

Mr. BLAIN said he did not think he would be able to consider the question as fully as he intended when he moved the adjournment of the debate; but he would lay before the House the reasons for giving the vote which he intended to give. He did not suppose it was a secret to the House that he had always advocated protection. He was a consistent advocate of protection long before he had the honour of having a seat in the House, and his convictions were so sincere upon that subject that he confessed it made him full of indignation when the question was not dealt with as he thought it ought to be. He would point to the two amendments to show wherein he differed from them; but, before doing so, he thought it desirable that some of the questions that had been raised during the debate should be reviewed. The first was the great bug-bear called free trade—a thing that had a name, but had not an existence. There was no country under Heaven where there was free trade. There was no country of which he had

any knowledge—except those so sunk in barbarism that they had nothing to trade—but what adopted the principle of collecting, at any rate, the expenses of the Government from the Customs. It was unfortunate that hon. members read visionary and dreamy works on the subject and took them as authorities, the same as some people took romances as facts. The members of the House ought to be practical men, and deal with the great national interests from a practical standpoint; and they ought not to be misled by the dreams of men who endeavoured to put upon paper a system which never had been in force. It struck him that, when hon. members talked of putting these systems into operation, it was like a shoemaker who made the foot fit the shoe. The policy of “let alone” was a most pernicious one, applied to such a country as Canada, where we had a hard struggle with other countries, where we had such a wide territory, such long distances, and where we were in many other ways so unevenly matched against the nations of the earth. The doctrine was as old as the hills. It was a doctrine which was preached by the slaves that sat by the flesh-pots of Egypt over 3,000 years ago; in Christ’s time it was the doctrine of the devils; and in Louis XIV’s time it was the doctrine of legalized plunderers. He did not know, in the history of that energetic and heroic people, the French, any period, not even that following the battle of Waterloo, in which the national forces were so exhausted as during the reign of Louis XIV. The men who were legalized in order to plunder, when asked what could be done for them, said: “Nothing; let us alone.” There was not a robber or thief in this country but preached the same doctrine. This pernicious doctrine had driven the peasants in the land of his forefathers from their homes and had scattered them to the four winds of heaven, and had left their habitations a desolate and solitary abode for “his lordship’s” deer. Seeing that he entertained that view with reference to the great doctrine of letting everything alone, he had no hesitation in saying that his opinions were still firmly settled upon the necessity

of adopting a policy that would afford some protection to the industry of this country. When he came to look at the position in which the two great parties in this country were placed as regarded this question, he found that it was the doctrine of the present Administration, and also of the Opposition, not that we should have free trade, for that did not exist, not that we should have protection, for that had not been claimed by the right hon. the mover of the amendment, but that we should have a tariff for revenue purposes. One could see that, under that principle of raising our revenue, the first consideration was the question of revenue, and the second consideration the question of protecting our industries. It did not necessarily follow that the industries of the country must be considered in connection with the tariff. The hon. the leader of the Government talked free trade and put on additional duties; the right hon. member for Kingston talked protection, and, when he had the power, he reduced the duties. He noticed that the right hon. member laughed. But he (Mr. Blain) was a member of a deputation which waited upon the right hon. gentleman to urge against the reduction of the duty on manufactured tobacco. There were at that time seven tobacco factories in Toronto, and it was pointed out that, if the duty were taken off, there would not be a factory existing in Toronto in six months. And so it turned out. The right hon. gentleman refused to accede to the representations of the deputation, and in six months there was only one tobacco manufactory in Toronto, and that was for the manufacture of black tobacco for the back-woodsmen; and hundreds of people were thrown out of employment, many of whom left the country and went to the United States. The right hon. gentleman still declared that he was a Free-trader—he even did this in the speech in which he introduced his amendment. He (Mr. Blain) had come to the conclusion that it was not a question of protection or free trade with the right hon. gentleman, but of so agitating the public mind that he would again be enabled to occupy the Treasury benches. If the views of the hon. member for Hamilton

(Mr. Wood) were not thorough and honest on the subject, there might be a doubt expressed also respecting his amendment, as it had only a partial appearance. The first part of the right hon. gentleman's resolution asked the House to express regret at the financial policy submitted by the Government increasing the burden of taxation on the people without any compensating advantage to Canadian industries. There was this to say about that matter: While he (Mr. Blain) did not agree with the manner in which the revenue was raised, yet, with that exception, there could be no hesitation in saying that the finances of this country had been ably managed. He was not prepared to vote for the amendment, being coupled as it was with a censure upon the Government. The second part of the resolution said that the deficiency in the revenue should be met by a diminution of expenses, aided by such a re-distribution of the tariff as would benefit and foster the agricultural, mining and manufacturing interests of the Dominion. These words "agricultural, mining and manufacturing interests" seemed to take men's ears. If his hon. friend the Minister of Public Works were to strike out of the supplies, from the capital account, \$2,000,000, it would simply mean that the tariff should be re-distributed so that the duties should be lower. The right hon. member for Kingston had brought before the House a proposition which he wanted hon. members to think would meet the requirements of the country—that the tariff should be readjusted in order that the small deficiency would be made up. There was considerable force in what had been said that, at this time, when the industries of the country were depressed, it would be infinitely wiser that the enterprises of the country should not be deranged by a reorganization of the tariff, but that they should endeavour to surmount the difficulty in some other way, for it was conceded that it was temporary. The right hon. gentleman had tacked to a general censure of the Government this expression, which sounded well: "As will benefit and foster the agricultural, mining and manufacturing interests of the Domininn." But

Mr. BLAIN.

there was no principle in the amendment. After the great speeches heard last summer all over the country, this was a most miserable attempt to impose on those who had honest convictions on that subject. It was matter for astonishment that, after the mountain had laboured, they should have such an amendment—an ill-conditioned mongrel instead of a thoroughbred; a thingill-shaped in every possible way,—that the right hon. gentleman should ask the House to accept it as the measure promised, and that he should send it out to the people and ask them to believe he was in earnest, or that anybody could be in earnest who submitted such a motion. It seemed quite clear that the right hon. gentleman intended to put a miserable proposition before the House. It was not fair to deal with the people and with Parliament in that manner, and such men as the hon. member for Hamilton and himself, who had honest convictions. Let the right hon. gentleman come forward with a resolution broadly and plainly declaring that the entire financial policy of the country should be based upon the broad principle of protection, and then they would believe in his honest convictions on that subject. He did not hesitate to say that, while he had always been a Protectionist, he could not vote for the amendment of the right hon. member for Kingston; he must vote against it. The next question which fairly came up was that of protection itself. He had endeavored to show to the House that we had no free trade, that there was no such thing as free trade anywhere in the world; he knew he was correct in that view, and he challenged any one to controvert the statement. There was nowhere unrestricted free trade, nor was any nation in a position to enforce strictly free trade. He had shown that the policy of the Liberals and Conservatives had always been, and he believed was at the present time, that the revenue should be raised under a tariff. If such were the case, he could not conceive in what way there could be any material distinction in principle between the two parties. While there might be a cry raised by one party, and gentlemen might find that it strengthened their hands, there

was no wide difference between the parties. There was, however, a very considerable number of hon. members who had honest convictions on this matter altogether outside of the question of tariff, who were anxious to adopt a system of legislation which would aid in promoting the interests of the country, laying down and affirming the principle, as far as it was possible to affirm it, that we should attend to our own people and industries, that we should endeavour to prevent this country from being kept in a chronic state of crisis by being troubled with the fluctuating condition of the markets of the world; that we should seek to keep the people within our own territory by manufacturing everything we could manufacture in this country for our own people, so that the producer and consumer might be placed side by side, so that everything required by our own people might be produced by them, whereby we would save the enormous cost of carrying our raw material to foreign markets and the freight of its return as manufactured goods. There was one extreme of free trade, the middle course of a revenue tariff, and the third course, that of protection which was outside of the tariff altogether, which must be taken into account when they considered the industries of the country and not the revenue, although the one might be somewhat connected with the other. They heard an everlasting shout about incidental protection. It was an incidental fraud, for there was no such thing; what was so called simply arose from the fact that the country had to raise a revenue under the tariff, and some branch of industry received an advantage from it. The tariff was not to be credited with that—it was a mere accident. What he and many others desired was that the country should go outside of the revenue and come fairly to the Protectionist view. Under these circumstances he felt it to be his duty to vote against both amendments, and he hoped every hon. member supporting the Government would not view the subject in any other way. If the question had arisen upon a wide Protectionist issue, he would have to consider, as would every other hon. member, whether, under ordinary cir-

cumstances, it would be their duty to vote in favour of it from principle, or whether they would fall back on the other consideration, whether it would be desirable that the present occupants of the Treasury benches should be defeated and driven from office. That, indeed, was involved in the present discussion. That amounting to a vote of want of confidence in the Government, the House had to consider the character of the members of the Administration and of the leaders of the Conservative party, and its constitution. That, however, was a very small part of the issues involved, and he was not prepared to say that, upon the miserable amendment of the right hon. member for Kingston, he would disorganise the whole business of the country, and drive the present Government from power. It was an insult to the common sense of hon. members that the right hon. gentleman should place before them such an amendment, which it had taken a year to mature, and ask them to change the Administration by adopting it. He would take very good care not to be caught by such chaff. If the amendment had been so drawn as to raise the general question of protection, it would have been a grave issue, but, as it had been submitted, there was no gravity about it, and it was a very small matter. No doubt the Government would find that a feeling was arising among the people that outside of the tariff question they would have to deal with the wide principle of protection. While that question was not before them for consideration at present, he would express the desire that the financial affairs of the Dominion should be settled upon a wide principle of protection that would enable the country to husband its resources. He had thus explained the course he intended to follow and the reason therefor. There was no inconsistency between his present course and that he had always advocated; but while he was as strong an admirer of the principle of protection as ever, he would not vote in favour of either of the amendments before the House.

Mr. BERTRAM said he proposed to notice some of the points dwelt upon by the hon. member for West York, who had spoken of the general prin-

ciple of free trade as a great bugbear and declared there was no such thing as free trade in the world. He agreed with the hon. member that there was no such thing as absolute free trade. But the question in this country was not whether we were to have absolute free trade or absolute protection, but whether we were to have a policy of protection engrafted on a policy of modified free trade. The hon. member for West York, in the course of his remarks, had shown a considerable knowledge of a certain period of French history in the time of Louis XIV, and had spoken of the existence of the system of legalized plunder which existed in France. There was, however, a like period in English history, and when next the hon. member read history he should read that from Queen Elizabeth to Charles I. During that time a system of legalised robbery prevailed, and it was under the strongest kind of protection. The hon. member should also remember the kind of protection which existed in England not long ago, when salt was protected to such a great extent. The question the House was called upon to consider was whether the resolution submitted by the Finance Minister should be read the second time, by which the House could be called upon to further burden the people—because after all that was what it amounted to—by increasing the taxation. The hon. the Minister of Finance, in the course of his Budget speech, informed the House that the country would have a deficit, that the revenue would not equal the expenditure. That was information which every hon. member who had watched the affairs of the country and the course of trade must previously have been in possession of. There was no doubt that, in the history of nations, as in the history of individuals, the income of the nation had its vicissitudes as well as the income of individuals. At one period in our history we might have a time when the values of commodities were advancing, and when lands were rising in price. During such a period, which was spoken of as a period of inflation, there were increased imports which necessarily brought a large revenue. It was a matter of great concern and importance, when they found that

**Mr. BERTRAM.**

the revenue did not equal the expenditure, as to what policy should be pursued in paying off the public indebtedness. The hon. the Minister of Finance had proposed a scheme for raising the necessary amount of money, and that scheme did not commend itself to the right hon. member for Kingston in that he had proposed an amendment. He would not call it a dishonest amendment, but it was an amendment for protection of a certain kind, but it was only very extenuated protection. The right hon. gentleman submitted his amendment in favour of a re-adjustment of the tariff so as to foster the agricultural, mining and manufacture interests. An important industry had been omitted by the right hon. gentleman—the lumber interest—and, if any means could be devised whereby that interest could be assisted or protected, such would be well worthy of the consideration of the House, for it was suffering more than almost any other industry.

Sir JOHN A. MACDONALD said it was a manufacturing interest.

Mr. BERTRAM said that was true. but he should be glad to know by what tariff arrangement any assistance or protection could be given to it. The amendment to the amendment proposed by the hon. member for Hamilton had been characterized, he might almost say slandered, by the right hon. member for Kingston as being a selfish proposition, for it only asked for assistance to manufacturers. The only difference, however, between the amendments was that the constituency of one hon. member was larger than that of the other, the right hon. gentleman, as the leader of the Opposition party, from the exigencies of his position, being obliged to draw his amendment somewhat broader. Protection, considered as such, was the essence of selfishness. An interest could not be protected without selfishly considering that interest, and giving it something at the expense of somebody else. He was much gratified with the eulogium, passed by the hon. member for South Ontario, on the system which he characterised as one of incidental protection and modified free trade, under which the industries of

the country had been built up. But that hon. member came to the lamest of all conclusions, by stating that he was a Protectionist because he was tired of the policy the Government had been pursuing—tired of the very policy he had advocated, with this difference, that the Government had increased the duties  $2\frac{1}{2}$  per cent. on general manufactured goods beyond that in force under the policy of which the hon. member had spoken. There were many expressions which had been common to the debate. The hon. member for Stanstead declared he desired to prevent the difficulties under which our manufacturers were labouring, and grant relief to struggling industries. Those were propositions which every hon. member would concur in and endeavour to carry out. The question was as to how it could be done—whether the tariff should be  $17\frac{1}{2}$ , 20,  $22\frac{1}{2}$  or 25 per cent., or whether the rate should be retained at  $17\frac{1}{2}$  per cent. That hon. member had further said that manufacturers in this country entered into business at their own risk and peril. The only time in the history of Canada when such might be said was when, in 1866, the tariff on manufactured goods was reduced from 20 to 15 per cent. There was now no difficulty in any manufacturer entering business, knowing most assuredly that the list would at least not be very much reduced. The hon. member had spoken of the sentiment of protection in the United States, and had referred to it as the great Protectionist country, which had developed and flourished under protection, where protection was a vital question. In discussing the question of free trade and protection the hon. member for South Ontario seemed to think those were the only two factors which went up to make the wealth of a nation; that given protection in the one case, or given free trade in the other, the future of the country could be forecast. He (Mr. Bertram) entirely disagreed with that view. He thought that either free trade or protection were only factors, and it might be simple factors in determining a nation's future. It was important to consider what entered into the productions of a country—the life of a nation. First,

there was the question of land, and the same conditions could not apply in America, where land was plentiful and cheap, as in England, where it was scarce and dear. The influence of climate had also much to do with the industry of the people and their wealth. The fact of having coal and iron lying in juxtaposition also had an important influence on a country's future. The natural products and geographical position of a country largely determined the industries which were established. Above all the natural causes was the character of the people, and in calculating the future of the United States the ingenuity must be taken into account. The American people were famed above all others for their goods, and for inventing labour-saving machines, and it was within his knowledge that samples of American manufactures had been taken to England, and, on manufacturers being asked if they could produce such goods, so closely was England bound by trades' unions that the manufacturers actually declared they would rather give up their business than attempt to make the kind of goods. All these matters were to be taken into consideration. In another matter, a very remarkable difference was apparent compared with statements made in the House last Session. Why did they not now hear from the advocates of protection doctrines a single word about the great slaughtering process, which had been going on for some time in this country? This was simply because that slaughtering process which, existed last year, existed no longer. While speaking of a question with which he was somewhat familiar, he had last Session taken occasion to state that one reason why iron was being brought into this country in lieu of being imported as it used to be from England was because the crisis had come on in the United States some two or two and a half years earlier than in England; and because, England having a larger market for her iron products, they did not immediately fall in price; and he ventured then to assert that, before another year was over, the price would be so reduced in England that the Americans would be entirely shut out of this market. He appealed to the hon.

member for Hamilton as to whether that prophecy—if prophecy it could be called—had not been verified to the very letter.

Mr. WOOD: No.

Mr. BERTRAM said that no iron of any consequence as to quantity now came into this country from the United States in comparison with what had been brought into it last year at this time. Protection would, without the slightest doubt, create monopolies. Gentlemen conversant with the state of trade in the United States must know very well that rings or monopolies were formed for the purpose, as they said, of regulating the price. This was proved by what had taken place in that country with regard to the coal interest; and, only last fall or last summer, had the price of this article given way, when the producers were competing amongst themselves. It was very plain that, if the United States would adopt the policy of imposing a small duty or no duty at all on coal, then the people residing on the eastern sea-board would be able to buy their coal from Nova Scotia, in place of paying, as they were now obliged to do, not only a fair profit on coal, but a further sum of money, which went into the pockets of the monopolists. This reminded him of the coal oil motion made last Session by the hon. member for Stanstead, to whose speech he had listened with great pleasure. The hon. gentleman had spoken of the coal oil combination as he would desire to characterize many American monopolies, as a system of organized extortion. He had gladly voted with the hon. gentleman at the time, though the Finance Minister had announced that he would bring the matter up this Session; but this was one of the things which protection must and would undoubtedly bring upon the country if they adopted the American protective policy. He had understood the hon. gentleman from Stanstead to state that we had had no deficit in this country from 1862 to 1873. He did not suppose that the hon. gentleman had had the honour of a seat in the House during that period, but he was certain that the hon. gentleman had not consulted the Public Accounts of Canada before he ventured

Mr. BERTRAM.

to make such a statement. If the hon. gentleman had done so he would have found that from 1860—and he did not know how much further back—up to 1866, there had been continual deficits year after year; and that it was only after Confederation that the receipts took such a bound as to be sufficient to meet the ordinary annual expenditure. The only year that bore on its face the impression of a surplus was the year 1866, there having been that year a nominal surplus of over half a million of dollars; and, if they took into consideration the item of over accounts, amounting to \$1,395,626.52 for that year, and deduct from it the half million he had mentioned, it would be found that even that year showed a deficit. And curiously enough it was during this very year that the tariff was reduced from 20 to 15 per cent. Then the country came into that era of prosperity which had continued up to the present year. He had taken the trouble of looking into the Public Accounts, and he had discovered one or two notable things. One of the most particular features was that, in 1871, there seemed to be an instantaneous advance in the receipts; in 1870, we had a surplus of no less than \$3,712,479.09, showing an increase in the revenue amounting to the extraordinary sum of \$384,335.16, and to show that this was brought about entirely by the increase in the price of goods and commodities imported, it was sufficient to state that the Customs receipts for that year exhibited an augmentation of \$250,639.58. The next most noticeable feature was the extraordinary jump perceptible in the expenditure for the year 1873-4, which was increased, compared with the previous year, to the extent of no less than \$1,141,668.53. He believed they were all apt, in considering these matters, to exaggerate the faults of their political opponents, and to go to the opposite extreme with regard to the faults committed by their political friends, and he thought that the hon. member for Cardwell had been influenced by this feeling when he had charged the Government with extravagance, comparing, at the same time, the expenditure for 1875-6 with that of 1873-4. If hon. gentlemen would

go back a little farther and compare the expenditure of 1873-4 with that of any year since Confederation, they would find a still more marked difference. In the year 1873-4 there seemed to be an advance along the whole line of expenditure; there were advances for Civil Government, for Legislation, for Customs, and for the Post Office Department. The feeling apparently was: "We have money and let us spend it, let us get rid of it in some way or another." He confessed that some little difficulty was to be experienced in making an analysis of the Public Accounts, which were not capable of being examined, as was possible with the provincial systems. They were obliged to take into consideration the facts that, in 1870, Manitoba came into existence as a Province; that in 1871, British Columbia entered Confederation, and in 1873, Prince Edward Island. There was no doubt that these Provinces had cost more per head as regarded population than the older Provinces, Quebec and Ontario, but he would be the very last man to say a word which would be in any way derogatory to these Provinces. If it was in question, he, for one, would be prepared to sanction the expenditure of double the amount that had been expended in connection with these Provinces, rather than have them out of the Union. In 1873-4, the period of inflation seemed to come to an end, and the present Finance Minister, in his first Budget speech, had taken what had been termed a very lugubrious view of the then situation; but to his mind this view exactly met the case; anyone who had taken the trouble to watch the periods which were called good times and bad times must have seen that the period of inflation was at that date very near its culmination. He believed that, before the late Administration had gone out of office, they had announced that it would be necessary to increase taxation on account of the enormous public works and other obligations which they had taken on their shoulders. The Finance Minister in face of a decreased revenue had to provide for increased expenditure, and under these unfortunate circumstances the Finance

Minister had been obliged to view the situation, and he supposed that the hon. gentleman had prognosticated a deficit. He thought the hon. gentleman had rightly gauged the position the country occupied, and, owing to the bad harvest of last year, and other reasons, the country was now in a worse condition than otherwise might have been reasonably expected. We had now to consider how the revenue requisite to meet public obligations was to be raised, and, in order to do so, the state of the entire country must be taken into consideration. Was our trade in a normal or abnormal condition; were we importing goods at a fair ordinary price, or at prices lower than the average rate? These matters were to be considered; also the point whether it was necessary to increase the tariff to 20 per cent., and, if so, whether this was to be done as a temporary expedient or otherwise. He believed that the Minister of Finance, in devising means for increasing the revenue, had taken the view—and properly so—that the emergency would be only temporary. This was a very serious question; because manufacturers going into business in this country were obliged to recognize the fact that we had a certain amount of protection, or modified free trade, or whatever it might be called, which was necessary to enable them to continue in business; and it would be a very serious matter if, shortly after 20 per cent. were put on, it was found to be no longer necessary to meet the wants of the country, and the tariff was in consequence lowered. Such action would disarrange trade and disturb the calculations of manufacturers. He was glad to believe that the Ministry of the day had the courage of their convictions; they had proclaimed themselves believers in a revenue tariff, and he for one would not be inclined to give them the support he was now inclined to accord if they had departed from that rule to which they had declared themselves attached before taking office, unless they could prove to the satisfaction of the House that the necessities of the country required an advance of  $2\frac{1}{2}$  per cent. in the tariff. He thought that the present depression in a country so young and wealthy as this, would soon

pass away; and temporary measures would be sufficient to meet the present exigencies. His hon. friend from Toronto had stated what he believed was true in every particular: That, if the protectionists were willing last year to take a 2½, 5, or 7 per cent. increase in the tariff as necessary under the then circumstances, they occupied to-day exactly the same position they occupied last year, while the state of things across the border had greatly changed, greenbacks having considerably advanced in value. The price of gold this year, as compared with last, gave, at least, 7½ per cent. protection to the manufacturers. It would be well for the Protectionists to wait a little while longer—to possess their souls in patience. In a short time it was likely that greenbacks would become the same as gold, and manufacturers would have a still greater protection than at present. If the hon. the Finance Minister were to notify a council of Protectionists to meet here in order to get a statement as to their wants, the result would be rather peculiar. Each man would produce his own nostrum. His friend from Wellington would state what duty he wanted on corn; the hon. member for Hamilton would tell what he wanted, and other hon. members would give their views on the subject. If the gentlemen could come to any conclusion among themselves, the hon. Finance Minister would be perfectly safe in agreeing to it. But that was almost impossible. The Protectionists were divided among themselves. What was one man's raw material was another's finished product, and it was impossible, unless by legislation which he should be sorry to see enacted, to grant the protection required, unless, as suggested by the hon. member for Kingston, they made a general advance along the whole line. Such a conference as he had referred to would resemble the Council that met on the banks of the Bosphorus to take into consideration the Sick Man's position. Their views were totally different, and the Sick Man was left to himself and was master of the situation. He was afraid if the Protectionists came together that their opinions would be so dissimilar that it would be impossi-

ble for them to arrive at any definite conclusion.

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

### After Recess.

#### PRIVATE AND LOCAL BILLS.

##### THIRD READINGS.

The following Bills were severally considered in Committee, read the third time, and passed.

Bill (No. 8) To change the name of the St. Francis and Megantic International Railway Company to the International Railway Company and for other purposes.—(Mr. Brooks.)

Bill (No. 35) Concerning the Ottawa, Vaudreuil and Montreal Railway Company.—(Mr. Hagar.)

Bill (No. 9) Respecting the Canada Southern Bridge Company.—(Mr. Casey.)

Bill (No. 14) To amend the several Acts incorporating the Montreal, Portland and Boston Railway Company.—(Mr. Baby.)

#### WAYS AND MEANS—CONCURRENCE—THE TARIFF.

##### DEBATE RESUMED.

Mr. PALMER resumed the debate on the tariff. He said that before expressing his own views he would refer to the extraordinary effect which the amendment of the right hon. member for Kingston had had upon the hon. member for West York. If the amendment had had the same effect upon the members supporting the Administration, it certainly might be likened in character to the electric eel. The resolution of the right hon. member for Kingston had evidently shaken the resolution of the hon. member for West York. As the hon. member for West Peterboro' had said, there was an attempt to draw the attention of the House away from the point at issue, and to make the House and the country believe that this was in reality a fight between the two opposite principles called free trade and protection. Inasmuch as hon. gentlemen had taken

Mr. BERTRAM.

such a wide range, it would be necessary for him to state his opinion clearly as to free trade and protection. As he understood free trade, he was in harmony with the hon. member for North York and the hon. the Minister of the Interior—he was an out-and-out free-trader. He did not think it would assist them in this enquiry to attribute suspicious motives to the hon. the leader of the Government or the right hon. gentleman leading the Opposition; and, when he found the hon. member for West York undertaking to impute motives to the mover of the amendment, he could not avoid thinking that he wanted some other reason for the course which he had adopted towards it than the resolution itself afforded. What cared he (Mr. Palmer) what motives actuated the Ministry or the leader of the Opposition so long as what they proposed would benefit the country? He agreed with the hon. member for West York that it was not sufficient for a man to say that he was a Free-trader or a Protectionist—he had to explain what he meant by these terms; and, more than that, the Government had to devise a policy in the minutest details that would carry forward the public business of the country so as to benefit the largest number of the inhabitants of this country. What he understood by free trade was this: That the trade of the country, or rather the wealth of nations would be more enhanced by the State not interfering with trade at all. By that means, of course, every country would do that which was best adapted to it by the least exertion and expenditure of either labour or wealth, and thereby create the largest amount of products for the use of man. But this was a Utopian idea, and the hon. member for West York was quite right when he said that the thing did not exist. At all events no Government ever attempted to carry on its affairs on this idea. Such a system would necessitate all the necessary expenses for carrying on the country being placed on the accumulated capital of the country. What he considered a pernicious principle was the taxing of articles of universal consumption, to pay the burthens of the State,—that, he held, was not

free trade or true political economy. That was in reality putting a burthen upon the energies of the people, instead of making the accumulated capital pay for the necessities of the country. It was wrong to tax the poor man on the same scale as the millionaire; and, if the prime necessities were taxed, it was simply putting upon the poor man that which ought to be paid largely at all events, if not exclusively, by the rich man. He was prepared to support any Administration which would undertake to bring about, with a reasonable degree of success, such a system of free trade as he had referred to. But it was idle for men to talk about such a policy, as that did not depend upon the free will of Canada. The Dominion lay alongside of a country which had adopted an entirely different system. The principle now adopted was that the United States manufactured articles that were amply protected from Canadian competition, and then a bounty was given when they were exported to Canada. The tariff proposed by the Government would not raise our revenue by taxing the articles which could be produced in Canada, but would raise it by taxing the energies of our own people and by making the mechanics and the farmers pay the tariff. This was not a system of free trade which he would subscribe to. The hon. member for North York drew attention to the good display made by Canada at the Philadelphia Exhibition, and seemed to assume from it that the manufactures of this country were in a prosperous condition. He (Mr. Palmer) was glad if this was the case, but it would not seem so from the statements made by hon. members, and he was sure that the manufactures in the part of the country whence he came were in a depressed condition. His own judgment was that they were far from prosperous—that, in point of fact, they were driven out of the country. It could not be denied that it would be a great boon if, without injuring the country, those manufactures could be brought back and put into a prosperous condition again. He was free to admit that it would be hopeless to attempt to foster such manufactures if they could not be successfully carried on in Canada. He

did not believe in building up mushroom interests that could not take care of themselves. But let anyone read the history of manufactures in Canada, and then compare it with the United States, and he would find that we had nothing to be afraid of in this respect. This country was as much adapted to manufacturing purposes as the United States, and a policy ought to be adopted which would build up industries and so give employment to a large class of the population. It was said that the manufacturers were selfish. There was little wisdom in sneering at a man and calling him selfish because he was devoting his energy and capital for the purpose of supporting his family or securing a competency. If that was selfishness, we were all selfish; and, in that regard, he would call upon the Government to be a little more selfish for Canada. We wanted Canada to be prosperous, and if we were Canadians, were we not, therefore, selfish? What would people think of a Finance Minister who deliberately said that the Government had no more to do with the prosperity or adversity of a country than a fly on a wheel?

**Mr. CARTWRIGHT:** If my hon. friend wants to know what I did say I will repeat it. But that is not what I said.

**Mr. PALMER** said that was how he understood the hon. gentleman at the time, and every one would admit that the declaration was true. In point of fact, the Government were like a great many small flies on a very large wheel. In a great crisis like the present, when the country was suffering from great depression, something ought to be done. The people would not be satisfied if the man at the helm of State, in the hour of adversity, when the storm was raging, cried: "I can do nothing; the ship will not steer; she must go on the rocks." And it was no wonder the country cried out: "Let the old pilot from Kingston take the wheel; he can do no worse than you, and he says he will do something." The hon. member for North Norfolk, admitting that we imported \$49,000,000 in goods from the United States, still said the people of Canada were so infinitesimal that he doubted whether half a dozen persons

**Mr. PALMER.**

on the other side of the line had heard of us. He would like to know where the hon. gentleman was born, as that was a most extraordinary statement. The facts were entirely against it. So far from ignoring our existence, the Americans took so much interest in us that they endeavoured in every possible way to build up their commerce at our expense. The hon. gentleman, however, took a different view of things last year, when his voice was all for protection; he had had a vision, however, and a change had come over him. A great many hon. members on the opposite side of the House had had visions, some of which had been verified. The hon. the Minister of the Interior no doubt had a vision of \$8,000 a year, and his hon. predecessor from Prince Edward Island probably had a vision of the Governorship of the North-West. The people, also, had had visions, which would undoubtedly be realized at the next election. The good of the country demanded a change in the fiscal policy which would result in fostering those industries which would flourish in the Dominion. One argument with reference to the sugar interest was that the people got the article cheap, but the policy of the Americans, and one which had been prosecuted very successfully with the assistance of the Administration, was to crush the refining business in Canada and then they could do what they chose with the market. Sugar was cheap this year, but how would it be next? The hon. the Premier had declared that the policy of the Government was incidental protection, and yet had departed from it by his resolutions. Events had shown that this policy was not popular; indeed, the general feeling of the country was in favour of the views of the hon. member for Kingston. Inasmuch as it was admitted that the revenue of the country was not to be raised by direct taxation, but by incidental protection, the only point in dispute was what articles should be protected. As incidental protection was also admitted to be proper for, and beneficial to, the country, why did they hear so much about free trade and protection. It did not follow that the principles of political economy favoured

either the one or the other theory. The only matter really before the House was what was the most judicious mode of levying incidental protection. Very few there were who did not believe that the manner in which the duties were adjusted meant weal or woe, to a vast extent, to the country; and surely, under these circumstances, it was the duty of the Government to deal carefully with the points at issue, and of the representatives of the people to give the Government that counsel which they considered advisable in the interests of the country, and the Government should not take ill such action on their part. A few years ago, when it was proposed to tax ships \$1.00 a ton, after discussion had taken place in the House and out of it, the Government discovered they had made a mistake, and they altered their proposition; and certainly a similar step could again be taken. It had been asked why did not the hon. member for Kingston frame a tariff, but surely this was too absurd—it was carrying the joke too far. Hon. gentlemen who put this question knew perfectly well that such a course would be unconstitutional. Private members were only allowed to indicate the general policy they thought should be pursued; and, if any such member had attempted to mention a scale of duties, he well knew that the Speaker would at once be obliged to call him to order. Such were the shallow arguments used by the supporters of a policy which could not be defended on its merits. It was for the Cabinet to specify the details of the policy to be adopted, and, if they were not prepared to accept this responsibility, it was time for them to give place to hon. members who would not hesitate to do so. He did not deny that Independent members could give information on various points to the Administration, and this, as far as lay within his power, he was always willing to do; but Independent members could not go so far as to frame the particulars of a policy, or go farther in this direction than had been done by his right hon. friend from Kingston. The Government might safely, however, do this: grant a drawback amounting to all the duties paid on the articles entering into

the construction of such ships as were sold to foreigners. A similar policy had been successfully followed in the United States with regard to all branches of manufactures. The modification of the tariff he had indicated was one which the Government could safely adopt. He knew that his hon. friend the Minister of the Interior worked out these principles most scientifically and philosophically, and he asked his hon. friend whether the policy of making people pay duties on articles which were sold outside of this country had any similarity to free trade. He was willing to admit that the readjustment of the tariff was a very difficult question, and he also knew that any one taking it in hand would make mistakes. This was unavoidable. Further, whenever changes were made in the tariff, as an hon. member had remarked, great care should be observed to prevent, as far as was possible, disturbance in trade. Under any circumstances, the Government should not refuse to do their duty and let the ship of State drift on, regardless whither it went. They should be alive to the grave responsibilities of their position. It was wrong for their supporters to plead in one instance that Protectionists were selfish, and in another that the manufacturers were so prosperous as not to require protection. The situation of the country was too evident to make these allegations worthy of consideration. The resolution of the Government was drawn directly in the teeth of every principle of political economy, and of the principles of incidental protection, which they themselves advocated. An increased duty was placed on tea, and, if the Government in this particular desired to tax the people throughout the country as evenly as possible, they had certainly succeeded. If their object was, while depression universally existed, and while labour was worth little or nothing, to place a greater tax on that very labour, they had also done so most successfully; but this was not incidental protection, because a duty on tea, as an hon. gentleman had already pointed out, increased the cost of living. He was prepared to support a policy which

tended to make living cheap, and this was one great principle of political economy, but it was useless to live in a cheap country if one lacked the means to purchase provisions and goods which were cheap in price. Could anything be imagined more detrimental to cheap living than the imposition of a tax on tea which every poor man in the country must purchase. The only true doctrine of political economy was to tax the accumulated capital of the country, but to tax the energies of the people in these hard times was bad policy which was entirely indefensible with regard to the principles of incidental protection. He unhesitatingly condemned the present policy of the Administration, and he was quite satisfied that it would also be condemned by the country. An hon. gentleman had said that the resolution proposed diminution of expenditure; but, although he had examined it very carefully, he had been unable to discover that this was the case. If any appeal, which had been made by the Ministerialists when in Opposition, had struck a responsive chord in his breast, it was their outcry against extravagant expenditure. Although he thought that some of their doctrines were not broad enough for the Maritime Provinces, these had been rather sectional. If he read the figures correctly, there was no diminution in the ordinary expenditure. His hon. friend from Cardwell had stated to the House that the expenditure of the Government for the year 1875-6 exceeded by \$600,000 the expenditure for 1873-4, the last year the late Administration was in power. It had not been the expectation of the country that this would be the result of the entrance into office of the present Administration. At all events, it had been expected that the Government would keep their ordinary expenditure as low as it had been during the time of their predecessors. Again, the departmental expenses had increased from those of the old Government by \$175,000. In his city there was not a single Government official who had not his salary increased. What possible objection could the hon. member for West York have to the amendment of the right hon. member

Mr. PALMER.

for Kingston, for the hon. member admitted that the tariff was imperfect, and that our industries ought to be encouraged?

Mr. ORTON said it seemed difficult for some of the supporters of the Administration to find out what the summation of the discussion would be. The question was not one between abstract theories of protection and free trade, because the hon. the First Minister had stated it was utterly impossible for this country to carry on its affairs under either system rigidly carried out, and the right hon. member for Kingston had expressed similar views. It would be well to enquire, first, whether the tariff rearrangement could have been made so as to relieve the acknowledged distress amongst the manufacturing, agricultural, and other interests; and also whether the additional burdens had been so placed as to bear upon the various industrial classes of the people with the least weight; whether the whole policy of the present Administration, since they came into power, had not added to, as well as intensified the cause of the present depression; and, lastly, whether it was not within the power of the Government to so economise expenditure as to dispense with additional taxation. The hon. member for Cardwell had successfully shown that this was not necessary, and that the old Government had carried on the country's affairs, in matters immediately under the control of the Government, with \$600,000 less than the present Government. The hon. the Premier had stated that the prosperity of the country was dependent upon the industry, economy, and enterprise of the people, and not upon any action of the Government. This was one of many insinuations which he had heard the hon. gentleman make which cast a slur upon the people of Canada, and which he, (Mr. Orton) as a Canadian, indignantly repelled and cast back upon the hon. gentleman. He could defy contradiction when he said there was not a more industrious, energetic and economical people in the world than Canadians, and he was sure, if the hon. the Premier was personally more familiar with the trials, the hardships, and the self-denials

of the industrial classes of our country, and especially of our farmers, he would never have been guilty of making such an insinuation. As an illustration that the Government could do much towards developing the prosperity of a country, he would refer to France. It was well known that, in consequence of the stagnation which occurred in France after the Crimean war, the National Bank of that country was on the verge of bankruptcy and specie enough could not be found to pay for the over-importations. And this led France wisely to throw aside free trade and assume the policy of protection, and it was under that policy the country was enabled, after the Franco-Prussian war, with all her industries crippled, to pay off \$1,000,000,000 of war indemnity in November, 1874. Her National Bank had accumulated deposits. With a capital of 182,000,000 francs, it had the enormous sum of 1,271,000,000 francs in its vaults, and a bank circulation of 2,572,700,130 francs, or fourteen times the amount of its capital account at an average rate of  $3\frac{1}{2}$  per cent., and returning a profit on the circulation alone of about 50 per cent. on capital. He also thought it well to refer to the great American Republic. In 1825, when the protection policy was inaugurated, manufactures did not exist to any great extent. Then commenced the period of great prosperity in that country, such progress as had been unrivalled in any country, until the civil war broke out. The hon. the Finance Minister had stated that, if the United States had adopted a free trade policy, it would have been much more prosperous; but it did not lie in the mouth of Canada to tell the United States how to manage its affairs, for, while that country was progressing wonderfully, Canada was going backward. With a national debt—chiefly a war debt—ten times greater in proportion to population than Canada, the United States had, in ten years, reduced her debt one hundred millions of dollars, which would have been equal to ten million dollars for this country, or one million dollars a year. Now, could our Finance Minister show that, with our lesser burdens, this country had been able to reduce her debt one million dollars a year?

Instead of that, we had the humiliating announcement from that hon. gentleman that there was a deficit of nearly two million dollars. It would be well for this country if we could give as good an exhibit as the United States. He contended that, if a wise financial and general policy had been inaugurated, if the Pacific Railway had been boldly proceeded with by a company in the manner first proposed, Canada would have been in a most prosperous condition, and the very depression in other countries would have aided to attract a large immigration, not only from Europe, but from the United States itself. Millions of British and foreign capital would have been brought into this country, and wonderful prosperity would have resulted. The Government also committed a great error when they turned a deaf ear to the appeals of our languishing industries. Delegations were in some instances treated with insulting contempt and, in effect, told to go home and be more industrious. Owing to the doleful tale put forth by the Finance Minister, and to his accusations of extravagance and improvidence against the people, and his prophecies of hard times in store, great prejudice had been created in the old world against Canada. He would read an extract from the *Belfast News Letter* to prove this.

“The Canadians had been living too fast: quite a common thing in a new country, where broad acres, even broad acres covered with snow six months in the year, are easily pawned for loans of money, and people soon learn to forget the simple habits of the Old Land. The Canadians lived far beyond their means; and now they are forced to descend from their former styles, and to dispense with former luxuries. Intending emigrants connected with agriculture ought to consider these facts very carefully; and if they do they will stop at home till times have permanently improved in the Dominion. It is said that plots of lands, now cleared farms, with all appliances, are really less valuable than if the trees had been allowed to remain undisturbed; even certain towns in former lumbering districts would bring less than if the land they occupy were covered with pine forests, which does not say much for town property or the business carried on in towns; nor for the prospects of trade and manufactures in Canada when all forests shall have been cleared.”

The hon. the Premier said a pro

rective tariff would tax one class for the enrichment of another; but the policy of the Government taxed Canadians for the enrichment of Americans. The *New York Post*, a leading free trade organ, admitted this. It said:

"By such devices as the drawback on sugar, and by a rigid exclusion of many of Canada's products, we have unquestionably crippled one or two of her industries, and have done her commerce more injury than we have suffered in return, inasmuch as we have had a larger home market for the consumption of our products."

The *Philadelphia Ledger* furnished the following testimony of the benefits of protection:—

"American enterprise seems to be reaching its claws beyond the border of the States. Again, we hear of the success of Clarke, Reeves & Co., one of our most prominent bridge firms, invading the Dominion of Canada and capturing orders for a large number of wrought-iron bridges, aggregating fully three thousand tons in weight, which will be manufactured at Phoenixville. Thus, one by one, we secure the foreign markets for American industry, but here the poaching is done and the game carried away from John Bull's own hunting grounds."

While our industries were languishing, still business in the United States was reviving, as would be shown by the following extract:—

"National tube works, McKeesport, Pa., working to full capacity. Acme glass works, Stenbenville, Ohio, resuming with plenty of work for the winter. Belcher & Taylor, tool Co., Chicope Falls, Mass., have declared and paid eight per cent. dividend. Ellis locomotive works, Schenectady, N. Y., have been opened with work for 400 men. Miller's Falls Co., Conn., declared 7 per cent. dividend and giving \$100 to the Congregationalists. The Merimac Manufacturing Co., of Lowell, Mass., made 849,775 yds. of prints last week, the largest number made in one week since the mills were in operation."

Now let them consider whether the additional burdens imposed by the Government this year were judiciously arranged. What was the effect of the tax on barley? In the first place, by putting a duty on malt, and allowing Indian corn to come in free, they directly reduced the price of Canadian barley as well as all coarse grain, and also encouraged illicit distilling to a very large extent. He had heard the hon. the Finance Minister deploring the existence of illicit distilling in Canada. He did not think he could have devised

a means to increase this unfortunate business more than by increasing the duty on malt. It had caused many of the farmers in some of the back townships to connive at and even occasionally engage in carrying on this illicit distilling in order to get rid of their barley and other damaged grain. The price, as every one was aware, this year was very low, and for a large quantity of barley there was no market. If this duty had been placed on Indian corn, instead of on malt, the result would have been to relieve the market of a large quantity of barley for the manufacture of whiskey. In the distillery in Toronto, 3,000 bushels of Indian corn were daily manufactured into whiskey, and a similar amount in the Windsor distillery. They thus saw what an enormous amount of Indian corn was consumed in Canada. If a duty were placed on Indian corn, the barley now rotting in the barns of the farmers would be eagerly sought after by the brewers and distillers and consumed. He wished to discuss this tax upon malt in a temperance point of view, and he thought no tax or action of the Government could have done more harm to the temperance cause than this malt tax, because whatever caused the consumption or gave greater opportunities for the sale of whiskey than existed before must injure the temperance cause. It increased the price of beer, and also induced the hotel-keepers and those who were engaged in selling liquors to dispose of as much whiskey and as little beer as they could help. The consumption of beer was therefore sure to be very materially decreased, and the consumption of whiskey very largely increased. Beer was a much lighter beverage than whiskey, and one that seldom led to intemperance. In Germany, beer was largely consumed, and in that country the Government had taken the management of the breweries under their own control in order to give the people cheap and wholesome beer. Frequently from 10,000 to 15,000 people were congregated together in their various gardens, enjoying themselves and drinking lager beer, and a drunken man was seldom seen in that country. He thought it was very uncertain what

amount of revenue the Finance Minister would be able to obtain from this source, because the amount of malt consumed in this country would be very materially reduced, and there would be a temptation put in the way of brewers to use illicitly other articles in the manufacture of beer. He heard an hon. gentleman the other day read a letter purporting to be from a brewer, or a gentleman who he said had been engaged in that business. He was very sorry to hear the hon. gentleman read a letter to this House without either giving the name or being able to state whether that gentleman was now engaged in business or not. But he thought it did not require any great effort on his (Mr. Orton's) part to show that the deductions which he tried to draw from that letter were erroneous. He stated that a brewer could afford to sell beer for the same price with this increased duty. It was strange to him (Mr. Orton) if a duty which increased the cost of production of the article of beer to the extent of ninety cents a barrel or three cents a gallon would enable a brewer to sell his beer for the same price as before. Another reason why the price of beer would be largely increased was that a brewer was obliged to pay the duty on the malt before he manufactured his beer, and when made it often had to remain months and months in his cellar before it was sold, and he lost the interest on his outlay, besides losses in leakage and beer becoming sour. He wished also to point out another fact connected with the malt tax. The duty on malt in this country was twice as much as that in any other country under the sun. The largest duty on malt was in Great Britain, where it was 96 cents a bushel, while the duty now imposed on malt in Canada was 180 cents a bushel. Let them now look at the policy of placing a duty on tea, which was used all over this country, and especially by hardworking labourers and mechanics, by the farmers and by those who were the most industrious of our people; also by the fishermen of the Lower Provinces. All these used tea to a larger extent than the wealthier class. They used it three times a day, morning, noon and night, and they

found, by a return brought down, that these labouring classes paid the largest taxes of the people of this country. The tax on tea had been placed in such a manner as to bear more heavily on the poor man than upon the rich; upon the industrious, hardworking labouring man more than upon those who were living upon their wealth or enjoying the luxury of Government offices. The removal of the Excise and the reduction of Customs duty on coal oil was the only crumb of satisfaction which the people of Canada could get out of the present policy of this Government. But the stigma would remain on this Government for many a long day because, when the motion was introduced for the removal of that duty a year ago, they and all their supporters to a man voted to keep the duty on, and the condemnation of their course last year was to be found in their action now. They had caused the people of this country to pay \$1,200,000 more for their coal oil than they had a right to pay. Now, coal oil could be bought for 15 cents and more cheaper than during the period when that duty existed, and the fact that 8,000,000 gallons were annually consumed, proved his statement to be correct. This large amount was taken out of the pockets of the people of Canada to enrich a few, those few residing principally in the neighbourhood of the Premier's constituency. He thought there could be no excuse at all for the action of the Government last year. It was true the Finance Minister had stated that it would be a very disagreeable thing to upset the tariff and take this obnoxious and unjust duty off coal oil last year. It would be too much trouble for him to rearrange the tariff in order to remove that evil. He seemed to have the idea that the position he occupied should be one of ease. They found, when he went to the old country to make a loan, this love of ease also prevailed, and the aristocratic Finance Minister would not take the trouble to negotiate that loan himself, but employed a firm—probably a very honourable firm—to both arrange what the selling price of our bonds should be and also what they should give for them. They both bought and sold. It was very strange to him if the

people of Canada did not come to the conclusion that this position of Finance Minister was a very expensive one and in some respects a very unnecessary one for this country, if it was necessary to pay him \$7,000 a year and his expenses to England every year and lose a quarter of a million on each loan, as had been demonstrated with regard to the last, simply to do what he might do by writing to the Barings or any other agents quite as well as by going himself. He would now endeavour to refer briefly to some remarks made by the hon. member for North Norfolk (Mr. Charlton) in a speech which was certainly a very extraordinary speech—peculiarly extraordinary when they remembered the speeches he had made on previous occasions. He was not surprised that it was necessary for the hon. gentleman to educate his constituents with regard to the change of base he was about to make, and for that purpose to rehearse that speech at least twenty times in his own constituency before giving this House the benefit of it. He wished, however, to challenge some of his statements. From having been a lover of protection, the hon. gentleman now seemed to have become an enemy to our manufacturers or any other of the interests of our country, and he had drawn a picture of what it would cost this country to give increased protection to manufactures and had stated that, in order to encourage the manufacture of what we imported from foreign countries and to give employment to 150,000 people as he had stated, this country would be obliged to pay \$19,000,000 a year. He (Mr. Orton) did not know what kind of people the hon. gentleman supposed he was speaking to, if he imagined such a statement would go down; he must have thought they were very ignorant, both in the House and in the country, and he doubted very much whether such a statement would go for much even in his own constituency. He forgot to tell the House and the country the enormous benefits which would be derived from these manufactures being made in our own country. He forgot to tell the House that every article of home produce would be largely increased in value; that there would be

Mr. ORTON.

a more ready market as well as a more varied market for the products of the farm. He also forgot to state that there would be an increased profit and a market for products of every other industry in this country through the existence of these manufactures in Canada. Was it not a well known fact that various towns, cities, and villages had given large bonuses—enormous bonuses in some instances—to have the benefit of a single manufactory in their midst, showing the benefit which manufactures were to the whole population? If he had given them an idea of the profits that would be derived in this way and had then shown the cost, he thought he would have found that there would have been a very large profit, far exceeding the very fanciful cost he had figured up. Then the hon. gentleman sneered at a duty on Indian corn, and said he would like very well to have a duty on Indian corn, but it would be a burden on the people. It had become customary and fashionable on the other side of the House to sneer at the agricultural interests of the country, and no wonder, when the Premier, on every possible occasion set the example to his followers. Last year when he (Mr. Orton) asked for a Committee to consider the agricultural interests, the hon. the Premier said:

“Why he (Mr. Orton) should endeavour to champion the interests of those who need no champion in this House I do not know. The farmers are thoroughly able to take care of themselves; they are the most prosperous class in the country, and the nostrums the hon. gentleman would prescribe for their protection, I do not think they will have on any account. I have no objection, however, if hon. members desire to serve on the Committee, to give it power to send for papers; but I do not consider that there would be any justification for the expenditure of public money in sending for witnesses to testify what every person who has common sense already knows.”

He did not think that was a respectful or honourable way to treat the efforts of any hon. gentleman representing and trying honestly to advocate the interests of any class of the people of this country. But the hon. the First Minister was obliged to recede from that position in deference to the opinions of some of his own supporters, who were afraid to vote against the

Government but did not want to offend their constituents. Still, the Premier had insisted that the Committee should be composed of a large Ministerial majority, and the evidence taken before it was not treated as fairly as it should have been. The majority refused to take any notice of the evidence obtained from an immense number of representative farmers throughout the country, but afterwards a compromise was arranged with the minority to the effect that the evidence should be reported to the House. But, then, the Government majority in the Printing Committee refused to print it. The hon. member for North Norfolk had given a graphic description as to the effect of protection on the country. The hon. gentleman said if a duty was placed upon American wheat and cattle equal to that placed by the United States on ours, a spirit of retaliation would be evoked, and the Americans would probably put a large duty on barley. The duty on barley was now 15 cents, and he thought that was quite high enough to encourage its growth in the United States and shut out our barley, if it were possible. It should be borne in mind, however, that we grew a better crop and quality of barley than our neighbours, and they would be obliged to import ours. Our ancestors belonged to a nation that had carved its own way in the world, and such language as the hon. member for North Norfolk had used was unworthy of a Canadian; any man who loved the mother country and respected her institutions, and any man who loved Canada and her institutions, ought to be ashamed to give utterance to such sentiments. It had been proved in the past that Canada could take care of herself, and that she was able, despite the hostile tariff of the United States, to exist and prosper. We all knew that the United States had tried to force Canada into annexation, but the independent spirit of the people and the enterprise shown by the Government, when the Reciprocity Treaty was abrogated, soon showed that country that we could live without the Americans if we desired. Everyone here, doubtless, wished to live on the best possible terms with the people of the United States, and a fair interchange of pro-

ducts between the two countries would be advantageous to both; but we had waited long enough, and tried, even to the verge of humiliation, to get fair play from that country; but we need expect no favours from the people across the border, and they had everything in their favour as matters now stood between us. But, if a duty was placed upon every description of products which found a market here, we would find a party of farmers in the Western States, and of manufacturers in the Eastern States, and of the miners of Pennsylvania, who would declare in favour of reciprocity, and we might then hope to obtain it. In the course of his argument, the hon. member for North Norfolk (Mr. Charlton), stated that the farmer would have to pay more for every article he used, and that the products of his farm would be decreased in value under a protective policy. He would quote a few figures on this point, which would show that the position of the hon. member was not correct. In the United States under a low tariff in 1857, calicoes cost 12½ cents per yard; in 1875, under the high tariff, 8 cents; delaines, 1857, 25 cents; 1875, 15 cents; common alpacas, 1857, 75 cents, 1875, 35 cents; finer alpacas, 1857, \$1, 1875, 40 cents; woollen cloth, common, 1857, \$1, 1875, 60 cents; better woollen cloth, 1857, \$1.25, 1875, 75 cents; best woollen cloth, 1857, \$1.50, 1875, \$1.20; shawls, each, 1857, \$12, 1875, \$8; cotton print cloth, 1857, 8 cents; 1875, 4½ cents; knitted undershirts, 1857, \$1.25, 1875, 50 cents. The price of wheat in the United States in 1860, under the revenue tariff, was 98 cents per bushel; in 1870, under the high tariff, \$1.28; flour, 1860, under low tariff, \$5.91; 1870, under high tariff, \$6.11. The average price of flour from 1849 to 1861 under the low tariff was \$6.07 per barrel; from 1861 to 1874, under the high tariff it was \$7.33. Indian meal under the low tariff was \$3.40; under the high tariff it was \$4. Wool, from 1853 to 1858, under a low tariff, averaged 37½ cents per pound; in 1870, under the high tariff, it was 55 cents; in 1872, 75 cents; in 1874, 65 cents per pound. It would be seen from those figures that the argument that farmers would not be benefitted under protection was any-

thing but correct. But, if they referred to other articles used by farmers, it would be seen that the manufacturers of the United States were able not only to provide their own people with cheap manufactures, but to sell their goods in Canada in the face of  $17\frac{1}{2}$  per cent. *ad valorem* duty. In the year 1875-6 there were imported into this country, of cotton goods, \$2,140,000; hats, caps and bonnets, \$469,654; manufactures of iron, \$678,760; manufactures of leather, \$365,117; manufactures of wood, \$359,995. These comprised the greater part of the goods required by the farmers, and they could be supplied by the United States to our people, in the face of the  $17\frac{1}{2}$  per cent. duty. He would now refer to the exportations and importations of agricultural products between the two countries. He found that we imported last year from the United States, horned cattle to the value of \$164,491, and we exported such cattle to that country, which contained ten times our population; to the value of \$404,381. Had the importations and exportations been proportionate to population, our exports in this respect would have amounted in value to \$1,644,910. The competition, through the importation of animals, &c., from the United States, so far as our farming population was concerned, was ten times greater than that to which American farmers were exposed in our regard. We imported in 1875, swine to the value of \$368,093, and we exported to the value of \$152,963. We imported swine last year to the value of \$152,497, and we exported only to the value of \$13,307. We imported meats to the value of \$1,191,894, and we exported to the value of \$96,180. The duty levied on meats imported from the United States was one cent per pound, and the duty on hams and bacon—which formed the larger portion of our exports of meat to that country—was two cents per pound.

Mr. MACDONALD (Centre Toronto): The hon. gentleman has been stating the prices of certain articles under the tariff of 1857, and under the higher tariff of a later date, and I wish to ask him if he is prepared to tell us what the price of the raw material was.

Mr. ORTON.

Mr. ORTON said he was sorry he was not sufficiently acquainted with the manufacture of these articles to do so, and besides he did not think it necessary to his argument to be able to give the information desired. We had imported from the United States lard to the value of \$312,208, and of it we had exported only to the value of \$5,639. We had a duty of one cent per pound on American lard, and the Americans imposed a duty of two cents per pound on Canadian lard. We imported from the United States in 1875 flour and meal to the value of \$3,034,683, and of this we only re-exported to the value of \$38,000, a mere bagatelle. He ventured to say that if a duty of 50 or 25 cents per barrel was imposed on flour, the millers of Canada would be able to supply fully one-half of the quantity named. This would be the means of relieving the milling interests of this country, which were at present greatly depressed, and of promoting the welfare of numerous other classes in our community. We imported wool to the value of \$383,743, and this article was free, and we had exported wool to the United States to the value of \$2,836,458; and the American duty on our wool was ten cents per pound, besides eleven per cent. on value; therefore the American farmer not only obtained ten cents more per pound for his wool than the Canadian farmer in that country, but also eleven per cent. on the value in addition. If this was a fair state of things, he did not know what fairness was. It might be said that the American people really paid this duty, but it was to be remembered that the imposition of it placed nearly one million of dollars in the American Treasury, lightening the burdens of the people to that extent. We imported from the United States, oats to the value of \$232,294, and we exported to that country, oats only to the value of \$34,351. We imported Indian corn to the value of \$2,356,377, and we re-exported Indian corn to the value of only \$81. We imported wheat to the value of \$6,007,167, and of this we re-exported \$3,000,000 worth, showing that we consumed three million dollars worth of American wheat in Canada. We exported wheat to the

United States to the value of only \$1,622,975. We imported barley to the value of \$27,598, and we exported barley and rye to the value of over \$7,000,000, and this was the only article for which we found a market to any very great extent in the United States. The figures mentioned all applied to imports from and exports to that country. He contended that all this was very unjust to the Canadian farmer, and he trusted that the Government would even yet reconsider the tariff question, though of this he had little hope. If the Government did not change their present ruinous policy and show that they really understood the genius and requirements of the Canadian people, he desired their term of office to be very short. He thought the country should be governed by a Cabinet possessed of broad ideas, and desirous of encouraging all our industries—the coal and mining interests of Nova Scotia, the mining interests of British Columbia, and the agricultural interests of Ontario, besides fostering the development of the vast agricultural resources of the great North-West. He held that a policy which would be just to and yet encourage every class in the country could be inaugurated. The Pacific Railway should also be built, and he was of opinion that this could be done without imposing additional burdens on the people. But as long as the present Administration had depressed every interest in the Dominion, restrained the development of our resources, and damped the energies of the people, the good results to which he alluded, would never be accomplished.

Mr. COOK said, as he had not received a reply to a question he had put to the hon. member for Carleton in reference to his remarks on the question of protection to lumber, he would venture to occupy the time of the House for a few moments in giving his view of that important branch of the industry of this country, for fear that the statements made by the hon. gentleman should leave an erroneous impression on the minds of the hon. members of the House. He could not see how this trade could be protected unless the Government gave each individual member of the lumbering fraternity a

bonus, which, no doubt, would be very acceptable, particularly in the present depressed state of the trade. The remedy for the depression was in the hands of the operators themselves, and he believed they were taking advantage of it by getting a reduced stock. He saw by the returns the exports from 1871 to 1875 inclusive, amounted to \$125,224,904 to the United States. He found that in 1871 we imported \$51,408; in 1875, \$396,086; in 1876, \$534,000, subject to an *ad valorem* duty of 17½ per cent. on invoice, which, upon good grades of lumber, was equal to the duties imposed by the United States, the American duties being \$2 per thousand. We exported in 1875, \$24,781,780 to the American markets, and in 1876, \$20,387,000. He found, upon enquiry from lumbermen of undoubted reputation, that the cut of sawn lumber on the Ottawa River proper was, in 1874-5, 300,000,000 feet; in 1875-6, 160,000,000 feet, and the contemplated cut for 1876-7, was 80,000,000 feet. He believed the cut this year would not exceed 50 or 60 million feet, in consequence of the weather. The Gatineau River produced about 50 millions, and Georgian Bay about 80 millions. In Quebec and Ontario we would produce about 250 or 300 million feet this year. This branch of industry usually employed about 250,000 people, and a depression in the trade was felt by the whole country. His hon. friend had something to say about the carrying of Michigan lumber through our canals. Had he lost sight of the fact that, when that lumber passed through our canals, we were getting the benefit of the carrying trade as well as canal dues collected thereon, besides having the advantage of giving the trade to our ocean vessels, and employment to shippers at Quebec? He would inform the House that a very large amount of deals were manufactured in Michigan and Wisconsin and shipped through to Europe by the New York Central Railroad. Did the hon. gentleman wish to drive all the products from the Western States through the American channels of transportation instead of their natural channel, the river St. Lawrence? He would also state, for the information of that hon. gentleman, that most of the lum-

bermen operating in Michigan, Ohio and Indiana, in square timber, were Canadians—the very men he wished to exclude from carrying their timber through our canals. The amendment of the right hon. member for Kingston was as follows:—

“That the resolution be not read a second time, but that it be resolved by this House that the financial policy submitted by the Government increases the burthens of taxation without any compensating advantages to Canadian industries, and, further, that this House is of opinion that the deficiencies in the revenue should be met by a diminution of the expenditure aided by such a re-adjustment of the tariff as would benefit and foster the agricultural, mining and manufacturing industries of the Dominion.”

He (Mr. Cook) believed the mover of this amendment made a speech when Parliament convened, criticizing the Speech from the Throne, in which he condemned the Government for decreasing the expenditure on Public Works. If he understood the amendment to the resolution moved by the right hon. member for Kingston, it was that the Government should decrease their expenditure. Reverting to his former speech, he found that the leader of the Opposition advocated the vigorous construction of the canals and other public works, so as to give employment to the labouring classes; now he advocated retrenchment, which must result in the stoppage of those works if this amendment should pass; thus showing how hopelessly muddled he was in his policy—one day advocating expenditure, and the next opposing it. He would ask who was responsible for this? Who was the party who inaugurated those vast undertakings, and in the days of prosperity neglected to make provision for their completion? That Government evidently went on the principle: “Let us drink and be merry, for to-morrow we die.” In the remarks of the hon. member for Cardwell, made a few evenings ago, he was glad to hear him say that the expenditure of the Government for 1872, 1873, and 1874 was the result of the out-going administration of the right hon. member for Kingston. He had had the honour of hearing that hon. gentleman repeat a portion of that same speech in the county of Simcoe on several occasions, but one thing that he has in-

Mr. Cook.

variably stated on the stump was that this expenditure of 1872, 1873 and 1874 was directly the act of the present Government. He hoped that portion of the member for Cardwell's speech would be correctly reported so that the people of that constituency could see the fallacies that the hon. gentleman indulged in while seeking election there. His hon. friend indulged in a good many extravagant assertions when on the stump that were quite in harmony with the pic-nic orations of some hon. gentlemen on that side of the House. They found it convenient to make assertions at outside gatherings that they dare not repeat here. Messrs. Glyn, Mills & Co., who had acted as financial agents for both the past and the present Governments, were men of undoubted reputation, and all knew the honesty of purpose of the present Minister of Finance, and he regretted that the hon. Member for Cardwell should have attempted to impute motives of wrong-doing to either one of them. The impression that he seemed desirous of conveying to the House was of that character, and he thought he owed the hon. Minister of Finance an apology for his unjustifiable insolence. The hon. gentleman got rather mixed when he attacked this Government for the passage of the Weights and Measures Act, it having been the last production of the hon. member for Cumberland, who constructed it with a view to the possible contingencies of an approaching general election, in order to extend the patronage of his Government. Surely this hon. member for Cardwell did not expect that this Government were going to make appointments from the Tory ranks, and, as for the recommendation to offices under the Crown, he could assure the hon. member that he would never recommend any person who was incapable of performing the duty required, and, knowing the ranks of his (Mr. Cook's) political friends contained all the elements of efficiency, it was not probable he would be called upon to select parties outside his own friends and supporters. As so much latitude had been allowed to the hon. gentleman addressing the House upon this subject, he thought that he could take the privilege of reverting to a question that

was not strictly in accordance with the rules—a debateable question now—he referred to the Georgian Bay Branch of the Pacific Railroad. Speaking as he did for the majority of the people of the county of Simcoe, they were in entire harmony with that project, and he would correct an error made by his hon. friend from Cardwell some time ago, that he (Mr. Cook) denounced the Government policy on that portion of the Pacific Railway scheme while upon his election tour on former occasions. He would say that he always advocated the Georgian Bay Branch on the stump as he did the general policy of the Government for Ontario and the Dominion at large, because he thought it the most beneficial for the Western Peninsula of this great Province. In advocating the Georgian Bay Branch he had more than one object in view. It was well known by people conversant with that part of the country that there was a large tract of arable land eminently adapted for settlement and cultivation, and capable of sustaining a population of a quarter of a million, to say nothing about the impetus it would give to lumbering in that district. It would also, by tapping the waters of Georgian Bay, give the advantage of lake navigation to Western Ontario which would be a boon to that part of our great Dominion. He would advise his hon. friend from Cardwell, if he intended to measure swords with him (Mr. Cook) in North Simcoe again, to withdraw that part of his statement from his speech made a few days ago, denouncing the Georgian Bay Branch of the Pacific Railway. In conclusion, he believed the question of protection beyond a revenue protection to be untenable and thoroughly exploded, which the hon. gentlemen would find when they came before their constituents at the next general election. The revenue tariff at present existing gave sufficient protection to manufacturers, and the agriculturists were alive to the importance of the privilege of having a Government that would give them the opportunity of buying in the cheapest and selling in the dearest markets.

Mr. BURPEE (Sunbury) said that, at so late an hour of the evening, and

on the third day of the debate, and the subject having, as it had been, discussed by hon. members from every possible standpoint, he was not inclined to protract the debate. But the hon. member for Centre Wellington (Mr. Orton), who had just taken his seat, had, on more than one occasion in this House, complained of the treatment he had received by this House in reference to the Report of the Committee on Agricultural Interests, of which he was chairman, and also the interference of the Government in the composition of that Committee. As a member of that Committee, he (Mr. Burpee) felt called upon to make some explanations. The facts were these: That the hon. member proposed the names of 15 gentlemen as a Committee on the agriculture of the Dominion; that only three of these gentlemen were practical agriculturists; that they were from Ontario principally, and from Ontario and Quebec almost exclusively, with the exception of one hon. member from British Columbia. For that reason, he (Mr. Burpee) objected to the composition of the Committee, and the hon. the Premier changed it so as to meet the objection raised. He served on the Committee tolerably faithfully during the Session. Certain questions were formulated by the Committee on subjects connected with agricultural interests, and sent forth to different parts of the country for answers. He might explain that there were only five or six days within which to answer those questions, and that, therefore, it was entirely useless to send them to the Provinces of Nova Scotia, New Brunswick and Prince Edward Island and expect to obtain replies. In fact, a number of questions were sent to those Provinces without avail, because the time was so short as not to give an opportunity to forward answers. Therefore, the agriculturists in that part of the Dominion, who were mainly in favour of free trade according to the general acceptance of that term, had no opportunity of placing their views before the Committee or this House. The answers received, which were from Ontario principally, did not express the full voice of the people of the Dominion on that subject, and the Committee thought that the

answers given should not be held to be a fair expression of the opinions of the country. Some hon. members from the Maritime Provinces who had addressed the House, had made some strong remarks with regard to the manner in which the changes in the tariff had been received in their several localities, and in the country generally, so far as their information extended. One hon. member, the member for Cumberland, had stated that there was a universal wail throughout the country when the tariff propositions were announced. His information with regard to the reception of the tariff changes in the Maritime Provinces was of an entirely different character. He had received letters from agriculturalists and men largely engaged in commercial business, of a most satisfactory nature; they expressed themselves entirely satisfied with the change, and declared that the tariff in those Provinces especially had given entire satisfaction as it had been carried out by the present Government during the last two years. The hon. member for St. John had declared that the country was drifting upon a shoal, being without helm or pilot, and the remedy he proposed was to place the right hon. member for Kingston at the head of affairs. The past record of that right hon. gentleman did not warrant any expectation of improvement in the tariff impositions or the general fiscal policy, in the direction indicated by hon. members on the other side of the House. In fact the tariff inaugurated and acted upon by the late Government in the main was not materially different from that now proposed by this Government. The amendment of the right hon. gentleman was professedly in the interest of three industries, viz., the manufacturing, agricultural and mineral interests. Important as these interests were, there were other interests in the Dominion of equal importance. The lumbering interest had been entirely ignored. He would like to know how that industry was to be protected. In many parts of the Dominion the prosperity of the agricultural interest depended very much upon the prosperity or depression of the lumbering industry.

**Mr. BURRILL.**

Then the fishing interest and other industries had been ignored by the proposed amendment. He contended that if we proposed to protect one industry in all fairness and honesty we must mete out an equal amount of fair play to all other industries. And they would demand at the hands of Parliament such just consideration, and he contended that to protect all interests would be equivalent to not protecting any, as it must increase the prices of all productions and commodities, and, all being consumers, what they would gain on one hand they would lose on the other hand. The only result would be to add materially to the cost of living, and without accomplishing the good claimed. It was true that politicians might take the amendment to the amendment of the member for Hamilton, and in a manufacturing population claim that manufacturers alone were to be protected, and in an agricultural district claim that agricultural productions alone were to be considered, and so misrepresent the intentions of the movers of the amendments now before the House in reference to the different industries separately as would create dissatisfaction in the country with the present tariff regulations and the party in power, and bring back the hon. member for Kingston to the helm of affairs. He did not believe the country would be deceived by such clap-trap. To so manage our fiscal policy as to give the greatest good to the largest number of people was our true policy. If they protected the full circle of interests, they must materially increase the cost of living, which would in turn increase the cost of production, and render this a dear country to live in. It would discourage immigration and have a detrimental effect on the country generally. To do less, if they protected any, would be unfair to other interests, and result in general dissatisfaction.

Mr. JONES (Halifax) said it had been well remarked that it would have been better had the debate not taken such a wide range. The amendment was equivalent to a vote of want of confidence, and it was but natural that the gentlemen opposite should embrace the opportunity of formulating charges against the Government and trying to

convince the House that the time had arrived when the country would be safer in other hands. The motion in amendment asked the House to refuse concurrence in the propositions of the Government on the ground that the tariff, or the duties which they asked at the hands of Parliament, might have been more fairly distributed, and that the general policy of the Government should have been constructed with the view of fostering the several interests referred to in the amendment. It would be necessary to refer perhaps to the condition of the country and the circumstances under which the Government had been placed for the last three years, and the difficulties from which we were now only just beginning to emerge. It was well known to gentlemen acquainted with financial matters that financial difficulties, arising from over-expenditure and extravagance, were to be looked for about every ten years. In 1837, 1847 and 1857 financial difficulties swept over this country, and, in 1867, a recurrence might naturally have been looked for. But, at that time, the inflation of currency in the United States, consequent upon the great war, enhanced the price of the products of the soil, and for a time averted the calamity in Canada which might have been expected otherwise.

**MR. KIRKPATRICK** : Do not forget Confederation.

**MR. JONES** said that was an advantage which the people of the Maritime Provinces helped the people of Canada to enjoy. Had it not been for that result, the old Province of Canada might have had its own financial troubles on its own account. The right hon. member for Kingston, in submitting his resolution, took occasion to pourtray in pathetic terms the hardships which the poor people of this country were going to suffer because the duty on tea had been increased two cents; and the hon. gentleman beside him had opposed the views of the Government as being sectional. A few years ago, when a duty was proposed on shipping material, the hon. member for Cumberland (Mr. Tupper) and his friends opposed it as it was a sectional duty, and would more largely apply to the Maritime Pro-

vinces. At that time there were large expenditures for lighthouse services, and, if ship-owners got the protection afforded by the lighthouses, it was only a fair proposition that they should contribute a certain portion of the expenses. But the duty on tea could not be considered sectional, as it was an article which was consumed as much in one Province as in the other. Of course it would be better if duties could be done without altogether, but if duties were necessary to sustain our public credit, he did not think they could be raised better on any article than tea. The hon. member for South Ontario said, by the imposition of a protective duty, the imports of goods dutiable to the extent of 17½ per cent. would be largely decreased, and he looked forward hopefully to the time when this decrease would take place. But, if there were a decrease of importations, there must also be a decrease in the revenue. On what then would the hon. gentleman levy duties. If articles now charged 17½ per cent. largely decreased in importations, it was clear that the Government would have to make up the deficiency in the revenue by placing an additional tax upon this very article of tea. The hon. gentlemen on the other side of the House had referred frequently to the position of manufactures in this country. Of course it was to be regretted that manufactures should be suffering from financial depression; but he thought it would be admitted that Canadian manufactures did not suffer more than other branches of industry, or more than manufactures in other countries. On looking at the United States, great distress was found to exist there. In the city of New York—he spoke from memory—there were, only a few months ago, some 60,000 or 70,000 people out of employment; and in many States of the Union, and particularly Massachusetts, workmen were being discharged from large manufacturing establishments, and in the United States there was actually more distress among the labouring people than there was in any part of the Dominion. The hon. member for Terrebonne was always looking to bringing to Manitoba his friends from the United States, who

emigrated there a few years ago. A large number of them had already come back to Canada, but why did they not remain in the United States if the protective system had been beneficial, and they could do better there than here? The fact was the Americans had protected themselves out of the markets of the world, and thus many people, who went there hoping to get the inflated prices of a few years ago, had to come back to Canada because they could not get a living. Evidence on this point was furnished by the last report of the Toronto Board of Trade:

“While our manufacturing interests have felt the full force of the financial depression, the operating classes are in general more fortunately situated than are those of the neighbouring Republic or more distant manufacturing districts.”

The House had been led to believe that the city of Toronto, and all the cities in the Upper Province were largely in favour of protection. It might naturally be expected that the Board of Trade, composed as it was of gentlemen selected on account of their financial abilities and familiarity with the wants of the country, would only make statements which they had good ground for, and yet they reported as follows:

“The vexed question of Protection *v.* Free-trade has been discussed at the Dominion Board of Trade. Particular prominence has been given to it on account of prevailing general depression.

“This Council, while recognizing the full importance of having manufactories in our midst, would deplore the creation of such a tariff as would in all probability promote unhealthy competition, and bring about financial distress. While our tariff has practically been framed for revenue purposes, the industrial interests have not been lost sight of, and it is a question requiring much thought and consideration how far a tariff can be stretched in that direction.”

And Mr. Worts, a leading business gentleman of the Province, in moving the adoption of the report, said he liked its tenor very much, and it was calculated to make business men more Conservative. He would draw the attention of the House to a position which he had mentioned on previous occasion, that the manufacturers under the 17½ per cent. tariff had the advantage of about 7½ per cent. which

it cost to import goods into this country, making altogether about 25 per cent., and hon. members must admit that any interest which could not succeed under careful and judicious management, on such a protective duty was not one which they should endeavour to foster. The value of gold had largely declined in the United States, which placed the manufacturers in a much better position than they were twelve months ago. The hon. gentleman had referred to the duty on beer. Under the present arrangement, beer had a protection of 20 per cent. and he thought the brewers should be able to get along fairly with that. But there was one point that he thought the Government might have dealt with in discussing a tariff. There was no doubt that many anomalies existed in the present tariff. If the Government had considered there were certain articles which might fairly have borne a small duty, the general burthen of taxation might have been more evenly distributed. He said that, because the tariff framed by the late Government was for some reason or other very exceptional in its character. Take spikes and iron for instance. Iron paid 5 per cent. duty and spikes 17½ per cent., while galvanized spikes came in duty free. There was another point to which attention had been directed, and that was the sugar duties. He ventured to say it was a question regarding which the people might have expected legislation at the hands of the Government. An article of that importance, from which a large amount of revenue was collected, ought to have been more prominently referred to, considering the opportunity the Government had had for collecting information in regard to it. He was aware that the Government might say they did not feel in the position to try an experiment in the present condition of the revenue—that proposals submitted to them with regard to placing sugar on a different basis were of a speculative character and that they did not like, at this time, at all events, to run any risk. But they might have proposed, if they had taken the trouble to consider the information submitted to them, such a scheme as would have fairly encouraged that large industry. He thought

the sugar interest had not been fairly treated in that respect. Every hon. member in business knew that the Government had laid down a rule that certain articles purchased in the United States could not be introduced in this country at their cost price—that the Government had provided that the wholesale prices current on such articles as pianos, organs and sewing machines should not be taken into account in paying the duty; and, if a merchant went to the United States to purchase such articles because he could get them at a cheap rate, when brought into Canada, they were not admitted to duty at the rate they were purchased for in the United States. That might be right or wrong, but he had an idea the Government was rather exceeding its authority in laying down an arbitrary valuation on articles before they were imported. The Government had ample opportunity and power to deal with the goods that came into Canada, but he was not aware that they could fix a value upon an article before it was offered for duty at the custom-house. But it had been done in the interests of Canadian manufacturers. It was done because there was an impression that the people of the United States sold goods cheaper to the people of Canada than to their own people.

An HON. MEMBER: Might not false invoices be used?

Mr. JONES (Halifax) said he could assure his hon. friend that false invoices were not used in the cases that had come under his notice, because he knew the market value of the goods. If the Government had applied that same principle to sugar, he would not have complained; but the principle applied to the manufacturers had been refused to the sugar-refiners. The sugar interest demanded some consideration, because, if some legislation did not speedily take place, he was afraid we were going to lose a large trade with the West Indies. That trade, in the Maritime Provinces, at the present moment involved from three to four million dollars a year, but the inevitable result of the present policy would be to drive the whole trade to the United States. We sent our vessels

with outward cargoes, which were sold in the West Indies, and they were obliged to take the sugar to the United States to have it refined. Cargoes of sugar passed through the Boston refineries, and in 24 or 36 hours were exported into Canada again under a bounty of 50 per cent. Such a system could not continue very long. In a short time, when the Americans found out that they had destroyed our trade, they would dictate their own terms, and then it would be seen how disastrous the present policy was. Lord Derby, speaking on this question in the House of Lords in 1875, said:

“I think my noble friend put this question a little too much as if it affected, exclusively, the interests of the colonial producer and the sugar-refiner. From our point of view, it is also a question affecting the general interests of the public. We are convinced that any advantage of the cheapness to the consumer, which can be obtained by means of the bounty on foreign sugar, will be temporary only, because if the bounty were continued long enough and raised high enough to drive the English sugar-refiners and colonial producer out of the market, then it follows that the foreign producer would get the monopoly of the market, in which case the price would not long remain at a low rate.”

He had other authorities on the subject, but he would not quote them at that late hour. He would merely say that the convention with France, Great Britain, and the other European Powers covered the difficulty. But it was lately discovered that Belgium was commencing the system of bounties, and the Powers immediately declared themselves free from any understanding on the point. During the last Session of the general Parliament, a Bill was introduced imposing a surtax on all sugars coming into the country equal to the bounty given by the country from which they were exported. On this point, Lord Derby said that if they had any duties in England at all they would be able to deal with the question; but, in the present condition of the English funds, it was hard to ask for the imposition of a duty on sugar when only two Sessions before the duty was taken off, and when there was no necessity, as far as the public funds were concerned, to justify it. The question was now before the Imperial Government, and it would, no doubt, be dealt with at

an early day. Unless this Government was prepared to deal with the subject in the same manner as had been done by Germany, and impose a duty on American sugar equal to the bounty, it was no use for them to consider the tariff at all. One hon. gentleman, in referring to the condition of the public mind, said that the Government had not ventured to open the constituency of Halifax because they were afraid that an Opposition member might be returned. There was no one more anxious than himself that his colleague, who had so long and worthily represented the county, should have taken that position, if he had thought it consistent with his own feelings. If, however, the hon. gentleman had done so and there had been an election he would have been returned by as large a majority as he (Mr. Jones) had at the last election. The hon. member for Cardwell had referred to the increased expenditure in various branches of the public service. The expenditure naturally had increased since 1867, but there was no increase in the years to which the hon. member had referred. It was impossible that a new country like this could be governed without there being to a certain extent an increase year by year. The hon. gentleman had referred to the increased expenditure in the Post Office, but he should have remembered that two years ago the postal rates were reduced on letters and newspapers, and that, while the people were largely benefitted, a large amount of revenue was swept away. If the hon. member had been in the House he would have remembered the resolution moved by Sir Alexander Galt, which was equivalent to a vote of want of confidence. The resolution was as follows:—

“That the Speaker do not now leave the chair, but be it resolved that this House regards the continued and rapid increase in the ordinary expenses of Government excessive and uncalled for, and believes that, unless more strict economy be observed in the general outlay of the country, great evils will speedily arise.”

Sir Alexander Galt on that occasion pointed out that during the three years which had elapsed since Confederation the expenses of civil Government had increased 45 per cent.; but the hon.

Mr. Jones

gentleman, who usually supported the right hon. member for Kingston, had nevertheless voted against the amendment, and consequently declared that it was right and proper so to increase such expenditure. He would tell his hon. friend that if he desired fully to investigate this matter, he should go back farther than he had done. He was very glad to hear the remarks of the hon. member for Cardwell with regard to the Weights and Measures Act, to which, when it was introduced, he (Mr. Jones) had taken exception. He had then requested the Government to delay putting it into operation, and to refrain from putting the country to the expense and inconvenience it would entail. He had considered the Act oppressive, unnecessary and uncalled for. He had said:

“It must be obvious that this was a retrograde step. Our largest transactions were with the West Indies and our neighbours alongside of us, where the wine measure was in use. We had made every effort to assimilate our trade customs with those of our neighbours across the border. We had assimilated our currency to theirs; we had adopted the continental gauge for our railways, and now we were adopting a system of weights and measures, which the old country would be glad to get rid of. We might as well return to the system of pounds, shillings and pence, or hundred-weights, quarters and pounds.”

He was rebuked on that occasion by the hon. member for Cumberland as having abused his privileges, an expression the hon. gentleman was very apt to indulge in. The hon. member said:

“If he had not made any remarks on the subject it was because there was nothing before the House. He looked upon such a discussion as an abuse of the privilege of drawing attention to these matters when the orders of the day were called. When this measure was attacked on a proper occasion he was not at all backward in stating to the House that he held himself entirely responsible as a member of the late Government for this legislation.”

He quite agreed with the hon. member for Cardwell with reference to this Act, a measure which he believed was introduced by the late Government in order to secure extended patronage. It was never carefully considered, and never called for by the people. The ground he had taken was abundantly justified by the feeling of the country

in this relation, by the general inconvenience the Act had caused, and by the great anxiety the people evinced to have it abolished. He would give notice of his intention to endeavour to secure its repeal, and he invited the hon. gentleman's co-operation. If the hon. gentlemen on the opposite side of the House, who had applauded the sentiments uttered by the hon. member for Cardwell, would also lend their assistance, he hoped they would be able to wipe this obnoxious Act from the Statute-book.

An HON. MEMBER: You cannot do it.

Mr. JONES said they would try to do it at all events. Better reasons would have to be given than had been given to justify his consent to the Act remaining in its present state. In the Estimates, \$100,000 was asked to provide for the payment of Inspectors and other expenses connected with the working of the Act. He did not hesitate to say that this was a waste of public money. This was one of the measures which seemed to be introduced to order to embarrass business men, rather than with any other object. It had been said it had been put into operation in order that Inspectors might be appointed. He for one would reply that, although with his colleagues he had taken the responsibility of recommending a gentleman for such a position, he was willing to accept, with his colleague, the responsibility of securing the repeal of the Act, and legislating these inspectors, &c., out of office. The hon. member for Cardwell, while referring to the recent loan, had laid down a proposition which, if applied to his own profession, he thought the hon. gentleman would be the first to repudiate. The hon. gentleman was a distinguished member of an honourable profession, to which belonged gentlemen who would scorn to do anything which was not straightforward and honest. Nevertheless, the hon. gentleman had laid down the proposition that, if any person came to him and sought professional advice, he would give advice in accordance with his own interests, and with the amount of money which he was to make out of the transaction—this

was the logical sequence of the hon. gentleman's argument. The hon. gentleman told them that, when the Finance Minister went to our financial agents in England, they, of course, would give such advice as would be most beneficial to their own interests, because they themselves were taking one quarter of a million of the loan. He would tell the hon. gentleman that Glyn, Mills, and Baring were well known and highly appreciated in the financial institutions of the world, and their reputation stood as high, as regarded honourable dealing, as the reputation of gentlemen who held the highest legal positions in this country, and they would scorn to tender advice which might at all reflect upon them as the agents of the Dominion. The hon. gentleman taking up the same argument which had been used by the hon. member for Cumberland, charged that these gentlemen advised the Minister of Finance to place the loan at 91, and that, in consequence of this fact, the public securities of Canada, which had been quoted at 94, or thereabouts, declined to 92½. The hon. gentleman, if he was familiar with business transactions, must have known that, if this was the effect of placing the loan at 91, that effect would have been much greater if the price of the loan had not been fixed at all.

Mr. KIRKPATRICK: Five times more was asked for than could be allotted.

Mr. JONES: That was because the price was fixed at the sum mentioned.

Mr. BOWELL: Who would give 94 when they could buy at 91?

Mr. JONES said the effect of the loan going on the market was to bring down the securities of the Dominion to that extent. The best proof that could be given of the soundness of the loan was that these gentlemen, so eminent in the financial world, were willing to put down their names for the quarter of it.

Some HON. MEMBERS: Hear, hear.

Mr. JONES: Hon. gentlemen exclaimed "Hear, hear," but they must know very well that if a man entered

into any business transaction, the best evidence he could give of his faith in it was to invest in it to a large amount. When the Minister of Finance could point to the financial agents of the Government, who were familiar with our position and our resources, and say that they were willing to take one quarter of the loan, it was the best evidence—apart from the loan itself—that could be offered to keep up the credit of the country, and to prevent our other public securities from declining to a lower point.

Sir JOHN A. MACDONALD: This is the best evidence that it was worth more. When these gentlemen took hold of the loan, it was evidently worth more; and accordingly they subscribed to keep part of it for themselves.

Mr. MILLS: The hon gentleman implies that they gave improper advice.

An HON. MEMBER: It was a business transaction.

Mr. JONES said the hon. member intimated that the financial agents gave improper advice. The right hon. member might take whichever horn of the dilemma he liked best. If the hon. gentleman was prepared to say that these agents gave improper advice, this was a proposition which could be discussed. If, on the other hand, the hon. gentleman did not mean this, he ought to say so, because houses like the Barings and the Glyn's were in a position to do this country great service, and it was not well in our interests that insinuations should be made by eminent public men, which tended to cast a slur on those gentlemen. He thought that our financial agents should know what the opinion of the leaders of the Opposition was in their regard.

Some HON. MEMBERS: Hear, hear.

Mr. JONES said the question to be decided at the close of the discussion was whether the Government should enjoy their confidence. He had listened most carefully to the arguments advanced against the Government, and had come to the conclusion that the affairs of the country had been administered wisely, carefully, prudently and economically. The Government, on coming into power, had been met with

Mr. JONES.

great difficulties, the legacies of the late Administration. One of these was the Riel question. While the present leader of the Opposition was pretending, in his own Province, that he was anxious to catch a certain gentleman, evidence taken before a Select Committee showed that at the same time he was furnishing him funds to live in another country. This matter was settled by the present Government, if not satisfactorily, in the best possible manner, and he believed that the settlement was very satisfactory.

Sir JOHN A. MACDONALD: The hon. gentleman is mistaken. It was settled by the Governor-General, without reference to the Government. The Government had nothing to do with it.

Mr. BOWELL: I think that the Government is responsible for the whole of it.

Mr. JONES said the Government had also settled the New Brunswick School Question, which the late Administration had not dared to touch, fearing local influences and religious difficulties. The present Government had indicated the right of the Local Parliament and had invited such an expression of opinion from the Imperial Government as brought this matter to a settlement. Another question related to British Columbia. The late Government, by the aid of a large majority, had forced on the House laws bringing British Columbia into Confederation and committing this country to an expenditure which they themselves now admitted we were incapable of literally fulfilling. The only fault he had to find with the Government was that they had not repudiated the whole transaction.

Some HON. MEMBERS: Hear, hear.

Mr. JONES: Hon. gentlemen say "Hear, hear."

Sir JOHN A. MACDONALD: That is coming.

Mr. JONES: I hold that the public opinion of this country would have justified the act.

An HON. MEMBER: Never.

Mr. JONES said that, if the Government had told British Columbia:

"You were brought in under an arrangement of which we did not approve, and one which the people of this country would never have ratified if it had been submitted to them, and while we are not anxious for you to remain in Confederation if it does not suit you, we will not conform to or carry out the agreement of the late Government requiring us to build the Pacific Railway." He believed that if this attitude had been assumed, the people of this country would have approved of it.

An HON. MEMBER: Certainly.

Mr. JONES said he had mentioned some of the difficulties which the late Government had to meet, and they had dealt with everything in a practical manner.

Mr. BOWELL: Sugar excepted.

Mr. JONES said that, further, every hon. gentleman was familiar with the system of corruption which had prevailed throughout the country during the existence of the late Administration. He knew it well to his cost.

An HON. MEMBER: There is no doubt about that.

Mr. JONES said this lasted so long as the Government had control of the Secret Service money. He believed some of it had been sent to his own county, Pictou, in 1872. He thought it had also been largely sent to Nova Scotia in 1869, when the Hon. Mr. Howe ran his election for Hants. The first thing the present Government had done was to place an Act on the Statute-book which rendered such things impossible. They and their friends had, perhaps, suffered in consequence, but this was only right. They might have overstepped the bounds prescribed by the Act, but the country, nevertheless, owed them a debt of gratitude in this respect. If the Act was properly administered, it made electoral corruption impossible.

Sir JOHN A. MACDONALD: The late Government passed this law.

Mr. JONES said hon. gentlemen opposite said that the late Opposition forced them to repeal the National Policy, and the late Government had introduced this Election Law because the Opposition had forced it on them;

and this was only after they had committed bribery extensively through one or two general elections. The Government had also established the Supreme Court, while the civil and religious rights and privileges of the country had been vindicated and sustained. When party feeling and animosity died away, the people would recognize the fact that public affairs had been fairly and honestly administered. Their whole object had been to elevate the interests of the country.

Mr. KIRKPATRICK: And the standard.

Mr. JONES wondered why the hon. gentleman did not also say "big push." The Government could challenge the confidence of their friends in and out of the House, and when the proper time came, they could appeal to the country with the same confidence, and then they would be triumphantly sustained.

Mr. ROSS (Prince Edward) said he wished to answer the hon. member for Halifax with regard to the sugar question. It appeared that there were advocates in the House for all branches of trade. He thought that the duty on sugar was at all events high enough; and he had understood the hon. member for Halifax to argue that the duty should be increased.

Mr. JONES (Halifax): No.

Mr. ROSS said the sugar refiners had argued that the duty was higher upon the low grades of sugar than upon the higher grades. He had made a calculation which he had verified by the evidence given before the Depression of Trade Committee last year. For the six months ending the 31st of December last, there had been imported from the United States, 11,497,288 lb. of hard sugar, against 4,186,982 lb. from Great Britain; of white sugar, 125,752 lb. from the United States against 7,913,834 lb. from Great Britain; of yellow sugar, 1,631,158 lb. from the United States against 21,797,354 lb. from Great Britain. The total amount imported from Great Britain was 34,323,967 lb.; from the United States, 13,923,494 lb., and from other countries, 9,881,609 lb., making in all for those six months, 58,129,070 lb. of

sugar imported into Canada. It therefore appeared that the larger portion of the sugar did not come from the United States. It was said that sugar was higher in price during the last year or two than before, but that was not true. From 1868 to 1872, the lowest price of yellow sugar was 9.35, the highest price 10.15 and the average 9.85. From 1872 to 1876, the lowest price of yellow was 7½ and of white a little more than 9.

Mr. JONES (Halifax): What is the price to-day?

Mr. ROSS (Prince Edward): It is about 6s. 8d. cheaper than it has been for years past. On January 15, 1876, the price was 18s. 6d.; on April 12, 19s.; on July 25, 22s. 6d.; on October 19, 24s. 3d.; on October 26, 25s. 6d.; on November 1, 26s.; on November 11, 35s.; on November 16, 32s. 6d.; on November 23, 33s. 9d.; on December 14, 31s.; on December 21, 30s. 6d.; on January 18, 30s. 6d.; and on February 19, 27s. 3d. He thought it was to the interest of this country that sugar should be bought as cheap as possible. He thought there should be no additional duty, and he considered the Government deserved credit for taking the drawback off refined sugar. He thought the change in the tariff was in the interest of the country. There was a great cry about the duty on tea, but it would only amount to an addition of from \$250,000 to \$260,000 in twelve months. He also gave them credit for taking the duty off coal oil, amounting to about \$900,000 a year, which every one used, especially in the rural districts. It was said that a poor man had to pay as much of the 2c. duty on tea as the rich man, but tea had not been as cheap for 30 years as it was to-day. If there was one item more than another on which the duty could be increased it was on tea, and it was a burden which could easily be taken off. He agreed with the increase of the duties on malt, beer and porter, and believed the country would back the Government up in their proposals upon that subject. He had formerly been more or less a Protectionist, and had for many years supported the present members of the Opposition in their policy on that point, but, when he found that they

Mr. Ross.

adopted a National Policy at three o'clock, which they repealed at half-past seven on the same day, he got tired of them and would not follow them any longer. He did not think the Liberal party were the means of repealing that National Policy, but believed it was the member for Cumberland, who put the screws on the Government and made them repeal it. He would be very glad to support the proposal of the Finance Minister.

Mr. FLEMING moved the adjournment of the debate.

Motion to adjourn the debate agreed to.

House adjourned at  
Fifteen minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Monday, 12th March, 1877.

The Speaker took the chair at Three o'clock.

### REPRESENTATION OF ELECTORS OF STOUFFVILLE BILL.

#### FIRST READING.

Mr. METCALFE introduced a Bill (No. 70) To preserve to the electors of the village of Stouffville the continuance of their representation in Parliament, to the respective electoral divisions in which they were placed before the incorporation of the said village.

Bill read the first time.

### WEIGHTS AND MEASURES ACT REPEAL BILL.

#### FIRST READING.

Mr. JONES (Halifax) moved for leave to introduce a Bill (No. 71) To repeal the Act 36 Victoria chap. 47, entitled "An Act respecting Weights and Measures."

Mr. MACDONNELL asked if the Bill did not come under Rule 41, which provided that all measures affecting trade should be first introduced by resolution.

Mr. SPEAKER said the question was whether this was one of the mea-

asures affecting trade contemplated by the rule. His impression was that it was, but he was not prepared to decide positively and the Bill might as well go to the next stage.

Mr. HOLTON said he would suggest that the hon. member for Halifax should withdraw his motion, and reintroduce it when Mr. Speaker was prepared to decide the point.

Mr. KIRKPATRICK said, according to the authorities, this was not a question affecting trade. May said:

"Bills relating to weights and measures have been treated as questions of public policy, affecting the whole community, and not merely the interests of trade."

Mr. TUPPER said this subject was considered so important by the Government that it was referred to in the Speech. The motion of the hon. member for Halifax, therefore, was virtually one of want of confidence. He suggested that the hon. member could attain his object, if there was any difficulty as to getting the Bill before the House, by moving a general vote of want of confidence.

Mr. JONES said he was obliged for the advice of the hon. gentleman. He thought this question could be dealt with in the same way as the Insolvent Act Repeal Bill. It was then announced by the Government that, if the House thought fit to adopt the measure, they would not take further action, at the same time intimating that, in the event of the Act not being repealed, they had certain amendments to propose. He proposed to invite the opinion of the House as to the propriety of repealing the Weights and Measures Act. If the motion was not affirmed, he presumed that a notice of motion looking to the amendment of the Act would be in order.

Mr. SPEAKER said May seemed to be very clear on the point, and he thought the hon. member would be safe in allowing his motion to stand. There was, moreover, a case in point in the Journals of the British House of Commons. On the 10th July, 1860, leave was given to introduce a Bill relating to Weights and Measures on motion.

Mr. HOLTON said he thought the reasoning in May rather unconvincive

when he said this was a matter of public policy and therefore need not be founded on resolution. Were not trade and commerce matters of public policy?

Mr. SPEAKER said the inference from May was that procedure should be taken by resolution when the Bill applied to some special trade, the buying and selling or exporting and importing of merchandise.

Bill read the first time.

## PRIVATE BILLS.

### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:—

Bill (No. 28) Respecting the Niagara Grand Island Bridge Company.—(Mr. Thomson, Welland.)

Bill (No. 25) To amend the Act incorporating the Canada Atlantic Cable Company.—(Mr. Thomson, Welland.)

Bill (No. 43) To authorize the Union Forwarding and Railway Company to reduce its paid-up capital.—(Mr. Currier.)

## SPRINGHILL AND PARRS-BOROUGH COAL AND RAILWAY CO. BILL.

[BILL No. 12.]

(Mr. Domville.)

### CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 12) To grant additional powers to the Springhill and Parrsborough Coal and Railway Company (Limited).

(In the Committee.)

Bill ordered to be reported, with certain amendments.

House resumed.

Bill, as amended, reported.

Amendments read the first and second times and agreed to.

## FISH BREEDING ESTABLISHMENT IN CAPE BRETON.

### QUESTION.

Mr. MACKAY (Cape Breton) asked whether it was the intention of the Gov.

ernment to erect, as requested, a Fish Breeding Establishment in Cape Breton.

Mr. SMITH (Westmoreland) : It is not.

#### DREDGING IN CAPE BRETON.

##### QUESTION.

Mr. MACKAY (Cape Breton) asked whether it was the intention of the Government to comply with the request that certain dredging should be done in the localities indicated in Cape Breton county.

Mr. MACKENZIE : I do not know where the localities indicated are. I can merely say, however, as to dredging generally, that the whole dredging power in the hands of the Government will be devoted to the localities which seem most to require it in proportion to trade, and the obstacles opposed to navigation. The attention of the Chief Engineer has been directed towards the localities which have been brought to my notice by members of the House and local petitions ; and, before he leaves the capital, arrangements will be made to have the dredges sent to those places which seem to require them most in his opinion.

#### QUARANTINE STATION AND HOSPITAL AT SYDNEY.

##### QUESTION.

Mr. MACKAY (Cape Breton) asked whether it was the intention of the Government to comply with the request that a Quarantine Station should be established and Hospital erected at the Port of Sydney, Cape Breton.

Mr. MACKENZIE : Such an establishment has already been created there, and the only question which arises is whether that hospital shall be used for persons having infectious diseases, or whether a somewhat small one shall be erected more remote from the population, for the purpose of receiving patients suffering from infectious diseases. It is likely that some provision will be made for that from the vote contained in the Estimates last year.

Mr. MACKAY.

#### BREAKWATER AT MAIN-A-DIEU

##### QUESTION.

Mr. McDONALD (Cape Breton) asked whether it was the intention of the Government to put a sum of money in the Supplementary Estimates to build a breakwater at Main-a-Dieu, N.S.

Mr. MACKENZIE : I might say that the Supplementary Estimates will disclose that when they come down, but I have no objection to say we do not think that this is one of the places which imperatively requires such a work at the present time.

#### FOURCHI HARBOUR, RICHMOND COUNTY.

##### QUESTION.

Mr. FLYNN asked whether it was the intention of the Government to dredge the harbour of Fourchi, in the county of Richmond, this year.

Mr. MACKENZIE : I can only give the same answer which I gave to the hon. member for Cape Breton. This is a matter which will be reported upon by the Chief Engineer, and we will be directed to a great extent, if not entirely by his opinion.

#### PORT HOOD HARBOUR.

##### MOTION FOR REPORTS AND PLANS.

Mr. MACDONNELL moved for all Reports and Plans of Port Hood Harbour in the county of Inverness, made by engineers under the direction of the Dominion Government.

Motion agreed to.

#### GOVERNMENT BANK DEPOSITS.

##### MOTION FOR RETURNS.

Mr. ROSS (Middlesex) moved for a return of Government Deposits in the different banks of the Dominion for each quarter from January 1st, 1876, to January 1st, 1877, inclusive.

Mr. TUPPER suggested that the return should state the amount drawing interest, and also the rate of interest.

Mr. GIBBS (North Ontario) said it would be advisable to have the returns

furnished every month instead of every quarter.

Motion, as amended, agreed to, as follows:—

*Resolved*, That an order of the House do issue for a return of the Government deposits in the different banks of the Dominion on the first day of each month, from January 1st, 1876, to January 1st, 1877, inclusive; and also at the agencies of such banks and banking houses in London, and specifying the amounts drawing interest, and the rate thereof.

#### APPOINTMENT OF J. G. NORRIS.

##### MOTION FOR CORRESPONDENCE.

Mr. DEWDNEY moved for correspondence with reference to the appointment of Mr. J. G. Norris as Deputy Collector of Customs at Kootenay, British Columbia, with copies of any recommendations on his behalf. He stated that the gentleman who occupied the position prior to the appointment of Mr. Norris was a Mr. Seeley, who, unfortunately, was taken with a very severe illness. About that time a gentleman (Mr. C. T. Dupont) was sent to inspect the Customs Ports between Victoria and Kootenay, and last Session the hon. the Minister of Customs forwarded a letter from Mr. Dupont to himself, stating that he was about leaving for Kootenay, and suggesting that some one should be appointed in his place, and asking him (Mr. Dewdney) to make a recommendation for the appointment. He did so, and recommended Mr. Fernie. Mr. Dupont was then sent to Kootenay (in the meantime Mr. Seeley died) and placed Mr. Fernie in charge of the port, and he remained there for some months, when Mr. Norris appeared with his commission in his pocket, and Mr. Fernie had to leave. This was a great hardship to Mr. Fernie, who had resigned his appointment of some \$1,400 a year to take charge of the Customs.

Mr. BURPEE (St. John) said all the members from British Columbia had signed Mr. Norris's recommendation to the Government.

Mr. DEWDNEY said he was authorized to state that not a single member from British Columbia had recommended Mr. Norris for the Kootenay appointment. He read an extract from a letter from the hon. the Minister

of Customs to a Mr. Bunting, of St. John, New Brunswick, in which he stated: "I wrote to the members for British Columbia about your brother, asking them to nominate him, but their answer was that they were committed to Mr. Norris." This he (Mr. Dewdney) stated was false.

Motion agreed to.

#### INSPECTION OF BRITISH COLUMBIA CUSTOMS STATIONS.

##### MOTION FOR CORRESPONDENCE.

Mr. DEWDNEY moved for copies of all correspondence between the Government and Mr. C. T. Dupont, or any other parties, with reference to his inspection of the several Customs Stations between Victoria and Kootenay in 1876; also, copy of instructions to Mr. Dupont, as well as his report on his return.

Motion agreed to.

#### THE LATE EDWIN LARWILL.

##### MOTION FOR CORRESPONDENCE AND DOCUMENTS.

Mr. STEPHENSON moved for copies of all Orders in Council, correspondence and documents passed or written subsequent to the 1st October, 1876, relating to the superannuation, retiring allowance, or allowance made to the widow or relations of Edwin Larwill, a late employé of the Dominion Government, deceased. He said he submitted the motion for the purpose of ascertaining the truth or falsity of the statement made that great injustice had been done to the family of Mr. Larwill. Many years ago Mr. Larwill was recommended for employment in the public service and received a situation, the duties of which he had discharged faithfully and honestly. Latterly, in consequence of his being an old man and in feeble health, it was decided that he should retire from the service, and it was arranged with the Government that he should be paid \$1,000. Mr. Larwill left Ottawa for Chatham with the distinct understanding that that allowance would be granted. It appeared that an Order in Council was passed granting Mr. Larwill that gratuity, but before the Order

in Council was transmitted to him he died, and his widow, who was residing in Manitoba, was compelled to accept two months' gratuity. That was surely a hardship, and although \$800 might probably have been saved to the country, it had been taken from the widow, and the country did not ask such economy at the hands of the Government. If the Order in Council giving such gratuity were passed before he died, the least the Government could do would be to pass the cheque to the credit of the widow and give her the money.

Mr. MACKENZIE said the hon. member for Chatham could obtain the papers he asked for, with the exception of the Order in Council granting two months' gratuity, as there was no such Order. He thought the hon. member had better have left the matter alone. Mr. Larwill was an old member of Parliament whom he had more than once befriended. Mr. Larwill had been unable to do any work for two years; he obtained leave of absence for two months and afterwards for six months, and shortly after he returned he was unable to attend to active duties. Mr. Larwill then asked leave of absence for other three or six months, whereupon he (Mr. Mackenzie) suggested as to whether it would not be better for him to accept a gratuity, and to relinquish all idea of doing further service. Mr. Larwill thought that would be the better plan, and the question of the arrangement to be made was referred to the Department. It was decided that \$912, one year's pay, should be given to him, and an Order in Council was passed carrying out the arrangement. Mr. Larwill died seven or eight days afterwards, and the money had been sent, he believed, to his widow some time ago.

Mr. STEPHENSON asked if he was to understand that the year's allowance had been sent to Mr. Larwill's widow.

Mr. MACKENZIE said the necessary order had been given, and he thought the money had been sent. The hon. the leader of the Opposition would agree with him that such money became the property of the estate, and

Mr. STEPHENSON.

the legal difficulty of dealing with it in that way had probably caused some delay. It was the custom to give two months' pay to every employé on the Civil Service list who left the service. Mr. Larwill was never on the Civil Service list; he was employed about the Parliamentary Buildings. He (Mr. Mackenzie) was personally very desirous to show all possible kindness towards an old neighbour and old political opponent. When the money became the property of the estate in consequence of the Order in Council having been passed before his death, it became a question as to how the money should be paid. If it could properly be paid to the widow, such would be done; if not, to the parties to whom the estate belonged, and he was not able at present to determine the point.

Sir JOHN A. MACDONALD said it was a fact that the hon. the Premier and other gentlemen of the same political party joined in a request that Mr. Larwill should be employed and he had been so employed. He was very glad to hear that the grant had been given, and he hoped no difficulty would be found in paying over the money to the widow.

Mr. BLAKE said the question as to the position of the Government with respect to the Order in Council which had been passed had been brought before his attention as legal adviser to the Government. He was of the opinion that the Government had made a bargain with Mr. Larwill by which he was entitled to one year's pay, and that his death did not entitle the Government, if they felt disposed, to withdraw from the bargain, and make the usual grant of two months' pay. The grant, therefore, became an asset of Mr. Larwill, and an asset of his estate.

Mr. STEPHENSON said he was extremely glad to have heard the statements of the hon. the Premier and the hon. the Minister of Justice, because, in his section of country, advantage had been taken of Mr. Larwill's case to attack the Government.

Motion, with leave of the House withdrawn.

## PETITION OF ELIZABETH SULLIVAN.

### MOTION FOR CORRESPONDENCE.

Mr. WHITE (Renfrew) moved for copies of all correspondence between the Department of Public Works and the Engineer in charge of the Culbute Canal, in reference to the petition of Elizabeth Sullivan, of the township of Pembroke, in the county of Renfrew, praying for compensation for damages alleged to have been sustained by her, through the construction of a dam at the said Culbute Canal, together with a copy of the Engineer's report on the subject-matter of the said petition.

*Motion agreed to.*

## THE RIDEAU CANAL.

### MOTION FOR RETURN.

Mr. SHIBLEY moved for a return showing the quantity and price of land purchased for the purposes of the construction and maintenance of the Kingston and Ottawa division of the Rideau Canal; also copies of all leases or agreements disposing of any water-power in connection with said canal. He said he had asked for the return because a large number of dams had been erected by the Government across several of the principal streams running through the rear of the county he had the honour to represent, drowning large quantities of land belonging to private individuals, ostensibly for the purposes of the Rideau Canal, but in reality for the purposes and in the interests of a few mill-owners and lumbermen, who controlled the dams and regulated the waters to suit themselves, without regard to the requirements of the canal. The origin of the principal one of those dams, called the Dominion Dam, near Devil Lake, across the outlet of Mud Lake in the township of Bedford, which dammed the water back through several other lakes and streams in the townships of Loughborough, Portland and Bedford, dated back some twenty-five or thirty years. It was first erected and maintained in a temporary manner by a few mill-owners and lumbermen to enable them to run timber and logs, and to create a reservoir for their mills. Finding it difficult

and expensive to keep up the dams, and to arrange with a number of persons whose lands were drowned by the dam, and who were kept quiet by annual payments, which, in the case of a Mr. O'Reilly, amounted to the aggregate of \$1,250, the mill-owners and lumbermen who erected the dam persuaded the Government in 1871 and 1872 to assume the dam, and consequently to assume the responsibilities of the parties erecting the dams to the persons whose lands were injured. The Government not only assumed the dam and the responsibilities referred to, but they even did more: they raised the dam higher than it had ever been, and consequently flooded the country and the lands of the unfortunate people in the vicinity more than ever; and, although the Government, when assuming the dam, necessarily assumed the responsibility of settling with those whose lands were damaged by it, and although by raising the dam higher they increased the damage, yet strange to say, the payments annually made before the Government assumed the dam to the persons whose lands were drowned were discontinued, and up to this time these unfortunate people had not received one cent from the Government. Last year, however, the Government, finding themselves pressed for a settlement of the claims for damages alluded to, became aware that they were incurring great expense and a heavy responsibility, by keeping up a useless dam, nominally for a worse than useless canal, but in reality for a few mill-owners and lumbermen, and they wisely came to the decision to abandon it. The decision of the Government was not at once carried into effect; the people, knowing the decision, weary of the grievance, and desirous of having the use of their lands during last summer, simply saved the Government the expense of taking down the dam by doing it themselves in the early part of the summer. With respect to the Rideau Canal itself, he submitted that it had outlived its usefulness by a number of years. The construction of the St. Lawrence Canals, of the Grand Trunk, of the Brockville, Perth and Ottawa, and recently of the Kingston and Pembroke Railroad, now finished for forty-six miles, had, in his

opinion, so materially altered the state of affairs existing when the canal was undertaken, that the reasons which originally justified its being constructed, no longer existed. The Public Accounts for the last two years showed a lamentable state of affairs as regarded this canal. They showed that, while the receipts for all purposes from the canal amounted to only \$8,000 per annum, it cost the people of this country for running expenses and repairs \$48,000 per annum, entailing an annual loss of \$40,000, with every prospect of the loss increasing with every successive year. Should the Government abandon this worse than useless canal—and they would be compelled to do so sooner or later; the sooner it was done, in his humble opinion, the better, as it was a mere question of time—a large amount of arable land of the very best quality would be reclaimed by letting off the water. He was satisfied that if the return he asked for was granted, it would show the quantity and value of the land which would be reclaimed by the abandonment of the canal to be sufficient to construct and equip a railroad the whole length of the canal, in addition to the saving of \$40,000 per annum, which the operation of the canal was now costing the country.

Mr. HAGGART said the dams the hon. gentlemen complained of were almost the only public improvements of utility that the Government had constructed in their section of the country. The Government had taken every means in their power to find out what amount of damage had been sustained by the farmers, and when ascertained they were paid in full. It might be said that the mill-owners were mainly benefitted by the dams, but he thought they were a benefit to the Rideau Canal. He did not think the Government should abandon a public improvement like this simply because the receipts were a little less than the expenditure.

Mr. JONES (South Leeds) said he was surprised that any hon. gentleman should recommend a work of this character to be abandoned. The inlet of the canal was at Kingston and ran 126 miles through fine country to Ottawa, where it connected with the

Mr. SHIBLEY.

Ottawa River, and any one could recognize that it was a valuable improvement. It was built in the year 1840, before any settlers went in upon the lands; or if they did they went as squatters, and did not obtain their patents until 1844 or 1845. The Report of the Engineer, dated March 2nd, 1864, stated:

“A large portion of these lands belong to Government, and of those occupied are principally by squatters. The loss to those who have bought the lots cannot be great, from the fact that the shores of these lakes are so steep that little damage can be done by raising the waters, and the price paid to the Government is only 70c. per acre. On Devil, Big Mud, Birch, Little Mud, Desert and Knowlton Lakes are the only points where any damage can be done, and even these few in number.”

In 1871, Mr. Slater, in relation to low water on the Kingston end of the canal, reported that it was necessary to rebuild the dam at Devil's Lake, which was 50 feet long and 12 feet high, and would cost \$200; and that there was at that time only one claimant for damages, and he paid the Government \$87 for his land, and had been paid \$1,000 by the mill-owners for his damages. On the 25th January, 1872, an Order in Council was passed, granting authority to build the dams at Hunt and Devil Lake, \$700 being appropriated for the purpose. Mr. John Porter reported upon a petition to remove the dam at the outlet of Mud Lake, as follows:—

“It is desirable that the dam be retained, as it has a most beneficial effect in regulating the water in the Rideau Canal—when the water is low during the latter part of the summer—supplying a defect long felt in the navigation of the Rideau Canal. That no deeds be granted to any persons for lands adjoining these lakes affected by this dam, without the following proviso:—That it shall be lawful for the Department of Public Works to maintain the waters of the lakes and streams adjacent at the highest level attained at any time previous to the date hereof (October, 1872), without liability for damages to the said grantee, his heirs and assigns.”

Mr. Wise on the 4th of November, 1875, made the following report:—  
“In the fall of last year Mr. Luke O'Rielly, living on lot No. 2, Con. X. township of Bedford, county of Frontenac, preferred a claim against the Government for drowning some 88 acres of his land by the construction of

a dam at the foot of Mud Lake, commonly called 'Chaffey's Dominion Dam.' As this was only one of many such claims which would be presented by persons residing on these waters, I recommended that before any action was taken, a correct survey and plan should be made, showing the nature and extent of the damage caused by this dam. Mr. Perry, P.L.S., was engaged last winter on this survey, and I have now the honour to enclose his plan and schedule which shows the whole extent of the lands drowned very fully. The history of this dam seems to have been as follows:— Messrs. B. Tett and George Chaffey, who were until lately largely engaged in lumbering operations on these waters, maintained a dam of similar height at the same point for the last 40 years, for the purpose of raising the water to float timber and logs to their mills at the foot of Devil Lake, when these waters fall into the Rideau Canal navigation. From the employment of these mills gave, an inducement to settlers was offered to come into that section of the country to get out logs and square timber, and the dam, during the time lumber lasted, was a benefit to all concerned. In the year 1871 the supply of logs became limited, and Mr. John Chaffey, who then worked the mills, decided to stop his operations, and leased his interests to two sons of Mr. Tett, who now work them. About the same time the supply of water in the Rideau navigation, descending towards Kingston, failed, and an investigation into the cause, with a view to remedy the same, was made by Mr. Slater, the late Superintendent, who recommended that the Government should build this old dam, then much out of repair. This was authorized by letter No. 13,742, February 22nd, 1872. It appears that 20 years prior to the Government rebuilding the dam, a few of the settlers had been pressing Mr. Chaffey & Co. for damages, amongst them Mr. Luke O'Rielly, and to avoid litigation they paid him a yearly rental varying from \$35 to \$60, in all some \$1,100. The settlers now set up the claim that the Government, having rebuilt the dam, should assume the damage it causes. Mr. Perry's schedule shows

there is over a thousand acres more or less drowned, by far the largest portion of which was drowned prior to any settlement. From a personal examination of these lands, I am convinced the damage is greatly exaggerated. The land lays so low that it could not be drained and would not be worth the labour of re-claiming, supposing the dam was removed. The shores of all these lakes and streams are precipitous and rocky. The number of old deserted houses testify that as soon as the lumbering interest had given out there was nothing for the settler to live on. The land of Mr. O'Rielly is of somewhat a better description, and a good part of his land is cleared and worked. The land he claims damages for is at present an unimproved swamp, which he purchased with the rest of his farm in 1844 at \$1.30 an acre. He now claims to be paid at the rate of \$30, having made no improvements, and the timber on it still green and fit for use. The swamp lays from one to two feet above the level of low water in the creek which unites Knowlton and Little Mud Lake. In spring it is flooded to the extent of about two feet in depth, but as the water is drawn down at the dam, it gradually lowers, until in the fall you can walk over it dry. Supposing the dam removed, I consider it would still be liable to be flooded by the spring freshets, and when cleared would only be fit for wild goats. Crown land lots are now selling in that locality for \$2 an acre. Should the Government after considering the legal points involved, entertain paying claims on these waters, I would recommend that one or two properly qualified valutors be appointed to assess each particular claim on its own merits, as such high ideas of the value of land in that section of the country as Mr. O'Rielly holds cannot be maintained. The maintenance of the dam is, I consider, necessary to secure the navigation of the canal during periods of low water which experience has shown now occur. The dam piers back the snow and rainfall of a large area of rocky country, and on that account at a minimum of damage. To, however, secure the benefit of this water to the canal at the season it is most required, a paid officer of the

Department should be put in charge of it without delay." It appeared that after this report was made recommending the dam to be maintained, the Department of Public Works ordered the dam to be removed. Hearing that this was to be done, he and others from that section opposed it, and, consequently, it was delayed. What then took place? About the end of July, a band of ruffians, armed and otherwise prepared, destroyed this dam, which belonged to the Government and which was under the charge of the Public Works Department; and no attempt had since been made to discover and punish the persons who committed this lawless and criminal act. He also understood that the destruction of another dam, to which allusion had been made, was threatened. One document, dated 29th November, 1875, from the Public Works Department, stated that, in consequence of Mr. F. A. Wise's report of 4th November, 1875, the Government dam at Devil's Lake would be abandoned. Mr. Wise's report, however, distinctly stated that this dam should be kept up for the benefit of Rideau Canal navigation. In another document, dated January 4th, 1876, Mr. Wise sent a sketch of the Government dam; and in a third, dated January 17th, 1876, Mr. Wise recommended that the dam be not removed, but that the stop logs be taken out for a season, which would be sufficient to convince most of the claimants that its removal would not confer any advantages, but, on the contrary, would deprive many of the inhabitants of the means of obtaining a living. On February 7th, 1876, the Public Works Department ordered that no further expenditure should take place on the dam; and on February 17th, 1876, Mr. Shibley wrote expressing his pleasure that the dam was to be abandoned. On March 1st, 1876, letters were written to T. P. Tett, John Chaffey, and others, offering to give them the dam providing they would be responsible for damages. On April 5th, 1876, Mr. Wise wrote as follows:—"Experience has shown that periods of low water now occur which formerly did not, and, if the supply for navigation on the descending level to Kingston is to be efficiently main-

Mr. JONES.

tained, all the present reserves should be held under control for an emergency of that kind. The damages if fairly assessed should not exceed \$3,000." And on April 10th, 1876, Mr. Shibley wrote stating that no action had been taken, and requesting the dam to be removed. He did not think, at all events, that Mr. Luke O'Reilly, who had created the whole disturbance, had any claim on the Government. Some \$8,000 or \$10,000 were claimed, when it was recommended that only \$2,000 or \$3,000 should in any case be allowed. He did not believe that any claims should be entertained as this work should be kept up in the interests of the country. The Government had never paid a single sixpence for the canal, which was a gift from the British Government. In the face of the engineer's report to the contrary, an order had been given to have the dam abandoned, and why? On the strength of a petition supported by a member of Parliament. These dams were necessary in the interests of navigation on the canal, and, if it did not pay directly, it certainly paid indirectly; very few of our public works paid in any other manner. This work was of the greatest importance, and yet not one sixpence had been placed in the Estimates this year to keep it in proper condition. He thought, however, he had done his duty to his constituents with regard to this matter.

MR. SHIBLEY said he understood the hon. member for South Lanark to state that all the lands injured by the construction of the Dominion Dam had been surveyed and paid for; he begged to be allowed to put the hon. member right; the fact was that, of all the land drowned by that dam, not one single acre had been paid for. The hon. member for South Leeds seemed to have a great deal of sympathy for the lumbermen and mill-owners, and none at all for the poor men whose lands were drowned. He seemed to think that the lumbermen were great benefactors to the country. He (Mr. Shibley) could not quite agree with the hon. member for Leeds. The lumbermen, not satisfied with buying all the limits, had also, in order to have a monopoly of the lumber business,

bought up all the mill sites, although they could not of course use them all; and, when the poor people whose lands were flooded by the dam, and other settlers came to buy lumber, these men, whom the hon. member for South Leeds considered benefactors, actually charged them as much as, and in some cases more than, they got for the same quality of lumber when they shipped it to Kingston. And today lumber could be bought in Kingston as cheap or cheaper than it could be bought at those mills. The hon. member for Leeds had stated that the lands which were flooded by the dam had only cost some seventy cents an acre. He (Mr. Shibley) desired to remind him that these lands were bought some twenty-five or thirty years ago, and he doubted whether or not some of these mill sites, for which so much consideration was claimed, and in which the hon. gentleman himself (Mr. Jones) was interested, did not originally cost even less than that sum. The hon. gentleman claimed that the Dominion Dam was necessary for the operation of the canal, whereas it was well known that the dam was not assumed by the Government until 1872, while the canal had been in operation over forty years before that time. The parties who destroyed the dam had been styled ruffians by the member for Leeds; he (Mr. Shibley) desired to say that they were not ruffians, but aggrieved respectable citizens seeking their rights, and he resumed his seat, hoping that the House would grant the return asked for.

Mr. ROCHESTER said that, if these dams were removed, it would prevent the navigation of Rideau Canal. He was very sorry to hear any hon. member state that the abandonment of the canal was only a question of time, as it had cost the country nothing. He certainly thought that the Government would never consent to this being done. It might not directly pay working expenses, but it paid indirectly. As the country became cleared, spring freshets occurred, but they only lasted a very short time. He hoped that his hon. friend from Addington would not endeavour to destroy this canal, which was of great utility. In 1864, he moved for a Committee to enquire into its con-

dition, and the result had been that moneys were voted for the purpose of constructing these retaining dams, and, to his own knowledge, the navigation of the canal had greatly improved since that time, besides furnishing considerable water-powers, which were very important. He thought it was of the greatest importance that the Rideau Canal should be kept open.

Mr. CURRIER said both the navigation and the water-power would be ruined if the retaining dams were not kept in proper order. When the canal was handed over to the Government, it was upon the express condition that it should be kept in good repair.

Sir JOHN A. MACDONALD said the canal was constructed by the Imperial Government, and the Canadian Government did not pay a single sixpence towards its cost. It was built in the first instance from a military point of view, and afterwards given to Canada by the Imperial Government. He thought the Dominion Government was bound to keep the work in good repair as a navigable canal until it was determined by Parliament to abandon it. This policy could not be altered, whether the canal was remunerative or not.

Mr. MACKENZIE said as a matter of fact the dam referred to did not belong to the Government. It was a private affair, although it had been repaired by the Government. The traffic on the canal was almost infinitesimal, and its revenue was only \$8,000. This was not the proper time to discuss the question as to whether it was advisable to continue operations on the canal or not, but he would take the opportunity of saying that the dams merely accommodated private parties, and there was plenty of water in the canal for navigable purposes, though not for mill purposes. A great blunder committed by the late Government was to permit the system of running mills along the canal when the water was wasted and the current made uneven. If parties wanted mill-power they should secure it at their own expense and not at the expense of the Government. The question of abandoning the canal was a serious one, and the Government would not enter upon

it lightly. In the course of next year, or certainly the year following, a very large outlay would be necessary for maintaining the canal. It would then perhaps be wise to discuss the question of how the work was to be dealt with in the future. In the meantime, the only object of the Government was to avoid paying for damages for which they were not responsible.

Mr. ROCHESTER said he had been informed that without the reservoir it would be impossible for a boat to run on the canal at particular times. If this was the case it was absolutely necessary that the dam should be maintained.

Mr. MACKENZIE said only two or three years had elapsed since the water was affected by that particular dam.

*Motion agreed to.*

## REPORT ON DOMINION DAM, DEVIL LAKE.

### MOTION TO PRINT.

Mr. JONES (South Leeds) moved for the printing of the report laid on the table referring to the Dominion Dam, Devil Lake, township of Bedford. He said the engineer's report showed that the dam was necessary for the navigation of the canal. In July some ruffians did much damage, wilfully, but the Government had not attempted to get them convicted.

Mr. MACKENZIE said he recollected writing with a view to the arrest of the offenders. Whatever opinion there was as to the advisability of spending any more money on the canal, unlawful acts would be punished.

*Motion agreed to.*

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

### After Recess.

## RETURNS OF HARBOUR MAS- TERS.

### MOTION FOR COPIES.

Mr. McDONALD (Cape Breton) moved for copies of returns of Harbour Masters for the year ending December

Mr. MACKENZIE.

31st, 1876, showing the amount of fees collected by such; the names of all vessels from which fees were collected; also any correspondence in relation to the office of Harbour Master for the Port of Little Glace Bay, N.S. He said he desired this information in order that he might ascertain whether those officers were performing their duty honestly and according to law. He understood that the Harbour Master at Little Glace Bay had made a return to the effect that he had collected \$122.50 during 1875, when, in point of fact, no fees had been collected during that year. In making such a return the officer would have to swear as to its correctness, and, if the fact was as as he had been informed, the man ought not to be continued in the service of the Government.

Mr. BLAKE said he had been requested by the hon. the Minister of Marine and Fisheries to state that there was no objection to the return in the regard to the Harbour Master of Little Grace Bay. No foundation had been laid for the other information, which could be found in the departmental report. The statement of the hon. gentleman deserved attention, but it was to be remembered that the harbour masters were paid out of the fees they collected, and it was extremely difficult to understand the purpose for the false return which the hon. gentleman believed had been made.

Mr. MACKAY (Cape Breton) said if his hon. colleague had undertaken to look at the returns he would have found that those made by the Harbour Master of Little Glace Bay, year by year, were correct. He knew this officer and was satisfied that he performed his duties as honourably and efficiently as any similar officer in the Province. As the harbour masters were paid by fees, he could not understand what the hon. gentleman was driving at.

Mr. McDONALD (Cape Breton) said, although it was quite time that those officers were paid by fees, yet they were not justified in making false returns. He had a list of captains from whom information regarding this particular case could be obtained, and he trusted the Government would investigate it.

He would like the return of the Harbour Master at Port North Sidney also brought down.

Mr. BLAKE said he was not in a position to agree to that. The return respecting the officer at Little Glace Bay would be brought down. If the hon. member limited the motion as had been suggested, he (Mr. Blake) would mention the matter to his hon. friend the Minister of Marine and Fisheries, and if there was no objection the other return would be brought down without a motion.

Motion, as amended, *agreed to*.

## THE GRAND TRUNK RAILWAY STRIKE.

### MOTION FOR ORDERS IN COUNCIL.

Mr. TUPPER (in the absence of Sir JOHN A. MACDONALD) moved for copies of all Orders in Council relating to the late strike on the Grand Trunk Railway Company, and of all correspondence with the Ontario Government and with the officials of the Grand Trunk Railway Company on the subject; together with a statement of the steps taken by the Militia Department to aid the civil power in preventing the stoppage of the railway trains and a statement of the cost of employing a militia force for the purpose.

Mr. BLAKE said all the information in the possession of the Government was contained in a recent return.

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

## BRIDGE AT LONG ISLAND.

### MOTION FOR CORRESPONDENCE.

Mr. ROCHESTER moved for copies of all correspondence between the Government and the Council of the county of Carlton respecting a Bridge across the Rideau River, at the village of Wellington. He said he would like the hon. the First Minister to state when the Government would be prepared to carry out their offer in connection with this bridge.

Mr. MACKENZIE said he could see no reason why the Government should be asked to undertake this work, which

was a purely local one, and he had therefore declined to recommend any grant by the Dominion Parliament. He had promised, however, that, if the river was dammed back at this point, the Government would pay a proportion equal to the additional extent of the work which the flooding of the river there would occasion. Mr. Wise was sent to inspect the spot, but he had made no report up to this time. When he received the necessary information, he would be prepared to state at a future time what the Government would recommend. They declined to have anything to do with the initiation of the bridge.

Mr. ROCHESTER thought that the Government could not refuse to do their share towards building a swing bridge at this point.

Motion *agreed to*.

## DUTY ON MALT—INSTRUCTIONS TO INLAND REVENUE OFFICERS.

### MOTION FOR RETURN.

Mr. ROCHESTER moved for copies of all instructions issued from the Inland Revenue Department to its Officers throughout the Dominion both by letter and telegraph as to what time the duty on malt was to take effect. He said he had been informed that instructions had been issued prior to the 20th February, when the Budget was brought down, with regard to the levying of an additional duty on malt, and he desired to learn whether this was the case. He understood that these instructions dated back to the 15th of February.

Motion *agreed to*.

## ST. PETER'S CANAL.

### MOTION FOR ORDERS IN COUNCIL.

Mr. FLYNN moved for copies of Orders in Council and contracts entered into during the year 1876, in connection with the enlargement of St. Peter's Canal. He said that last Session he had made a similar motion, urging the Government to enlarge the canal beyond the depth then contemplated, and had been told by the Pre-

mier that he would endeavour to secure further information, and that, if this warranted it in the interests of trade, it would be done. Some time in June last, an Order in Council had been passed, directing that the width under contract should be increased 12 feet, but nothing was ordered as to depth. According to the present contract, the canal was only being made 12 inches deeper, providing for 14 feet of water in the canal when completed. Petitions, unanimously signed by residents of Cape Breton and of eastern parts of Nova Scotia, as well as by members of the Local Legislature, had been presented to the House, praying for the enlargement of this important work. He had previously informed the House that the people of Cape Breton were neither satisfied with the depth nor with the width then under contract. It was to be remembered that the canal would be used by vessels engaged in the coal trade, vessels of large tonnage, and requiring great depth of water. The Premier, on a former occasion, had said that he (Mr. Flynn) was wrong in supposing that a greater depth than 14 feet could be obtained in St. Peter's Bay. He also said that only vessels drawing 12 feet could pass the shoals of the bay. This was not correct, although he was not at the time able to state precisely what the depth of water was in the bay; but it was to be presumed from the report of the engineer recommending a depth of 15½ feet, that a greater depth was obtainable. The Premier had quoted Mr. Bayfield, but this gentleman merely remarked that a vessel drawing not more than 12 feet could enter St. Peter's Bay with the aid simply of a chart; he did not declare that a greater depth could not be had. When the residents of St. Peter's and vicinity learned that the only reason urged against further enlargement was that a depth beyond 14 feet could not be obtained, they employed Mr. Worgan to make a survey of St. Peter's Bay which he did some time last summer. He had not the pleasure of knowing that gentleman, but, from all he could learn, his reputation stood high and the accuracy of his survey was beyond question. He should now read his report.

Mr. FLYNN.

### “ ST. PETER'S CANAL.

“ TO MESSRS. MURDOCK McRAE, M.P.P., J. MORRISON, D. URQUHART AND OTHERS :

“ GENTLEMEN,—I beg to enclose the following report of the survey made by me with your instructions of the Ship Channel Bar and Round Shoal in St. Peter's Bay.

“ The accompanying plan shows the Channel with the depth in feet at low water, and the shoals in the immediate vicinity of the same. The Channel, it will be observed, is circuitous, but not remarkably so, and there are no existing objects suitably placed for the guidance of ships approaching the anchorage or canal.

“ I find, however, a channel twenty-four feet in depth, to run from the entrance of the Bay to the anchorage, and should recommend that at a future date another survey be made and buoys be laid down, or, better still, that landmarks be placed on shore to avoid the necessity of removing the buoys in winter, for the guidance of vessels through the Channel. In making the survey it was necessary to lay down temporary buoys, and I found that five were amply sufficient to mark the Channel, which would enable ships drawing less than twenty-four feet of water to approach the canal without danger.

“ I may add that I am of opinion that, by means of dredging, the Channel might be made more direct, as the bottom appears to be composed of mud and sand with rock in places. The average rise and fall of water appears to be about four feet, which gives a depth of twenty-eight feet in the Channel at high water.

“ I am Your obed't. serv't.

“ PHILIP H. WORGAN,

“ Comdr. R.N.

“ D. F. Surveyor.”

It would be perceived from this report that a depth of twenty-four feet of water could be had at low tide, and, as Mr. Worgan stated that the average rise and fall of the tide was about four feet, this would give a depth of twenty-eight feet at high water. With these facts before the House, the want of sufficient depth of water in the approaches to the canal could not now be urged as a reason why it should not be deepened beyond fourteen feet. Cape Breton, from its situation, had never shared, to any great extent, in the large sums expended on public works since Confederation, while it had borne its share in meeting the consequent expenditure. After years of agitation, the only public work they had obtained was the St. Peter's Canal, and it was intended for sea-going vessels, which required great depth of water. The depth of the

present contract would not accommodate large vessels engaged in the coal trade, and now was the proper time, while the work of enlargement was going on, to consider the question of depth, as the cost of a few feet more would be much less than if done after the present contract was completed. The population of Cape Breton was about 100,000, its people were to a large extent engaged in mining and fishing, and, contributing largely to the revenue, they deserved the most favourable consideration from this Government. If this canal had a sufficient depth of water it would be of great service to the large vessels engaged in the coal trade. They would then be able to go through the Bras d'Or instead of going around by Scattam, which at most seasons was considered dangerous. He had no doubt it would also be the means of inducing people to settle in that portion of the Dominion, where there was plenty of vacant land, and a fertile soil which would well repay the labour of the farmer, while, in the waters of the Bras d'Or, fish of every description were found in abundance. It would also be the means of opening and developing our vast and varied mineral resources, and as a consequence contribute largely to increase the revenue. At the time of Confederation it was felt by many who were opposed to the Union that it would be difficult for the smaller Provinces to obtain that justice to which they were fairly entitled. While he said this was the feeling that influenced many of the opponents of that measure at the period to which he referred, his experience since he became a member of this House, he was pleased to state, had convinced him that no narrow or sectional spirit animated the representatives of the two larger Provinces, but, instead of being opposed to their just claims on the Dominion Treasury, they were willing they should get whatever sums might be considered necessary to facilitate the trade and expand the commerce of the Maritime Provinces, which formed so important an element in the Union. This being the case, no Government need be afraid of dealing with them in a fair and generous spirit. He did not think he was asking too much when he

asked that the St. Peter's Canal should be deepened to such an extent as would meet the requirements of the vast trade which must take place throughout the Island of Cape Breton as soon as the coal trade revived from its present depressed condition. This canal could not be considered a local work, and a benefit solely to Cape Breton, for, when completed, it would be open to the commerce of the Dominion and of the world. It was stated here the other night by the member for West Toronto, during the discussion of a motion for the appointment of a Coal Committee, that a steamer had been chartered to carry coal from Cape Breton to Toronto, and flour from Toronto to Cape Breton. If this were the case, an inter-provincial trade might be developed to a considerable extent, and this canal used for that purpose, thereby benefitting Toronto as well as Cape Breton. But, if it were intended to benefit the people of Cape Breton solely and exclusively, he contended, from the extent of their trade and the mineral and other resources it was calculated to develop when suitably enlarged, that they were entitled to it. Millions had been wisely expended on the canal system of Ontario and Quebec, and he believed that the same policy should be pursued towards Cape Breton. If it were, it would be the means of opening up a district rich in fishing and mineral resources, and destined, ere long, under proper and judicious management, to become one of the most important parts of this vast Dominion. He had addressed the House last Session at some length on this subject, and felt it would be unnecessary now to repeat the arguments he then used. He trusted the Government would give this matter their most serious consideration, and hoped it would be a long time before it would again be necessary for him to raise his voice on behalf of this work. He particularly invited the Premier's special attention to this important question, which was of great moment not only to Cape Breton but also to the whole Dominion.

Mr. MACKAY (Cape Breton) said he felt it was his duty not to remain silent when the Government had not seen fit to accede to the request made

last Session that the canal should be made as useful as possible by deepening it. Vessels coming from the west and from the United States found it much more convenient to go through the canal than to pass round by the eastern portion of the Island, where navigation was difficult and dangerous. As most of the vessels went to the east for the purpose of obtaining coal he, as a matter of course, felt great interest in the success of the undertaking. Last Session it was a debatable question as to whether 14½ feet was ample depth in the locks, and it was stated by the Government that the quantity of water in the approach to St. Peter's Bay was so shallow that vessels drawing much beyond 14 feet would not be able to pass through. He was then, from the investigations he had made, under the belief that there was water enough in the approach to enable vessels drawing 16 feet to pass through the locks, and he was now fully confirmed by a report of Commander Philip H. Worgan, R. N., now resident at Sydney, and with whom he was personally acquainted and for whose accuracy and ability he could vouch, who stated that at low tide there was a depth of water in the approach of 24 feet. Under these circumstances he hoped that the Government would favourably consider the proposal to make the water in the locks deeper, and thus facilitate the trade not only of Cape Breton but of the whole country.

Mr. TUPPER said no doubt the House would remember that, when this subject was under the consideration of the House on a previous occasion, he had pointed out the unfortunate mistake the Government made in deciding to reduce the dimensions of the canal after asking for tenders for the work on a larger scale, without first asking the consent of Parliament. Although this was a comparatively small case, yet the principle, if admitted, might be dangerous. In consequence of the representations now made, he hoped the Government would submit to the House the propriety of asking for an increased appropriation in order to enable the canal to be made the proper size. For the whole of the past season, and a portion of the preceding season, between 600 and 700

Mr. MACKAY.

vessels passed through the canal; but the whole of the traffic was now suspended.

Mr. MACKENZIE said he was sure that neither of the hon. members who had addressed the House would expect him to take the statement of an unofficial person as to the depth of the entrances to the canal. The water channel was marked out in the charts of the coast with sufficient distinctness, although it was possible for them to be wrong. He would cause enquiries to be made as to the statements and theories of the hon. member for Richmond (Mr. Flynn). It should be remembered that a canal 12 feet deep required 14 or 15 feet at the outside, and a vessel drawing 13 feet would, from a sea wash, strike a bar at 16 or 17 feet. He would give his personal attention to the matter, and perhaps on a future occasion he would have something further to say upon it.

*Motion agreed to.*

#### REMOVAL OF MALCOLM MATHESON.

##### MOTION FOR CORRESPONDENCE.

Mr. CAMPBELL moved for correspondence with reference to the removal of Malcolm Matheson, Postmaster at Little Narrows. He said he had received a letter from Mr. Matheson, who asserted that he had been in his position a short time but was dismissed on the recommendation of Mr. Ross, because he voted for him (Mr. Campbell).

Mr. HUNTINGTON said the hon. gentleman must be mistaken. There was no Postmaster of that name at Little Narrows. The Postmaster's name was Hugh McClasky, who had held the position for several years.

*Motion withdrawn.*

#### ASPY BAY HARBOUR.

##### MOTION FOR REPORT.

Mr. CAMPBELL moved for the report of Government Engineer, on the practicability of opening Aspy Bay Harbour, Victoria, so as to admit vessels of certain tonnage, in the year 1872. He said it was very important

to the navigation of the Gulf of St. Lawrence that there should be a harbour of refuge near Cape North. Aspy Bay seemed to be the most desirable location, and he would be glad to see this report brought down.

Mr. MACKENZIE said he was unable to state whether there was such a report. The motion, however, could pass, and if there was such a document it would be brought down.

Motion agreed to.

## THE LATE WILLIAM GRAHAM.

### MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for copies of all correspondence between Sarah Graham, widow, and the Government, in reference to an application for aid in consequence of the reduction of salary and subsequent death of the late William Graham, at that time a messenger of this House. He said Mr. Graham was one of the most intelligent, obliging and attentive of the messengers of the House. He was employed as long ago as 1848, at a salary of \$1.50 per day. In 1855, he was regularly appointed a messenger of the House of Assembly, at a salary of \$840, and when the Union took place he was transferred to this House, and enjoyed the same salary. In 1868, however, his salary was reduced to \$576; but in 1872 it was raised to \$696, at which sum it continued until his death. Mr. Graham was taken away rather suddenly, and had left no provision for his family. He took this opportunity of bringing up the matter in the hope that it would commend itself so to the approval of gentlemen on both sides of the House, that the Government would feel warranted in dealing with it as an exceptional case.

Mr. TASCHEREAU said he had great pleasure in testifying to the efficiency and attention of the late Mr. Graham, and he hoped the Government would give the application favourable consideration.

Mr. MACKENZIE said the Government had practically nothing to do with this matter. The salaries of the messengers of the House had always,

for some reason or other, been higher than those of similar officers in the various Departments. Even at his reduced salary, Mr. Graham had, at least, \$100 per annum more than the highest salary paid to messengers in the Departments. An application was made to himself informally in this case some time ago, but he did not think there was any ground for the Commissioners' interference.

Sir JOHN A. MACDONALD said Mr. Graham had been universally liked, as he was a most obliging, useful and active officer. He thought hon. members would be very glad if the Commissioners would regard this as an exceptional case, leaving aside the question as to what should be the nominal salaries of the messengers.

Mr. McDOUGALL (Renfrew) said no doubt the family referred to was in need, but there were many others in a similar condition. He was surprised that an hon. gentleman, formerly a member of the Government himself, should advocate the taking up of individual cases of this kind in the House. If assistance was accorded simply because a case was supported by prominent members there would be no end to such applications.

Mr. TUPPER said it was not in the power of the Commissioners, however much they might feel disposed, to deal with the case. The only mode by which it could be met was by putting an amount in the Supplementary Estimates. He had hoped that the motion might cause such a favourable consideration of the claim as would induce the Government to take a step of that kind. He was quite satisfied that the Premier would admit that the reduction was a very extreme step. Nothing but strong circumstances could ever justify a Government in reducing an officer's salary after long and faithful service. The opposite course indeed was the general rule. This House had subsequent to that reduction reconsidered the question of increased cost of living and had made large additions to the salaries of public servants generally, of the highest servants of the Crown, and of members of Parliament; but nevertheless the salary of this public officer, though faithful and

efficient, had not been advanced to its former amount. He considered that it would be only just to vote to the family of deceased a sum equivalent to that Graham would have received provided that good faith had been kept with him.

Mr. BLAKE said that the grounds urged showed how very serious it would be to grant the request made. The House had been told that for a number of years before Confederation, the Parliament of the old Province of Canada, or the Government of both combined, had fixed the salaries of certain persons at certain rates.

Mr. TUPPER: Allow me to draw attention to the point that this was not only done by the old Government of Canada but also continued by the Government of the Dominion.

Mr. BLAKE: For how long?

Mr. TUPPER: The change took place in 1868.

Mr. BLAKE said that this had been the case for years. During the First Parliament, the expenditure of the House had been arranged by the Committee on Contingencies. He believed that this had been also the practice in the old Parliament. The Committee determined upon the scale of the salaries of the different officers retained, and among them he presumed was the deceased, and their report was unanimously concurred in. This report affected the salaries of 140 persons, he was informed, and yet the hon. gentleman said in effect that a breach of faith had been committed with every one of them. This was a serious indictment to bring.

Mr. TUPPER: I did not strain it to that point.

Mr. BLAKE said this was the logical conclusion. The same argument applied to all. To how many of them would it apply? It might be that it would not apply to certain cases.

Mr. TUPPER: I think that an investigation would show that some cases could not be considered at all. A great number could not be included in this category.

Mr. TUPPER.

Mr. BLAKE said he believed that, as a general rule, salaries had formerly been too high. He thought that the House would be disposed to sustain the Government in holding that this question, which had been solemnly decided by Parliament in 1868, reconsidered in 1872, and settled on a different basis since, should not be reopened.

*Motion agreed to.*

## INTERCOLONIAL AND PRINCE EDWARD ISLAND RAILWAYS.

### MOTION FOR RETURN.

Mr. DOMVILLE moved for a statement in detail showing the quantities, description and value of machinery, locomotives, roofs, bridges, turn-tables, nails, spikes and other goods, imported into the Dominion of Canada for the use of the Intercolonial Railway and Prince Edward Island Railway, and admitted free of duty, from the 1st of January, 1874, to 1st of January, 1877; giving the names of the parties importing or supplying; where imported from, and port of entry. He said that he made the motion in the public interest. He had asked for these papers last Session, to enable the Government to purchase supplies as cheaply as possible, but they were brought down so late in the Session that his object was defeated, and, when they did come down, he got everything but what he required. He complimented the Premier on his statement that goods were no longer allowed to come in free of duty. No doubt his motion had forcibly brought to mind the fact that traders were, in consequence, disadvantageously situated. He found in the return a statement concerning a roof required for Halifax, and the Premier had informed them that it had been admitted free of duty. He also found that Mr. Brydges, the Superintendent of the Intercolonial Railway, directed Mr. McNab, an engineer, to look for a roof in the Dominion and elsewhere, and to go to Philadelphia where Clarkes, Reeves, & Co., commonly known as the Phoenixville Iron Company, made the best roofs, and to purchase from them.

This was about the English of Mr. Brydges' letters; Mr. McNab complied and bought a roof for some \$12,800 in gold. No contract was shown to have been entered into; nothing definite was communicated. This was done in September, 1874, and no tenders were invited. Further tenders for the erection of the building for which this roof was intended, were not obtained until September, 1875, a year afterwards. In September, 1874, moreover, iron was high, and, if he was correctly informed, the roof had not yet been placed in position. This was an extremely loose transaction, which did no credit to any one engaged in it. In future, no doubt, public buildings would be commenced at the roofs and finished at the foundations. In addition, a son of the man who directed the purchase was a partner in the company from which the roof was bought. He also knew that, regarding materials obtained for the Prince Edward Island Railway, tenders were invited, but answers were not given to tenderers, and the supplies were obtained free of duty from the United States. How could business be carried on properly when such a state of things was permitted to exist? It might be said it was very hard for the Government to pay duty, but it was simply a matter of debtor and creditor. Many parties who had tendered were not aware of the fact that they would not have to pay duty, and thus they were at a disadvantage with those who did know. The great inducement held out to New Brunswick to join Confederation was that by the building of the Intercolonial Railway there would be a large trade between the Maritime and Western Provinces; the latter sending cereals east, and the former coal and iron west. But it was now found that the New Brunswick coal and iron had to be placed in the warehouse, while American iron came in free. He hoped the papers he asked for would not be kept back for twelve months, and then only be presented in a mangled condition.

Mr. SPEAKER suggested that hon. members in moving for papers should not make the contents of other papers laid on the table the subject-matter of their remarks. This had been twice

done that day. It was not only inadvisable but out of order.

Mr. BLANCHET said it would be difficult to rigidly apply that rule. Hon. members were generally allowed, in making motions for papers, to discuss the matter in a very ample manner, and the occasion was frequently taken advantage of to express an opinion as to the general policy of the Government.

Mr. DOMVILLE said he merely referred to previous papers by way of illustration. He thought he had a right to refer to certain information which had been placed on the table of the House.

Mr. SPEAKER said he thought it was not desirable, except in a passing manner.

*Motion agreed to.*

#### BY-WASH AT LONG ISLAND.

##### MOTION FOR CORRESPONDENCE.

Mr. ROCHESTER moved for copies of all correspondence between the Government and the Council of the County of Carleton respecting a bridge over the By-Wash at Long Island. He said at Long Island there was a bridge across the By-Wash which carried off the surplus water from the canal. In the fall of 1869 the boom was removed by the Government officials, and as a consequence, when the freshet came in the spring of 1870, the bridge was swept away. Under these circumstances he thought the Government ought to rebuild the bridge, it having been built by the municipality in the first instance.

Mr. MACKENZIE said the municipality would have to build its own bridge as other municipalities had to do. He did not think the Government were to blame. However, he would look into the representations made by the hon. member; but at the same time he could not hold out any hope of the bridge being rebuilt by the Government.

*Motion agreed to.*

## THE GREAT SEAL OF NOVA SCOTIA.

### MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for copies of all correspondence between the Dominion Government and the Provincial Government of Nova Scotia relating to the Great Seal of the Province that has been affixed to all the documents requiring the same since Confederation.

Mr. BLAKE suggested that the motion should be amended so as to include correspondence between the Imperial and the Dominion Governments.

Mr. VAIL said he hoped explanations would be given. It was a purely provincial matter, and he did not see why papers should be brought down.

Mr. TUPPER said it was a matter of universal notoriety that much excitement had taken place in the Province of Nova Scotia in consequence of it having been ascertained that the Great Seal, directed to be used, had not been used. It became a matter of very great moment that the matter should be thoroughly understood. He did not wish to enter into any discussion until the papers were brought down.

Motion, as amended, *agreed to*.

## SLIDE MASTERS ON THE OTTAWA RIVER.

### MOTION FOR RETURN.

Mr. WHITE (Renfrew) moved for a return showing:

1st. The names of the Slide Masters in the employ of the Department of Public Works at each of the Slide Stations on the Ottawa River and its tributaries on the 1st day of July, 1876;

2nd. The salary or remuneration paid to each of the said Slide Masters for the year ending 1st July, 1876;

3rd. The number of pieces of Timber and Saw Logs, respectively, passed through each of the said Slide Stations for the year ending 1st July, 1876.

He said he wished to ascertain the remuneration of each man and the amount of work they were called upon to perform. If his information was correct, in some instances large salaries were paid when the duties were light, and in others the remuneration

Mr. MACKENZIE.

was insufficient for the labour performed.

Motion *agreed to*.

## ST. JOHN RIVER NAVIGATION.

### MOTION FOR REPORTS.

Mr. BURPEE (Sunbury) moved for copies of all Reports made by the Engineer or Engineers in charge of Public Works on the improvement of the navigation of the St. John River, New Brunswick, since June 1871, as well as the amount of dredging done since that date on the Oromonto Shoals (so called) and the state of the navigation at that point at present. He said there were certain obstructions in the river which a comparatively small amount of money would remove. The existence of those obstructions was a great detriment to the trade of the neighbourhood, and considerable dissatisfaction was being expressed. St. John was the principal river in New Brunswick. It watered a large portion of country, and was the principal thoroughfare for the trade of six or seven counties in that Province. Fredericton was the terminus of the New Brunswick Railway, and the trade of the upper country passed down the St. John to that point, just below which the obstructions were situated. He saw by the Trade and Navigation Returns that 159 vessels loaded for outside ports at Fredericton last year, and that 50,000,000 feet of short lumber was shipped annually from that port. It was important that so large a trade should not be impeded. In the summer season it was no uncommon thing to see seven or eight vessels trying to get over the shoals, and often when the water was low they had to unload a portion of their cargo. He trusted this matter would receive the careful consideration of the Government, and that, carrying out their general policy of aiding works for the development of the trade of the Dominion, some effectual means would be adopted to keep the navigation of this river open.

Mr. PICKARD said this was an important matter to his section of the country, and he was satisfied that the hon. the Minister of Public Works would have to look beyond the

engineer's report in regard to improving the channel.

Mr. MACKENZIE said the question arose whether it would be possible to keep the St. John River so deep as to enable vessels going seaward to ascend to Fredericton, or that neighbourhood. The difficulty connected with the navigation of the St. Lawrence was that a sufficient depth of water could not be got to enable sea-going vessels to ascend the river and pass out to the ocean. The utmost depth at present in that river was 10 feet, but it was expected to deepen it to 12 feet, and some urged that 14 feet was absolutely necessary. But with 12 feet of water vessels could only go the ocean by adopting that most inconvenient mode of steering known as the centre-board. There were only 8 or 9 feet in St. John River at high water, and it was impossible to get that depth at low water. The question arose whether the ultimate mode of carrying cargoes on that river would be by means of flat-bottomed boats, such as used on the Mississippi. But every fair effort had been made to maintain the depth of the river. At the particular point referred to there was a channel on each side, one of which was less navigable than the other, and one method suggested for the improvement of navigation was to build a pier from one end of the Island so as to throw the whole volume of water into one channel. It was expected that such a plan would maintain a depth sufficient for ordinary vessels. He had given his personal attention to this matter. One dredge had been kept continually occupied in the river. The Government would do what they could, keeping within an ordinary expenditure, to maintain the depth of water which vessels navigating the river required. At the same time, he himself thought it would be much better if a different style of navigation were adopted, and flatter vessels built. Cargoes might thus be transhipped from the harbour of St. John. In the meantime, he would only say that everything they could do had been done, in order to facilitate navigation by these vessels in this river.

Mr. DOMVILLE said that, of course, vessels carrying coal could not be flat.

The people of New Brunswick felt that navigation had been somewhat impeded, and it was natural that this should be the case, owing to the deposits brought down by the floods. The chief barrier was a line of rocks at the mouth of the Rapids, near Suspension Bridge, under which no large vessel could ascend without striking her tops. As to the use of smaller vessels, the trade must decide.

Motion agreed to.

## TOBIQUE INDIAN AGENT.

### MOTION FOR CORRESPONDENCE.

Mr. COSTIGAN moved for returns of copies of all correspondence between the Government and the Tobique Indians, or any person on their behalf, relating to the appointment of a resident agent at that place. He said he had brought this matter up some three years ago, for the first time. These Indians had petitioned and complained very bitterly against the appointment of a commissioner or agent who lived at Fredericton, about one hundred miles from the reserve, as they had, previously to this appointment, been always accustomed to a resident agent, to whom they applied for information and assistance whenever they desired it. Their strongest complaint was that there were no funds out of which any material assistance could be rendered to them because there were no moneys to their credit; and they seemed to understand that one of the great causes of this want of funds must certainly be that a large sum was paid to the agent. He had recommended for agent a very respectable man, who resided on the reserve, and who would be abundantly satisfied with \$100 a year. The present agent, who received \$400, had besides several other reserves to look after. These Indians had a peculiar claim on the Government, inasmuch as the whole revenue derived from Indian lands in New Brunswick was obtained from this reserve. The Government had been in the habit of granting licenses to parties to cut timber from this reserve, and he thought that this commendable practice should be continued, as otherwise, owing to forest fires, this timber would probably be destroyed.

The late Minister of the Interior had assured him, when he first submitted this matter to the House, that it was worthy of consideration, but as yet nothing had been done, although the late Minister of Marine and Fisheries had expressed himself in a similar sense. He thought that it really involved great hardship. The late Minister of the Interior had stated, as one of the reasons why a change was not made, that he did not like to remove any officer. He (Mr. Costigan) did not desire any such removal, he simply wished to secure a re-arrangement and the appointment of a resident agent at a salary of \$100 a year. As to stumpage, the system followed was inconvenient and unfair. Last year some residents on the reserve obtained license to cut timber, paying to the Government \$1 per thousand as stumpage. As the best timber had disappeared, this was a high rate, and as the agent, who came to look after it, also collected his expenses, which averaged 98 cents per thousand, the stumpage really cost \$1.98 per thousand. He hoped that the Minister of the Interior would take the subject under consideration, and that the propriety of granting the repeated request made in this regard would be immediately recognized.

*Motion agreed to.*

### RAILWAY FROM QUEBEC TO LAKE ST. JOHN.

#### MOTION FOR CORRESPONDENCE.

Mr. CIMON moved for copies of all petitions and correspondence respecting the grant by the Dominion Government of a sum of money to assist in the construction of the Railway from Quebec to Lake St. John.

*Motion agreed to.*

### BRITISH COLUMBIA MAILS.

#### MOTION FOR TENDERS.

Mr. DECOSMOS moved for a copy of every tender received since November last by the Postal Department for carrying the Mails in British Columbia, with the names of the tender-

Mr. COSTIGAN.

ers and their securities; also a copy of all telegrams and letters received or sent by the Postal Department respecting the same. He said he asked for this information because there were quite a number of postal routes in British Columbia for which quite a large number of people in various portions of the Province had tendered. He also believed it his duty, knowing what he did about the chief route in that country, to bring this information before the House and the public in such a shape as to enable the House and Government to have the benefit of the assistance he could render in preventing a combination to obtain a large mail contract at a higher price than it might be contracted for under different circumstances. He believed that such a combination had been entered into to coerce the Government into giving a very large sum for carrying the mail between Yale and Baskerville. He had information in his possession to the effect that Mr. Barnard's tender, which he believed was for \$27,000, was purchased by a gentleman who had put in a tender for about \$18,000 odd dollars, and that another tender for about \$19,900 was withdrawn. He had considered it his duty to protest against the contract being given out, and he had also stated he believed the proper time to give out this contract was not the 1st of April, but the 1st July, in order to enable a tenderer to whom the contract might be awarded, who lived in Vancouver's Island, or in some other portions of the Province off the main route, to stock the road. At present, intending tenderers were placed at a great disadvantage, owing to the contractor being compelled to commence carrying the mails in April.

Mr. HUNTINGTON said there was, of course, no objection to bringing down the papers, but it would be manifestly inconvenient to submit all tenders received for carrying mails in British Columbia. Perhaps the hon. gentleman would not object to restricting his motion to the contract mentioned. The Post Office Department had no knowledge of the collusion to which the hon. gentleman had alluded, and Mr. Barnard had telegraphed a most explicit denial of the allegations.

Mr. DECOSMOS said it so happened that Parker had told him that he had sent in a tender, and that he said a Mr. Williams had asked him (Parker) to sell it out to Barnard for \$1,000. Subsequently Parker telegraphed him (Mr. DeCosmos) that he had purchased Mr. Barnard's stage business. Now, Mr. Barnard's tender was \$27,000, but Parker's own tender was about \$18,000. Parker said in his telegram that the Government were trying to deprive him of the contract at Barnard's price, and asked: "Will you help me." He (Mr. DeCosmos) answered that he would protest against the contract being given at a higher rate than he (Parker) had already tendered for. When he protested against awarding the contract at \$27,000 he felt it was his duty to do so, and he considered he had a right, in the interest of his Province, to know the amount and number of the tenders, but he did not consider it right that he should have to wait twelve months before he could find out what the number and amounts were. The Government should have given him the information at once.

Mr. DEWDNEY said he was glad the hon. member for Victoria had asked for the papers and also that the Postmaster-General intended to bring them down. It was true that the hon. member for Victoria had previously made a protest, couched in very strong language, in reference to this contract. It would be found by the correspondence that the hon. member for Victoria had made an accusation that certain parties had conspired to defraud the Dominion Government. He (Mr. Dewdney), a few days ago, had heard of what the hon. member had stated before he left for Ottawa. Mr. Barnard had distinctly denied the accusation and stated that there was a conspiracy between the hon. member for Victoria and others to induce two men, aliens, living out of the country, by false representations as to the value of the contracts, to put in tenders. These two men, upon inquiry, found that the hon. member for Victoria had wanted them to put in tenders on account of his political spleen towards Mr. Barnard; and they also found that there was no money in the contract,

or not sufficient to induce them to wish to hold on to their tender, and that there were men in Victoria quite capable of undertaking the contract, who would have tendered if there was as much money in it as represented by member for Victoria. With regard to Mr. Parker, the gentleman referred to by the hon. member for Victoria as purchasing the stage business of Mr. Barnard, it had come to his (Mr. Dewdney's) knowledge that he, Mr. Parker, had offered to purchase out Mr. Barnard's interest in the stage business, and that he had lately examined into the value of his plant, but the negotiations had fallen through.

Mr. DECOSMOS said he had a telegram from Mr. Parker stating that he had purchased Barnard's stage business and tender, and had asked him to assist in getting the contract for Mr. Barnard in order that he (Mr. Parker) might have it. He (Mr. DeCosmos) answered that he would assist him to get the contract at his (Parker's) figures, but not at Mr. Barnard's.

Mr. DEWDNEY said the hon. gentleman had in Ottawa circulated a report that Mr. Parker told him that Mr. Barnard had offered him \$1,000 if he would withdraw his contract. This came to his (Mr. Dewdney's) ears a few days ago, and he telegraphed to Mr. Parker and received the following answer:—"If DeCosmos says that Barnard offered me \$1,000 or any other sum to withdraw my tender, he tells a deliberate lie and he knows it."

Mr. DECOSMOS reaffirmed his statement, and stated that, as he was going through Washington Territory in 1873, he met Mr. Coggan, an Englishman, who had a stage line, and who wanted to know whether he could get employment for his stage horses in Columbia. Subsequently, he tendered lower than Mr. Barnard had, but did not get the contract, as his securities were Americans. But Mr. Barnard received the contract at a higher figure than Mr. Coggan had tendered at.

Mr. DEWDNEY said if any injustice was done to Mr. Coggan the hon. member for Victoria had assisted to bring it about, because if the records of the Department were examined it would

be found that he had recommended the contract to be awarded to Mr. Barnard for \$22,000.

Mr. DECOSMOS said, nevertheless, he had not recommended Mr. Barnard as against Coggan; but told Barnard that if he could buy out Coggan, if the tender were awarded him, he had no objection to him (Barnard) getting the contract. He denied that he had gone to Oregon in order, by false representations, to get two men to tender for the contract.

Mr. DEWDNEY said he made the representations by telegrams and correspondence, and the two gentlemen had gone to a great deal of expense and trouble in finding out the truth of the matter.

Mr. DECOSMOS said he had merely told these gentlemen that it was fully in their power to tender for the contract. He had no personal interest whatever in the matter, political or otherwise. If Mr. Barnard or any other man had tendered at the lowest figure and given sufficient security for the performance of the work, he was willing that he should have it, but he would give the House to understand that he would not be a party to the robbery of the Dominion Treasury by such a combination as he believed existed.

Mr. HUNTINGTON said, of course, his hon. friend was aware that the letting out of the contract was before he was responsible for the administration of the Post Office Department. The Government would decide the question upon its merits.

Mr. DECOSMOS said he had brought the matter up as he believed there was an attempt to coerce the Government.

*Motion agreed to.*

House adjourned at  
Ten minutes after  
Eleven o'clock.

Mr. DEWDNEY.

## HOUSE OF COMMONS.

*Tuesday, 13th March, 1877.*

The Speaker took the chair at Three o'clock.

### GAMBLING PRACTICES PREVENTION BILL.—[BILL No. 56.]

*(Mr. Blake.)*

THIRD READING.

Mr. BLAKE said he had made enquiry with regard to the suggestion which had been made on this subject by the hon. member for Vancouver, and, from what he had heard, he believed there was no ground for opposition to the application of this measure to steamboats as well as to railways, and accordingly he did not propose to make any alteration in it.

*Bill read the third time and passed.*

### ONTARIO MARITIME COURT BILL.—[BILL No. 41.]

*(Mr. Blake.)*

SECOND READING.

Mr. BLAKE: I do not think that after the discussion which took place on the first reading of this Bill, it is necessary for me at any rate to enlarge on the provisions of the measure which is now submitted for the second reading. Of course any question that can arise, after what has been said in the House on the subject, will necessarily relate to details which may be disposed of in Committee. The House will observe, from the general provisions of the Bill, that it is to a certain extent tentative in its character. The design the Government had in view in proposing particular provisions in it was, as far as possible, to associate a degree of centralization with reference to the rules and regulations applicable to a new and important system of law with a degree of elasticity and decentralization in the application of those parts of the law which for efficiency require to be speedily and promptly submitted on the spot. A provision is therefore introduced for the nomination of judges, deputy registrars and marshals, where, from time to time, it

may be found necessary in the interests of trade that they should be appointed; and, in the locality which may be in question, vessels may be summoned, and held to bail, &c. The machinery is necessarily elastic in its character, because, until—as one of the clauses suggests—the effect of the measure is developed by experience, it has been thought prudent to lay down rules with reference to the extended jurisdiction of the judges. These provisions, as I said at the commencement of my remarks, are more fit perhaps to be discussed in Committee; therefore, unless asked to make any further explanations, without further preface I will ask that the Bill be read the second time.

*Bill read the second time.*

### INSOLVENT ACT AMENDMENT BILL—[BILL No. 60.]

(*Mr. Blake.*)

#### SECOND READING.

Mr. BLAKE: The remarks I have just made with reference to the probable character of the discussion on the measure which has been read the second time will apply to this one. The measure consists of several amendments of detail to the Insolvency Act, and the most important is that which has already undergone some degree of discussion, and on which, no doubt, at the appropriate time, there will be a considerable further degree of discussion, namely, the condition of discharge. It would be hardly useful for me to elaborate the others just now. They comprise such suggestions as practical experience in the working of the Act and the observations of those who have knowledge of its effect have induced me to recommend for the consideration of the House. They comprise, however, a very small part of the suggestions I have received, and I may say that some of those of which I am in daily receipt I may be disposed perhaps to submit to the consideration of the House. Should I do so, I will endeavour to have them placed in the Votes and Proceedings.

Mr. BOWELL asked whether the Minister of Justice proposed to send the Bill to a Committee.

Mr. BLAKE: No.

*Bill read the second time.*

### SALARY OF JUDGES OF ONTARIO MARITIME COURT.

#### RESOLUTIONS CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the following resolutions:—

“1. That it is expedient to provide that the Judge of the Maritime Court of Ontario shall receive no fees, but shall receive a salary of six hundred dollars, free and clear from all deductions whatsoever, per annum, and *pro rata* for any shorter time than a year, which salary shall be paid out of any unappropriated moneys forming part of the Consolidated Revenue Fund of Canada, in like manner as the salaries of other Judges.

“2. That it is expedient to provide temporarily that any Surrogate Judge of the Maritime Court of Ontario may, if resident elsewhere than Toronto, receive emoluments out of funds provided by suitors' fees payable under a tariff to be from time to time fixed and altered by the Governor in Council; and that the fees payable by suitors under the tariff shall be paid over, by the officer appointed to collect them, to the Receiver-General, and shall form part of the Consolidated Revenue Fund; and thereout shall be paid the emoluments of the Surrogate Judge.”

(In the Committee.)

Mr. TUPPER asked whether the Minister of Justice had taken into consideration the suggestion of the hon. member for Halifax (Mr. Jones) that provision should, at the same time, be made for the salary of the Judge of the Court of Vice-Admiralty at Halifax.

Mr. BLAKE said the hon. member for Halifax was aware of the fact that provision was already made by law for the salary of this Judge. What the hon. member for Halifax had adverted to in another connection was the provision proposed in the Estimates for the continuation of the salary of the Registrar and Marshal of the Vice-Admiralty Court at Quebec, and he proposed something with regard to the cessation of these salaries, or of the payment from the public funds. He had not proposed in this measure to charge on the general funds the salaries of the analogous officers of the new Court, which were to be provided for by means of fees.

Sir JOHN A. MACDONALD said he was rather taken by surprise by the

action being taken on this Bill to-day, as the hon. the Premier had stated the House would go at once into Ways and Means to-day.

Mr. MACKENZIE said it was the invariable practice to take up any measure which was not opposed, or likely to cause any discussion. He was not aware that the hon. member for Kingston desired that there should be any discussion on this Bill at the second reading.

Sir JOHN A. MACDONALD said the hon. the Minister of Justice gave scarcely any explanation of the Bill on its introduction.

Mr. BLAKE said the Bill could be discussed on the motion to go into committee on Thursday. The salaries of the Judges of Vice-Admiralty in Nova Scotia and New Brunswick was \$600, and in Quebec \$2,000. Although measured by the extent of tonnage in the waters to which the Bill referred, the amount of business to be performed by the new Courts might be supposed to be large, yet it was purely conjectural at present. It was, therefore, not thought proper to go further into the question of emoluments, but to see what was suggested by the practical working of the Courts. He proposed to fill the blank with the words "\$600," based upon the salary prevailing in the Maritime Provinces.

Sir JOHN A. MACDONALD asked if this was the only emolument the Judge would receive.

Mr. BLAKE said the Bill expressly provided that there should be no fees.

Sir JOHN A. MACDONALD: Is there other emolument of any kind?

Mr. BLAKE: Not for services of Judge of Admiralty. The labours of the office would be lightened by the exercise of their functions by the Surrogate Judges, but in case larger remuneration was required, provision for it would subsequently be made. In Nova Scotia, the Chief Justice was the Judge of Admiralty, and in New Brunswick, the Judge of the County Court of St. John performed the duties. They both received \$600.

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD said he presumed the intention was that the Judge appointed to receive this salary would be taken from the Bench, because it was obvious that \$600 would be an inadequate salary for a barrister having a large practice.

Mr. BLAKE said a Judge was not appointed in Quebec, and the salary there might be considered inadequate, but it was not found insufficient for procuring the services of a highly competent person. It was obviously inconvenient for the Government to announce their intention in this regard, but he would have no objection to indicating their proposed course privately.

Mr. KIRKPATRICK said he thought the chief amount of work would be performed by the Surrogate Judges, who would be resident at other towns in the Province—say, St. Catharine's, Kingston, Windsor, or Goderich. The main part of the work would be done at those places, and not at the chief office at Toronto. The Surrogate Judges were to be paid out of fees, but it was not stated what the scale would be. Was the hon. the Minister of Justice able to tell what income was likely to be derived by those officers? He should suppose, in view of the fact that their labours would be heavier than those of the Chief Judge, that they would require higher remuneration.

Mr. BLAKE said the fees at present received in the Maritime Provinces, whether all that could be obtained by proper collection or not, were very trifling. For more than 40 years, in fact, no fees had been received by the Court at Quebec. In one year £80 sterling was received at Nova Scotia, and the average in New Brunswick for the last five years was \$50 per annum. It was obvious that those fees were not on a scale that would answer the purpose, and the results were as the hon. member for Frontenac supposed. It was impossible to say what the fees in Ontario would be at present; that would have to be determined as the work in the Court proceeded. He was opposed to the principle of paying Judges by fees. He did not like to put such a law on the Statute-book, except with a

clause explaining the reason for, and the temporary character of, the provision. In introducing such a temporary provision, he had also provided that the fees should be paid into the exchequer, and that the emoluments of the Judge, although paid out of such fees, should yet be received out of the Consolidated Revenue Fund. The emoluments of the Surrogate Judges would depend upon the extent of the judicial functions which were from time to time to be conferred upon them. He did not think it would be prudent in the first instance to confer upon those Judges more powers than were necessary for speedy preliminary action in the arrest of ships, etc. His opinion was that, in introducing new jurisprudence of this description, it was proper to proceed with some degree of caution, and to fix an adequate compensation when knowledge of what was necessary for the correct administration of the Court was obtained. He did not think that the labour would be so very heavy at first as to require any great remuneration. When the Court was thoroughly established, and the extent of extra labour devolving upon the Judges was known, it could be considered whether the interests of the public would be best served by abolishing the fees, or by keeping them as a source of revenue and paying a fixed salary out of the Consolidated Revenue Fund.

Mr. KIRKPATRICK said he gathered from the hon. the Minister of Justice's remarks that he thought the duties of the Surrogate Judges would be ministerial—to set in motion the machinery of the Court: and that all the cases would have to be taken to the Chief Court for decision. He thought the hon. gentleman would find that that would hardly be the case, because most of the investigations of claims for wages or collisions would necessarily have to take place where the witnesses resided, and the ships traded to. It would be found in practice that but a small part of the work would be done at Toronto. He presumed that the amount of fees to be paid would be fixed by Order in Council.

Mr. BLAKE said he had always objected to Judges being paid by suitors,

but the question as to the remuneration of the Surrogate Judges would have to be determined by experience. With reference to the heavy labours of those officers, he might say that in Quebec the evidence was not taken down before the Judge but before the Registrar.

Mr. KIRKPATRICK: But the Registrar will be at Toronto.

Mr. BLAKE said Deputy Registrars were to be appointed at all those points. He had a strong impression, however, that in time it would be found expedient to require the Surrogate Judges to take the evidence, but it could not be held from the language of the Bill that they were now required to do so. He would be glad if any hon. gentleman could devise a scheme by which the compensation of the Judges could be fixed; but he did not see how it could be done until after the Courts had been in operation for some time.

Resolution agreed to, and ordered to be reported.

House resumed.

Resolutions reported, read the first and second times and agreed to, and referred to Committee of the Whole House on Bill No. 41.

## AMENDMENT OF CUSTOMS ACT.

### RESOLUTION CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the following resolution:—

"That it is expedient to amend the Act respecting the Customs, 31 Victoria, Chapter 6, so as to make better provisions for the reporting of vessels inwards and outwards.

"The reporting of Railway Trains at frontier ports, &c., inwards and outwards.

"To make better provision for the securing of correct statements of Exports by land and water.

"To provide greater security to the Revenue in connection with the warehouses and warehousing business of Canada; and to consolidate the Act so amended and the amendments made to it by any other Acts; such amendments not affecting the Tariff of duties."

(In the Committee.)

Mr. BURPEE (St. John) said the first resolution was intended to secure the better reporting of inward and outward vessels, but particularly outward, so as to obtain more extended statistical information with regard to the

cargo and manifest. The next resolution referred to imports and exports by railways. At present there was no law providing for manifests of merchandise coming into this country. Whatever was done now was done under no law, but simply by departmental rule without any penalties being attached for violation thereof. The next resolution provided for the better warehousing of goods, instead of their being landed at stations without proper protection, as was sometimes done. And this provision would give merchants power to remove goods from one warehouse to another if they so desired. It was also proposed to make a provision whereby, if a merchant was a defaulter as regarded goods in one warehouse, the Government could hold as security goods in other warehouses which were owned by him.

Mr. JONES (Halifax) said he thought the hon. the Minister of Customs would have done well had he given some explanations as to matters to which his attention had been previously called. There were many clauses in the Customs Act of 1869, which was brought down *en bloc* and passed without discussion, which might possibly be applicable to the Upper Provinces, but which were not applicable to the Maritime Provinces. He referred more particularly to the clause as to the drawback. The Act allowed a drawback on all articles, of at least the value of \$100, shipped to Newfoundland or Prince Edward Island. Since the Act was passed, however, Prince Edward Island had been admitted into Confederation. The trade desired that the drawback should be applied to other places besides Newfoundland. Nova Scotia did a considerable business with the West Indies, and the present system was found very inconvenient for persons sending goods to the Bermudas or Nassau. He thought it would be desirable for the Government to amend the Act so as to provide that drawbacks on goods of the aggregate value of \$100 and upwards should be allowed when the goods were exported anywhere beyond the limits of the Dominion. It was possible that this system would be inconvenient if applied to the United States, but he would sug-

Mr. BURPEE.

gest that that country be excepted. It was obvious that it was desirable to facilitate the distribution of the largest quantities of goods. Although the duty might not be paid on the goods being reshipped to foreign parts, the country would receive the benefit of shipping and handling them. He would also suggest that the time during which goods could remain in bond should be extended. In England, wines and liquors could remain in bond as long as was convenient to the owner, who could at any time take out any quantity, even to a glassful. The system had been found to work satisfactory, and it should be engrafted upon our Customs laws. He thought the Department should have additional safe-guards, and the resolutions in themselves might be proper; at the same time, he would remind the hon. the Minister of Customs that merchants were much hampered by unnecessary orders, rules and regulations. A short time ago he watched an official handling some packages of tea at a custom-house, on a ship unloading. He was obliged to mark on the packages where they came from, the number of the warrant under which they were passed, and the weight of the packages. It would take a man half a day to mark fifty packages. The drawback question was very important to Nova Scotia, and he hoped the Government would deal with it when they were considering the Customs Act.

Mr. DOMVILLE asked the hon. the Minister of Customs to explain how parties warehousing goods would become defaulters to the Government.

Mr. BURPEE (St. John) said the Government did not know positively that any person would become a defaulter. But this had happened in the past, and might again, through the negligence or carelessness of some officer. What the resolution provided for was that, when a merchant was a defaulter in one warehouse, goods which he might have in another warehouse could be held as security. In some cases there were five or six warehouses in one town, and a merchant who was a defaulter in one did not now have his goods in the other warehouse held as security.

Sir JOHN A. MACDONALD said there should be no defaulters. If a merchant was a defaulter, the Government should look to the security of the officer who allowed the goods to be taken out before the duty was paid. No goods should be taken out until the duty was paid.

Mr. DOMVILLE: They cannot.

Sir JOHN A. MACDONALD said it could not be done by law, but if the resolution were adopted it would look like a sanctioning of the practice. He wished to know whether it was by statutory provision or by regulation that the remaining goods in a warehouse were made liable for the duties on other goods taken out of the same warehouse.

Mr. BURPEE: That is by Statute.

Sir JOHN A. MACDONALD: Does not that apply to all the warehouses?

Mr. BURPEE: It only applies to the warehouses in which the default occurs.

Mr. DOMVILLE said he could not understand what would be gained by the proposed change in this regard. In the first place there were the bondsmen of the custom-house officer.

Mr. BURPEE: The law says he will be his own bondsman.

Mr. DOMVILLE said that was where he found fault, as there was a case where the Government had failed to recover on the bonds of those who were responsible. The hon. the Minister of Customs knew that such a case had occurred in the city from which they both came. The case happened four years ago, and not a cent had been paid as far as he could learn, and yet the hon. the Minister of Customs said, when asked about it, that he had not made any enquiries into the matter. Unless the sureties were called upon in case of default being made, the act of signing a bond would be merely a form. How anybody could get goods out of a custom-house without paying the duties he could not understand. However, perhaps there were some things going on which it would not be prudent to bring to light. It would be much better if the hon. the Minister of Customs brought in amendments such as those

suggested by the hon. member for Halifax (Mr. Jones). If a merchant wished to import musical instruments, he had to enter them at an arbitrary valuation, and while perhaps he only paid \$250 he would have to enter them at \$400, and, according to the Orders in Council, duty on the \$400 would have to be paid. This was a matter which should be remedied. The Government should not frame their legislation so much in view of anticipated frauds, as to introduce wholesome laws which would place our merchants on a proper basis.

Mr. BURPEE (St. John) explained that it was to meet such cases as that referred to that the resolutions were introduced. The defalcation occurred in 1872, before the present Government came into office. The case went to trial, but for want of evidence it was quashed. In every case, bonds were required from the officers.

Mr. DOMVILLE said that, while the Custom House officer, through whose negligence the defalcation had occurred, had got off scot free, the people whose goods had been taken had to bear the whole loss.

Mr. JONES (South Leeds) said he thought the Government were right in placing a fixed value on pianos coming into this country. In order to keep their shops running, the manufacturers in the United States made Canada a slaughter market, selling goods at from 3 per cent. to 10 per cent. less than in the United States. It was unfortunate that the Government did not apply the same rule to other articles, and thus protect the industries of the country.

Sir JOHN A. MACDONALD asked if there was any regulation or Act providing that, if a merchant entered goods which he had purchased in cash, for example in New York, a certain additional sum could be added to the cash price in estimating the duties payable.

Mr. BURPEE (St. John) said the duty would be paid on the market value in the country in which the goods were purchased. If the goods were sold to a buyer at a less price than their value in the country in

which they were purchased, the Government were right in charging the duty on the price of the goods in the market of the country in which they were sold.

Sir JOHN A. MACDONALD said he thought, from the newspapers, that an order had been issued by which an amount was added to the cash price to bring it up to the credit price.

Mr. CAMERON said that, while formerly the value of goods for Customs purposes was the clear market value, it was changed by the Act 33 Victoria, chap. 9, section 10, which was passed in 1870. The actual and the market value were quite distinct. Since that time, Parliament had thought fit to provide that the hon. the Minister of Customs, with the consent of the Governor in Council, might fix arbitrary values for certain articles, such as sewing machines and pianos. Whether that was a right or wrong provision was open to serious question. The hon. member for Halifax had given the Government credit for having made the alteration to protect the manufacturers. He (Mr. Cameron) was quite satisfied it was not made with any such intention, but it was for the purpose of preventing frauds on the revenue, to endeavour to prevent goods being entered at what were not their true prices; and the Government ought, therefore, to be relieved from the responsibility of having done anything towards introducing a system of protection to home manufactures in making that alteration in 1874. It was stated in 33 Victoria, chapter 9, section 10:

"The value for duty of goods on which an *ad valorem* duty of Customs is imposed, imported into Canada by sea, shall be the actual value of the goods at the last place at which they were purchased; and the value of such goods for duty, if imported from the United States, by land or inland navigation, shall be the actual value of such goods at the last place at which they are purchased for importation into Canada, and whence they are directly conveyed without change of package to Canada."

The law was formerly that the goods should be charged on their fair market value. It was held that that meant the value of the goods in the principal market from which the goods came. Thus it was contended that rice should

be entered at its value in South Carolina, and tobacco at its value in Virginia, because those were the principal markets from which the goods came. The law was, therefore, altered to the actual value. It had been well settled by many decisions in the United States in their Customs Act, using similar words to those in the Dominion Act, that the cash value paid for an article in the *bond fide* course of business was the true rate at which goods should be entered. He thought the legislation passed in 1874 or 1875, allowing the Government arbitrarily to fix the value of certain goods for duty, was scarcely in accordance with principle. If this abuse existed of goods being entered on undervaluations, the provisions of the law should have been made such as would have enabled Custom-house officers to have prevented such valuations, rather than the Government having the power of fixing a value for Customs purposes totally irrespective of the cost of the article. This they now did especially in the case of pianos, but upon what principle such a course was adopted the Custom-house officers themselves did not know. If the duties were to be charged on the actual price paid in a fair market, that could be easily ascertained, but surely it was a dangerous power to give to officers of Customs that they should be allowed arbitrarily to fix the price at which any particular article should be entered. That power might be so abused that great advantage would be obtained by one manufacturer over another. A case had occurred at Montreal and Toronto where an importer took advantage of the Customs arrangement, and by importing a class of pianos, which happened not to be in the schedule established by the Governor in Council, because they were entered in another name than that of the maker, secured their entry at \$140 or \$145, while the same pianos entered in the maker's name were charged on a price of \$240 or \$250. There was no sufficient reason why a special rule should be made in favour of pianos and sewing machines. If there should be an alteration in the law, the hon. the Minister of Customs should take the matter into serious consideration, and any amendment

Mr. BURPEE.

should have a wider scope than the limited one which the hon. the Minister of Customs seemed to indicate.

Mr. BURPEE (St. John) said that under the law of 1874 such articles as pianos and sewing machines were considered exceptional. American manufacturers made special arrangements with Canada buyers, to whom they sold goods at 25 or 30 per cent. less than the prices in the United States. Moreover, machines were sent into this country in many ways, parts of sewing machines being entered as castings, others as steel and woodwork, and the same system was followed in regard to pianos. The Customs Department had obtained from the pianoforte manufacturers of the United States the fairly marked values of the lines of goods. The Government thought they were justified, if the market value in the United States was a fair one, and if the American manufacturers made special arrangements with Canada buyers, in making them pay duty on the price of the goods charged in their own markets. As to the interpretation of the law with respect to the fair market value, it was stated in 33 Victoria.

Mr. WOOD said the action taken by the Government had been the best ever adopted to compel a fair rate of duty to be paid upon the cost of goods imported from the United States. It was well known that manufacturers of pianos, sewing machines and other goods had agents in Canada, and when they sent their goods had them entered far below the cost price and came into competition with Canadian manufactured goods, the home manufacturers complaining that they could not stand against such competition. The matter was brought to the notice of the Government and proper means were adopted to ascertain the facts. The Government thereupon formed a schedule of prices for those goods, so that to-day piano-makers and sewing machine manufacturers in the Dominion were quite prepared to compete with American manufacturers, whose goods were now admitted at the regular market price in their country. But it was not fair that Canadian manu-

facturers should be called upon to compete with goods which were admitted at 30, 40, or 50 per cent. less than in their country. He was surprised the members of the Opposition, who were always talking of protection, were taking the course of interfering with the arrangement under which justice was being done to our own people. The Government were entitled to the thanks of the country for having drawn up the schedule of prices referred to, with which the Canadian manufactures were perfectly satisfied.

Mr. JONES (Halifax) said it was quite evident that the statement he had previously made, that the regulation was made in the interests of the manufacturers, was quite correct. The light in which it was viewed by the hon. member for Hamilton, and other hon. members who advocated protection views showed that such was the natural inference, and that no other inference would be drawn. The Government might have the power to decide, by an Order in Council, the value of an article before it was brought into the country, but he failed to discover it in the Customs Act. There was no Act in force which gave the Government the power to decide the value of an article for the next three or six months. A merchant proceeded to the United States and purchased certain goods, for which he paid in cash the actual market value of the goods at the time. When the merchant presented his invoice to the Canadian Customs authorities and stated that such was the price the goods cost him, the Government had no power but to accept that statement, and levy their duties accordingly. A case of that character had occurred in his own constituency. A gentleman imported a large quantity of hair-cloth from the Pantucket Hair-Cloth Company of the United States, and on presenting his papers for duty, they were refused. That, it appeared, was an article which the Government had interdicted, and he was charged 22½ per cent. duty instead of 17½ per cent. He contended that the Customs authorities in that particular exceeded their powers. While such duties were levied on articles from the United States, German and English goods of

similar quality were admitted at invoice prices without a question.

Mr. TUPPER said such a regulation would not protect anybody, because the article was not manufactured in this country.

Mr. JONES said that did not matter. Pianos, organs and sewing machines and other articles, which could be bought in the United States to-day at a certain price, were refused admission by the Customs authority at the rate at which they were actually purchased there. That action was wrong and the Government had no authority to carry it out.

Sir JOHN A. MACDONALD said hon. members were endeavouring to find out what the law was, and not discussing what the law ought to be, or whether the hon. the Minister of Customs was carrying out the law in the regulations to which reference had been made. If those regulations were against the manufacturer, no doubt the hon. member for Hamilton would work energetically to have the law altered; but they must first find out what the law was, and then how to amend it. The hon. the Minister of Customs had quoted from an Act which was repealed. The clauses the hon. gentleman had quoted had been expressly repealed and the market value, as his hon. friend from North Victoria had pointed out, was abolished and actual value inserted instead, and such value was the value in cash. A purchaser of tea in New York was told that the price was so much for cash, or so much at three months or at six months. It was absurd to suppose that a man could not buy for cash in New York. It was quite clear from his collation of these Acts that the Customs regulation in this respect was contrary to law.

Mr. CAMERON said a little further ignorance on the part of Customs officers was shown as to what the law really was, because they appeared to ignore altogether the Act of 33 Vic. The 9th section of the Act of 37th Vic. provided for this arbitrary fixing of value by order of the Governor in Council, stating that, whereas difficulties had frequently arisen with regard to determining the fair market value

of dutiable goods imported into Canada, being the manufactured productions of foreign countries, &c. This was not the law at the time; it was not the fair market value which was specified at the time the Act of 1874 was passed. Duties were collected on the supposition that the fair market value was the test for entry, when this was not the case at all. The Act provided:

“Whereas, difficulties have frequently arisen in determining the fair market value for duty of goods imported into Canada, being the manufacture or production of foreign countries, or of Great Britain, such as musical instruments, sewing machines, agricultural machines or implements, medical preparations commonly called Patent Medicines, and other similar goods, the prices of which are published by the manufacturers or producers, or persons acting in their behalf, it is hereby enacted that the Governor in Council may, from time to time, fix and determine a certain rate of discount which may be deducted from such published prices of any such manufactures or productions, and the remainder of such published prices, after deducting such rate of discount, shall be deemed and taken to be the fair market values for duty of any such manufactures or productions as may or shall be specified in such Order in Council, anything in this or any other Act to the contrary notwithstanding.”

Whereas the Act of 33 Vic. provided that the actual, and not the fair market value was the test. The hon. member for Hamilton had twitted, he supposed, both himself and one or two other members of the House with being Protectionists, and yet being opposed to power being given to the Government to impose protection. If the Government wished to protect manufactures, they should not do it on the sly, or in any underhand way. If they meant to give protection, they should say so, and introduce a properly protective tariff; but they should not reserve to themselves the arbitrary power of giving indirect protection by making *bonâ fide* and honest importers pay a duty of 20 or 30 per cent. more than the actual cost of articles. It was said that this power was used to prevent fraud and unfair competition between foreign and home manufacturers, but, if any fraud existed, surely the Customs officers should be enabled to prevent it by a direct, straightforward mode, without resorting to any underhand means. If it

was to afford protection, let it be so termed, and hon. gentlemen on his side of the House favourable to such protection as they thought ought to be given would gladly support such a policy of the Government. He did not wish any injustice to be done to *bond fide* traders, by an arbitrary fixing of the duty on certain articles in a manner inconsistent with the general principle of the law with regard to other articles.

Mr. BURPEE (St. John) said that the regulation referred to certain articles named, with reference to which the business was almost entirely done by agents in this country. These agents had the privilege of importing goods cheaper than our own merchants could, and the law justified the Department in collecting duties on the fair value of such goods in the country where they were purchased.

Mr. CARTWRIGHT called the attention of the hon. member for Kingston to the Act 37 Vic., 1874, which, if he understood it clearly, re-enacted sections 29 to 46 inclusive of the Act passed in the 31st year of Her Majesty's reign. The clauses said to have been repealed, sec. 8, declared :

"The fair market value for duty of all goods upon which any *ad valorem* duty of Customs is chargeable under this Act or any other Act, shall be ascertained and determined except as hereinafter provided, in accordance with the provisions of the sections twenty-nine to forty-six inclusive of the Act passed in the thirty-first year of Her Majesty's reign, intitled: 'An Act respecting the Customs'—so much of any Act as is inconsistent with this section being hereby repealed."

Mr. WORKMAN said he was glad that the question had come up. This matter had frequently given rise to a good deal of feeling and discussion as well as legal proceedings in Montreal. It was very difficult for the Government to satisfy all parties, but he thought, nevertheless, that the system laid down with regard to pianos and sewing machines had, on the whole, given a great deal of satisfaction to the importers of these articles, and to honest dealers. It was well known that, before this Order in Council was issued, pianos, in particular, were brought into Canada at one half of their cost value. Honest American manu-

facturers were willing to pay duty on the full value. He had stated during the previous Session that we required an honest administration of our Customs laws. Goods brought from the United States should pay duty on the cost value there, and any regulation introduced for that purpose would be acceptable to the great majority of honest dealers in Canada. He was aware of the case to which the hon. member for North Victoria alluded. No doubt the Government would meet it fairly and treat it—as should be done—on its own merits. The cash market value system had prevailed to some extent some time ago, but it was well known, then and now, that nine-tenths of the goods purchased in England and elsewhere were obtained on credit. The time given varied from three to four, or six, or even nine months. When they arrived out a cash discount was deducted from the invoice price, and the Government lost the duty on that discount. When this system came into force, everyone apparently bought for cash, and all participated in the benefit afforded by the cash discount, and to a certain extent the revenue was, he would not say defrauded, but exposed to loss. He thought they should try in every possible manner to strengthen the hands of the Government in administering the Customs Laws on a fair and equitable principle; and merchants and dealers who wished to do business honestly, would fully approve of this course.

Sir JOHN A. MACDONALD said he was free to admit that the clauses which he had quoted as repealed in 1870, were put back, as it were, in the Act of 1874. The law as quoted by the Minister of Customs had apparently been revived.

Mr. MACKENZIE said that the regulation was lawful, even without this re-enactment. The actual value was very different from the cash value. The hon. gentleman assumed that these terms were synonymous, but this was not the case. The actual value meant the value in the market where the article was bought, and the cash value was something below the actual market value in

the place where they were purchased. Even if the clauses mentioned had not been restored, the Statute of 1870 would not bear the interpretation the hon. gentleman had placed on it.

Sir JOHN A. MACDONALD: I differ with the hon. gentleman altogether. Business is done in one of two ways, either for cash or by barter. There is no such thing as barter, and, therefore, the actual value is the cash value.

Mr. MACKENZIE: No; that is not the case.

Sir JOHN A. MACDONALD: You must know that the element of credit is quite a different thing from value. Credit varies with the individual in a hundred different ways. The actual value is the cash or exchange value, which, as we know perfectly well, is now restricted.

Mr. MILLS said the hon. gentleman overlooked the evidence of value altogether. The price was not always to be taken as the value of an article. He would give an illustration: A gentleman of Cleveland bought in Montreal, at auction, a large library, and he wished to enter them at Cleveland at the price actually paid, which was perhaps 20 per cent. below real value; but this was not permitted, the American law containing a provision precisely similar to the one under discussion. Duty was paid on real value. Many instances of this nature could be cited; and on this very principle the action of the Minister of Customs was based. It was competent for this Minister to set aside the invoice price when this perhaps related to bankrupt stock, and not to the ordinary cash market value, and take evidence as to actual value.

Sir JOHN A. MACDONALD said he was happy to see that his hon. friend the Minister of the Interior was a convert to their views. His hon. friend urged that a distinction was to be drawn between the actual price paid in particular cases and the actual value. The hon. gentleman at last recognized the fact that there was a slaughter market and slaughter prices. No doubt, when the hon. gentleman had acquired more experience, he would be as strong a Protectionist as himself.

Mr. MACKENZIE.

Mr. GIBBS (North Ontario) said that the difference in prices mentioned did not apply simply to sewing machines and pianos. American manufacturers generally gave special discounts to Canadians to a greater degree than to their own people. He had in his possession a letter from one of the largest manufacturers and dealers in Ontario, who, while urging that they required increased protection as against Americans, stated, in reply to the argument that manufacturers now received additional protection in consequence of the rise of greenbacks in value, that some two years ago, when purchasing in the United States, gold having fallen from 20 to 15 per cent. premium, a discount of 5 per cent. was allowed to meet that contingency. When gold declined to 10 per cent. premium, another 5 per cent. discount was allowed, and now, when it stood at 5 per cent. premium, 15 per cent. discount was given, which was not allowed to American purchasers. Therefore, it did not follow that this system among American manufacturers was confined to these special articles named; and it was done to crush out our manufacturers.

Mr. MACDONALD (Centre Toronto) said that, at all events, this difference in prices did not apply to dry goods, and he maintained that these represented all the other classes put together. He quite concurred with the right hon. member for Kingston in this respect; he certainly did not see what other term than slaughter prices could be given to the practice of selling pianos here at 50 and 60 per cent. below prices in the United States. He would infinitely prefer that the duty should be exacted on the price charged for the instrument, which should be seized if the entry was incorrect.

Mr. GIBBS (North Ontario) said that cotton, like sugar, was staple goods, on which no such discount as he had mentioned could be allowed in any country. He had referred particularly to woodenware, and iron manufactures of different kinds.

Mr. ROSS (Prince Edward) said he thought, if any merchant presented an invoice at the Customs and swore it was correct, it was the duty of the

officer to accept it. In his opinion, the Government were taking arbitrary powers, and the law would not sustain them. He hoped the policy of the Government would be changed in this respect.

Mr. WOOD said a screw manufactory in England had sent out goods to this country at a discount of 25 per cent. less than they exported them to other parts of the world, in order to crush out a similar Canadian industry. He took the liberty to write to the Appraiser at Montreal stating the facts, and the importer was compelled to pay the regular market price. In his opinion, that was according to law. The Government would be derelict in its duty if, in such cases, the tariff was not imposed according to the regular market price.

Mr. JONES (South Leeds) said this whole discussion simply proved that the protective policy of the Government was inadequate.

Mr. JONES (Halifax) said he would like to hear some explanation with reference to the clause relating to drawbacks. It was quite evident that only half the legitimate duty was collected under the present system. There were too many ports of entry in the Dominion; it was impossible to collect the duties in all the small ports where goods were admitted. In the large ports, goods underwent the most rigid examination, and it was almost impossible for imports to evade the duty. Goods were sent direct from the steamer to the small inland towns where there was no examination whatever. He did not think that could be remedied unless several small ports of entry were grouped together and placed under one Appraiser. There was a case before the Government in Nova Scotia where the invoice showed £350 and the goods were only entered at £150. Such things were unavoidable under the present system, and he thought it would be an advantage if the hon. the Minister of Customs could devise some means to remedy the evil.

Mr. BURPEE (St. John) said there was scarcely any other city in the Dominion that made such demands in regard to drawbacks as Halifax. He was willing to discuss the matter with

the hon. member for that city at any time, but it would be difficult to accede to what his constituents wanted. There was no doubt a great deal in what had been said with regard to small ports of entry, but he would like the hon. member to propose a scheme whereby the evil could be removed. Hon. members were under the impression that the Government confined the valuation of goods to a few articles only. That was not the fact. Every month they tried to get the best information as to the value of goods in different markets, and more particularly that of the United States, and distributed what information they obtained to the officers with instructions to collect as near the market rates as possible on everything.

Mr. KIRKPATRICK said in 1874 there was a great deal of discussion about the Order in Council which allowed certain parts of locomotives to come in at ten per cent., while the locomotive complete and perfect was liable to the 17½ per cent. tariff. He understood, from a statement by the hon. the Finance Minister, that that Order was repealed. If that was the fact, the Government had no right to allow the locomotive to be dissected, but should collect the 17½ per cent. tariff on the whole.

Mr. GOUDGE said he could not allow the statement of the hon. member for Halifax (Mr. Jones) to pass without comment. There might be one or two cases where the Customs Act had been improperly applied, but, as far as his judgment went, the law was as properly carried out at the outports as at the city of Halifax. The Collector of Customs at Windsor took every pains that the law should be complied with.

Mr. JONES (Halifax): The Collector of Customs is not the judge; the Appraiser has to pass on such matters.

Mr. GOUDGE said the Collector at Windsor had been in business, and was as capable of examining and valuing goods as any Appraiser. This question was being agitated because the outports were becoming independent of Halifax, and importing their goods direct. He thought the law worked well, and protested against any change.

Mr. THOMSON (Welland) said he wished to direct the attention of the Committee to the sublime impossibility of making a tax that would suit everybody. The whole system was entirely wrong. There should be no such thing as a tariff or a tax; there should be direct taxation, which would be as near being just as anything possibly could be. But hon. gentlemen talked about a tariff on boxes and a tariff on packages, and that was simply ridiculous; it was simply making a petty shopkeeping business of the Government of the nation. It was all wrong philosophically, mentally and economically. The only way to make the people rich was to give them all the products of the earth at the cheapest possible price. They could not make a national party in Canada without a national currency and direct taxation. He wished to say to every hon. member of thought that, if that was not come to sooner or later, the country would walk into the United States.

Mr. OLIVER said it was currently reported, and he was afraid there was some truth in the report, that the hon. the Minister of Customs would have to multiply instead of decreasing the number of Custom-house officers in the Lower Provinces. It was stated that one-half of the imported goods consumed in those Provinces came in without inspection or paying duty. He thought it would be a great mistake to do away with the inland officers. Those small ports of entry encouraged the merchants of towns and villages in the interior of the country to become independent of the cities. There might be too many of such ports, but it would be a fatal mistake to abolish them, after they had been in existence for so many years.

Mr. BURPEE (St. John), in reply to the member for Frontenac, said the Order in Council respecting locomotives was not repealed. The system adopted in the Lower Provinces was the same as that in Ontario.

Mr. KIRKPATRICK said it was the duty of the House to repeal this Order in Council, and place locomotives on

Mr. GOUDGE.

the unenumerated list, on which 17½ per cent. was paid.

Mr. FORBES said he much regretted that the hon. member for Halifax should throw out the slanderous insinuation that the whole of Nova Scotia, with the exception of Halifax, was dishonest. It would seem from what that hon. member had stated, that in every Customs office, except that at Halifax, there was something wrong. The hon. member wanted all the outside ports of entry bundled together and transferred to Halifax. He (Mr. Forbes) challenged the hon. member to name the port at which the irregularities referred to had taken place.

Mr. JONES (Halifax) said he was misunderstood. It was the principle which he condemned. In large cities, such as Montreal, Toronto, Quebec, Hamilton and Halifax, there were a number of officers who could take the different departments in valuing the goods. But it was impossible for one man in a little outlying port to be sufficiently acquainted with every kind of merchandize as to be able to value it. He did not speak for the benefit of Halifax particularly, but of the whole country.

Mr. MACKAY (Cape Breton) said he agreed with the remarks of the hon. member for Hants (Mr. Goudge). The official in his town thoroughly understood his duty, and he, it should be presumed, was a sample of the men in the Customs offices outside of the city of Halifax. He understood the value of most of the articles which came under his notice, and, if there was anything of which he did not know the value he would telegraph to the Department for instructions. He understood the value of articles which came into the Province fully as well as the Collector at Halifax.

Mr. JONES (Halifax): The Collector at Halifax does not value goods.

Mr. MACKAY (Cape Breton) said he trusted that the Government would not alter the present state of affairs as to the outlying ports of entry.

Mr. WORKMAN said he agreed with the hon. member for Halifax (Mr.

Jones). He was satisfied there were ports at which the officers did not have a just appreciation of the value of goods, although he would not name them. He knew one case in which a gentleman had three new suits of clothes brought in a package from England, which had not been duly valued by the officers. It was quite impossible for any one Appraiser to be acquainted with articles which came from all parts of the world. In all large ports, such as Montreal, Toronto, Hamilton and Halifax, there were a number of Appraisers who made the valuation of goods a speciality. He heartily agreed with the suggestion for the establishment of proper examining warehouses.

Mr. NORRIS said he believed the officials in the outlying ports were just as honest as those in Montreal and Halifax. If he remembered aright, it was not long since there was a smuggling case in Montreal.

Mr. BAIN said he hoped the Government would consider the matter in a different light to the hon. members who had made representations against outlying ports. His experience was that there were just as experienced officers in these ports as in Montreal or Halifax. The irregularities which had occurred in Montreal did not show perhaps that the officials were incompetent, but that something was not quite correct. The officer who acted at the port which he represented was very efficient, having served an apprenticeship as landing waiter and appraiser before he was appointed, and he was just as competent to perform his duties as officers in larger ports. No officer could gain his knowledge by intuition, and all had to watch the price lists of articles. If the business was concentrated at one point, it might prove a convenience to merchants at that point, but it would be a great hardship to the rest of the country. It was unfortunate there should be that jealousy which had manifested itself during the discussion, and which was always to be deprecated.

Mr. PLUMB said he was very glad that the discussion had taken such a wide range. It was right that the attention of the hon. the Minister of Customs should be directed to mat-

ters with which he seemed not fully acquainted. The sectional spirit which had cropped up on the part of an hon. member from Nova Scotia was to be deprecated.

Mr. BUNSTER called attention to the injustice which the Bill would inflict upon British Columbia, in that many goods were landed upon its shores, some of them from Her Majesty's ships, to which no invoice price was attached. He did not see any clause which would meet this difficulty.

Resolutions agreed to, and ordered to be reported.

House resumed.

Resolutions read the first and second times, and agreed to.

Mr. BURPEE introduced a Bill (No. 19) To amend and consolidate as amended the Acts respecting the Customs.

Bill read the first time.

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

### After Recess.

## WAYS AND MEANS—CONCURRENCE—THE TARIFF.

### ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means, the motion of Sir John A. Macdonald in amendment thereto, and the motion of Mr. Wood in amendment to the said proposed amendment, read.

Mr. FLEMING said the hon. the Minister of Finance in his Budget speech had informed the House that, owing to exceptional circumstances, chiefly the depression of trade throughout the country, a great falling off in the revenue had taken place, causing a deficit of \$1,900,000. This, no doubt, to the House and the country was a matter of regret, although it was not wholly unexpected; no one who considered the state of the commercial world in general could imagine that we would escape the universal depression. While the deficit was

large, they were assured by the Finance Minister that a considerable portion of last year's expenditure was exceptional, and that items amounting to \$1,574,000 would not be placed in the Estimates for the present year, and that all which was required of an increase would be between \$400,000 and \$500,000. The Government had been condemned in no measured language for having brought about this deficit; the supporters of the right hon. member for Kingston had forgotten that in the history of the country, especially of Old Canada, deficits were of no uncommon occurrence. It might be said, so far as the Government was concerned, that this deficit occurred during a period of general depression, that they had to encounter peculiar difficulties, and that there might at least be some excuse for them under the circumstances in which they were placed. But if they would look at the state of the country at the time when the other deficits occurred, it would be found that it was not during a period of depression; but, according to the statement of the right hon. gentleman himself, during a period of unusual prosperity. Surely these hon. gentlemen should remember the position of their leader in a time of prosperity, allowing deficits to occur year after year. The hon. member for West Peterborough (Mr. Bertram) had alluded to some of these deficits in his speech the other evening, and, on examining into the matter, he found that, between 1857 and 1866, there were continued and serious deficits, some of them to very large amounts. In 1858, the deficit amounted to \$1,132,296; in 1861, the deficit was \$2,087,253; and in 1865, the deficit was \$1,168,384. During nine years—these years of great prosperity—the deficits exceeded eight millions of dollars. If the present Government were to be condemned for a deficit during a period of depression, surely the right hon. gentleman, whom these hon. gentlemen supported, should be much more severely condemned for permitting such deficits to occur during a period of prosperity. The present deficit the Finance Minister proposed to meet by levying an additional duty of two cents per pound on

tea; an additional duty of one cent per pound on malt, and additional duties on ale and beer. He also proposed the removal of some small wares from the 10 to the 17½ per cent. list. While these duties apparently involved additional taxation, the Finance Minister intended to lighten the burdens of the people by reducing the duty of 15 cents on coal oil to 6 cents, and by repealing altogether the Excise duty on this article. These proposals were not, however, acceptable to the Opposition, whose leader had moved an amendment thereto. The right hon. gentleman objected to the resolutions of the Government, and stated that these duties would increase the burdens of taxation. He thought that, if they looked into the facts of the case, they would find that there was really no such addition as was represented. Last year 14,557,851 lb. of tea had been imported into this country; an additional duty of two cents per pound on this quantity would amount to \$291,157, a tax of less than eight cents per head per annum, or a tax of about forty cents per annum on a family of five persons. On the other hand, the Finance Minister estimated that eight millions of gallons of coal oil were consumed in the Dominion annually, equal to about two gallons per head. The reduction which had been effected in the price of coal oil, as shown by the state of the market, was at least fifteen cents per gallon; a saving of thirty cents per head, or for a family of five persons of \$1.50. Subtracting forty cents from \$1.50, showed a gain of \$1.10 per family of five persons, proving that the burdens of the people had not been increased. It might, however, be said that the price of beer would be slightly increased, owing to the additional tax on malt. Supposing it was increased two or three cents a gallon, the gain to the country in the reduction on coal oil would more than make up for the increased cost of beer. The right hon. member for Kingston had severely condemned the Government for imposing the additional duty on tea; he had said: "Surely in readjusting the tariff, the gentlemen opposite might have found some other object for taxation, and not have put on so oppressive a duty on a beverage

Mr. FLEMING.

which was almost a necessary of life, especially among the larger portion of the inhabitants of the Dominion of Canada, and which, from its nature, being the 'cup which cheers and not inebriates,' was the best antidote to the excessive use of ardent spirits that had yet been found. The hon. gentleman put a specific duty of two cents a pound on tea, which, in addition to the duty on it before, made a duty on it now of five cents. Surely the hon. gentleman might have found some other object for taxation. It was not for the Opposition to suggest what these other subjects should be, but, with the whole question before them, the Government had deliberately chosen to put a tax on tea, which was a harmless beverage, a useful beverage and a necessity of life, and they had imposed it in the most obnoxious manner." After all this tirade against the duty on tea, it was a somewhat singular fact, that in Old Canada, under the *régime* of this hon. gentleman, our people were compelled in 1862 to pay a duty of nine cents per pound on tea. Not content with this, that hon. gentleman had, in 1866, imposed an additional duty of three cents, making it twelve cents per pound; and yet the hon. gentleman now condemned the Government for having levied an additional duty of only two cents on that article. The hon. gentleman also objected to the duty on malt, as against the interests of temperance. He was very happy to find in the hon. gentleman a new convert to the temperance cause. The hon. member for Centre Wellington had spoken very feelingly about the duty on malt, declaring that it was in effect a tax on the farmers, who, he added, might be tempted thereby to resort to illicit distillation. He rather thought that the farmers of Centre Wellington would not thank the hon. gentleman for that insinuation. The hon. gentleman also said that this duty might tempt the brewers to make use of deleterious drugs in manufacturing. It seemed somewhat strange that the duty should be a cause of temptation to both farmers and brewers. If the farmers got less for their barley, then the brewers buying it at a cheaper rate would not be so tempted, and, if the

brewers paid the same price as formerly, then the farmers would not be tempted. In his (Mr. Fleming's) opinion, no reduction in the price of barley would really be caused by the additional duty on malt. The foreign market, taking 92 per cent. of the barley raised, determined the price. The remainder could have little or no effect thereon. How was the deficiency in revenue to be met? The Government had communicated their scheme, but this did not suit the right hon. member for Kingston, who stated that it should be met by a diminution of expenditure. If so, then this must take place either in the public service or in public works. The hon. gentleman had last year spoken against a reduction in the expenditure for public service on the ground that it would impair its efficiency, and this year the hon. gentleman said there was no necessity for the stoppage of the construction of public works, and urged that such a course would only have the effect of increasing the depression, and throwing more people out of employment, and of adding to the gloom now spread over the country. Then it necessarily followed that there must be some slight increase in taxation in order to meet the country's requirements. It was stated in the amendment that the tariff should be readjusted; he understood this expression to mean that the volume of taxation should be kept at the same amount; the burden was only to be shifted from one shoulder to the other. The Government had made a readjustment; they had caused the oil refiner and the brewer to bear an additional share of the load, and the burden had been equalized on the shoulders of the people. It was alleged that we wanted a policy which would benefit our agricultural interests. The hon. member for Centre Wellington (Mr. Orton) had contended that our farmers were compelled to pay a tax of one million annually to the people of the United States on the wares that we exported to them. It was true that one country might be compelled to pay tribute to another after an expensive and bloody war, as had recently been witnessed in the case of Germany and France, but no

power could peacefully do so. This statement was consequently of no value. A great deal had been said about the benefit to be derived from imposing a duty on American grain, but it was evident that the American farmers themselves derived no benefit from this duty on our grain. The United States exported 71,000,000 bushels of wheat annually. All the wheat we could sell to the people of the United States, either with or without a duty, would not affect in any degree the price there. Protection had been advocated in favour of the mining interest. Any one looking at the geography of our country would see that, of all countries in the world, we were most unfitted by nature for a protective policy. Canada was of immense length—length as it were without breadth, and, if one part of it were forced to trade with another part, it could only be at a great disadvantage. Perhaps there was no country in the world better fitted for a protective policy than the United States being comparatively square and possessing within itself every variety of climate, capable of producing almost everything necessary to existence. The settled portions of our country formed but a narrow strip of territory extending across the continent. It would therefore be a great hardship if our people were compelled by law to trade only with each other. Such a state of things could only be tolerated in case of war. Were we to put ourselves into a position which could only be endured if war with the United States had already been declared? So long as there was peace, so long as we could do business profitably with our neighbours, so long would it be our interest to do so. A duty on coal had been advocated in the interest of the miners of Nova Scotia, but it was evident that its effect would only be to impose a tax upon a large portion of the people of Ontario, without benefiting at all the people of Nova Scotia. Allusion had been made to the falling off of the imports from the mother country, and a good deal of feeling had been manifested against the increased trade with the United States; but, if a duty were put on bituminous coal, it would affect the coal brought from Great Britain more than what was

Mr. FLEMING.

brought from the United States. The hon. member for Hamilton (Mr. Wood) in introducing his amendment, stated that he was not in favour of the position taken by the Government, but considered that the interests of the country would be better served by imposing additional duties upon such goods and wares as might be produced in Canada, thereby affording increased protection, while securing the additional revenue required. The first question to be considered here was: How could goods and wares be afforded increased protection, and at the same time an increased revenue be derived from the importation of the same class of goods? The great falling off in importations last year was in the 17½ per cent. list. It was well known that, if they raised the duty, instead of gaining revenue they would lose. The articles on the ten per cent. and five per cent. lists formed the raw materials, and an increased tax on them would injure manufacturers instead of benefiting them. They could not get increased protection and additional revenue at the same time. If additional duties on goods and wares that we produced did not bring the required income, they would still have to fall back upon the tea duty; in fact, Protectionists, according to their own theory, would be obliged to put a duty on those articles which we could not grow or manufacture ourselves, and tea was one of those. A great deal of interest was manifested now by the right hon. member for Kingston in the manufacturing interest, but in 1873, when he was in power, manufacturers were complaining just as they were doing now, perhaps more so. He would read an extract from the *Monetary Times* of February 28, 1873:

"It is to be regretted that our woollen manufacturers are just now depressed and in an unsatisfactory state. A good many mills are working only half time, which means we believe from 8 a.m. to 2 p.m., and a number are shut down altogether. The Almonte Mills, which are among the best managed and most extensive in Canada, have adopted the same course as the rest. From both east and west of Toronto the same story comes, so that the causes which have brought this state of things are not merely local."

The Government of the day had a

glorious opportunity then, but they had allowed it to escape; and now, when they had not the opportunity, they complained of the present Government for not doing what they would not do when they had the power. Allusion had frequently been made to the people of the United States in the course of the debate. It was said that they were a great people, and that we ought to follow their example. The United States had prospered in spite of protection, and not because of protection. It was said that the United States would not have followed that mode unless it was beneficial: but were the people of the United States always right? It was not very long ago since they had upheld slavery as being right. It would not have been safe a few years ago in Boston to have spoken against slavery. The people of the United States were liable to err. They had erred in the past, and it might safely be affirmed that they might be in error now. There were many influential men in the United States who were proclaiming free-trade doctrines, declaring that if free trade were the policy of the country it would be more prosperous than at the present time. It might be asked why it was that protection was carried on to so great an extent in the United States. An American said in speaking of it:

"Tariff Legislation in the United States did not mean either revenue or protection distinctly, but it was the product of a combination of selfish interests. Salt had a few votes; iron a few votes; leather had a few; grindstones a few; and so on, and they all combined together to set up a system of taxation of the many for the benefit of the few."

During the war it was found requisite to impose heavy internal taxes; as a counterpart it was necessary to put on high import duties in the interests of the manufacturers, but, when the internal taxes were lowered after the war, the manufacturers did not allow the import duties to be lowered, and they had succeeded in carrying their point hitherto. Allusion had been made to the great increase in our trade with the United States as compared with Great Britain. The only thing was that our people had taken advantage of the depression in the United States, and had purchased in the cheapest market. He did not think

that was a matter of regret. We imported from Great Britain, when we could do so to advantage. In 1872, when the Michigan Central Railway Company were laying their road with steel rails, they had to pay \$97 per ton, while the Canada Southern, a few miles distant, purchased in England at \$70 per ton. This showed that the people of this country bought wherever they could buy to the best advantage. Thus, when prices fell in the United States, they bought in the United States, instead of in Great Britain. Reference had been made to a reciprocity of tariffs, a war of tariffs, but it was somewhat singular that no one had proposed to make use of the same tariff as the United States. It was always the United States tariff in a modified form. If it was to be a war of tariffs, we ought to have as powerful a weapon as we could obtain. Being the weaker nation, our tariff ought to be proportionately higher than that of the United States. We ought to make up for our lack of weight by greater momentum. The course taken by the Opposition showed that this idea of a war of tariffs could not be maintained. Allusion had been made by the hon. member for St. John (Mr. Palmer) to the state of manufactures in this country. He stated that they were in a very depressed condition. It had been stated by another hon. member on behalf of the manufacturers themselves that they were better protected this year than last by at least 8 per cent. If they got along last year without any additional protection, certainly there was less reason for a change in the tariff now than there was last year. He thought it folly to be continually talking and making ado about the people of the United States. We had no occasion either to go down on our knees to them, or to hold up a sword to threaten them. We should simply shape our policy with a view to our own interest. He thought the policy in force at the present time was just what was suited to our circumstances. Allusions had been made to other nations abandoning a policy of free trade and adopting one of protection. Attention had been called to France, but that was a country which had

to bear the burden and cost of a severe war. It had to tax itself all it could bear in order to make up the money required in consequence of that war. There was no occasion for us, in our circumstances, burdening ourselves in the same way. The hon. member for Cumberland had made a serious charge against the Finance Minister with reference to the loan effected last year in England. The Finance Minister was denounced because he had employed agents, and the agents themselves were spoken of in language which required explanation. The hon. member for Cumberland spoke of them as "brokers" who fixed a price for the loan in order to put a fortune in their pockets. This seemed a very serious charge. Were these agents, who were employed by the late Government for years, men who would act in this manner? He knew the Minister of Finance would have his attention drawn to this matter. He thought it should not go before the country and across the Atlantic without being thoroughly explained. He had observed an article in the *Journal of Commerce* in relation to it, written apparently by one conversant with financial matters. The writer said:

"We have no hesitation in affirming that Dr. Tupper wholly misconceives the position of the financial agents. 1st. Neither the Finance Minister of Canada nor of any other country, foreign or colonial, could successfully place a loan on the London money market without the aid of a house of established reputation. The term 'broker' is wholly inapplicable. 2nd. If Messrs. Barings & Glynn were capable of acting in the manner in which Dr. Tupper not only thinks they did act, but that they might with honour and propriety act, then we should say they would be wholly unworthy of the confidence of the Canadian Government. 3rd. The quotations of the *Mail* and of Dr. Tupper are wholly incorrect. We have taken some pains to verify those given by Mr. Cartwright, and know them to be correct. The blunder on this head we can only account for on the supposition that the current semi-annual dividend, two per cent., was not deducted from the quotations in some price current."

He (Mr. Fleming) would not occupy the time of the House longer. He trusted he had made himself so understood as not to be deemed inconsistent if he voted for the resolution,

Mr. FLEMING.

and against the amendments of the hon. member for Hamilton and the right hon. member for Kingston.

Mr. McCALLUM said he did not desire to detain the House further than to say a few words regarding the amendment of the hon. member for Hamilton (Mr. Wood). He was surprised and more over regretted that the hon. gentleman had thought proper to submit that motion, which he (Mr. Wood) considered in the interest of the manufactures of this country. He (Mr. McCallum) doubted whether that large and, he must say, respected class of the population of the Dominion would thank the hon. member for his action, and the arguments he used in support of his motion. They would see by reading his speech that he was more desirous to protect hon. gentlemen on the Treasury benches than to foster the industries of the country. There was no doubt but that they would appreciate the able letter that he read to the House to sustain his arguments. He (Mr. McCallum) understood from the letter that the writer was in favour of a duty on malt. The hon. member did not give the House the name of the writer, although the Government knew that some people in the world were in favour of placing a duty on malt. But the House did not know to what country the writer belonged: whether he was an American, a Russian, an Esquimaux, a Hindoo or a Turk. The hon. member did not condescend to tell the House his creed, calling, country or colour. It was not by reading anonymous letters that the hon. gentleman would obtain what he professed to require,—the encouragement of the manufacturing industry of Canada, and of Hamilton particularly. He thought those employed in the agricultural as well as the manufacturing and mining interests would say: "Save us from such a friend and advocate." The hon. gentleman further said that he was opposed to a duty on coal. The imports of coal into this country amounted to \$3,320,060. and the imports of tea to \$3,480,797. What was the difference between taxing the coal that helped to prepare the tea, and taxing the tea itself? We produced the coal, and he wanted to see our industries fostered. No one would

undertake to say we could grow tea. By transferring the duty from tea to coal, a great stimulus would be given to the mining interest, and no hardship would be imposed on any class. It appeared that \$19,077,064 worth of articles manufactured in Canada were admitted free. They came in contact with our industries, and it would be a much wiser policy to tax them than to keep them on the free list. He would not address the House either in favour of free trade or protection, as he knew they could not adopt either as he understood the question. We must have a revenue to pay the interest on our debt, expenses of Government, and to make improvements which were beneficial to the country. The Opposition claimed that the revenue should be collected on articles imported that came in competition with those manufactured by our own people. And, because they desired this from the Government, they were told that extreme protection would be a curse and free trade a blessing. But the Opposition did not desire either extreme policy, as they thought it was not applicable to the condition or position of our people. What they wanted was fair trade with our neighbours on the products of the mine, field and forest, which we did not possess at present. But hon. gentlemen on the Government side said they were satisfied with the present state of affairs between this country and the United States; that was to say, they were satisfied with free trade on one side and no corresponding benefit on the other. They were satisfied to give the Americans the benefit of our markets free, or on payment of a small duty, to compete with our own people in our own markets, while the Americans excluded Canadians from their markets by a high tariff. The Government and their supporters called this fair trade and beneficial to this country. The hon. member for North Norfolk (Mr. Charlton) told the House that 17½ per cent. protection was sufficient for the interests of the country, and that the manufacturers were unreasonable in their demands. The hon. member said last Session :

“I believe that the interests of the nation at large would be promoted by judicious protection ; I believe that the agricultural interests of the Dominion would be promoted by protection, and that the manufacturer being brought to the door of the farmer, would afford a market for a great many articles of produce that would not be saleable if the market were three thousand miles away. With a home market of this kind established by protection to manufacturers, the agriculturalist can benefit his soil by producing a rotation of crops. The purchasing power of money is not a correct measure of the purchasing power of labour. A farmer raises a bushel of corn which he sells for fifty cents in a foreign market, and with the proceeds he can buy three yards of cotton ; but supposing the manufactures are brought to his door, and the better market which it creates increases the price to 60 cents or 70 cents per bushel, and although import duties are levied on cottons from Manchester so as to add largely to its price, still he may be enabled to buy four yards of cotton with his bushel of corn instead of the three yards it was able to purchase before, as the purchasing power of his labour is increased.”

The hon. member told the House that the Opposition reminded him of the joke of the tail wagging the dog. But, if that was applicable to the Opposition this year, the hon. gentleman was in that position ; he was a small joint in that tail, and he found out that the tail could not wag the dog, therefore, he was supporting the Government this year, and the dog was wagging the tail. The hon. member further told the House that this country was not known in the United States forty miles from the border. He wished to know how the hon. gentleman got here, and it was imposing too much on the credulity of the House by the hon. gentleman when he said we were not known by a people with whom we bought and sold so much as with the United States. The hon. member told the House the evil effects of protection in the United States, and disastrous results which had flowed from it, by quoting an article from the *Springfield Republican*, showing that 100 acres of the Savoy farm, with fair buildings and timber, valued at \$100,000, recently was bought for \$1,200. He (Mr. McCallum) was willing that that statement should go to the country and let the people judge whether that was a fair question as to the effect of protection in the United States. He thought that the hon. gentleman, in his anxiety

to serve the Government, had overshot the mark when he gave such a quotation from the *Springfield Republican*. The hon. member for Norfolk told the House further, that we must be careful in arranging our tariff that we did not offend the Americans, as they would retaliate, and place a duty on lumber. He was sick and tired of the Government paying any attention whatever as to the effect its policy would have on the United States. If it pleased the Americans and they thought it beneficial to their own people, they would place a duty on lumber; but that could not effect this country very injuriously. Of our total exports amounting to \$20,337,469, the United States took \$4,948,209, or not more than 25 per cent. of the whole. Besides, lumber was a product that could not be grown every year, and the United States were exhausting their forests rapidly, and they would have to obtain our lumber and pay a good price for it, whether they imposed a duty on it or not. His opinion was that the time had come when we should have a policy for this country, and his opinion was shared by many hon. members and a large majority of the people of the Dominion; and, further, that it should be a National Policy that hon. gentlemen opposite had spoken of with sneers during this debate. He held that policy should be moulded, adopted and carried out in the interests of this country, whether it pleased or displeased our neighbours. Further, that policy should secure Canadian markets to Canadians, and, as far as possible, be framed in the interests of the mother country to which we were bound by so many ties, and to which we were under so many obligations. Was the Government ready to adopt such a policy, or had they got a policy? The hon. member for Wexford (Mr. Thomson) said in addressing his constituents that the Government had a policy floating round somewhere, and gave it as his opinion that they would find it and he would have the satisfaction the next time he addressed them to let them know that the Government had found the policy he had spoken of. The Government now found the policy simmering in the tea-pot. He held that for the last three years the policy of the Govern-

ment had been one of drifting hither and thither to see how they could keep themselves in power. But he did not wish to do the hon. members an injustice, nor did he want to convey the idea to the House that they were wanting in policies individually, although they had not much policy collectively. The hon. the Premier had a policy—a steel rail, Georgian Bay Branch and water-stretches policy, which had cost the country a large expenditure, and the end was not yet. The hon. gentleman had also the Esquimalt and Nanaimo Railroad policy; but the hon. the Minister of Justice and the hon. the Minister of Interior did not agree with that policy. To carry out that policy the hon. the Premier sent a missionary to British Columbia to conciliate the people of that Province, but whether that gentleman had authority to act for the Government or not was not yet known. It was known, however, that it cost the country \$6,000. Some were so uncharitable as to say that he was sent there as a political spy. But the hon. the Premier carried that policy through the House against the opposition of the present Minister of Justice and Minister of Interior. But it was defeated in the other House. Looking across at the happy family opposite, he would like to know how they settled that question, whether Mahomet went to the mount or the mount went to Mahomet. The hon. the Minister of Justice had a saving policy, that thirteen Ministers were more than were required by the country when the whole business of the United States was performed by seven Departments. The hon. the Minister also expressed his thankfulness that the Act of Confederation had limited the number in the Province of Ontario to five. Although he gave that policy to the world, yet he was found in Ontario at the first opportunity violating the Act of Confederation and making himself the sixth Minister of the Crown. He was also found in 1874 making himself the fourteenth Minister of the Crown, although he resigned afterwards; and the hon. gentleman's excuse was that he accepted office without a portfolio. His remarks condemning that policy were on record. In a speech at Newtonville, in 1867,

the hon. the Minister of Justice said :

"If Premiers were allowed to infringe the Constitution and appoint members of the Executive Council *ad libitum* they might create any number of offices, appoint members to them, and thus control the House by placemen."

The hon. the Minister of Justice had spoken of him (Mr McCallum) on a former occasion, not very kindly, because he did not keep track of the hon. gentleman's political ramblings. It was hard to keep track of his changes in joining and leaving a Government. In fact the hon. gentleman was playing that little game politically: "Now you see it; now you don't see it." He was the pea under the thimble. The hon. the Minister of Justice had another policy, and that was a disturbing policy—Federation of the Empire, and minority representation. The hon. gentleman announced that policy to the world in a great speech at Aurora, where he went up like a rocket and came down like a stick; and down with him went the hopes and aspirations of the Canada First party. The hon. Minister sat shackled with the chains of office, having given up all his former professions on the questions to which he had referred. But the hon. gentleman had another policy, and that was the Independence of Parliament. The hon. Minister when in Opposition stated these views at Stratford on 10th February, 1870, as follows:—

"I think that instead of relaxing the law relating to the Independence of Parliament, it should be made more rigid. I think no employment should be given to any man in Parliament. The hands of the people's representatives should be free of any favours from the Crown."

Those were the views of the hon. the Minister when he was a leading member of the Opposition, but the House and the country would like to know if those were his opinions still. It was known he had changed his opinions in many respects on other questions, but he trusted not on that important one. The hon. the Minister of the Interior had a policy—a Senate policy. He must say he was not favourable to the policy of the hon. gentleman, but he would like to know if the hon. gentleman had got cured by the acceptance

of office of his fit of midsummer madness. The hon. the Receiver-General had also a policy—that of rest-and-be-thankful. The hon. the Minister of Finance had a policy, which he announced to the House in 1874, and it was calculated to do great damage to the credit of this Dominion. That policy was one of deficits, when he undertook to prove to the House there was a deficit of three millions, in order to injure a previous Government, and to build himself up by injuring others. But, thanks to the hon. member for Cumberland, although he trained his guns with a view to injure the Opposition, he fell short of his aim, and had to acknowledge afterwards that he was mistaken. The hon. the Premier formerly said :

"There were only two ways of carrying on a Government: one was by having a Government composed of men who were entirely in harmony on all leading subjects, or by a coalition of different parties who were determined to carry on the administration of affairs in any way they could manage, the only possible way being to bribe a certain number of constituencies. To procure good Government, it is necessary that a Premier should strictly select his colleagues from the party whose principles he intends to carry out. To bring into the Cabinet the member of an opposing party is coalition."

He thought he had shown that the hon. gentlemen had different opinions on leading questions, and, as the hon. the Premier had laid down the doctrine that he could only carry on a Government by bribing a certain number of constituencies, he wished to know in that case what was the amount it took to bribe the constituencies of South Bruce and Bothwell. But he did not suppose the hon. the Premier would condescend to tell the House. The hon. the Premier, in speaking of Conservatives at Hamilton, said they were Tories, and that a Tory was a curious animal who would be a Tory always; that if skinned he would be a Tory, and that if the flesh were removed he would be found a Tory at the bone. He would like to know if the hon. gentleman had put the hon. the Minister of Finance through such a surgical operation. If he had submitted him to such operation, what did he find? He did not think the hon. the Premier would give the House that information. The

hon. the Minister of Finance said they had nothing more to do with the prosperity of this country than flies had on a wheel. If they were flies on the wheel they were blue-bottle flies which destroyed the flavour of everything they touched and turned it into ruin and decay. He would vote for the amendment of the hon. member for Hamilton (Mr. Wood), although it did not take in all the interests, but if this motion was adopted, they could obtain protection for other industries, and remove hon. gentlemen from office. If this amendment was defeated, he would vote for the amendment of the right hon. member for Kingston.

Mr. METCALFE said, as the subject of the late Canadian loan had been several times referred to during the debate, he might be allowed to say that he thought it not fair to give quotations from the London papers as to the value or price that could be obtained for debentures. He knew by experience that such quotations were not always to be relied on. Some time ago he had offered in London several thousand pounds of Colonial debentures, and, although they were quoted in the London *Times* at from 113 $\frac{1}{4}$  to 114 $\frac{1}{2}$ , business done at 113 $\frac{3}{4}$  to 113 $\frac{7}{8}$ , his broker—one of the most respectable in London—informed him that the highest price he could realize was 109. He (Mr. Metcalfe) was rather surprised, and asked him why sales were reported at 113 $\frac{3}{4}$  if 109 were all that could be obtained. He replied that that these securities were held by a few leading capitalists, who manipulated them almost as they pleased. He doubted if real sales had been made. They most likely sold one to another, so that the price could be marked on the board of the Stock Exchange. It appeared, when the hon. the Minister of Finance went to London in November last, that Canadian four per cents. were quoted at from 93 to 94, but any one who offered them £20,000 on the market would have found it difficult to obtain anything like that figure. In fact it would be impossible to sell a large amount without the aid and influence of some of the leading capitalists. He thought on the whole the hon. the Minister of Finance negotiated the loan to

Mr. McCALLUM.

the best advantage. A good deal had been said about tenders, and the fact that four or five times the amount offered was applied for, was supposed to have proved that a higher price could have been obtained. He begged to say that he thought it proved nothing of the kind. Hon. members would see that it was to the interest of the firms who had concluded to purchase a large amount, if not the whole, of the two and a half millions, to place them before the public in the most favourable light. They knew that only two and a half millions were to be sold. Could they not, through their friends, apply for ten millions, and then have a notice in the money article of the *Times* headed: "Great Success of the Canadian loan. Four times the amount offered applied for;" with some further particulars showing them to be a good investment. About that time they would probably find little notices in most of the papers of influence in the provinces, the object being to keep them before the people, maintain the price, and induce parties to purchase. Would any one consider a profit of two or three per cent. was too much for all the trouble and the use, for an indefinite period, of such a large sum of money? He considered they were entitled to every cent they made, and Canada lost nothing by the transaction, as the full value was obtained. He would say that, without the aid and influence of these great firms, the loan could not have been floated. It was all very well for parties to make nice calculations, and show what might, could, would, or should have been done, but let them try it, and they would find their objections, like many of the fine-spun theories that were heard of now-a-days, vanish before a practical acquaintance with the subject; and he had no doubt they would be well satisfied that the hon. the Minister of Finance had obtained a good price, and would be ready to join in congratulating him on the result of his negotiations.

Mr. OLIVER said he considered it to be his duty to address the House, as he represented one of the largest agricultural constituencies in the Province. He joined with the hon. member for North Brant in the regret that we had

a deficit, and concurred with him in the statement that he was prepared to bear the announcement, as he believed the country was, and that he expected the deficit to be larger. The deficit had occurred, and it became necessary to adopt some method for the purpose of raising a sufficient amount of money to meet that deficit. He agreed with the hon. the Finance Minister that, of all the last ten or twelve years, the present year would be the most inopportune to change the tariff. The merchants of the country, or at all events those members who represented merchants, stated that the business transactions of the country were in a most deplorable condition—that a great many of our merchants were like Mahomet's coffin, hanging between heaven and earth. If the tariff had been changed this year, it would, no doubt, have resulted in a great many more failures than had occurred. He held it was important that the tariff should be as stationary as possible, as, if it were changed from year to year, it disarranged commercial transactions and tended to destroy confidence amongst commercial men. There were four schemes before the House for the purpose of remedying the evil complained of—that of the Finance Minister, that of the right hon. member for Kingston, that of the hon. member for Hamilton, and that advocated by several hon. members, especially the hon. member for Cardwell, (Mr. McCarthy) which was to reduce the expenditure of the country. As practical men, who desired that the interests of the country should be promoted, it was their duty, on the present occasion, to adopt the most feasible and practical scheme presented to the House. The scheme of the hon. the Finance Minister was that an additional duty of two cents per pound should be placed on tea. Much fault had been found with that proposal, but, while it was always objectionable to impose such a duty, yet, when it was requisite to impose a duty on a necessary of life in order that revenue might be raised, and when such duty was to be raised or imposed upon an article which was not produced in the country, then it was desirable that as many people as possible should be reached. By the imposition of a tea duty, the whole

people would contribute to the revenue of the country, and this was an argument in its favour. It could not be maintained by hon. gentlemen opposite that, when the proposed duty was levied, any additional cost would fall on the people. The profits of the retail dealers might be reduced, but consumers would still receive their tea at the present prices. The hon. the Finance Minister had reduced the taxes by \$800,000 yearly, by the removal of the duty upon coal oil. That article was to-day selling free on board in the city of London, at 12½c. per gallon, while a very short time ago the price ranged from 40 to 45c. By the increased duty on tea, \$250,000 additional taxes would be raised, but, when that sum was deducted from \$800,000, it left a clear balance in favour of the people of half a million dollars. It was also proposed to place an additional duty upon malt, regarding which item of the Government scheme much had been said during the debate. It would be imagined that hon. members had great sympathy with manufacturers, retailers and consumers of beer; but no one would believe that, when a traveller entered a hotel and asked for his glass of beer, that he would have to pay anything more than the present price. If there was any article in the country which ought to be more heavily taxed, it was beer. It had been alleged by the hon. member for Centre Wellington (Mr. Orton) that the additional duty on malt would increase the drinking habits of the people, that it would lead people to drink spirits instead of beer, and that it would thus prove an injury to the temperance movement. He might point out to the hon. the Finance Minister that, in consequence of the movement that was taking place with respect to the temperance question, in a very short time he would have to find some other commodity on which to levy a duty, if he desired to obtain a revenue, for, if the people continued to adopt temperance principles as they had during the past few weeks, the consumption of beer and spirits would almost cease in the Dominion. But he held that the trade of the brewer and maltster was one which could bear

a large amount of taxation. The Census Returns for 1871 showed that the brewers' interest on investments in breweries amounted to \$133,291; wages paid for the year, \$233,143; raw material, \$912,180; making a total of \$1,328,614, and the value of the material produced was placed at \$2,141,229, or 62 per cent. upon the investment. Any interest that could return 62 per cent. upon the investment could well afford to pay an additional duty of one cent per pound upon the raw material. With respect to the scheme submitted by the Finance Minister, he held that it was the most feasible, because it was the one best adapted to the interests of the country at the present time. The House had also before it the scheme of the right hon. member for Kingston, which was to protect or foster the agricultural, mining and manufacturing industries, and indeed to protect everything in the country. The question arose whether the manufacturing industries required any protection. It having been stated by the right hon. gentleman that such was needed, the House had a right to expect that he would have been able to show that such industries required protection. It had been declared by some hon. members, particularly by the member for St. John, (Mr. Palmer) that those who were opposed to the protection of manufacturing industries, should prove that those industries were not suffering. That was, however, taking a wrong position, and the hon. member, who was the leader of the bar in his Province, and a lawyer of thirty years standing, should know that it was the duty of the advocates of the manufacturers, and of the manufacturers themselves, to make out a case before they asked the House to undertake to provide a remedy. When any important demand was made upon the Government of the Dominion, a Commission was appointed, and evidence taken, and proof was laid before Parliament, before any legislative action was taken. They had Commissions on every conceivable subject in the mother country, and last year twenty-seven Commissions were sitting at the same time investigating into grievances complained of by the people. We had had Commissions in Canada; among others,

Mr. OLIVER.

one on a demand made for the improvement of the canals, and the Commission which was appointed by the late Government presented to the House a valuable report which proved sufficient to cause the Government to adopt the scheme proposed. A Committee, which was similar to a Commission, was appointed to inquire into the grievances complained of by the manufacturers, and ample opportunity was offered every manufacturer to prove to the Committee that he was losing by the undertaking. Any one who would read carefully the valuable report of the Depression of Trade Committee would fail to find in the whole report a tittle of evidence that manufacturers were losing money by their enterprise. A leading question submitted to each manufacturer who was called as a witness was as to how much money he lost or made on his investment, and there was not a single manufacturer who would answer the question. Unless manufacturers were able to come before Parliament and prove to its satisfaction and to the satisfaction of the people that they were losing money by their enterprises, it would be manifestly unfair to the consuming people of this country to increase, by protection, the price of manufactured goods. We were not called upon to prove that manufacturers were not suffering, but if we were so called upon, it was only necessary to visit the manufacturing cities of Montreal, Toronto, Hamilton, London, and other places, and view the surroundings of the manufacturers, their mansions and carriages, to arrive at the conclusion that they were not suffering as was alleged. Again, we found that the export trade in manufactured goods was yearly increasing, as appeared from the Trade and Navigation Returns. Manufacturing was always coupled with agricultural and mining interests in the resolutions adopted by the Dominion Board of Trade, until the last meeting, when agricultural and mining interests were lost sight of, and protection was asked for manufactures alone. The hon. member for Hamilton, during the past Session, had desired to educate the people to believe that a duty placed on imported cereals would benefit the farmer.

Mr. WOOD: I never said so.

Mr. OLIVER said such a statement had been made by several hon. members, if not by the hon. member for Hamilton. Until such time as manufacturers were able to convince the farming community that it was to their interest to have protection, the manufacturers themselves would never have protection. It was not, however, with the view of benefitting agricultural interests that the right hon. member for Kingston introduced them so prominently in the amendment he had submitted to the House. He would mention to those who advocated increased duties being placed on manufactured goods coming into the country that they were doing something which might result in a short time to their own injury. A feeling was arising between the rural districts and manufacturing centres which might prove injurious to the latter in the future, and it was believed that those manufacturing centres desired to pursue the same course adopted by the United States during the last ten years. The hon. member for Centre Wellington (Mr. Orton) had stated that the imposition of a duty on imported grain would be beneficial to the farmer. He ventured to assert, without fear of contradiction, and the statistics would prove the fact, but the imposition of a duty on wheat and flour would not raise the price of those articles. There were imported into the British market last year, 4,780,000 bushels of wheat from British North America; from the United States, 35,700,000 bushels; from Russia, 16,800,000 bushels, and from other countries, 25,600,000, making a total of 82,880,000 bushels. It was not to be supposed that the 4,000,000 bushels sent from this country to Great Britain would influence that market in any degree, nor that a few million bushels imported into Canada, which had always had a surplus, would affect the price in this country. Any one who entertained such a belief had not studied the question to any great extent. The same argument would refer to flour. The Dominion exported 7,954,496 bushels of grain for the last six years, and 3,410,234 bushels last year. The

exports of flour for the last six years was 372,638 barrels, and last year 174,624 barrels. The British market received from Canada 157,949 barrels; from the United States 1,299,200 barrels, and from other countries 1,902,851 barrels, making a total of 3,360,000 barrels from Canada and foreign countries. He held that the importation of wheat into this country, free of duty, was a benefit, for the millers were supplied with material to grind at times when it was impossible to obtain material in the country itself. If the regular supply was taken away from the large mills, they would be compelled to reduce their operations to a considerable extent. It was well known that the large mills situated on our leading railways and canals, particularly on the Welland Canal, imported wheat from the United States. They also bought wheat in every market in western Ontario, in each of which they had an agent, and where those interests were placed the farmers were more likely to obtain the full value for their wheat. If the country took away from the millers the privilege of importing wheat free of duty, they would have to cease operations, and, as the agents would be withdrawn from the local markets, the consequence would be that a great injury would be inflicted upon the agricultural classes. It had been said that the millers should be allowed, if a duty were placed on wheat, to bring wheat into the country in bond. He understood that cattle shipped from the Western States and manufactured into cut meats in the Province of Quebec had to pay duty.

Mr. WOOD said hogs were brought in and shipped without paying duty.

Mr. OLIVER said he admitted there was a return of duty. It was no protection to farmers if wheat was allowed to come in in bond and be manufactured by millers, because, when the price advanced in the local markets to an excessive figure, grain would be imported from Chicago and the Western States. Coarse grains had entered into the subjects discussed. During the last six years, our excess of exports over imports was 52,892,901 bushels of

barley, oats, peas, and beans, and the excess last year was 14,625,167 bushels. He held that it was the correct view—that it was impossible for any one successfully to contradict—that, when we raised surplus produce of any kind and sent it to a foreign market, the imposition of a duty upon similar articles coming into this country would not increase their price. As our exports of coarse grains last year exceeded our imports by 14,000,000 bushels, how could the prices of barley, rye, peas, oats and beans be affected by a duty in this country? He had calculated that the price realized from coarse grains exported was from 1½c. to 1¾c. per pound. They all knew that a large portion of the stock brought into this country was imported by farmers in Manitoba and British Columbia, and that the only stock the other Provinces imported was intended for the improvement of our stock. The effect of placing an additional duty on stock would simply be to take money out of the pockets of the farmer, the greater number being new settlers in Manitoba and British Columbia; so that there could be no object in the world for taking such a course.

Mr. ORTON: Is any duty now imposed on animals imported for breeding purposes?

Mr. OLIVER said he believed no such duty was imposed. During the last six years our imports of Indian corn exceeded our exports by 13,423,798 bushels, and last year our imports of this article had exceeded our exports by 1,588,488 bushels, and the price paid was something less than one cent per pound, while we realized from 1½c. to 1¾c. per pound for our coarse grains which went into the United States. He asked any gentleman in the House who had a theoretical or practical knowledge of farming, whether it was not a wise course to pursue to sell our coarse grains at 1½c. per pound, and to buy Indian corn for feeding purposes at less than one cent per pound. This was a money-making operation, and he would not consider any one a good practical farmer, who held a different opinion. It was held that the policy

Mr. OLIVER.

proposed would be a good thing for the countries lying along the shores of Lake Erie. He did not doubt that on ordinary occasions this would be the case, but he submitted that it would be unjust to tax the whole of the Dominion which consumed Indian corn for the benefit of these two or three counties. This was not all; he found in a paper published in Amherstburg the following statement:—"During the months of January and of February of the present year, 40,383 bushels of corn, valued at \$19,038, entered at the Amherstburg Custom House, have been imported from the United States for feeding purposes, in the townships on the line of the Southern Railway in Essex and Kent." If a duty of ten cents per bushel had been imposed on corn, the farmers of Essex and Kent, instead of paying \$19,000, would have to pay \$23,000 or \$24,000 for the corn they had imported. The imposition of such a duty would also materially injure his section of the country, which was largely interested in dairy operations. It would consequently, as corn was used in this industry, add to the expenses of the dairy farmers. This would also be the result in the county of Wellington, which was a feeding county. The farmers sold their barley and pease at a high rate, and bought their corn at 45c. or 50c. per bushel. He was told that the lumbermen along the Ottawa and its tributaries, and along the Gatineau, also used corn to a large extent, and hence such a duty would also increase lumbermen's expenses. The hon. member for Centre Wellington (Mr. Orton) had referred to the exports and imports of wool. The excess of imports over exports during the last six years amounted to 15,113,708 lb. and last year to 714,067 lb. The average price we paid for Cape and American wool was 20c. per pound, and the average price we realized was 35c. per pound. The balance against us in pounds was 15,113,708, and in dollars, \$242,406, so that the wool remaining in the country over and above the excess of imports only cost us about two cents per pound. The American duty on Canadian wool was from ten to twelve cents per pound, and if we adopted a

similar policy it would increase the cost of our woollen manufactures. The Canadian people need not be afraid of American wool. As he had stated last year, so he stated again: Canadian wool was of a description which would always make it valuable in the United States for combing purposes. The hon. member for Halifax (Mr. Jones) seemed to join with the hon. member for Cardwell (Mr. McCarthy) in denouncing the Weights and Measures Act. Its repeal was asked for by the former, in order to save \$100,000. If this step would do no injury to the people, he would agree to it, but we had suffered too much from the want of such a measure to desire its repeal, which was only demanded in the centre of commerce and by the merchants of the country. It was notorious that, for years and years past, our farmers, when they brought produce to market, always suspected that they did not receive proper weights. The Act remedied this state of things, and it was the only law on the Statute-book which protected the farmer's interests. Its repeal would be opposed to the interests of the people. He was not, however, surprised at the member for Cardwell advocating its abolition, because the hon. gentleman understood very little about commercial transactions. The Act, nevertheless, might be simplified and its operation be rendered less expensive. The fact was that when the new standards were introduced old standards were found incorrect. He did not find fault with the hon. member for Cumberland in having placed this Act on the Statute book. The hon. member for Cardwell desired to secure a reduction in the cost of collecting Customs and the Inland Revenue, and of managing the Post Office Department; but the expenditure in these would continue to increase. These Departments could not be carried on for the same amount that they cost ten years ago. Our vast extent of country was developing more and more year after year. New communities were forming in every conceivable direction, and the collection of Customs and of Inland Revenue must constantly be extended. The hon. member for Cardwell recom-

mended the abolition of the Militia system, on the ground of inefficiency, but, though the hon. gentleman was a first-class lawyer, on this subject he preferred the authority of the Major-General, who reported having inspected the infantry corps and batteries of artillery—amongst the former four very fine battalions in Montreal, the Prince of Wales Rifles, the Victoria Rifles, the 5th Royal Fusileers, and the 6th Fusileers, which came up to the highest standard that could be expected from corps such a very short time under arms. The Major-General also reported having inspected the 19th Battalion, at St. Catharine's, the Governor-General's Foot Guards at Ottawa, and the Stadacona Rifles at Quebec, all of which were in a very satisfactory condition. In 1866, during the raids made on Canada, the militia had rendered good service, and it was as efficient now as then. And if, as the hon. member for Kingston had intimated, war broke out in the East, and England were involved in a great struggle, and if raids were then made on Canada, where would be our repelling force if the advice of the hon. member for Cardwell was taken? The hon. member for North Ontario (Mr. Gibbs) had invited the Government on three or four occasions to appeal to the country. The hon. gentleman was elated on account of his election, but, if the history of North Ontario was examined, it would be found that at every election in it during the past ten or twelve years a Reformer or Conservative had been alternately returned. At the next election, if true to its record, North Ontario would send a Reformer to the House. The hon. gentlemen also wailed over the bankruptcy of the country. In fact the hon. gentleman's speech had been one of the best ever delivered in the House with a tendency to encourage emigration to the United States, and he had, ever since, expected to see it published in the American papers. Possibly the hon. gentleman might be requested by President Hayes to make a tour as immigration agent to Europe. The hon. member for Halifax (Mr. Jones) was a Free-trader with regard to every single question, the sugar interest excepted.

Mr. JONES (Halifax): I am a Free-trader in that respect too.

Mr. OLIVER said the hon. member wished to build up a refinery in Halifax, to give employment to a few vessels and a few hundred people. The hon. member for South Ontario (Mr. Gibbs) also wished sugar to be protected. Canada consumed over 100,000,000 lbs. of sugar per annum, and protection meant the extraction out of the people's pockets of one million dollars per year. The hon. member for South Ontario was very anxious to build up a few merchants in Montreal who would sell tea 10 per cent. higher than it could be bought for now. The imposition of a duty on American tea meant an increase of 10 per cent. in price, or \$422,000 that would have to come out of the pockets of the people in a year. The hon. gentleman also desired to see the navigation of the St. Lawrence used for the direct importation of tea. It would only take two good-sized vessels to carry the quantity of tea imported into Canada, and the effect would be to keep one or two Montreal merchants from going to New York to make their purchases and to impose a tax of \$422,000 on the people. The hon. member for Kingston had stated that he was in favour of log-rolling—a system which had been in vogue in the United States for ten years—where combinations were formed to raise the prices of products that the rings desired. The hon. gentleman desired to see the manufacturer on one end of the log and the merchant at the other, and the farmer sandwiched in the middle having his substance squeezed out and absorbed by those at the ends. Where was the boasted solicitude for the farmers' interests that the hon. member spoke about at the pic-nics last summer? The hon. member had abandoned the miners and the farmers and adopted the resolution introduced by his hon. friend from Hamilton (Mr. Wood). If it was a fact that that motion was the most selfish one ever made, and the hon. member for Hamilton was the most selfish man in the House, it was equally selfish for the hon. gentleman (Sir John A. Macdonald) to favour its adoption. Where was the protection for the farmer if that resolution

Mr. OLIVER.

were carried? It was the old story of putting the agriculturist in place of the cat's paw to pull the chestnuts out of the fire. He thought the people ought to know, at any rate the farming community should, that it was impossible for the House to legislate in this direction without increasing the price to the consuming population. We manufactured goods worth \$220,000,000 and imported \$50,000,000 more. Suppose five per cent. was put on the imported goods, it did not mean that they alone would be raised that amount, but that the whole of the manufactured goods consumed here would advance five per cent. The hon. member for Monck (Mr. McCallum) had argued in favour of a duty on coal; very likely some of that hon. gentleman's constituents were interested in cord-wood, and such a duty would advance their interests to a considerable extent. A duty of fifty cents on coal would add \$400,000 to the expenses of the people. The increase from the taxes proposed might then be put as follows:—Five per cent. on manufactures, \$13,500,000; coal, \$400,000; sugar, \$1,000,000; tea, \$400,000; wool, \$35,000; Indian corn, \$160,000, making altogether \$15,495,000, without any benefit to the people. Besides, if we manufactured all the goods consumed here, a revenue of \$13,000,000 would be done away with, which would have to be procured from some source or other. This amount would have to be raised by direct taxation, so that we must add to what would have to be paid by direct taxation the increased price on the goods. If we were bound to manufacture all the goods consumed here, what was the use of the public works? If we were to become a Protectionist country pure and simple, railway, canal, and river improvements should cease altogether, as the people should not be taxed for opening up facilities for the importation of the products of other countries. We were a democratic people, and we did not want to become anything else but a democratic nation. If we wanted a system which would raise up an aristocracy at the expense of the people, then it was desirable that protection should be adopted. But, if we desired the wholesome system of selling in the

dearest and buying in the cheapest markets, we wanted as little protection as possible.

Mr. ROCHESTER said he had been characterized by some hon. members as being the representative of the brewers. He wished distinctly to state that he was not, nor had been for nine or ten years connected with any brewery or distillery. The House might take it for granted that he was prepared to substantiate any statement he made. In comparing the duty on malt in Canada with that in England, he found that there 36 lb. was taxed 63c., while here the duty amounted to 72c. In Scotland and Ireland the duty on 36 lbs. amounted to 50c. We had always prided ourselves on easy taxation, which, it was claimed, attracted the people from the old countries, but it appeared from those figures that England, Ireland and Scotland were a little in advance of Canada. Then take the United States. The duty was not put on malt in that country, but the beer was taxed. A barrel of 30 gallons carried a duty of \$1. Calculating 3 lb. of malt to the gallon of beer, in Canada the duty for the same quantity would be \$1.80. The hon. member for Hamilton read a letter the other night which stated that the retailer of beer made \$25 on a 30 gallon barrel.

Mr. WOOD: The statement was that a barrel of beer cost the retailer \$7.50 and he obtained \$25 for it, and that made the difference.

Mr. ROCHESTER: Well, that would give a clear profit of \$17.50 on every barrel of beer sold.

Mr. WOOD: I am prepared to prove it, too.

Mr. ROCHESTER said he proposed to show to the House that that statement was utterly incorrect. There were twelve tumblers in a gallon of beer, which was usually sold at 5 c. per glass. Every one who knew anything of beer would be aware that it frothed and foamed up a great deal, and that there was consequently a loss. The price, therefore, might be averaged at 4c. per glass, which would make 48c. on the gallon, or \$14.40 for the barrel.

Mr. WOOD: How many gallons to the barrel?

Mr. ROCHESTER: Thirty.

Mr. WOOD: My calculation was based on 32 gallons.

Mr. ROCHESTER said 30 gallons to the barrel was the usual thing. The retailer paid \$7.50 per barrel, which would give \$6.90 profit, instead of \$17.50 as stated by the hon. member for Hamilton. He thought the hon. gentleman ought to put the letter on the table of the House. The intention of the writer was to show that the duty on malt was justifiable. He had done so by misrepresenting the facts, and it was only just that his name should be given. But he (Mr. Rochester) had an idea of the source from whence the letter emanated. He would apply a similar calculation of the profit to the retailer to whiskey. In a gallon of whiskey there were 64 glasses, which at 5 cents came to \$3.20. The cost of a 30 gallon barrel was \$30.60. It sold at \$97.80, leaving a profit to the retailer of \$67.20. He thought that not only lovers of temperance but all in the community would agree with him that beer was a much more harmless beverage than whiskey, and that it was the duty of the Government, if either was fostered, to foster the manufacture of beer rather than that of whiskey. From the returns of the last two years, he found that in 1875 the amount of spirits manufactured was valued at \$2,977,221.04, and in 1876 it was \$3,099,893, an increase of \$122,671.96. In 1875 the value of beverages made of articles other than malt was \$26,976.56, and in 1876, \$14,183.28, a decrease of \$15,783.28. In 1875, the value of the malt liquors was \$351,385.82, and in 1876 it was \$327,709.47, making a decrease of \$23,676.35 in two years. These figures must show conclusively that there was an increase in the drinking of whiskey, but a decrease in the consumption of beer. This was a state of things which he did not think the Finance Minister ought to encourage. Returning to the duty on beer and malt in the United States, he would say that every brewer made his malt and brewed his beer and then stowed it away in bonded vaults; and it remained there until he wanted to take it out, he merely

paying a duty on what he sold. But beer was a perishable article, and in some years brewers lost thousands of gallons of beer. The difference between the Canadian and American brewers was that the Canadian must pay the duty on his malt before he used it, and in the event of any of his beer souring he not only lost the value of the article but he also lost the amount of duty he had paid on the malt thus wasted, while the American brewer only paid the duty on what he actually sold, the duty being paid by putting stamps on each cask as he took it out of the bonded vaults for sale. Should any quantity of this beer turn sour before it was disposed of, the brewer lost the price of the article, but had no duty to pay on what he lost in this way. Our Excise duty of \$1.80 a barrel enabled the American brewer, with only \$1 a barrel to pay, to sell for less than the Canadian brewer. Although the Government had bonded warehouses, yet many brewers paid for the malt just as it came off the kilns, in many instances five, six or twelve months before they used it. But all this was not enough, but the Government had to make it more burdensome for the Canadian manufacturer by doubling the duty on malt. He believed it would be found, as it had been found in countries where the duties were made oppressive, that the law would be evaded whenever there was an opportunity. Even were the revenue force multiplied four-fold, it would not be sufficient to look after the brewers in the Dominion. The law would actually drive honest men into being dishonest men with such an exorbitant duty. Many brewers would use other articles than malt. The hon. member for North Norfolk (Mr. Charlton) said the farmers did not want protection. There was great diversity of opinion. Those members representing constituencies in which there were distilleries wanted cheap barley, and those representing constituencies in which there were corn starch factories wanted cheap corn. But it should not be particular localities which should be considered, but the good of the whole country. Under the present arrangement, Canadian farmers were deprived to a large extent of a home market, and could

Mr. ROCHESTER.

not avail themselves of the American market for a protective duty of 15c. per bushel. He hoped that the Finance Minister would, before this matter was settled, place farmers and brewers on a fairer footing as regarded barley and malt. In fact he had heard from one of a deputation who waited upon the Finance Minister that some change was contemplated. He would next reply to some observations made by the hon. member for North Norfolk (Mr. Charlton) respecting the lumber trade. The hon. member said that four millions of people living alongside of forty millions of people ought to be very cautious and quiet as to what they said and did, and ought to be very careful not to offend our American cousins. That hon. gentleman, he believed, was born in the United States, and he might inform the House that he (Mr. Rochester) was also. There was no member of the House who had a higher opinion of the Americans than he had; he believed there was no people their superior, but Canadians should not be afraid to defend their own interests, nor should they bow down to any one. An American merchant looked after his business closely. He bought in the cheapest market and sold in the dearest, quite irrespective of any policy of retaliation or any sentiments held by the people with whom he dealt. He (Mr. Rochester) would read an extract from a letter written to one of the city papers on the lumber interest of the Ottawa. Although the writer had not subscribed his name to the letter, there were excellent reasons for believing that he was an American. The extract was as follows: -

“The five Ottawa Valley constituencies, whose commercial well-being depends solely upon the prosperity of the lumber trade, viz:—Ottawa City, and Carleton, North Renfrew, Pontiac and Ottawa counties are looking with great interest to see what action their representatives in Parliament will take to ‘protect’ the industry in whose welfare they have so large a stake. The people of these constituencies very well know that instead of being protected at the present time this industry is taxed about ten per cent. on the value of the manufactured products, and yet the trade has not only abstained from any clamours for protection, in the way of free entry for all articles which rank as supplies, but has not as yet asked

for any relief from the burdensome tax laid upon it, which cannot be said to be simply an item in the cost of raw material; for independent of this tax the trade has to pay all the charges incurred by the lumber manufacturers of the United States, with whom those in Canada have to compete, upon most unfavorable terms. They very well know that a single Act of the Congress of the United States could absolutely ruin the lumber trade of the Ottawa Valley, they know that the protection properly so called, while it would do the trade much harm, could do it no possible good for the reason that its market is purely a foreign one, and they consider it an unfortunate coincidence that while the Canadian Parliament is talking retaliatory duties, a motion is discussed in the House of Representatives of the United States asking the appointment of a Joint Commission to consider upon what mutually advantageous terms reciprocal trade relations could be established between the two countries."

The American was a man of business, and was alive to anything which would advance his own interests. The Finance Minister said we ought not to have protection, but he (Mr. Rochester) was strongly of the opinion that our industries and agricultural productions ought to be protected. He did not mean to say that there ought to be a duty on everything; for instance, such articles as we did not manufacture ourselves; but there were many interests which were suffering, owing to the unfair competition with the United States. He was very much inclined to think that our Customs Department, like our Excise Department, required a good deal of reform. Every person knew that the larger the scale on which any article was manufactured the cheaper it could be produced. It was quite a common thing for manufacturers in the United States to make a speciality of particular branches of industry, and use machinery which they advanced to great perfection for every branch. The result was that they could manufacture some goods by the aid of this machinery fifty or one hundred per cent. cheaper than could be done otherwise. Canadian industries would never be prosperous until our manufacturers and agriculturalists were protected. Then our manufacturers would be able to supply themselves with such plant as would enable them to successfully compete with the American manufacturer.

Mr. MASSON said he did not in-

tend to enter into the details of the tariff which had been proposed by the hon. the Minister of Finance. The question had been ventilated by persons who had peculiar training, and were more in a position than himself to discuss it. He rose to place himself, as a member of the Conservative party, right before the House and the country on the question of protection. Perhaps the greatest accusation made against that party was that uttered by the hon. the Minister of Public Works two or three nights ago, when he told his right hon. friend from Kingston that he was actuated by party motives, and that the position he took to-day was inconsistent with the position he had taken in the past. He (Mr. Masson) would readily admit that, if they were not sincere, it would be most impolitic on their part, under the present circumstances, to pretend to have principles which they would not be ready to put into execution if the fortune of politics should require his hon. friend (Sir John A. Macdonald) to change sides and take the place occupied to-day by the hon. the Minister of Public Works.

Mr. JONES (Halifax): No risk.

Mr. MASSON said they had instances of men brought to the head of public affairs in Canada being obliged to set aside the professions they made so strongly when they were on the left of the Speaker. They had this example before them, and, as a politic act, the members of the present Opposition should try to avoid the difficulty in which hon. gentlemen on the other side found themselves to-day. No Opposition was worthy of the name of the Loyal Opposition of Her Majesty if they advocated principles when on the left of the Speaker which they would not be ready to put into execution when they were on the Treasury benches, and had the advantage of being the advisers of the Crown in this country. He (Mr. Masson) had always been sincere on this question. From the very first moment when he entered public life to the present, he had been sincere on the principle of protection. He had advocated it on the Government side of the House as well as in

Opposition. In 1874, when the present Government did not dare to put a policy before the people, and candidates had to frame a policy, not knowing what the Government would do, he went before his constituents and in other parts of the country, and stated that there were certain questions on which he would support the Government if they adopted them, and one of those was protection. He said at that time that if the Government would come fairly and boldly forward with a protectionist policy, they would find him support them in those circumstances. In that, as in many other things, he had been disappointed, as the people from Lower Canada—Liberals as well as Conservatives—had been disappointed. He had always believed that the proper policy was that which was given to the country by his right hon. friend the member for Kingston in 1872, when he was on the other side of the House, when he was propounding to this country the policy of the Conservative Party—not a policy of circumstance or of party, but one for the good of the country. That policy he had supported on the Government side of the House and maintained here to-day, and he did not believe the right hon. member for Kingston would repudiate his principles of the past. If he did, he would not find him (Mr. Masson) one of his followers. His hon. friend (Sir John A. Macdonald), after stating that the policy in England had been a free-trade policy, continued a speech in Toronto Centre, in 1872, in these words:—

“ We did not, however, find other nations following the advice she (England) so freely offered. They thought, as the present Government of Canada thought, that in the adjustment of their burdens, it would be well to put duties upon imported goods and so to frame their tariff that the duties would fall upon articles that could be profitably manufactured in the country. By adjusting the duties in this way the Government hoped that it would protect and build up in Canada manufactures like those that had been generated under a similar system of protection in the United States and long ago in England.”

These were the principles enunciated by his right hon. friend. These were the principles which were adopted by the great part of the people of this country, and he durst say they were

then the almost unanimous views of the people of Lower Canada.

Mr. GOUDGE: When were they given?

Mr. MASSON: In 1872.

Mr. GOUDGE: That was the beginning of the policy.

Mr. MASSON said it was not the beginning of his policy. He had held those views ever since he had been in public life. His name had been connected three or four times with the debate on the question of the National Policy. Two or three hon. members of the House had taken the trouble to read the names of those who voted against the National Policy which was brought forward by the right hon. member for Kingston (Sir John A. Macdonald), supported by the hon. member for Cumberland (Mr. Tupper). It would be remembered that one of the principal features of that policy was the protection of the coal trade of Nova Scotia and of the agricultural produce of Ontario. The policy which he advocated at that time was that they should protect those industries which could be fostered in our own country. He then asked if the policy propounded was fair; if the Province of Quebec produced coal or wheat in sufficient quantity? And his answer was plain—that they could not accept the National Policy propounded by his right hon. friend as a partial policy. They might have accepted it as part of a general policy of protection. If his right hon. friend had come forward and had said this was part of a great policy which was to be placed immediately before the country, they might have adopted it; but he could not submit to a sort of see-saw policy over the shoulders of the Province of Quebec, which was not to be benefitted at all. But, if, not content with protecting the coal of Nova Scotia or the agricultural produce of Ontario, they had come down with a broad question of protection, he would have supported it, and he was ready to do so now. He was not ready to consider either the coal duties or the wheat duties on their own merits alone, but he was ready to consider them all together as part of a broad, substantial, comprehensive policy for the benefit of the whole com-

Mr. MASSON.

munity, and of the Province from which he hailed. They might say they would not be sectional, but they were bound to consider here the interests of all the Provinces, one as well as another; and, coming from the Province of Quebec, though he considered himself as much a representative of Ontario as Quebec, still he was bound to see that the interests of the latter Province were not cast aside in the interest of other Provinces. They had been consistent, but he would ask if hon. gentlemen opposite had been consistent? He would ask the Liberal party from the Province of Quebec if they had been consistent? When he was fighting and combatting for protection, he gave his support to the Liberal party of Quebec in order to obtain protection for this country. Last year, when he said the Liberal party of Quebec were abandoning the principles which had characterized their policy up to that time, he was told he was mistaken. The Liberal press of Quebec said they never had advocated Protectionist principles; but, no sooner had they spoken, than was heard the voice of the leader of the Liberal party in Quebec, an honest and honourable man who did not stoop to party when principle was at stake, Mr. Joly, who, in answer to the taunts which he (Mr. Masson) threw out that they had abandoned their policy, wrote a letter to his hon. friend from Centre Wellington (Mr. Orton), and said he (Mr. Masson) was unjust in saying that he had abandoned the principles which had been his life-long principles. He would read the letter to the house. The Gentleman he was speaking of was one whose testimony the Government could not contest because they had asked him to enter their own Administration. Mr. Joly wrote:—

“QUEBEC, 24th March, 1876.

G. T. ORTON, M. P.,

Chairman Agricultural Committee.

“MY DEAR DOCTOR,—I only received to-day a printed form of questions from your Committee in the labours of which I take a deep interest, and hasten to send you my answers. I am afraid they are rather lengthy, but I must acknowledge that I feel some satisfaction in being allowed to give my views on the subject, however little weight they may carry. It is a sort of protest against the accusation of inconsistency which has been brought against me during this session of the House of Commons, and

in the Press, for having given up the main plank of the platform of our Parti National. We claimed, above all things, a National Commercial Policy. My friends have been twitted with having given it up, and I was brought in as the leader of the Parti National; but I have not given it up. If I remember correctly, you helped me in 1873 to obtain the exemption of duty for the Beet Root Sugar manufacture, and I hope you will approve my views on the subject.

“I remain, my dear Doctor,

“Yours sincerely,

H. S. JOLY.”

These were the words of the leader of the Liberal Party of the Province of Quebec. He would probably be asked why the Conservative Party, in the Session of 1873, only one Session after the declaration made by his right hon. friend from Kingston, did not bring in a protectionist policy. He thought any fair-minded man would see that the circumstances to-day were not the circumstances then. The Government then did not come to ask the House to fill up a deficit. The hon. the Minister of the Interior knew well that, at that time, there were no deficits, but surpluses. He knew well that the Government of the member for Kingston instead of increasing the burdens on the shoulders of the people was obliged to reduce those burdens, was obliged to give up the tax on tea, as we had more money than we required, so that there was no necessity for bringing in a tariff, as the hon gentleman had done to-day, unless on the pure Protectionist principle. He contended that the country did not require it then as it did now. In 1872, a Committee was appointed to examine into the condition of the manufactures of the country. This committee went through its work in the most elaborate way, and made an elaborate report. Did they say that the markets of Canada were slaughtered by American goods, or that the manufactures of this country were in a depressed condition as it was admitted by the Minister of Finance they were to-day? No; they said the manufacturing interest of this country was not in an unsatisfactory condition. It was easily understood that he (Mr. Masson) would have preferred that the Government should then have brought in a protectionist tariff, but his right hon. friend did not at that time see the necessity

of it; but the necessity was felt to-day. He could give better evidence of that, he could give the opinion of the real leader of the Liberal party from the Province of Quebec, the one who should occupy that position in this House, the hon. member for Drummond and Arthabaska (Mr. Laurier). He said in his speech last year that the real depression of our industries only dated from 18 months before, consequently, if, according to the hon. member for Drummond and Arthabaska, the industries of the country were not in a depressed condition in 1873, what reason had they to accuse his hon. friend from Kingston for not bringing in a protectionist policy to save our manufacturers from a depressed state in which they were not? He had been greatly surprised at the position taken by the Government in the present circumstances, and he thought every member of this House had been surprised. It would be remembered that, when making his ministerial explanations a few weeks ago, the hon. the Minister of Public Works (Mr. Mackenzie) made use of these words: "Upon that," that was the refusal of Mr. Pelletier to take a seat in the Cabinet, "he had the pleasure of offering the position with a seat in the Senate, to Mr. Joly; but he, while entirely concurring in the policy of the Administration on public matters, felt indisposed to accede to the request upon personal reasons which, however, involved no matter of policy in which either the Administration or the House was concerned."

He must say he was disappointed at that statement. He knew Mr. Joly, and he knew that, having written that letter to Mr. Orton, he must, in the most extraordinary way, have altered his opinions all at once, if he could be induced to give to the Prime Minister personal reasons as an excuse for not entering the Administration as constituted, and, at the same time, to state that there was no question of policy which divided them. He (Mr. Masson) had then thought, and, in fact, had said to some of his friends: "The Government are sure to bring down a protection policy," because it was evident that Mr. Joly must have inquired with reference to the

question of protection, on which he was so strong; and the Government must have advised him that they were not determined to maintain their free-trade policy. How could they explain that Mr. Joly, an out-and-out Protectionist, could have had no reason of policy for not entering the Government, composed as it was, when it had determined to continue its free-trade policy? He left that to be settled between Mr. Joly and the Administration. He had full confidence in Mr. Joly on that point, and he was sure that he would not have stated that there were only personal grounds if the question of free trade had been explained to him; but that was not all. No one would deny that there was a general expectation in this country, in the Province of Quebec at least, that, if an increase of taxation was required, it would take place on such articles as we produced ourselves. In discussing that question, he was met with the argument: "You would increase the taxation of the country; if the Government wanted more money, they could increase the 17½ per cent. list; but, when they do not require more money, there is no reason to increase the taxation of the country." He was led to expect that, if any increase was required, his Liberal friends from the Province of Quebec would say: "You shall increase if necessary in accord with our principles, that is, on articles we can produce, not on those we cannot produce, which gives no compensation for the taxation on the shoulders of the people." He thought the hon. the Minister of Public Works himself was rather responsible for that erroneous opinion which he (Mr. Masson) had formed. He, who had taunted his right hon. friend the member for Kingston with inconsistency in making use of this as a party question, should have looked at his own record before doing so. He should remember that when he was in a free-trade country he made free-trade speeches. When he was in a protectionist country, he made protectionist speeches, and, when he was in a prohibitory country, like Hamilton, he made prohibitory speeches. In England, in order to flatter the people there, he said it was

the duty of the Government to so arrange the fiscal policy as to encourage trade between this country and England. This was a free-trade assertion before a free-trade meeting. When the hon. gentleman—who knew how to suit his speeches to his requirements—came to Sarnia, which was a rather protectionist section, he talked incidental protection, which one of the hon. gentleman's own followers called an absurdity. The hon. gentleman then adopted the principle laid down by the right hon. member for Kingston, holding that if duties must be levied, they must be so imposed as to encourage our manufactures. When the hon. gentleman came to Montreal, where the protectionist feeling was still stronger, he took an out-and-out Protectionist by the hand and had him elected. This showed three different gradations in sentiment. But worse yet was to come; when the hon. gentleman reached Hamilton, he hinted that, if required, he would be prepared to go so far as to levy differential duties and introduce a retaliatory policy. Yet the hon. gentleman taunted the hon. member for Kingston with favouring protection for party purposes. In 1874, in order to secure the election of an hon. member, he said, in Hamilton:

“Our commercial system will always be more or less controlled by the policy of the United States. As we are in immediate neighbourhood to them, they may compel us, for our own protection, to adopt measures not in accordance with what may be deemed correct commercial principles.”

What did this mean? It evidently referred to differential duties.

Some HON. MEMBERS: No, no; hear, hear.

Mr. MASSON said that, if the hon. gentleman had said so, it would not do much harm. During the debates on Confederation, the leader of the Minister of Public Works had said that the union of so many Provinces would enable us to hold our own against the United States, and that if the latter country did not act towards us as they should, being our neighbours, we should meet fire with fire. A necessity for a change in the tariff now existed—as he and many others believed—in

consequence of the policy pursued by the Government. A deficit was admitted. It amounted to nearly two millions. It dated from last year, extended to this year, and would probably continue into next year; it was not temporary. If there could ever be a time when the Government was bound to alter their tariff policy, this should be done when the country required it, and when a deficit existed. He would quote an opinion expressed by the hon. member for Chateaugay, when he and other Free traders were endeavouring to secure the election of a Protectionist in Montreal. The hon. member then stated that anomalies existed in the tariff. If this was the case two years ago, surely, unless the Government were afraid to touch the question or felt that they were unable to grasp it, it was time that these anomalies were corrected. The hon. member for Chateaugay (Mr. Holton) had led the people of Montreal to believe that the anomalies would be corrected last year, but nothing had been done. The hon. gentlemen opposite had a right to ask what the Opposition would do under these circumstances. When the right hon. member for Kingston was called in to form a Government he would of course prescribe.

An HON. MEMBER: He will not prescribe.

Mr. MASSON said it would not be long before the Conservative Party returned to power. If he then had the honour of occupying a seat on the other side of the House, he would support a protectionist policy, or he should not be in Parliament. Duties should be first imposed on articles which we ourselves produced; and the revenue should be so collected as to afford compensation to our people. But what compensation was afforded by a tax on tea, or an Excise tax on malt. These taxes gave no compensation. Hon. gentleman opposite said that a protectionist policy would increase the burdens of the people. The hon. the Minister of the Interior ought to and did know better than this. The hon. gentleman knew that burdens were not imposed on the people by the tariff, but by the Estimates

submitted by the Finance Minister; by the extravagant Estimates of 1875; by such things as the increase of Civil Service salaries proposed in 1874, but withdrawn at the solicitation of the followers of hon. gentlemen opposite; by increasing the proportion between the expenditure and receipts of the Post Office Department, which amounted only about \$200,000 in 1862 and which now amounted to over \$500,000; by establishing the Supreme Court, and by increasing the cost of the Immigration Department when no immigrants were coming into the country. What had the tariff to do with this? It had this to do, and nothing else: to equalize the burdens imposed by the Estimates submitted by the hon. gentleman opposite. It had been said that protection would reduce the revenue. This was an error, as shown by the experience of 1858, when a protectionist tariff was adopted. In 1858, the Customs revenue had fallen from four and a half to three and a half millions, but the Finance Minister did not say: "We must hide our heads till the storm is passed." He sought to save the country from impending evil, and submitted a protectionist tariff. What was the consequence? The revenue was increased and our manufactures flourished simultaneously. The reason was simple; the consuming power of the people was also increased, and consequently more goods could be imported and more manufactured than previously. By increasing the wealth and prosperity of the people, their consuming power was enlarged. The hon. member for Bothwell (Mr. Mills), with all his philosophy, could not show that a man who had the means did not spend more in good than in bad times. This was common sense. Whenever we obtained a protectionist policy, as he hoped would be the case, and attained the condition which England had secured through a protectionist policy, we should be able to adopt England's present system, and tax tea and necessaries of life. A wealthy and prosperous people would cheerfully pay taxes on such articles. The hon. member for Halifax (Mr. Jones) said that people would be benefitted in having goods offered at cheap prices.

Mr. Masson.

But how long would this be the case? It would last precisely until the time arrived when the Americans had destroyed our industries. The hon. member had given an example of this—selfish though it was. Speaking of the sugar duties, the hon. gentleman had stated that when the Americans had ruined our sugar refineries, they would have their own price. If this was true as regarded sugar, it was true as regarded everything else manufactured.

Mr. JONES (Halifax): Every other manufacture is protected 17½ per cent., and I have taken every occasion of saying I did not desire the sugar duties placed on protectionist ground. At present the raw material is legislated against. The duty is higher on the raw than on the refined sugar.

Mr. MASSON said that the hon. gentleman really wished to obtain protection but not on protectionist grounds. The Americans numbered forty millions, and with their waste—only ten per cent. of their products—they could ruin our manufactures and compel our artisans to take refuge in their country. What would be the consequence? The same argument used by the hon. gentleman with reference to the sugar trade would apply to our manufactures generally, and the Americans could dictate their own prices. It was a fallacy to say that cheap articles necessarily benefitted a people. The whole of this question must be determined by the relative proportion existing between the price and the purchasing power of the buyer. He observed the hon. member for Levis (Mr. Fréchette) laughing, but he would give the hon. gentleman the authority of his leader, Mr. Joly, on this point. Mr. Joly laid down that the essential matter at issue was,—whether the prices of goods were proportionate to the means of the consumer. Bread would be dear if its price placed it beyond the reach of the generality of consumers, and cheap if this state of things was reversed. Another essential element was the proportion existing between the results of labour and the prices of commodities; this included the general question of remuneration for labour. He would also quote the

opinions of Mr. Joly, the leader of the Liberals of Lower Canada in local politics. Mr. Joly, asked before the Agricultural Committee:

"Is it in the interest of the Dominion that we should continue to admit American produce free, while Canadian produce exported over the border has so heavy a tax levied on it?"

Answered:

"No. It is against the interest of Canada. I humbly think that we should not admit anything free of duty except the raw material required for our manufactures."

Regarding the cheapness or dearness of articles, Mr. Joly said:

"It is true the purchasers, among whom the manufacturers and the workmen ought to count for a very large proportion, may buy a little cheaper than the farmer, but, as a natural consequence, they will have to sell their goods cheaper to the farmer, whose producing power is diminished. It is not by cheapening everything that we can hope to attain national wealth. The dearer we pay the better for us, provided our paying power keeps pace with the increase of price."

Mr. Joly illustrated this in the most happy manner, asking the workman which he preferred—flour at \$4.50 a barrel and no work, or flour at \$6 a barrel and plenty of work. This was the common-sense view of the whole question.

"Farming and industry are a good strong team when they are driven together, but divide them and you have a one-horse concern, or rather two that will not do anything like the work of a good, strong double team."

This was Mr. Joly's opinion.

Mr. FRECHETTE: We are exactly like the Conservatives of Lower Canada.

Some HON. MEMBERS: Order.

Mr. MASSON asked how the Government were meeting the difficulty. Did they decrease departmental expenditure? Did they decrease the expenditure of the Immigration Department? What had the Finance Minister offered? The hon. gentleman told them that, in order to meet the crisis, the expenditure on public works was to be reduced. The hon. gentleman had said that this was a momentary depression—a gulf that wanted bridging over. But, taking into consideration the price of labour and the cheapness of money, what would be the policy which would strike any man of common

sense. A man of ordinary business capacity would say: "Avail yourselves of the depression; borrow money; go on with the public works we are bound to construct, and so furnish relief for the poor man; it is simply increasing the difficulty if the public works are stopped, and the men thrown out of employment." This idea was not his own; it had been enunciated by one much superior to himself, and one certainly the equal of the hon. the Finance Minister—Sir Alex. T. Galt. What did the Government do? They said: "No; we shall maintain the departmental expenditure and stop the Georgian Bay Branch, and the works on the Canals." A more impolitic decision could not be arrived at. It was a decision contrary to common sense—contrary to the course the municipalities and town councils would adopt under similar circumstances. He lived in a neighbourhood where it was necessary to incur a large expenditure for public improvements, and it had been agreed that this was exactly the time for prosecuting them, in order that something might be saved in the cost and yet afford employment to people who otherwise would have nothing to do. That was the true common-sense policy, and the Government ought to have copied the example of Quebec. The hon. the Finance Minister had said in his speech that railway expenditure had gone on too fast in Canada. That hon. gentleman was not the first to make that remark. It should be borne in mind, in considering this question, that Canada could not be compared to England, or other countries in Europe. A railway in England or France was nothing but a commodity. It could not increase population or wealth to any extent, but could only supply commodities to the people. Canada, however, was in its infancy. We were in the position of a man about to build a house, and must expend more in the beginning than would be required at a future day. The old countries could expect no great development from railways; but we had a vast country which would give a return for the expenditure in future. But it was said the country would run into debt, and the

condition of the United States in this respect was held up to our view. The positions of the two countries were entirely different. The debt of the United States did not exist before the Civil War; it was a debt of blood—a mischievous debt incurred by the present generation, and it was nothing but fair that the present generation should pay it. But our debt was incurred for the building of public works from which future generations would derive more benefit than ourselves, and it was not to be expected that the present generation should bear all the expense. We were quite justified in running into debt for such a purpose, as the projected works would conduce to the development and prosperity of the country, and, if four millions of people created the debt, eight millions would pay it. Hon. gentlemen opposite had said that the Government had nothing to do with the prosperity of the country. This principle, however, would not be accepted. The people did not want a Government that confessed its inability to relieve the country in times of crises or difficulty. Why the manufacturing interests of England were created by protectionist enactments.

Mr. CARTWRIGHT: Oh, no.

Mr. MASSON said the iron trade was created by oppressive duties on iron. How was the sugar-refining trade of France created? It was by enactments of the more protectionist character. If France was the cheapest country in the world, it was owing to the legislation which fostered her industries. The hon. gentleman must know that, centuries ago, a great statesman of France said that it was the duty of the Government to frame a policy which would encourage the manufacturing industries. The hon. member for North Norfolk told the House that the manufactories should increase and prosper gradually by their own strength and should not be fostered. The answer to that statement would be found in the hon. gentleman's speech of last year. In 1858 we had a Finance Minister, equal to and perhaps more courageous than the hon. gentleman opposite, who declared that the revenue

Mr. MASSON.

had then been lowered so much that it was absolutely necessary to have a protective tariff. Could hon. gentlemen say that Mr. Galt's tariff had no effect on the prosperity of the manufacturers. If it had an effect, it was proof that the action of the Government had something to do with the condition of a country. The hon. gentleman might make as many glittering speeches and philosophical arguments as he chose, but he could not get rid of the fact that Canada prospered under a protective tariff. Indeed, we prospered to such an extent that England claimed we had no right to impose a duty detrimental to her interests; they held that the mother countries had colonies in order that they might consume their manufactured goods and send the raw material in exchange. It was also claimed that the fiscal policy of Canada would ruin the manufacturing interests of the United States. Even the Legislature of the State of New York protested against our tariff, and complained that mechanics at Rochester and Buffalo were obliged to leave and establish themselves in Canada in order to continue their trade. Before then our business was depressed, but, as soon as Mr. Galt put his hand to the wheel, instead of being a mere fly upon it, we began to prosper and manufacturers across the border began to complain that their trade was being destroyed, and that their artisans were emigrating to Canada. He wished to goodness that we had a Government that would do the same thing to-day in order to stop people from leaving this country. He wished there was such a policy that the Americans, rightly or wrongly, would have to complain that their artisans were coming into this country.

Mr. CARTWRIGHT: Why, 360,000 went from Canada, between 1860 and 1870.

Mr. MASSON: Do you know the people of whom you are speaking? It was a matter of sentiment and feeling with the French population at that time. They had been induced to believe that the United States was an Eldorado, and, stimulated by men, even

from within Canada, they left their country.

Mr. JONES (Halifax): They were not all French.

Mr. MASSON asked how it could be explained that in six or seven years 60,000 or 70,000 French Canadians went to the United States. They all at once decided to go to the United States. They had better wages at the time. They prospered for some time, but with that instinct which distinguished them, they became home-sick. They wished to come back to their own country. He admitted that the difference in wages was not so great now as it was then. There was more of an equilibrium. But he was not encouraging them to come back to our cities and manufactures. He was encouraging them to go to other parts, and not to come into those parts where the Government had destroyed the industries. We did not want them in this part of the country. There was no work for them. The only thing there was for them to do was to go and colonize. They could go to Manitoba, where they need not engage in manufacturing industries in order to get a livelihood, but where they could set themselves to the tilling of the ground. It was with this object that he wished French Canadians to come back to Canada; it was not that they should swell our industrial population, for that would only bring disaster upon them. A great many wished to come back, but they did not wish to enter our manufactures, and, if they did, they could not, for we were closing up our manufactures; but they wished to settle upon our lands in the Eastern Townships and in Manitoba. It was the duty of the Government to encourage this feeling, and to get them to go to Manitoba and the great North-West, in order that they might assist to create a great population and to develop the vast resources of that region. He might be wrong in what he had said. Some of the hon. gentlemen opposite laughed, but it was easier for them to indulge in this than to prove that he was wrong. The principles which he had enunciated that night were the principles upon which he had entered public life, and he had seen nothing

yet to change them. He threw back to the hon. gentleman opposite—but not with scorn, as had been said to him—the accusation that he was making a party political question of this matter. The views he had just expressed were always his views and he would stand by them. If the Conservative party came into power—and they were obliged as an Opposition to forecast and foresee this event—they would adopt the policy which they enunciated now, if the country was in the condition it was to-day, or anything approaching it.

Mr. McDUGALL (Elgin) said at that late hour and under the unfavourable circumstances he would not detain the House long with his remarks. The fiscal policy of this country was a unique one. It was not a free-trade policy like that of England, nor was it a protective policy like that of the United States. There was no fiscal policy, so far as he knew, exactly like ours. Reference had been made over and over again during the debate to the United States and the alleged prosperity in that country. He thought it only fair, when reference was made to that country, that its vast territory, great natural resources and unsurpassed facilities for the development of those resources should be considered. He was sure that hon. gentlemen would admit that the discovery and working of the gold mines of California had a wonderful effect upon the development of that country, stimulating its commerce and its manufacturing interests. The United States had also received substantial support from the large volume of immigration which had flown into it year after year, regardless of what its tariff might have been, whether high or low. This volume of immigration brought to the United States bone, muscle and mind, and also a considerable amount of material wealth. An hon. member had made a reference to the fact that the late President of the United States, in his last message to Congress, had congratulated the country upon its general prosperity; and it was taken as a reasonable inference that this prosperity arose from the fiscal policy of the country; and, therefore, it was urged that a protection policy was the cor-

rect one. If this were the case, it was rather singular that the newly-inaugurated President, in his message to Congress, deplored the depressed condition of manufactures and other industries. If, therefore, the logic of the first argument was correct, it was equally right to infer that the depressed condition referred to by President Hayes arose from the system of protection. The right hon. member for Kingston had told them that the Opposition was not obliged to announce its policy. That was a doctrine that was acceded to in England, where responsible and parliamentary Government was carried on to the very highest state of perfection. The Opposition was not prevented from announcing its policy. He had the authority of Lord John Russell for saying that where the Opposition saw fit to announce its policy it must be held responsible for it when it came into power. The right hon. gentleman in his resolution intended to express a vote of want of confidence in the Government as to the imposition of duties on certain articles imported into this country. But that had been widened into a general vote of want of confidence in everything which the Government had done. The right hon. gentleman, it must be presumed, was sincere as to the policy he would pursue. He said there must be a readjustment of the tariff on the agricultural, mining and manufacturing industries of this country, from which he (Mr. McDougall) gathered that these industries were to be taxed. The right hon. gentleman said that these interests were to be protected. But it was difficult to see that it was not purely a system of taxation which the people themselves would have to bear. But he was not going to discuss for the present the view that a readjustment of the tariff, as expressed in the resolution, meant an increase of the burdens upon the people; but he would like for a moment to make a reference to the speech of the hon. member for Terrebonne (Mr. Masson.) That hon. gentleman had announced a most astounding doctrine—the first time he had heard it, and no doubt all hon. gentlemen acquainted with political economy would be astonished at it. The hon. member for Terrebonne told them that,

Mr. McDUGALL.

by the increased imposition of taxes on goods coming into this country, the burdens of the people were not thereby increased. He (Mr. McDougall) could not understand what this meant. Surely every man using such an article would have to pay the increased duty, and if that were the case, the burdens of the people must necessarily be increased. The hon. member seemed to think that the people would be much better off if they had to pay a larger price for everything. The hon. gentleman had also referred to France as a wonderful instance of the benefit of protection. But for the purposes of his argument he had made a most unfortunate allusion, for at the time referred to by him the merchants, when asked by Colbert what could be done for them, replied that the best which could be done for them was to let them alone. The hon. member for Hamilton had also introduced an amendment. The House well knew what the views of the hon. member were and that he stated them plainly to the House in such a way that two conclusions directly opposed to each other could not be inferred, as was the case with reference to the amendment of the right hon. member for Kingston. That amendment was like the ancient oracle—whoever the devotee was who went to consult it never came away with a broken heart. They could take from the resolution whatever they pleased. It was as wide as it possibly could be, in order to bring all within it. The right hon. member had said that he had caught a great many loose fish in his day; and so it would appear. He stretched out his net and dragged in anything which seemed to come anywhere near his own preserves. Unlike the amendment of the right hon. gentleman, the amendment of the hon. member for Hamilton had nothing undefined in it. It was a specific amendment. It was the announcement of a policy complete in itself. He (Mr. McDougall) was opposed to it. He believed it was incorrect; he believed that, whether the Government would gain or lose power by so doing, they should not adopt such a policy. Yet he must congratulate the hon. member upon his sincerity and honesty of purpose. If he was wrong, he did not intend to be so, but believed that he

was serving the interests of his country, and more particularly the interests of the city of Hamilton, the population of which was largely engaged in manufacturing. But he (Mr. McDougall) would appeal to the House whether the two amendments were not antagonistic and directly opposed to each other, as different as day from night. The right hon. member for Kingston deplored the condition of this country, and had said that there were only two things that could bring about commercial salvation—either to put him in power, or else to tax nearly everything coming into the country. Directly the hon. member for Hamilton had sat down, the right hon. member for Kingston sprang from his seat before any of his supporters could do so, and said he was prepared to support the amendment of the hon. member for Hamilton, which was opposed to the imposition of duties upon agricultural products and to the imposition of increased duties upon coal coming into this country. This was directly opposed to the spirit of the amendment of the right hon. member for Kingston, who contended that both should be taxed with manufactures. As the hon. member for Toronto Centre had shown, although the nominal duty on certain manufactured articles was only 17½ per cent., yet the actual duty was 25, and in some cases even 30 per cent. If the duties were increased, as urged by the hon. gentlemen opposite, farming implements would have a duty of fully 40 or 50 per cent. placed on them. How then could it be said that increasing the duties would benefit the farmers? The right hon. member for Kingston had shown that he was prepared to change his base, if by that means there was any chance of the amendment to the amendment—which was directly opposed to the policy expressed in his amendment—being carried. The right hon. gentleman and his supporters had held the Government responsible for the hard times, although he had not said so in so many words. It was alleged that the first Minister had done nothing to husband the resources of the country, but had acted in his own interest, and to enable him

to retain power. It was well known in Ontario that last year they experienced a very bad harvest. There was every prospect up to the latter part of June that there would be a most bountiful one, and, if that hope had been realized, the Province would have felt its good effects. The deficient harvest caused an injurious effect upon the condition of financial affairs; nevertheless, hon. gentlemen opposite maintained that the hon. the Premier and his Administration were responsible for the hard times. It would have been quite consistent with the arguments of those hon. members to have placed a rider to the amendment of the right hon. member for Kingston declaring that the Government was responsible for the bad harvest. A considerable amount of irritation was sought to be raised in the House and in the country in regard to the imposition of an additional two cents per pound on tea. He believed it to be a fact that the Finance Ministers of the mother country, as well as Finance Ministers of Canada, held that taxation should be imposed on articles and revenue derived from what was most generally used and from which the greatest amount of revenue could be obtained with the least inconvenience to those from whom it was gathered. He knew that, on the first blush, quite a specious argument could be made in order to prejudice the people against the proposal, but when the people came to consider the question, as they had done already to some extent, and to reduce the matter to figures, they would find that the imposition of the duty would not be felt. There was not, on an average, upwards of 20 lbs of tea used annually in every family in the country, which would involve a duty of 40 cents; and moreover the Government had seen fit, by a wise and most commendable policy, to reduce the duty on coal oil, which would more than meet the amount paid by each family on account of the increased duties upon tea. He could not well understand the statement of the hon. member for Monck that the members of the present Administration were not in harmony with each other. He had not seen anything except what showed a united policy and sentiment

on the part of members of the Administration. There had been no indication to lead to the belief that harmony did not prevail,—probably the wish was father to the thought in the mind of the hon. member. In regard to the Weights and Measures Act, it had been asserted that the present Government was responsible for it and for the considerable amount of irritation which the Act had caused in the country. The hon. member for North Oxford had correctly stated that the late Administration had introduced and carried the measure. The framers of the British North America Act gave the Dominion Parliament the exclusive right to legislate upon that subject, and, if the Weights and Measures Act were repealed, how could provision be made for proper inspection and for the protection of the community. It was not therefore just on the part of hon. members of the Opposition to endeavour to make political capital against their opponents by referring to the unpopularity of the Act, but they should rather aid the Government in amending the Act, they themselves being responsible for this legislation, having initiated it and carried it into effect, and having, as he had been informed, sent a subordinate official to England for the purpose of making enquiries as to proper weights and measures and appliances necessary to give effect to the Act. It came with ill grace from hon. gentlemen opposite to charge the present Government with the unpopularity of the measure and hold them responsible for it. He did not apprehend that the hon. member for Hamilton, with his lieutenant, the right hon. member for Kingston, and the hon. member for Cumberland, would have the pleasure of taking seats on the Treasury benches as the result of the approaching vote. But, if the amendments were voted down, and the panacea proposed by the hon. member for Hamilton not accepted, it was impossible to say what would next be proposed by the hon. member for Kingston, in order to benefit the country, but more particularly to attempt to regain and re-enter the promised land, which, he would take the liberty of predicting, was very far off.

Mr. McDougall.

Mr. MILLS moved the adjournment of the debate.

Motion agreed to.

House adjourned at  
Twenty minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Wednesday, 14th March, 1877.

The Speaker took the chair at Three o'clock.

### PRINTING OF VOTES AND PROCEEDINGS.

#### REPORT OF COMMITTEE.

Mr. ROSS (West Middlesex) moved concurrence in the 5th Report of the Joint Committee of both Houses on the Printing of Parliament. He said they made two recommendations. The first was that an index be prepared and printed of all Journals and Sessional Papers since 1867; members of the Senate and House of Commons to be presented with one copy each, and six copies to be placed in the Library. Experience proved that the want of such an index had caused great inconvenience. A similar difficulty also prevailed with regard to the Journals of the House. An index in this relation had been prepared by the late Mr. Todd, as far as the year 1867, with reference to the old Parliament of Canada; but it was found by some to be inconvenient, being somewhat cumbersome and bulky. They could simplify this index, making it easy of reference, and forming a volume of reasonable size, without incurring any considerable expense. The Clerk of the Printing Committee had prepared a statement, certifying to the probable cost, which for 400 copies would be \$1,322. Each member of the House of Commons and Senate would be furnished with a copy, and a few could be kept in store for future reference; the Library and Departments would also be supplied. They, consequently, recommended, as was done last year, that, after the present Session, the Votes and Proceedings of the House be so prepared and printed that they could be changed

into Journal form on the same principle that the Journals of the Senate were now prepared. The Printing Committee's report to this effect last year had been adopted by the Senate, but not by the House. The present form of the Votes and Proceedings was somewhat inconvenient, foolscap in lieu of octavo form being used, and they fitted very ill into private libraries as well as into the Library of Parliament. Besides, by adopting the mode followed in the Senate, it was estimated that they could save in the cost of printing \$600 per annum; and the item of printing was becoming somewhat expensive. Objection had been taken to the proposal last year on the ground that inaccuracies might creep into the Journals, but this need not be entertained, as no complaint on that score was made in the Senate. The members of the Senate were each daily supplied with a copy of their Journals, which were afterwards bound and distributed. These were subsequently prepared like the Journals of the House, the only omissions being notices of motions and routine proceedings. He thought that the House would agree that these recommendations were worthy of adoption.

Mr. MACKENZIE said he thought the Committee should devise means by which the report was to be carried out.

Mr. ROSS said they had not considered this matter. He had, however, consulted with Mr. Hartney, who had led them to suppose that this work would be done without extra expense. The process would be exceedingly simple, and it would readily be understood by any clerk of ordinary capacity within the space of two weeks.

Mr. MACKENZIE did not doubt that this was the case, but he thought officers of the House might be designated as the parties who should do the work. He recommended the chairman of the Committee to consider this point and report upon it.

Mr. ROBINSON asked whether the Votes and Proceedings could be printed after the fashion of the Journals of the Senate at less expense than was the case at present. They were furnished with the Votes and Proceedings

in condensed form at 9 a.m.; but the Senate did not frequently sit after 6 p.m., enabling their proceedings to be printed in Journal form with ease. He asked whether some little difficulty would not be experienced in having the Votes and Proceedings printed under the system recommended as early as was now the case.

Mr. ROSS said the Votes and Proceedings were now printed from one form, to use a press term, and the Journals from another form. The matter was consequently set up twice. If the system proposed were adopted, the matter would only be set up once, and \$600 would be saved. As to the other point, there would be no danger of delays.

Mr. SPEAKER said that his impression was last Session, as it was still, that the saving of \$600 was very small indeed compared with the importance of securing absolute accuracy in the report of their proceedings. The form in which the Votes and Proceedings were printed was, however, a mere matter of taste. The House sat sometimes until two, three or even four o'clock in the morning, and their preparation consumed two, three or four hours after adjournment; and, if they were to be prepared in strict Journal shape, much more care and time must be devoted to this duty. This was, moreover, a speciality which very few clerks were found to possess. The saving of twice \$600 might be very easily effected in other ways, which would not affect a matter of such importance. He was decidedly opposed to the change proposed.

Mr. ROSS (West Middlesex) said he thought the Speaker laboured under a slight misapprehension. It was recommended that the Votes and Proceedings should be so prepared and printed that they might be changed into Journal form, on the Senate principle; and there was no reason why a daily issue should not appear, as at present.

Mr. SPEAKER said the style was a mere matter of taste, which was of trifling importance. The important question was whether the Votes and Proceedings as they were presented each morning, should become the Journals of the House.

Mr. ROSS said they would be open to revision and correction.

Sir JOHN A. MACDONALD said that errors might creep in under the system recommended, and this might occasion serious consequences to the House and the country hereafter. The saving would be very small, and the inconvenience enormous. The expenses of correction would greatly reduce the amount that could be saved.

Mr. YOUNG said that, under the circumstances, delay in the passage of the report was advisable. Officers had now to remain preparing the proceedings for some two or three hours after the House rose, and it was very evident that, under the plan recommended, these officers must remain for a much longer time. The objections taken to the recommendation were undoubtedly serious.

Mr. ROSS (Middlesex) said it would be convenient to have the report adopted, the last clause excepted. It seemed to him that it was a very difficult matter to change the internal economy of the House; the attempt was made last Session, but the proposal was postponed until the present Session, and now he supposed that the same fate awaited the report. He moved that the report, the last clause excepted, be adopted.

Motion agreed to, and report concurred in, excepting the last paragraph, which is as follows:—

“That after the present Session of Parliament, the Votes and Proceedings of the House of Commons should be so prepared and printed, that they may be changed into Journal form, on the same principle as the Minutes of the Senate are now being done, by which it is hoped economy as well as despatch will be obtained.”

### CRIMINAL LAWS EXTENSION BILL.

#### SENATE AMENDMENT AGREED TO.

An amendment made by the Senate to Bill (No. 23) To extend to the Province of Prince Edward Island certain Criminal Laws now in force in other Provinces in Canada, was read the first and second times and agreed to.

Mr. SPEAKER.

### BILL FROM THE SENATE.

#### FIRST READING.

The following Bill (from the Senate) was read the first time:—

Bill (No. 72) To amend the Act to incorporate the *Globe* Printing Company.—(Mr. Blain.)

### STAMPS ON PROMISSORY NOTES AND BILLS OF EXCHANGE BILL.

#### FIRST READING.

Mr. IRVING moved for leave to introduce a Bill (No. 73) Relating to Stamps on Promissory Notes and Bills of Exchange. He said that doubts had arisen as to the proper time for affixing and cancelling stamps on bills of exchange and promissory notes drawn or made out of Canada and payable in the same; and it was advisable that such doubts should be removed. He understood that this was the object of the proposed amendment, which had been prepared by a legal gentleman of large practice.

Sir JOHN A. MACDONALD asked in what manner these doubts had arisen.

Mr. IRVING said that a decision had been given in one of the Courts at Toronto, raising such doubts. This had occurred in a case which related to a promissory note which bore one date, while the stamp affixed bore another date; and the plaintiff, who was the holder of the note, was unable to recover, owing to the fact that the stamp and note did not bear the same date, and of course, as far as foreign promissory notes was concerned, this was impracticable.

Mr. YOUNG said he would like to call the attention of the Government to the propriety of having these bills issued with the paper itself stamped. Beyond question, a great deal of hardship had occurred under the present system, as, with regard to bills of exchange and other bills, errors were now sometimes committed in not conforming to the technicalities of the law. These difficulties could be overcome if the bills bore the Government stamp when

issued. He had been under the impression, when the law originally passed, that the Government had the power of issuing these stamped papers. Stamped envelopes would also be a great convenience.

Bill read the first time.

#### BILLS INTRODUCED.

The following Bills were severally introduced and read the first time.

Bill (No. 75) To extend the Act respecting trade marks and industrial designs to the Provinces of Prince Edward Island and British Columbia.—(Mr. Blake.)

Bill (No. 77) To provide for the safe custody of prisoners in places where the common gaols become temporarily insecure.—(Mr. Blake.)

Bill (No. 78) To amend the law with reference to convictions made by justices of the peace.—(Mr. Blake.)

Bill (No. 79) To make provision against the improper use of firearms.—(Mr. Blake.)

Bill (No. 80) To amend the Act for suppressing gaming houses.—(Mr. Blake.)

Bill (No. 81) To amend the Act respecting larceny and other similar offences.—(Mr. Guthrie.)

#### NORTH-WEST TERRITORIES ACT AMENDMENT BILL.

##### FIRST READING.

Mr. MILLS introduced a Bill (No. 74) To amend the North-West Territories Act, 1875. He said the object of the measure was to supply rather important omissions with regard to the powers of the Governor in Council. Provision was also made for the better administration of justice in the North-West, re-enacting the provisions of the Police Act of 1873, relating to the summary trial of certain parties by Stipendiary Magistrates. It also provided for the extension of the power to try summarily parties charged with offences, the maximum punishment for which did not exceed seven years in the Penitentiary. Power was also conferred upon the Magistrates to try all other felonies, and the Bill took away the right of appeal from the Court of Queen's Bench of Manitoba, which was found an expensive provision.

Mr. THOMPSON (Cariboo) asked whether it was the intention of the Minister of the Interior to introduce a clause in the Bill whereby concurrent jurisdiction should be conferred upon the Magistrates of British Columbia, together with those of the North-West Territories, in the case of offences committed in the districts adjacent to the 60th parallel of latitude and 120th parallel of longitude. A large number of men were now engaged in mining and prospecting for gold in those northern regions, and it was a matter of uncertainty in many cases whether they had gone beyond the boundary of British Columbia or not. It was therefore very important in the interest of good government that some provision should be made for the maintenance of law and order in those remote regions, where doubt existed as to dividing lines between the Territories and British Columbia.

Mr. MILLS said the Bill did not contemplate that. The matter, however, was under the consideration of the Government, and he would decide upon the introduction of a clause to that effect before the second reading of the Bill.

Bill read the first time.

#### RAILWAY ACT AMENDMENT BILL.

##### FIRST READING.

Mr. BLAKE introduced a Bill (No. 76) To amend the Railway Act of 1868. He said the purpose of the Bill was to remove doubts which existed as to the power given by the Act to railways to intersect other railways. The 16th sub-section of the Act provided for intersection on certain conditions—the plans being submitted to the Railway Committee of the Privy Council for their approval.

Bill read the first time.

#### MR. JUSTICE LORANGER.

##### MOTION TO PRINT EVIDENCE.

Mr. LAURIER moved:

“That the Committee appointed to inquire into the administration of justice in the district of Richelieu, be authorized to have the evidence taken before the Committee printed for the use of the members thereof.”

Mr. SPEAKER said, if the evidence existed in manuscript form, the rule required that a resolution of this kind should go directly to the Printing Committee. If it was a case of emergency, and the House desired it, the rules could be suspended.

Mr. MACKENZIE said the hon. member for Drummond and Arthabaska had given no idea as to the quantity of the evidence, and it would be much better to refer the resolution to the Printing Committee in the usual way.

Mr. LAURIER said the members of the Committee had expressed a wish that the evidence, which was rather cumbersome and voluminous, should be printed. They felt they could not do justice to the case unless each was put in possession of the evidence, and as the full Committee could not be present during the taking of the whole testimony he thought it was absolutely necessary to have it printed. He was quite willing that the chairman of the Printing Committee should adopt what course he thought was right. He would state that the evidence was very voluminous.

Mr. SPEAKER said some years ago the Public Accounts Committee, which had made important investigation into some railway matters, submitted to the House the evidence from time to time. He thought a similar course was pursued on the Committee with reference to the North-West case. In both cases the direct action of the House was invoked, and the House, by resolution, authorized the Committee to get the work done in the way in which it was done. But the present case was different, because the evidence was now all in manuscript. Of course, it was for the House to determine the matter.

Motion referred under the rules.

#### BREAKWATER AT GODERICH.

##### QUESTION.

Mr. HORTON asked whether it was the intention of the Government to place a sum in the Supplementary Estimates to repair the small Breakwater under the Lighthouse at Goderich, placed there to prevent the sliding of the bank, but which had been much

Mr. LAURIER.

damaged by the heavy storms of last season.

Mr. MACKENZIE said the attention of the Chief Engineer had been called to the matter, but, until the resident engineer had made his report, the Government could not give a definite answer.

Mr. SMITH (Westmoreland) said his hon. friend the Premier had made a mistake. The Government Engineer was still on the spot, and had discovered that it was imperatively necessary that some repairs should be made. It was the intention of the Department to recommend a sum in the Supplementary Estimates.

#### RIFLE-REGIMENTS' ARMS.

##### QUESTION.

Mr. CARON asked whether it was the intention of the Government to arm all the rifle regiments with the short rifle and sword bayonet.

Mr. VAIL replied in the affirmative.

#### MILITIA GENERAL ORDERS.

##### QUESTION.

Mr. CARON asked why the Government did not, as formerly, distribute among the officers of the militia force, and more especially among the commanding officers, copies of General Orders as published in the official *Gazette*.

Mr. VAIL said he was not aware there had been any change made. With regard to General Orders, where they affected the force generally they were sent to the District Staff, the Adjutants, Captains, &c.; but where the orders were merely local they were only sent to the District Staff.

#### CANADIAN PACIFIC RAILWAY.

##### MOTION FOR COMMITTEE.

Mr. DECOSMOS moved for a Committee of twelve to enquire into the progress made with the surveys of the line of the Canadian Pacific Railway, with power to send for persons and papers, and to report from time to time. He said that before he entered upon this subject he would

ask the indulgence of the House while he made a few remarks with reference to a reply made by the hon. the Premier in answer to a question put to him a few days ago. He asked the Government whether a progress report would be brought down this Session. The answer of the hon. the Premier was that the progress report had been on the table for about five days. On examination of the returns, he (Mr. DeCosmos) found that no progress report had been made. He found that the return was a mere synopsis of the report, included in the report of the Minister of Public Works. Beyond that, he had discovered that the Chief Engineer, and the Chief Assistant Engineer of the Canadian Pacific Railway were now engaged in preparing a progress report. When he considered the nature of the reply, and the tone in which it was delivered, and the racy laughter which occurred in certain corners of the House, he must say that, although a gentleman might bear Her Majesty's Commission as a Minister of the Crown, it was no guarantee either as to the accuracy of his statements or the polite tone of his replies. In reference to the matter immediately under discussion, he would draw the attention of the House to the second clause in the Speech of His Excellency the Governor-General, in which he said :

“During the recess, I visited the Province of British Columbia, and had much satisfaction in becoming acquainted with the people in that interesting part of the Dominion and with the climate and resources of their Province.”

Following this, there was the following statement :—

“The surveys of the Pacific Railway have been prosecuted with the utmost vigour and at a larger cost during the past than in any previous year ; but it has not been found possible, as yet, to complete the location of the line, and I have consequently been obliged to postpone the inviting of tenders for its construction on the terms indicated by the Act of 1874.”

The next clause was :—

“A further correspondence on the subjects at issue between my Government and British Columbia will be laid before you.”

It would be observed that the clause with respect to surveys was so placed as to convey the idea to the House and the country that it was an utter impossibility for the Government to commence the construction of the railroad on the Pacific Coast ; as they said, the whole of the location line, to connect the Ontario and Quebec system of railways with the Pacific coast, was not yet completed. He would assume that to be the case, although he believed there was a report from Mr. Sandford Fleming, the Chief Engineer, that sufficient surveys had been made to warrant the commencement of the work in British Columbia. In spite of what the Government said about the line of location not being complete, the Government had given out a contract for the road between Pembina and Winnipeg, and between Thunder Bay and Red River. Now, if the Government, before the line of location was completed, could give out contracts for one part of the Dominion, they could do the same, he maintained, in another part, viz. : on the Pacific Coast. If the House would give him a Committee of twelve, he maintained that he could prove there was nothing to prevent the Government, since 1873, from prosecuting the work in British Columbia ; and that, after long years and hard labour, the engineers of the Canadian Pacific Railway Survey had arrived at correct conclusions as to the route. More than that, he would be prepared to show that the Government had not brought down the reports of the engineers on this point, but had kept them back. He believed he could place before the Committee the engineers, and show conclusively that no other route for the railway ought to be adopted by the Dominion of Canada except the Bute Inlet and Esquimalt route. He observed, in reference to this matter, that the organ of the Government in Victoria, the *Colonist*, had the following statement, which was, no doubt, inspired :—

“The Fraser River route (to survey which, we believe, the delay is required) should have been surveyed years ago. That it was not is not the fault of the Ottawa Government, guided as they were by their engineers, who always reported, until last summer, that the route was impracticable for a line of railway.”

He had the statement of hon. members of this House, and also the authority of the engineers, for saying that the whole of the survey from Tête Jaune Cache to Burrard Inlet, and from Yale Canyon to Lytton had been completed years ago, although the latter was re-surveyed last autumn.

Mr. DEWDNEY: Who was the authority? Mention the names.

Mr. DECOSMOS said he would do so when it suited him.

Mr. DEWDNEY: I think you might do so now.

Mr. DECOSMOS said he would give the names when the Committee was appointed. The hon. the Prime Minister had declared a Session or so ago, on the floor of the House, that there were only two routes which could be adopted, and that the choice was between them—that the survey had been extended to Fort George and thence to Burrard Inlet, and that the Fraser River route had been abandoned. He would like to have the Committee to find out why the hon. the Premier had stated that one of the two routes referred to would be chosen, and yet why there should be any further surveys as announced by his organ in Victoria. And it was not only the organ which announced this, but from the correspondence between Earl Carnarvon and the Dominion Government it would appear there must be further surveys. He would do more than this. If a Committee were given him, he would show that the Fraser River route was not the route for national defence. If it took the line *viâ* the Lower Fraser, the Thompson River and North Branch to Tête Jaune Cache, it could be tapped by a branch in the Sumas Country and connect with Puget Sound at the main terminus of the Northern Pacific Railroad in Washington Territory. He might tell the House that an application was now before Congress to extend the Northern Pacific Railway, within eight years, from Bismarck to Puget Sound, and they would certainly tap our line in case we brought the road

Mr. DECOSMOS.

*viâ* the Fraser. If the road was brought by the Lower Fraser, there would be little or no way traffic, not enough to find axle grease for the cars, because there were no resources along the line. But if the road was brought by way of Tête Jaune Cache and Fort George and Bute Inlet, reaching direct from the ocean or Victoria, there would be a very large way traffic. Any one turning up the statistics as to the Central Pacific Railway would find that the largest portion of the nett earnings of that railway was from way traffic. He would state one thing further, and that was that he believed this Government had no intention to build this railroad on the Pacific Coast until the general elections were over—that all the obstacles were got up for delay with this view. He believed that the Government had the power in its hands to commence the construction of the railway years ago. In 1874, the hon. the Premier had stated that the route from Esquimalt to Nanaimo would be commenced, and in December of the same year he agreed with Lord Carnarvon that this should be done. He (Mr. DeCosmos) contended that if the Government had consented to do this at that time, they were quite able to do so now. He need hardly say that the question had been the cause of a great deal of irritation in British Columbia, all of which need not have arisen if the Government had done what was in their power. All that was required in 1874 was some railway iron, a corps of engineers and some navvies. To a large portion of the people of British Columbia the matter was only one of intentional delay on the part of the Government. Another point which occurred to him was this: It was stated by the Government organ in Victoria that it was intended to survey the Lower Fraser River. He would take occasion to place this statement on record, namely, that any money expended for surveys of any portion of the Lower Fraser River in 1877, after the exhaustive surveys of last year, would be a waste of public money. He therefore presented his motion, hoping that the Government would see their way clear to granting it.

Mr. THOMPSON (Cariboo) said, as seconder of the motion, his object was not to advocate any particular route through British Columbia. He had always maintained, and maintained still, that the question of the route was one which, in the general interests of the Dominion, must be decided by the engineers. But he did object to the paltering policy of this Government from year to year. It was stated in 1875 by the hon. the leader of the Government that the route was almost determined upon, and that there was only a very small link which had to be surveyed in order to render the route complete. They were told in 1876 that that link had been completed, and that the only question remaining was as to the route which should be taken from Fort George to the Pacific Ocean. That he had a preference to a particular route he (Mr. Thompson) was willing to admit. His preference was for the northern route, which would run through a rich mineral country, and by opening up rich veins of gold and silver, would afford employment to hundreds and thousands of miners. This he considered was infinitely more advantageous, not only to the Province, but to the Dominion at large, than the route running along the southern boundary, which was liable to raids from the United States, and along which a line could only be subsidiary to the Northern Pacific Road. Still he was willing to forego his preference, and that any route decided upon by the engineers should be adopted. He was perfectly willing that the Fraser River route should be adopted, if, in the opinion of the engineers, it was the best. The hon. the Premier, speaking on the subject on the 31st of March, 1876, said :

“The route by the Thompson and Lower Fraser rivers, first mentioned, proved by the surveys to be the most expensive one by which to reach the ocean; but this much could be said in its favour, that better grades could undoubtedly be obtained by their taking that cleft and following it down to the sea than by any other route, but an enormous amount of tunnelling would have to be done, as well as a large quantity of other expensive works, such as high retaining walls and deep excavations in the hardest of rock. These difficulties proved to be so numerous and so great that we were,

with considerable reluctance, obliged to seek a more favourable route.”

It appeared at that time that the Premier had utterly abandoned the idea of deciding on that route. But why were engineering parties, after surveying the northern route, instructed late in last season to give a casual survey to this route? Why was the House now told that sufficient progress had not been made to enable the Government to invite tenders, which they expected to have been able to do, on the 1st of January; and why were the people of British Columbia to be put off another year, or perhaps a number of years, simply to survey routes which the Government had already declared were impracticable? If this route was considered practicable, it should have been surveyed at the same time as other routes, and if it was impracticable, as was stated by the hon. the Premier, it should be definitely abandoned. Route after route, year after year, were taken up and condemned, and taken up again, delaying the progress of the great national work. Such action led the people of British Columbia to consider that the Dominion Government never intended to perform the work. It would be observed by the despatch from the Earl of Carnarvon that influence had been brought to bear upon him to believe that no route and no terminus had yet been adopted. His Lordship said in the thirteenth paragraph of his despatch:—

“Between the coming spring, however, and the spring of 1878, it may be fairly expected that many points now surrounded with doubt will have become more clearly defined; and I fully hope and believe, that after the very limited delay of a single summer, the Province of British Columbia will find that there is no longer any obstacle to the active prosecution of the undertaking, and I trust that the Province will not fail to perceive with me that its case will be by no means strengthened, if impatience (however natural under other circumstances) is displayed at the non-commencement of a line of railway, the proper course and terminus of which are as yet altogether uncertain; while at the same time an independent observer must admit that the Canadian Government are using every exertion to carry out the work as rapidly as possible.”

He presumed the Legislature of British Columbia had acted perhaps wisely in excusing the Canadian

Government for another year from carrying out the work; but he wished to know what guarantee was offered that in another year the Government would be prepared to carry on the work, as they were promised in Earl Carnarvon's despatch. They might be told next year that the surveys were not sufficiently in progress to enable the Government to complete the location of the line; that they had gone over the Fraser River route and condemned it, and were now surveying some other route. They had been told from year to year, that the route had not been permanently located. Last year the hon. the Premier said:

"Our attention was then directed more particularly to the route from Tête Jaune following the Fraser River towards Fort George. The route along this part of the Fraser River, a distance in round numbers of about 200 miles, proved singularly favourable; that is so far as getting a comparatively easy grade was concerned, while the works would not be nearly so rough and heavy. From Fort George there were several routes possible."

It now appeared from the Supplementary Report made by the Chief Engineer, Mr. Marcus Smith, and dated the 31st of December last, that the routes from Fort George to the ocean were surveyed last summer. Some had been given up as impracticable, but the route by Bute Inlet had been surveyed and a trial location made, and had been found much more favourable than was even anticipated by the hon. the Premier in his speech last year. He thought it was proper that the Committee asked for should be granted, in order to show what were the reasons which led the Government to inform the House that they were unable to locate the line, while they stated last year, that the location was almost completed. He found that \$500,000 appeared in the Estimates for the construction of the main line in British Columbia. The same sum was voted last year, but never appropriated. That amount might be placed in the Estimates to give an idea that something would be done on the line during the year, while at the same time the Government informed the House, through His Excellency's Speech, that the surveys were not so far completed as to enable the line to be located.

Mr. THOMPSON.

The Estimates also showed that \$100,000 was proposed to be appropriated for surveys during the years 1877 and 1878, while \$500,000 were appropriated last year. From that reduced sum it would appear that the Government did not intend to prosecute the surveys with any great vigour, or that the surveys were so nearly completed that it would require only a small sum to determine the whole location of the road. Under those circumstances, he considered he was justified in advocating the appointment of the Committee, not to decide as to any particular route, but to determine what had been done, and what could be done, in regard to this important work. In the financial statement made by the hon. the Minister of Finance, he told the House that the people of British Columbia should be content with what had been done, and that \$6,000,000 had already been spent in surveying the route for the Canadian Pacific Railway. He (Mr. Thompson) would like to know what benefit was derived by the Dominion at large from the \$119,000 paid to Mr. Foster for useless work connected with the section of the line of which he was the contractor. He would further like to know what benefit had accrued, or was likely to accrue, either next year or during several years to come, from the 5,000 tons of steel rails now lying rusting at Esquimalt and Nanaimo? He hoped the Committee asked by the hon. member for Victoria would be granted.

Mr. CUNNINGHAM said he was glad to know that the selection of a route for the railroad and the site of the terminus would not be committed to hon. members for British Columbia, for if these questions were left to them it would take a long time to settle either the route or the terminus. They all had their opinions, their likes and dislikes. The hon. member for Victoria (Mr. DeCosmos) could only see three points in British Columbia—Esquimalt, Nanaimo and Bute Inlet; all places outside of those were considered by him worthless. He was not aware when the motion was put on the notice paper that that hon. member intended to take the opportunity in his own peculiar way to condemn the Fraser River route. He expected

that it would have been at least left with the Committee to decide the question of route, but the hon. member for Victoria had taken the opportunity to condemn the route which several of the hon. members from British Columbia were somewhat inclined to advocate; he referred to the route which the hon. member for Yale (Mr. Dewdney) and himself had always maintained was the only route for a railway in that Province. The Government had spent nearly a million and a half of dollars in surveying the routes to the north, including Bute Inlet, Dean Channel, and one still farther north. He believed that the greater portion of that money had been thrown away, and that the Government would come back to the old route, which was the only outlet for a railway in the Province, viz: the Fraser River route, terminating at Burrard Inlet. The Government contemplated resurveying that route in 1877, and it was unwise and unpatriotic to throw any obstacle in their way, because he was satisfied, from what he knew of the country, and from information which he had received, that, even if they expended two million dollars in surveys, the Government would still have to come to the conclusion that there was only one route for the railway, and only one port on the mainland of British Columbia where the route could terminate. While he had no objection to the Committee being granted, though the proposal for sending for persons and papers would incur considerable expense, he would like to know what light a Committee could throw on the question. Already the House had the surveys and Government report before them, and he was perfectly satisfied that the Government would do what was right in the matter and not be intimidated or forced to select a route without duly considering the matter, not only in the interests of British Columbia, but in those of the whole Dominion. He knew the hon. member for Victoria (Mr. DeCosmos) felt somewhat sore at the just defeat of the Esquimalt Railway Bill in the Senate. He, and many others of the people of Vancouver Island, had been for years endeavouring to rush the Government into the immediate con-

struction of the road, without first discovering a port which would be an outlet and a route for the road. The aim of the hon. member for Victoria had been to get the road to Esquimalt, and there only. He hoped the Committee would not be granted, as there appeared to be no necessity for its appointment.

Mr. MACKENZIE said he did not intend to be drawn into a general discussion upon the Pacific Railway on the motion of the hon. member for Victoria for a Committee. He must, however, express his surprise at the complaint made by the hon. member at not receiving explicit information. The hon. member had called at his office and he had given him all the information that it was possible to give him, and, indeed, he had received more information than any hon. member in the House. He was not aware that, in stating that the report of the Engineer had been on the table five days, he had shown a want of courtesy towards the hon. gentleman or want of consideration for any person; if the hon. member thought so, he was simply mistaken. He had made a plain statement of facts in as few words as it was necessary to convey them. With regard to the statement that the Government had not used sufficient diligence in prosecuting the surveys, he had merely to note the fact that, during the first half year, hon. gentlemen opposite spent \$489,000; in the second year, up to the time the present Government succeeded to office, \$561,000. There were expended during 1873-74, \$310,000; in 1874-75, \$474,000, in 1875-76, \$791,000; from June, 1876, to December, 1876, \$509,000, or a total expenditure during the five years, of \$3,136,615 on those surveys. He asserted, without fear of contradiction, that it would have been impossible for the Government to have shown greater diligence than had been shown up to this moment. He asserted, further, that, but for an anxious desire to conciliate the people of British Columbia, and show them how exceedingly desirous the Government was to meet the just expectations they might entertain, the Ministry would never have prosecuted the surveys with such haste, he might say instead of diligence, because a greater amount

of leisure devoted to a careful examination of the country would have enabled them probably to have avoided many mistakes into which engineers must necessarily fall in penetrating an unknown country. He must again protest, once for all, against any hon. member of this House holding him accountable for any statement he might make with regard to engineering operations. He knew nothing about the country himself. All his statements were made upon information furnished him by the Chief Engineer and his assistants. It was well known that, in the survey of a vast country like British Columbia and the North-West Territories, it was impossible for any engineer to be absolutely accurate in the statements he might make with regard to the probable success of a line in any particular direction. For instance, it was supposed, four years ago, by Mr. Fleming, that he would find an almost direct line from Tête Jaune Cache towards the crossing of the Fraser River near Big Bend, while subsequent explorations had shown that a range of mountains, a branch of the Cariboo Mountains, stood in the way, presenting what was practically an impenetrable barrier, of which nothing was known until the country was explored. He durst say that, if he had spoken on this subject in the fall of 1873 or the spring of 1874, he should have pointed out this line as the most direct route that could be adopted. He had stated last year exactly what the hon. member for Cariboo (Mr. Thompson) had said, that the line would be or could be completely surveyed to Bute Inlet, and it was so completely surveyed to-day. It was also completely surveyed to Dean Inlet, and the profiles for these two routes through British Columbia were near completion. Another route which was only partially surveyed ran to Port Essington, which was the most northern port in British Columbia, and which, of all that could be obtained, formed the shortest route to the sea. It was true that in so inhospitable a country—the snow being so deep and the ice so firm in winter—it was likely to be practically out of the question to think of going there, but, with refer-

ence to the Fraser Valley, he might simply state, as an hon. gentleman had said, that the Government were reluctantly compelled to seek a more favourable route. They did not indicate, however, by any means, that, under no circumstances which might yet be developed, would they ever resort to the examination of the Fraser Valley again. On the contrary, there was very much to be said in favour of the Fraser Valley. They could, for instance, have navigation on the Fraser River to a point so high in the river as to make that route practically 152 miles shorter than the route to Bute Inlet; and they had extraordinary difficulties to face when they reached Bute Inlet, arising in connection with navigation. The Chief Engineer was investigating that particular point at this moment, and he (Mr. Mackenzie) hoped that the information he was collecting and distributing under various heads would be prepared within a short time in such a shape as to be presented to the House. That information would probably determine the choice of the ultimate route through British Columbia. In the meantime, he had merely to say that it was quite impossible for the Government to accede to this request for a Committee with power to send for persons and papers and to institute an examination of this sort. That could not be submitted to; and he was sure the hon. gentleman who had moved for the Committee would see how utterly impracticable such a scheme would be. Who was to criticize the action of Mr. Sandford Fleming and Mr. Marcus Smith? Who was to find fault with them for their examinations? Were they to have mere politicians undertaking to examine these men and to report to the House as to whether they were right or wrong? This was not a matter of administration at all. It was a matter of engineering. If any member of the House chose to assume the responsibility of saying that the Government had not shown sufficient diligence in prosecuting the survey, let him make a motion to that effect, and they would meet it promptly and show that their conduct was not open to such censure; but for any one to undertake to obtain a Committee of twelve gentlemen in the

House to enter upon and critically examine the engineers who had been engaged, with almost *carte blanche* as to their proceedings, in the prosecution of this survey across the continent was really one of the most extraordinary propositions he had ever heard of. He might say, in vindication of the engineers—and he always endeavoured to vindicate public servants whenever assailed, as long as they were in the employment of the Government, and they could be employed no longer than while they deserve the confidence of the Government—that they had performed an amount of labour which was perfectly incredible. Take the great Indian Railway from Bombay towards Madras. The line was not more than one-fourth of the length of this route, and the only serious obstacles in the way were met in ascending the mountains not far from Bombay; and yet that survey, though through a densely populated country, which was as well known as any part of England or France, had actually consumed more time than had been consumed up to the present in passing over an uninhabited portion of the continent, and in traversing this distance of nearly three thousand miles. It was true that the work had entailed great expense, but that was inseparable from the nature of the country, the kind of labour required, the difficulty of getting supplies, and all other incidents of that sort, which were entirely different from what they would be in a settled and well-known country. He should, of course, take occasion at the proper time to give the very fullest information with respect to everything connected with this road. He believed he did so last year, and he hoped he then satisfied gentlemen on both sides of the House. He thought that the Government had a right to claim the support of gentlemen on both sides of the House in connection with an enterprise which had occasioned so much difficulty, and was sure to occasion so much more difficulty in the future. It was true that some gentlemen opposite had shown a remarkable degree of diligence in endeavouring to pick holes and find fault, and even insinuate that some improprieties of a personal kind to himself had taken place

in this connection; and he had to say, once for all, that, if any man here or anywhere else had any charge to bring, let him formulate it in open day and demand a Committee to investigate it. In that case he should have a Committee, and witnesses should be examined on oath. He could only say that no impropriety on the part of the Government had ever taken place in this connection.

Mr. BUNSTER said he was very sorry to see this matter brought before the House so frequently. It was apparent, however, to every intelligent man that justice had not been done to British Columbia with respect to the building of this road. When the Premier stated that everything that was possible had been done, he joined issue with the hon. gentleman, owing to the fact that he believed sufficient information was already in the possession of the Government to justify the location of the line. He was willing to give the Government credit for having sent out rails to British Columbia, but, whether badly advised or not, the Government had certainly not shown the amount of diligence which had been exhibited in connection with other roads. In his opinion there was nothing to prevent the rails being laid long ago, as there was an abundance of timber for ties, and the grade was easy. This survey had been in progress for four or five years, and during the same period the Central Pacific Railway had been built and placed in running order on American territory, while not a blow had been struck towards the actual commencement of the railway in British Columbia. He could not help thinking they had not been fairly dealt with in this matter. When some two or three years ago British Columbia complained of her grievance, and accepted the Carnarvon arbitration, the work should have been begun in earnest at once. The Government had brought down a measure which passed the House but was killed in the Senate, and what had become of that measure? The Government had not again endeavoured to secure its passage, as they should have done. When the English Government was defeated in the Lords on the Paper Bill, they

sent it to the Upper Chamber year after year until it was finally carried, and this should have been the course in Canada in the present instance. The people of British Columbia, under the circumstances, had good reason to find fault and to grumble. It would indeed be strange if they did not. They were given no guarantee that the work would be completed. He could not help doubting the honesty of the excuse which Lord Carnarvon had recently made in this regard. They had a right to assume that the Minister of Justice, who had expressed himself so strongly against British Columbia, when he went to England had probably used his well-known power of argument and eloquence to influence the judgment of Lord Carnarvon. If the road had been begun according to agreement, probably this country would not be suffering so much from the present depression in trade. The work would have infused confidence into our mechanics and farmers, and our farmers' sons who were now seeking homes in other countries. Possibly it would have induced some of the 500,000 Canadians who had settled in the United States to return to their native land, for every true Canadian preferred to live under the glorious flag which for a thousand years had braved the battle and the breeze instead of one foreign to them. So long as the Government continued to manifest apathy and disregard on this national aspect of the question, the only practical union of the several component parts of the Dominion, so long would our young men fail to feel confidence as to the future of the nation. It had been well said that without the railway the Dominion was but a rope of sand. He had not yet learned that the Government had applied to the Imperial Cabinet for an Imperial guarantee in order to prosecute vigorously the early construction of the road. Now he would just remind them that it had been shown, on good authority, that our line would shorten the passage across the continent, as far as Eastern trade was concerned, by 2 days and 9 hours; and, while the American through road passed over a range of 8,700 odd feet in height, the highest point to be crossed on this

route was 4,000 odd feet in height. This was a material advantage, and while \$2.50 was paid for ties on the Central Pacific Railroad, ties on this line would not cost over 12½ cents each. These and other advantages, he was aware, had already been mentioned, but they could not be impressed upon them too often. He was sorry to hear the charge again made that British Columbia was an inhospitable region; he had refuted it before and could again. He was sorry to behold such gross ignorance on the part of members on the Treasury benches as regarded the climate and capabilities of their own country. Canadians who had removed to British Columbia would not return to Ontario in consequence of the great superiority of the climate of the Pacific Province. Indeed the climate here was inhospitable in comparison. He could only say that less ill-feeling would exist among British Columbians, owing to the treatment they had received with regard to the railway, if less hostile language was used in the House with reference to their country. If British Columbia was as powerful as the United States, the Government would soon find the means to enable them to prosecute the work properly, but because they were weak in number—though not in spirit—a different attitude was taken. He hoped to see the day when the bargain made would be carried out. If the present Government did not do so, some other Government would eventually keep faith with British Columbia. American engineers employed on the line had told him that it could be built for less than one half the cost of the American route owing to the condition of the labour market, the depreciated price of iron, the difference in the height of the mountains which were to be crossed, and the lessened price which must be paid for ties. It had been said that \$30,000,000 and 50,000,000 acres of land had been offered. Unfortunately for British Columbia and the rest of the Dominion that offer had not been made in a proper spirit, or floated properly on the London market, as was the debt recently floated for the Dominion by the hon. the Finance Minister. He held

Mr. BUNSTER.

that it was not fair to mortgage the Province until the obligations entered into at Confederation were carried out. He was sorry to hear one of the hon. members from British Columbia say that he was opposed to the granting of the Committee. That hon. gentleman also declared that the senior member for Victoria (Mr. DeCosmos) had three points in his mind's eye. Well, credit should be given that hon. member for it, as the other hon. member for Victoria (Mr. Roscoe) had only one point in his mind, which was not as valuable, as far as accommodating the commerce of the world was concerned, as either of the three referred to. He favoured the appointment of the Committee, because he thought it would throw a great deal of new light on the subject, and probably assist the Government, and help to satisfy the disappointed people of the Province. The granting of the Committee would only be an act of courtesy and justice towards a much-abused people.

Mr. DEWDNEY said he had not heard any argument during the discussion which should induce the Government to grant the Committee. As the House was aware, he had on several occasions expressed his opinion in regard to the route for the railway. As early as 1873, he introduced a resolution asking that the Fraser River route might be surveyed. Among the hon. members who opposed this was the hon. member for Victoria, (Mr. DeCosmos) as well as others from that part of the country. It was, therefore, very unfair for those hon. gentlemen to throw the whole responsibility of the delay of the survey of that route on the Government; they were as much to blame as the Government, as they had done everything they possibly could, from Confederation up to the present time, to prejudice the engineers against the Fraser River route. He had never urged that one route was better than another, but he had always advocated the prosecution of the surveys. It was of the utmost importance that the best route should be adopted. The hon. member for Victoria had stated that, if the Fraser River route were decided upon, there would be no way traffic, and that, therefore, the more northerly route was preferable.

Now, he (Mr. Dewdney) made a trip last summer from Fort George to Tête Jaune Cache, and he found that 150 to 250 miles of that route ran through a very inhospitable country. His impression was that, when the surveys were made, the Government would be forced back upon the Fraser River route. If his information were correct, it would be found that there were a great many difficulties connected with the more northerly route. He would refer to the question of way traffic at a future time. He had statistics to show that the way traffic would be much greater on the Fraser River route than on the other. The hon. member for Victoria believed that the Fraser River country was very difficult. The hon. gentleman made a trip through it once, and, when in one of those nervous conditions in which the House often found him, he jumped out of the stage and, had it not been for his coat tails, would have rolled over a precipice.

Mr. DECOSMOS said that statement was entirely incorrect. He did travel over a height on the Thompson River, but the gentleman who tumbled out of the stage was Mr. Maine, a broker of San Francisco.

Mr. DEWDNEY said he had been misinformed, then; but he had made the statement on the authority of the stage driver. He hoped the Government would not grant the Committee.

Mr. DECOSMOS said the hon. the First Minister had stated that the Fraser River route had certain advantages, one of which was that by starting at a certain point they could make the line 120 miles shorter. He presumed the point referred to was Yale, and he thought it was a mere delusion. He had been over that country several times, and had found that the navigation was very difficult in the summer time, and in the winter the river was frozen over sometimes for six weeks or two months together. What great advantage would there be in having a through railway if it started from a point which could not be reached for a month or two during the year. The hon. the Premier said the Committee ought not to be allowed, because they might catechise Mr. Sandford Fleming

and Mr. Marcus Smith. Apparently the hon. gentleman wished the House to infer that the Committee would treat those gentlemen unfairly. But there was another side to the hon. gentleman's argument, which was this: That the Committee might draw out information from those gentlemen that had been withheld for years. They might draw out the information that representations had been made with a view to certain objects, definite or indefinite. He had not one word to say against either of the Chief Engineers, nor did he wish to say anything against the subordinate engineers. The hon. member for Yale said he (Mr. DeCosmos) cast the blame for the delay on the engineers.

Mr. DEWDNEY: I said nothing of the kind.

Mr. DECOSMOS said he so understood the hon. gentleman; at any rate this denial only made the matter stronger. He understood the Chief Engineer, as far back as 1874, to state that, if the order were given to commence the railway in British Columbia, they could begin at once. He was sorry that the hon. member for New Westminster (Mr. Cunningham) objected to the Committee. That hon. gentleman might have obtained a great deal more information from the investigation than he now possessed as to the Northern Route, and discover that the line he was in favour of was not so well adapted for commercial and national purposes as he believed. With respect to withdrawing the motion, he would rather it was taken as lost on a division than anything else.

Mr. MACKENZIE: Very well.

*Motion lost on division.*

## THE CIVIL SERVICE.

### MOTION TO APPOINT COMMITTEE.

Mr. CASEY said he had put on the paper a notice of motion for a Select Committee to consider the condition of the Civil Service, the mode of making appointments, and such reforms as might be suggested in the system. He believed it would be necessary for him to give some reasons for asking for the Com-

Mr. DECOSMOS.

mittee. In doing so, it would be necessary to go to some extent into the subjects which he proposed to submit to it. He held the present condition of the service to be unsatisfactory in several respects. Comparatively speaking, the Civil Service was inefficient. He did not mean to say that there were not efficient men in the service, because it would be impossible to carry on the work as well as at present without a certain number of capable men. But he claimed that the service was not as uniformly efficient as the service of any large corporate body in the country—that the standard was not so high as demanded by banks or mercantile firms. As a consequence the service was necessarily disproportionately costly. It was always more expensive to do a certain amount of work with a large number of inefficient men than with a small number thoroughly qualified for their positions. These defects in the service he attributed to the mode of nominating and examining candidates for appointments. The patronage system had been found wanting in practice here and in the old country, and he also believed in the United States. Appointments by political patronage were certainly unfair in principle to a large portion of the population. Under that system the right hon. member for Kingston and his friends had not the opportunity to appoint any of their supporters, while, along with the other privileges and responsibilities resting upon those on his own side of the House, they had that of making Civil Service appointments. It had been suggested that, when the hon. gentlemen opposite changed places with them, they would meet their reward in this respect. That was undoubtedly true, but one unfairness did not compensate for another. The party now forming a majority of the House would then be in the same position in regard to this matter as the minority now occupied. The system of appointments was unbusiness-like, and was a system which no man would adopt in choosing his own clerks or confidential agents. He would not apply to his political friends to recommend names, but he would undoubtedly use his own discretion and judgment. Having appointed

them, he would take cool and deliberate note of their conduct from year to year, retaining, promoting or dismissing them according to his estimate of their efficiency. Such should be the course in regard to the service of the country. It had been held that appointments should be made on the responsibility of the Ministry to Parliament and the people, and it had been urged that a sense of this responsibility would lead the Government to make such appointments as were in the public interest. He thought this was a mere phantom of responsibility. There was no real active responsibility resting upon the Government. There were very few appointments as to which the Ministers could make use of their own personal knowledge, and these few were only in the capital. In regard to all other appointments the Ministry were compelled to rely upon their supporters, both by the necessity of the case and by immemorial custom. The member who recommended any appointment might be said to be responsible. But his responsibility was only to his constituents, those who had elected him, and to whom he would have to look for his future support. He held that it was unsound in principle for anybody to be responsible to parties to whom he stood in the position of a grantor of favours. The member could not be supposed to know everybody who applied to him for appointment, neither could he have a full knowledge of the duties he would have to perform. He could not, either, escape the influence of party feeling to a greater or less degree, and would also be acted upon by personal friendship, gratitude for party services and perhaps by family relations. He assumed in all this that members would not act from unworthy motives, but it was within the limits of possibility that some appointments would be made in order to gain popularity, or as a reward for party services. The latter, however, under the present system, could hardly perhaps be called an unworthy motive, since it had been the regular practice to reward party services by such appointments. He thought it would be admitted that the system had

not obtained the most efficient class of men for the Civil Service of Canada. He said this, not for the purpose of making any attack upon the Civil Service, for he considered it was as efficient as could be found in any country where a similar system of patronage prevailed. There were a large number of efficient men in the service, a number sufficient to carry on the business of the country fairly well. But the best men in the Civil Service knew that the average excellence was not what it ought to be, and that the present system was not one calculated to secure efficiency. He had omitted to mention one or two things in regard to the present condition of the service. One of these was the overcrowding, owing to the pressure brought upon Government by their supporters, which compelled a larger nomination of men than would be required for the needs of the country if a proper system of selection was adopted. This had compelled a reduction of the salaries in the lower grades, and it was impossible to obtain good men, as a rule, at the salaries offered. Some of the lowest salaries only ranged from \$300 to \$350 a year, and the House would recognize the fact that it was impossible to induce men of mature years and judgment to enter the service on such terms. Another evil was the partisan character of the service. When a Government remained in power for a considerable length of time, it was but natural that the various offices should be filled by men of their own political opinions; and an incoming Government found its servants hostile to it, and it was impossible to have that harmony which ought to exist. This difficulty led, in the United States, to the adoption of the "spoils system," which was the dismissal of those who had been appointed by a former Government, and their replacement by friends of the new Administration. This was a logical result of the patronage system. He did not think it unfair, as a theoretical proposition, that a man who had been appointed for political reasons only should follow the fortunes of his party and leave his office when his party left power; but he need hardly say that he was not in favour

of introducing that system. It had brought upon the American people the tremendous frauds and corruption which now cursed the Government of that country. To sum up, the patronage system afforded no guarantee of efficiency and imposed on members a responsibility which they were in no way qualified to discharge. He was sorry that the papers asked for had not been brought down before. If they had, he would have been able to make his remarks much more interesting, by illustrating the evils he had alluded to. He would now explain briefly what he intended the Committee should do. He intended to ask for a Committee to investigate the condition of the Civil Service as it was at present, and such proposals as might be laid before it for reforming the system and to report to the House their opinion of the whole matter. The right hon. member for Kingston, when this matter was up a few days before, gave it as his opinion that the motion for a Committee was one of want of confidence in the Government and irregular in point of parliamentary practice. he did not think so, although he had great respect for the right hon. gentleman as an authority on precedent. In 1860, the very same course as that proposed now was adopted by Mr. Pope Hennessy, in the English House of Commons, who moved for a Committee of 15 to consider the existing manner of making appointments to the Civil Service, and to report whether better means might not be adopted for securing the appointment of efficient persons. That Committee sat. The report of the Civil Service Commissioners and other papers were referred to, and it reported from time to time to the House, asking for other privileges. Finally it made a report to the House, which dealt fully with everything pertaining to the condition of the Service, and certain schemes which were proposed. The Committee was appointed without any objection, as far as he knew, on the part of the Government, and he assumed it was a regular proceeding, and that the Government of Canada would be justified in consenting to the course he proposed to adopt. This was not a party question. The Reform party could well take it up, for

Mr. CASEY.

it seemed to belong to their professions. Conservatives also need not hesitate to take it up, as it was a question upon which all parties could unite for the public benefit. It was one in which he considered he was justified in asking both the Government and the Opposition to assist him. From certain public utterances on both sides of the House and from private conversation he felt that his motion would have very general support. He moved:

“That a Select Committee be appointed to enquire into the present condition of the Civil Service and the method of nominating and examining candidates for appointments, with a view to ascertaining whether better means cannot be adopted for securing the appointment of properly qualified persons and the general efficiency of the Service: with power to send for persons, papers and records; said Committee to consist of Messrs. Archibald, Aylmer, Charlton, Colby, De St. Georges, Kirkpatrick, Killam, Macdougall (Elgin), McDougall (Renfrew), Roscoe, Wright (Pontiac), Church, Paterson, Burpee (Sunbury), and the mover, of whom five shall be a quorum, and that said Committee have power to report to the House its observations on the subject referred to it, together with minutes of the evidence taken before them.”

Mr. MITCHELL moved the adjournment of the debate.

Motion to adjourn debate *agreed to*.

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

## After Recess.

### PRIVATE AND LOCAL BILLS.

#### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time, and passed:

Bill (No. 30) To incorporate the Union Marine Insurance Company of Halifax, Nova Scotia.—(Mr. Jones. Halifax.)

Bill (No. 31) To authorize and provide for the winding up of the Metropolitan Bank.—(Mr. Workman.)

Bill (No. 32) Respecting La Banque Jacques Cartier.—(Mr. Jetté.)

Bill (No. 45) To incorporate the St. Lawrence and Pacific Railway Ferry Company.—(Mr. Jetté.)

QUEBEC BUILDING SOCIETIES  
BILL.—[BILL No. 53.]

(Mr. Jetté.)

SECOND READING.

Mr. JETTÉ said the object of the Bill was to grant to building societies in the Province of Quebec the same privileges which were conferred on these societies in Ontario by the Act of 1874. It was intended to prevent the establishment of so many societies as were now organized. Instead of being obliged merely to have a declaration signed by 20 or 25 persons, and registered at the registry office, the promoters of such societies would, under its provisions, be compelled to apply to the Government for letters patent. These societies were also to be prohibited from receiving deposits to an unlimited amount, as had been done in the Province of Quebec for years past. Deposits had been received in such amounts as to imperil the interests of depositors. He knew of one society in Montreal which, with only a paid-up capital of \$50,000, had received deposits to the extent of at least \$125,000; and the shares of the society could be realized upon at any moment, giving no security to depositors. If the Bill became law, it would only allow building societies with a permanent paid-up capital of \$250,000 to receive deposits. The necessity for this legislation was, in his opinion, shown by the petitions sent to the House this Session on behalf of one of these societies, which was in difficulties, praying that the power of receiving deposits be refused it; and asking that, in future, its directors shall have no such power. The Bill was drawn, he believed, in the public interest.

Mr. BLAIN suggested that a great deal of time would be saved if this Bill was referred to the Committee, together with the Government Joint Stock Companies Bill. He also believed that a Bill had been introduced into the Senate, with the object of increasing the borrowing power of these societies very considerably in excess of the powers capable of being granted under

the Joint Stock Companies Act, which was before the House.

Mr. BLAKE said the House, some years ago, had affirmed a principle with regard to building societies in Ontario, which of course could be applied to such societies in the Province of Quebec. It had always occurred to him, that it would be a very great advantage if it were possible to deal with building societies by means of general legislation based on principles applicable to all the Provinces in which they were established. He was not aware that in the Province of Quebec, as in Ontario, the old principle of terminating societies had been practically done away with.

Mr. JETTÉ: No; it is not done away with entirely.

Mr. HOLTON said the principle still existed.

Mr. BLAKE said this was the case in Ontario. Practically, there were now no terminating societies in existence; but any common law passed in the House in this regard, should be wide enough to embrace societies of this description. He did not doubt that permanent societies were the true societies, and attention should be more particularly addressed to such legislation as would contribute to the formation and maintenance of permanent societies on a sound basis, and, whatever was the fate of this Bill, it was worthy of the consideration of the House and Committee to see whether they should not make a general law based on sound principles, which would be applicable to all such societies throughout the Dominion. General principles must be common to such transactions in both the Provinces of Quebec and Ontario, and it was certainly unfortunate that varying laws on this subject should be placed on the Statute-book each Session. For example, an hon. member had alluded to the fact that, in the other Chamber, a Bill was introduced to give additional powers to building societies, and in this House his hon. friend from Peterborough had submitted a Bill giving additional powers to building societies in Ontario. This was not a creditable state of things. They ought to frame

one measure broad enough and yet guarded enough to suit the circumstances of all the Provinces in this respect.

Mr. JETTÉ said that two years ago he had introduced a Bill almost identical with the present one, but the Finance Minister had requested him not to press it, because he would probably introduce a Government measure on the subject during the next Session. In the meantime, a Bill had been introduced with respect to building societies in Ontario, and one of its provisions limited borrowing powers to societies having a pretty large capital. This was submitted to vote, and, he believed on motion of his hon. friend from North Oxford (Mr. Oliver) it was so amended as to allow all societies having a paid-up capital of \$40,000 to receive deposits. He did not consider this a sound principle; experience had since shown that such borrowing powers should be restricted. He thought that his Bill would certainly meet the exigencies of the situation in the Province of Quebec more than other Bills which had been introduced. They wished to profit by the experience afforded during the past two years, and business was at present so depressed, that no one would complain if the power of borrowing money, and of receiving deposits in this relation, was restricted.

Mr. CARTWRIGHT said he understood that his hon. friend would be then content with the second reading, and consent to the Bill being considered along with the Government Bill, or immediately subsequent to it.

Mr. JETTÉ: I have no objection to that course.

Mr. OLIVER said it must be understood that when this Bill passed its second reading and was referred to the proper Committee, any hon. gentleman who differed from its principle was not debarred by this fact from urging his objections. He certainly objected to the principle of the Bill, which he would oppose at a future stage.

*Bill read the second time.*

Mr. BLAKE.

## NON-FORFEITABLE LIFE ASSURANCE POLICIES BILL.

[BILL No. 69.]

(*Mr. Trow.*)

BILL WITHDRAWN.

Mr. TROW, in moving the second reading of the Bill, said his object was to give policy-holders a guarantee that no advantage would be taken of them by Insurance Companies on account of some little informality or technicality caused by their agents unknown to the policy-holders. The first clause provided that, if a policy-holder had paid a premium for five years, there should be no advantage taken by the company in reference to an improper statement as to his age. He might not have known it at the time, and, as a rule, executors, trustees, or the widow and family, were not in a position to prosecute, but were often compelled to make a compromise and so were defrauded of their just rights. The second clause provided that the company should, within thirty days, pay the amount specified in the policy into the Court of Chancery and that it should bear 8 per cent. interest from that date. He thought the result of this would be to make companies pay sooner than they would otherwise. The third clause provided a security for an assignee who had purchased a policy in good faith, and loaned money to the policy-holder for it, and had paid the premium for ten years with the sanction of the company. He thought in that case he should receive the amount. In other transactions, he was protected by the law, and he thought he also should be protected in insurance matters. Then, many young people were induced by agents of companies to insure their lives, fancying that they might be in circumstances to continue to pay their premiums yearly. But, when they started in life and had a family, they became straitened in circumstances, and were not prepared to pay the annual premiums, and the consequence was they forfeited the amount they had paid. In such a case, the company ought to give a paid-up policy to the value of the amount paid, and that was provided for in the 4th clause. He pro-

posed to make some amendments to the Bill in Committee.

Mr. BLAIN said he thought there was a principle in the Bill which might very well be considered. He believed the better class of insurance companies did not raise these technical objections to the payment of the amount of the policy, after a certain number of premiums had been paid. He suggested that the Bill should be read the second time and referred to the Committee which had now under consideration the Government Insurance Bill.

Mr. CARTWRIGHT said he had no doubt the object of the mover of the Bill was excellent and laudable, but it would be a very serious interference with existing contracts, as it was to affect all policies now in force. It appeared to him that they could not possibly entertain a proposition to introduce quite novel conditions into policies, covering such an enormous amount of money and affecting such an enormous variety of interest as that covered by the life policies in existence in Canada. There was something like \$80,000,000 now covered by these contracts, and it seemed to him that they could not vary the terms of existing policies. As to what might be done in the future he would express no opinion at present.

Mr. TROW said he did not wish to interfere with existing policies, but only with those which might be made hereafter.

Sir JOHN A. MACDONALD said it was clear that this measure could not receive the sanction of the Legislature, no matter whether it affected existing or future policies. It was a Bill to declare for Insurance Companies the terms on which they should insure. An Insurance Company made a bargain with the insured, declaring the terms. This measure would simply stop or obstruct life insurance in this country. By the first clause, no matter what fraud or dishonesty might have been practised, the company would be deprived of any defence after the premium had been paid for five years. Another clause provided that, whenever a policy was assigned, if the premium was paid for a certain number of years, the amount must be paid,

even if the party had committed suicide. That must be rejected on moral grounds. They could quite understand a party, after paying a premium for some years, committing suicide, after assigning for the benefit of his family. The whole Bill seemed to be an attempt to force insurance companies to issue policies just as this Legislature thought they ought, instead of leaving it a matter of bargain between the insurer and the insured. The fifth clause provided that, after a forfeiture with the thirty days' grace that was generally allowed by all insurance companies, a lapsed policy could be revived any time within a year. One great source of profit to insurance companies arose from the lapse of policies, and that entered into their calculations, and was the means of reducing the premiums on the policies. It seemed to him that the whole Bill would be a most unwarrantable interference with the liberty of contract.

Mr. BLAKE said he thought the observations which had been made would convince his hon. friend that it was useless to ask the House to assent to the second reading. Even if they were disposed to affirm every clause in reference to future contracts, they could not, on very obvious principles, alter the base of existing contracts in these very important particulars. It might be that advantage was sometimes taken of the conditions of policies, but they had been made conditions and they formed elements in the calculations of the companies as to the general rate of premium which they charged. That was part of the profit which enabled them to insure at the rate they did, so that it would be out of the question to alter the contracts as proposed. It seemed to him that the proper course would be for his hon. friend to propose such amendments as he desired, before the Committee on Banking and Commerce or before the House, to the Government Bill on Life Insurance. There was but one ground on which the interference of the Legislature, in such a measure as this, was logically defensible. They had determined that the business of life insurance was one which they should take, to a certain extent, under their supervision.

If they licensed companies to do business, they might see fit to state, to a certain extent, the conditions on which they should do business. It was therefore possible that the Legislature might be induced to impose certain conditions on the companies. He did not know that any serious or widespread difficulties had arisen from the severe use of stringent conditions in life insurance policies; there had no doubt been some cases of hardship, but he believed that the insurance policies under which great hardship had arisen were rather fire than life policies. So serious were the mischiefs considered by the Legislature of Ontario growing out of the very stringent and difficult condition of fire insurance policies, that steps were taken some time ago to form a Commission for the purpose of settling the conditions of such policies. If he remembered rightly it was provided that no other conditions than those made statutable should be binding, unless the Judge, before whom any action regarding the policy came, should determine that they were reasonable. This provision was copied from the law in England with reference to the conditions imposed by railway companies. The English law did not permit railway companies to impose any conditions on the character of the trade, and no such conditions could be enforced, no matter how clearly they might be agreed upon, if they appeared unreasonable to the Judge. He wished to call the attention of the hon. member for Kingston to the fact that—if it was within the range of possibility, as a legislative proposition—if such mischiefs resulted he might be disposed to insert some such conditions; but he did not desire to be understood as saying that most of those conditions might come within the purview of proper legislative interference. Some of them might. He would suggest that the proper course would be to discharge this order, and, if the hon. member for South Perth (Mr. Trow) thought any of the propositions were fit to be inserted in a Bill providing for the future conduct of life insurance companies, he might direct attention to the fact in Committee by proposing amendments to the Government Bill.

Mr. BLAKE.

Mr. TROW said he had known cases of great hardship resulting from the present system. His only object in introducing the Bill was for the interest of the public. He had, however, expected better treatment for the Bill; he anticipated that it would have a fair hearing, or be submitted to the Committee for amendment if necessary. Since it had met with the disapprobation of the hon. member for South Bruce (Mr. Blake), the hon. the Minister of Finance, and more particularly of the hon. member for Kingston, (Sir John A. Macdonald), who was so strong on protection, he thought he must withdraw the Bill.

Order *discharged* and Bill *withdrawn*.

## ONTARIO PERMANENT BUILDING SOCIETIES BILL.

[BILL No. 21.]

(Mr. Hall.)

SECOND READING.

Bill read the second time.

## TRANSFER OF THE TRURO AND PICTOU BRANCH RAILWAY.

RESOLUTIONS CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee of the Whole to consider the following resolutions:—

“That it is expedient to authorize the Governor in Council to make arrangements for carrying out the transfer of the Truro and Pictou Branch of the Intercolonial Railway in pursuance of negotiations entered into with the Government of Nova Scotia, and the Halifax and Cape Breton Railway and Coal Company under the resolution passed by this House on the 19th May, 1874; and for that purpose to provide—

“1. That the said Branch Railway with sufficient land for the purposes thereof and the Stations and buildings thereon, but without rolling stock, may be transferred absolutely to the person or Company constructing a line of railway from New Glasgow to the Strait of Canso, and providing sufficient rolling stock and appurtenances for the same, and a proper Steam Ferry across the said Strait, the whole to the satisfaction of the Minister of Public Works.

“2. That temporary possession of the said Branch Railway may be given to the person or Company with whom the Nova Scotia Government shall have contracted for the construction of the said extension to

the said Strait, and the establishment of the said Steam Ferry, as soon as such person or Company shall have expended not less than \$400,000 on the work to the satisfaction of the said Minister of Public Works; subject to immediate resumption of the said Branch Railway by the Government of Canada and repayment of the net earnings thereof, in case of failure to fulfil the conditions aforesaid, by such person or Company, who shall give proper security for the fulfilment thereof and for the payment of all damages resulting from such failure, to the satisfaction of the Minister; such failure also operating the avoidance of any arrangement for the absolute transfer of the said Branch Railway."

(In the Committee.)

Mr. MACKENZIE said these resolutions were proposed in order to carry out the proposal which was authorized in the Session of 1874, by which power was given to the Government to negotiate with a company or individuals who would be willing to construct a railway from the vicinity of New Glasgow, eastwards, toward Cape Breton. An effort was made to obtain an extension as far as Louisburg or some other port in that neighbourhood, but it failed, although certain English capitalists made an offer to carry the extension in that direction. Another attempt was made, based on a second Order in Council, but it also failed because no recognised offer was made from any company to perform the work. It was finally agreed, in accordance with the views of the Nova Scotia Government, that the Truro and Pictou road should be given for the purpose of securing railway extension to the Gut of Canso, they undertaking also to provide steam ferry across the straits. When a similar proposal was under consideration with regard to the Windsor branch, the Western Counties Railway Company undertook under the Order in Council of the 22nd or 30th October, 1873, to carry that out and the negotiations were direct with this Government. In the present case, the Nova Scotia Government advertised for tenders for the construction of the work, and Messrs. Abbot & Co., of Brockville, got a bonus of \$7,945 to build the road on condition of obtaining the transfer of the Truro and Pictou Branch. The Order in Council was recapitulated in the pre-

amble of the Bill which he proposed to found on the resolutions. He would, of course, give any explanations that any hon. member required. Meantime he moved the passage of the resolutions.

Mr. PALMER said he would like to bring to the notice of the House and to the notice of the Ministry the exact position of the question as he understood it. If they were in the position that it was necessary to give this railroad away, in order to get a line from New Glasgow to the Gut of Canso, in his opinion great injustice would be done not only to the island of Cape Breton but to the whole Dominion. That portion of the island in which Sidney was situated was of the very greatest public importance. The harbour of Louisburg was situated on the dividing line of the route between the great ports of Canada on the one side and Europe on the other. The climate of this country was such that the navigation of the St. Lawrence was open only one half of the year. But the northern portion of the island of Cape Breton could be reached as well in winter as in summer, and it was of the utmost importance that a railroad should be carried through there. If, however, the Government gave away the Truro and Pictou Branch, and then only got the road extended to Canso, the result would not be as beneficial as they supposed. He thought the policy of the Government should be to deepen the canals so that vessels could go down to Sidney. He would have liked to have seen the Baie Verte Canal built, but that question was not under discussion now. He thought that the Welland Canal ought to be deepened to 14 feet at the earliest possible moment. He felt confident that the trade done by vessels between 300 and 400 tons burthen would increase to an enormous extent, for they would be in immediate connection with these vast coal fields at this point. He held that there was no part of the Dominion of Canada so far out of the line as the port of St. John, yet he believed that, that being a port where there was great capacity for building ships, no other port was so much interested in this question, for directly trade was commenced on the Baie Verte Canal there would be much demand for ships. He appealed to the

members of the Government, and of the House, whether it would not be better, before they made any arrangements in reference to the giving away of this railroad, to endeavour to make some arrangement by which it could be carried to Louisburg or Sidney Harbour. The distance was 82 miles only from Canso to Louisburg or Sidney. If the contractors had the rolling stock, which properly belonged to that portion of the line, they would undertake to build it on to St. Peter, about 35 miles. He held that neither this Government, nor any other Government had the right to give away the property of Canada in order to so largely benefit Cape Breton only. He said this, not from any feeling of hostility towards the people of Cape Breton, but he was sure that they would tax themselves for the purpose of building the balance, which was some 50 miles. It had been proposed that the royalty on the mines, which belonged to the Government of Nova Scotia, should be given towards that portion of the railway. He held that before the negotiation was consummated, the Government ought to be directed to see how far the Province of Nova Scotia would sacrifice its royalty upon its coal, and how far the inhabitants of Sidney and the surrounding towns, would be willing to tax themselves for raising funds in order to carry on the railroad. The result would be that the port would be 180 miles nearer Europe than Halifax, besides the former being a better port, as vessels would not have to go such a long distance in the fog. Steamers could then go into port almost immediately after they made land on the American continent. The distance by rail would be about 100 miles more, and this was a very important matter so far as the mails were concerned.

Mr. MACKENZIE said the Government could not get the people to build the road themselves, and it became a question whether it would not advance the interests of that place, as he had no doubt it would, by having the road extended to the Straits, and in the meantime ferry across in the expectation of a further extension within a reasonable time.

Mr. PALMER.

Mr. TUPPER said he regretted very much to learn that the Government had not been able to utilize this work for the purpose for which it was intended. He believed every exertion was made which could be made to induce the parties receiving this Truro and Pictou line to extend it. That effort, however, had failed, and he did not know that it would be possible to accomplish anything more than by the proposed arrangement. He rose, however, for the purpose of asking the First Minister whether the company which was to receive this line—although the Government of Nova Scotia held an intermediate position in this arrangement—would have to agree that the charges for transit would be under the supervision of the general Government. He believed that the general Railway Act had a provision that would meet the case. He certainly believed that the general Government should have a voice in fixing the rates of transit. It was possible, and perhaps not in a very remote future, that the views advanced by the hon. member for St. John might obtain a great deal more consideration than they did at present. The time might come when the question of utilizing the very nearest points between this country and Europe would become a much more important question than it was at present. In view of such a condition of things arising, he thought it would be judicious to provide for the transfer of this road back to the Government, if it became desirable in the interests of the whole Dominion.

Mr. MACKENZIE said of course the road would be under the control of the general Government; the tariff of rates and other matters would be subject to the provisions of the general Railway Act. If this were not so, it would be impossible for the road to be run in connection with the Government road. There was no clause in the Bill providing for the re-acquirement of the road. That was a matter which certainly had not been suggested by any party, and therefore it was not made a part of the agreement under which the present company agreed to proceed with the construction of the road. There was a great deal of difficulty in getting the company to proceed with the construction, even under

the present arrangement. They insisted in the first place upon getting immediate possession of the Pictou Branch. This the Government declined. They then proposed to give security for the performance of the contract to the Local Government, but this was also declined. It was finally agreed that, upon the expenditure of a certain sum of money, the railway to Truro would be given up, subject, however, to the condition that, if the road was not finished in a certain time, it would be re-occupied by the Government. He thought every precaution had been taken whereby the arrangements might be carried out.

Mr. MITCHELL said the arrangement was one of the worst which the Government could enter into, looking at the future of the Maritime Provinces, although it might be that his views were not in harmony with those of hon. gentlemen sitting beside him. The road was connected with the great Gulf system, the St. Lawrence system, and the Intercolonial Railway, and, this being so, it was very ill-advised to hand it over from the Government to a private company. The whole coal system of Nova Scotia, and also the inter-provincial trade with the west would be affected by this line. If he stood alone, he would vote against the resolution. There was no responsibility upon the Government to extend the railway system of Nova Scotia, and the precedent would be a very embarrassing one for future Governments. He would rather see an additional penny a pound on tea, something additional on whiskey, or an additional  $2\frac{1}{2}$  per cent. additional on all imports, in order to provide funds to enable the Government to go on with the extension themselves, rather than that the line should be given over to a private company. The policy, he held, was a most pernicious one. While he thought the Government were not amenable to reason or argument, but only to a vote which would leave them in a minority, he would oppose the measure at every stage.

Mr. TUPPER said the hon. member was too late in his objections, for the matter had already been settled. The arrangement had been made

under the sanction of the House, and no hon. member at that time voted against the proposal.

Mr. MITCHELL said he never voted for it.

Mr. TUPPER said he was afraid the hon. gentlemen who had made the arrangement had a precedent established by the late Government, of which the hon. member for Northumberland was a member. The hon. member would remember that, before they left office, a similar question came before the late Government, and, after due deliberation, they arrived at the conclusion, which he still thought was a sound conclusion, that the interests of the country would be promoted by utilizing every branch railway for the purpose of extending the railway system. He held that the construction and operation of every mile of railway in the Dominion was a direct benefit to the Government. It was impossible to construct and operate a mile of railway in any section without increasing trade and business, and consequently revenue, and, therefore, the Government had an important object in view in taking measures which would increase the revenue. It was under that belief that the late Government established the policy of utilizing branches or sections of railway, not necessarily required in connection with the great trunk lines of communications, and why they gave the Western Counties Branch to any company which would extend the railway to Annapolis and Yarmouth. He was, therefore, quite prepared to approve of the policy of the Government. He would be glad if a clause similar to that adopted between the Governments of Nova Scotia and the Windsor and Annapolis road when a large subsidy was given by the Province towards the construction of the line, would be embraced in the present arrangement, by which the Government could, if they desired, at any time resume the possession of the road upon certain conditions.

Mr. JONES (Halifax) said that, if the present or any Government would undertake to build the road to Canso, and to work it, it would be a profitable

enterprise, but the hon. member for Northumberland (Mr. Mitchell) would admit there was no great prospect of such a proposal obtaining the sanction of Parliament. The same principle applied with respect to the extension of the road from Newcastle to Canso as that under the late Government with regard to extending the road from Amherst to Yarmouth. There was no probability of receiving funds in Nova Scotia to construct a line to Canso. The people of Cape Breton naturally wanted communication with the capital by the shortest and most direct route. If the Government, by transferring the line, would enable an extension to be made to Canso, whereby the greatest facilities would be given to the people of Cape Breton, it would be a step in the right direction. He was satisfied that the people of Cape Breton and the eastern section of Nova Scotia would be greatly benefited by having the road constructed at once.

Mr. MACDONNELL said he looked upon the adoption of the resolution as a foregone conclusion. The arrangement was adopted by the House only about a year ago; it was not carried out by the Government, but by the good-will and sense of the House. In regard to the statement of the hon. member for Northumberland that the road from Shediac to St. John was transferred in a similar manner to a private company, he might remark that, if such was the decision of the House it was fully competent to take such action. He concurred with the view of the hon. member for St. John that, if it were possible to have the road extended to Louisburg, the natural and proper harbour on the American continent for communication between the two hemispheres, it would be desirable. At all events, they desired to get as far as possible, and, if they reached the Strait of Canso, it would assist in the extension of the road to a more distant point. He objected to the insinuations as to his conduct which had been thrown out by the hon. member for Northumberland, (Mr. Mitchell) and he challenged him to make his statements broadly and openly.

Mr. JONES.

Mr. McDONALD (Cape Breton) said he agreed with the hon. member for Northumberland in his view of the question. He believed the Government should have retained possession of the road and extended it as a Government road to Louisburg, and he regretted that the hon. the Premier had not been able to carry out what was required, though he observed from some correspondence that the hon. gentleman had done all in his power to carry out the project. It was desirable that railway accommodation should be afforded to the people of Cape Breton, who had been deprived of it by the action of the Provincial Government. He understood that the hon. the Premier had used his utmost efforts for a time to utilize the Truro and Pictou Branch so as to secure that boon to the people of Cape Breton, but had yielded his views to those of Mr. Annand of the Local Government and assumed his share of responsibility. Although the population numbered about ninety thousand, they had no railway communication with the rest of the Dominion, from which they were entirely cut off. It would be well if the hon. the Premier could insert a clause in the Bill to give power to this or any future Government to re-acquire the road, and perhaps such an arrangement could be made with the company, even at this late day. He observed that a Minute of Council passed in February, 1876, provided for the building of the road to West Bay, a distance of sixteen or twenty miles on the other side of the Strait of Canso. Tenders were invited by the Local Government last summer with the view of carrying the road thirty-five miles on the other side of the Strait towards Louisburg, provided they obtained the rolling-stock of the Truro and Pictou Branch. He urged the Government to do so now and thus show their good intentions towards Cape Breton. When the road was carried 35 miles into Cape Breton it could be extended to Louisburg. The Government was giving away the road which cost three millions dollars for the purpose of having it extended to the Strait. If they refused to give a subsidy for a road from the Strait to Louisburg, he feared there would not be a railroad through the island for

years to come. He hoped that the hon. the Premier would make renewed efforts to have the line pushed to a further point—to Louisburg.

Mr. MITCHELL said he had no intention of making insinuations against the hon. member for Inverness. He opposed the policy of the Administration on the ground that they proposed to surrender a great public work which formed a branch in the communication between Halifax and the west, which would be required in the future. In regard to the hon. member for Inverness, the press said he had a Judgeship in view. Our trade from Lake Erie to Halifax would be embarrassed by the fact that the Government had given to a private company one great link in the communication between Toronto and Halifax; and in the future the Government would be obliged to pay a large sum to re-acquire the property which they were now giving away.

Mr. KILLAM said he was very glad to hear his hon. friend from Cape Breton state that the Government had done all in their power to extend the railway as far as Louisburg. He had taken great interest in the matter from the first, and he had looked into it very thoroughly. The hon. member remarked that the Local Government of Nova Scotia was somewhat to blame for not having taken steps to extend the railway to Louisburg. He was not there to defend the Local Government, but he thought they had done all they could do under the circumstances. However, if the county of Cape Breton and the county of Sydney had made a grant to the extent of \$200,000, the county of Richmond \$60,000 or \$70,000, the county of Antigonish about \$100,000, the county of Pictou \$200,000 and Halifax \$400,000, which it had promised to the Nova Scotia Railway Company, and afterwards repudiated, a sufficiently large subsidy, in addition to what was already received, would have been obtained to build the railway to Louisburg. He only wondered that gentlemen who were so much interested in the road, and who were so anxious to see it built, had not thought of this before. He had brought it to their notice. The Gov-

ernment of Nova Scotia had offered for the construction of the line as large a subsidy in money, land, and minerals as possibly could be expected, and a much larger subsidy than any other Province had given to any railway corporation. He would like to ask the Minister of Public Works, with reference to the Windsor Branch transfer, what temporary arrangements had been made under the Act of 1874, for the working of the line until it was handed over to the West Counties Railway Company; and whether it was distinctly understood that these arrangements terminated when the road was so handed over. He believed that this company was nearly ready to take it over, as the line was about three-fourths completed.

Mr. MACKENZIE said this was scarcely the time to ask such a question. The arrangement was simply that the old lease should continue, until the West Counties Railway Company would be in condition to take the road over. He had a recollection of the company wishing to get possession of the Windsor Branch, before any of their own line was in operation, but this he had declined to sanction. As soon as the road was completed to a point from which it could communicate, even by water, with Annapolis, there would be no objection, he thought, to the Government giving over the road to the West Counties Railway Company, and, when they were prepared to take it and work it under the terms of the Act, the lease would cease to be in operation with the Windsor and Annapolis Company.

Mr. MACKAY (Cape Breton) said he did not think that the people of the island of Cape Breton were entirely satisfied with the transfer of the road, by which the line would be only completed to the Strait of Canso. They had expected greater things at the hands of this and the late Government. But, as neither the one nor the other had seen fit to take the building of the road into their own hands, as far as the port of Louisburg, he presumed they would have to be content with what they had obtained, at any rate for the

present. He did not think it wise on the part of this Government to allow the line to go out of their hands. It would have been far preferable, in his opinion, if this line had been undertaken as a Government work, but still the Government had not looked upon the question in this light; he could not but state, however, his appreciation of the earnestness and desire evinced by the Government, and more especially by the Premier, to have the road run as far as possible, and if practicable to the harbour of Louisburg. He did not think the Government looked upon the work from a sufficiently national point of view; and he believed they would, before long, consider the advisability of constructing the line to Louisburg, by means of which we would be brought some 180 miles nearer the northern country than now was the case. A great many arguments could be offered in favour of building the line to Louisburg, but he would not then dilate upon them; this was neither the time nor the occasion for doing so. He was rather amused to hear the hon. members for Northumberland (Mr. Mitchell) and St. John (Mr. Palmer) state they were perfectly willing to have, and desirous of having, the public funds employed to build the line all the way to Louisburg. Why had not the hon. gentleman from Northumberland taken this course four or five years ago, when he could not only have expressed these views, but also produced some practical result. When a member of the late Government, the hon. gentleman should have advocated these views. If this had been done, he was very sure that little difficulty would have been experienced in having this line undertaken as a public work, from New Glasgow to the port of Louisburg. This was the first time he had understood that the hon. gentleman, either as a private member or as a member of the late Government, favoured the building of this line as a national Government work. The hon. member for St. John was also disposed to be very lavish of the country's money, and was of the same opinion as the hon. member for Northumberland. He perfectly agreed with the hon. member for St. John, but the hon. gentleman should

**MR. MACKAY.**

have expressed these views when they would have had more weight. The transfer of the branch line was made with the express understanding that it was to be made use of for the purpose of completing the line eastward towards Louisburg. He believed that this was inserted in the Minute of Council. He understood, however, that it was now contemplated to divert the line from the direct easterly course to a southern direction, in order to serve certain local interests. On behalf of his constituency, which was perhaps the most wealthy, and certainly the most populous, as well as the most easterly portion of the island of Cape Breton, he protested against any deviation from the direct line. The deviation in question would also lengthen the distance between the contemplated terminus and the town of New Glasgow. It would also be very detrimental to the future prospects of the port of Louisburg. The Government had agreed to hand over this line and, on this understanding, the contractors had begun operations. Under the circumstances he thought that, after all, not a great deal would be said against this arrangement at present. He regretted that this had not been made a national work, but at the same time the Government, and the Premier especially, had endeavoured to have the line built all the way to Louisburg, with the aid of the resources placed in their hands by the vote of the House.

Mr. MITCHELL said he wished to correct one or two statements made by the hon. member (Mr. MacKay). He would distinctly state that, when a Minister of the Crown, he had never sanctioned such a transfer of this line, as far as he was aware; if it was done, he had no recollection of it. He could not remember that the late Government had ever compromised themselves as to the giving up of the Pictou and Truro Branch extension eastward to the Strait of Canso. Of one thing he was positive—if any such proposition was made, he opposed it. He had always thought that the Government should have built the Pictou and Truro Branch as an integral part of the Intercolonial Railway, and of the water system

rom the St. Lawrence to the great port of Halifax. The hon. gentleman had chosen to allude to his statement that he would rather have had the Government come down and ask for the necessary sum of money, even if it involved some additional taxation, to build the road to the Strait of Canso than to see given up this branch, which he looked upon as an important arterial point connecting the St. Lawrence system with the Dominion system. The hon. gentleman asked why he did not advocate this view when a member of the late Government. But he had never pretended that he had held that the Government should do this. He had, however, said that rather than see the Government give up the Pictou and Truro line, so important in his opinion as a means of intercolonial communication, he would prefer to have money voted for the extension of the road eastward to the Strait of Canso; but he had never for a moment contended that the Government should build this road. He desired, as much as anyone, to see the island of Cape Breton, one of the most fertile and valuable portions of the Dominion, secure railway communication, and every facility the country could reasonably afford to extend to it, with due consideration for other parts of the Dominion, but he did not think that the hon. gentleman had had any particular claims on the late Government, or any reason to ask them to do more than they did for the island of Cape Breton. The island under the late Administration had received its fair share of public improvements, and he thought it came with bad grace from any hon. gentleman to say that the late Government had failed in the performance of any duty which devolved upon them in this regard. He would vote against the resolution if he so voted alone.

Mr. POPE (Queen's, P.E.I.) said he was glad to see that railway communication was being extended, even as far as the Strait of Canso; but he would like to see the railway built as far as Louisburg, which had a fine harbour, open all the year round. This might fairly be considered a national intercolonial work. He quite agreed with what had been said by the

hon. member for Northumberland with regard to the giving up of the Pictou and Truro road. He thought that this was a great mistake. Almost all the coal from the coal-fields of Pictou would pass over this line, which, he presumed, was the best paying portion of the Intercolonial Railway. The Government was undertaking to give up a road which had cost two and a half millions of dollars; to a line which was entirely local, and he only hoped that in future when application was made for assistance to Provincial branch railways, the Government would not say they had nothing to do with undertakings of an entirely Provincial character.

Mr. KIRK said the hon. member for Northumberland (Mr. Mitchell) should have advocated the extending of a railway from New Glasgow to Louisburg as a Government work when the question came before the Parliament in 1874. When it was found that, owing to the financial condition of the country, the Government could not possibly afford to build the road to Louisburg, the next best thing was to accept the present arrangements. This branch was only forty miles in length, and its transfer had secured the construction of eighty additional miles of road, giving railway accommodation to over 150,000 people. The road would consequently not be thrown away. The Government had taken the necessary precautions to see that the line would be properly worked, and, if this was not done as cheaply as the Government could do it, at all events 150,000 people would be accommodated, and the Government consequently deserved great credit for the course taken.

Mr. DAVIES said that Prince Edward Island desired a complete railway system. He could see no objection to the action of the Government in this connection. It was very well known that the Government had laid it down as their fixed policy not to give subsidies towards railways in the Provinces, and this being the case, railway extension to the Strait of Canso could not be secured without some such inducement as that proposed. This was not part of a main road, but simply a branch. Of course, any company building an eastern extension

would not allow the road to lie idle, and, if the road was extended to Louisburg, and this was to be the point for the embarkation of passengers, it would be the interest of the company, as much as it would be the interest of the Government, to keep the line open. They knew that these roads were a very great charge on the revenue, and he did not doubt that these fifty-two miles of railway caused a loss of at least \$250 a mile annually, and consequently the public would not suffer, but be the gainers by the transfer.

Resolution agreed to and ordered to be reported.

House resumed.

Resolution reported.

Mr. MACKENZIE introduced a Bill (No. 82) To authorize the transfer of the Truro and Pictou Branch of the Intercolonial Railway to the person or company constructing a line of railway from New Glasgow to the Strait of Canso, and providing a proper ferry across the Strait.

Mr. TUPPER said he would suggest that the hon. the First Minister should consider the point raised about inserting a clause to empower the Government to resume possession of the road on certain conditions. His own impression was that no objection would be made to such a clause, and it could do no possible harm.

Mr. MITCHELL said he could see no possible object for the clause. It was either right to give away the road or it was wrong. It was his impression that it was a very impolitic step to take—that it was in fact suicidal, and was going to lead to great embarrassment in the future.

Mr. MACDONNELL said he thought it would be dangerous to insert such a clause as had been suggested. They had passed a resolution already in accordance with the Bill and arrangements had been made to carry out the agreement.

Mr. MACKENZIE said the matter could be considered before the Bill arrived at its next stage. He would, however, make no promise. His impression was that it would be very difficult to insert such a clause just now.

Mr. DAVIES.

Mr. DOMVILLE said he was very much interested in the welfare of the people of the Lower Provinces, and he did not think that they were going to be benefitted by the steps which the Government proposed to take. He did not think it wise to give away the Truro and Pictou Branch. If a road could not be built in any other way he would have been favourable to a reasonable subsidy, but to take that branch railway and hand it over to a private corporation which had not shown its ability to fulfil its agreement, was, to say the least, imprudent. The hon. the First Minister said the road would cost \$2,500,000. Well, suppose it did. A great many railroads required a little assistance, and this was just as much entitled to a subsidy as any other.

Bill read the first time.

## EXTRADITION OF CRIMINALS BILL.—[BILL No. 65.]

(Mr. Blake.)

### SECOND READING.

Mr. BLAKE said the Bill explained itself tolerably well. It was one to make general provision for the carrying out of all Extradition Treaties made, or to be made, between Great Britain and foreign states, extending to Canada. There had been for a great many years a measure on the Statute-book relating to extradition so far as the United States was concerned. Attempts to repeal that Act had been made during several Sessions since its passage, but up to this time there had been no effective legislation on the subject. It was expected that the negotiations which had been so long pending with the United States would result in the conclusion of a new convention. In that event the law now on the Statute-book, which was enacted with special reference to the stipulations of the Ashburton Treaty, would at once cease to be operative, and we would be thrown upon the Imperial Act of 1870, which had been recognized in the Legislature of this country on more than one occasion, as inadequate to our peculiar condition. It therefore seemed essential, in view of the probability of the Ashbur-

ton Treaty being superseded by a new convention, that this Session should not pass without the enactment of a law which should be operative with reference to that convention. The general lines of the Bill were taken from the Imperial Act of 1870, with several improvements suitable to the circumstances of Canada. The procedure was simplified and made more elastic. There was no condition whatever for preliminary or diplomatic proceedings on the part of the Government, but, following out the lines of the old Act of the Province of Canada, the procedure was entirely judicial until the time arrived at which the magistrate determined whether the prisoner should be committed for extradition. Then the case came before the Government for consideration, and, upon the requisition of the foreign state being received, it was determined whether the warrant should go for the surrender of the prisoner or not. The more complicated double procedure of the Imperial Act, which was entirely unsuited for this country, was not followed out. Upon points which had recently come very prominently into controversy between Great Britain and the United States, the measure did not propose any new departure. It was not, however, in this particular, precisely what he would have desired had he been proposing a measure under other circumstances. But it was not thought expedient, in view of pending negotiations, to propose any departure from the lines of the Imperial Act. Therefore, with reference to dealing with political offences, the provision was similar to that in the Imperial Act. It prescribed that no man should be surrendered for a political offence if it appeared that his surrender was sought in order that he should be tried for some other offence. With reference to the freedom from immunity or prosecution in Canada of persons surrendered by a foreign State, the provision was an elastic one. It was to the effect that no person should be tried for any other offence than that for which he had been extradited. It provided that the stipulations of the convention should be observed and that a prisoner should not be liable to

prosecution contrary to the treaty. That was as far as it was deemed prudent to go. Should legislation take place in Great Britain, looking to a general law on this subject, it would be necessary that our law should harmonize with it; but the Government did not think it would be properly discharging its duty without introducing a law which could go into effect the moment the Extradition Treaty was made with the United States, as he hoped it shortly would be.

*Bill read the second time.*

## JOINT STOCK COMPANIES ACT AMENDMENT BILL.

[BILL No. 67.]

(*Mr. Cartwright.*)

SECOND READING.

Mr. CARTWRIGHT said the amendments were those which had been proposed mainly by the Committee on Banking and Commerce, which, as hon. gentlemen would remember, had occasioned considerable discussion. He proposed that no company should go into the business of borrowing money until it had a paid-up capital of \$100,000 at least, and that it should not borrow more than four times the amount of its paid-up capital. The Bill would be similar to the Ontario and the English Bills, in that companies could take advantage of the general law more than now, instead of being under the necessity of securing Private Bills when they required to change their names. Power would also be given—the clause being taken from the Ontario Act—to allow Supplementary Letters Patent, extending the powers of the company in any provisions which came within the lawful purview of the Act. There were also certain provisions introduced with respect to the word “limit.” There had been some trouble to get minor details in order to facilitate the incorporation of companies, but those had better be discussed in the Select Committee.

*Bill read the second time.*

House adjourned at

Ten minutes after  
Ten o'clock.

## HOUSE OF COMMONS.

Thursday, 15th March, 1877.

The Speaker took the Chair at Three o'clock.

## WAYS AND MEANS—CONCURRENCE—THE TARIFF.

## ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means, the motion of Sir John A. Macdonald in amendment thereto, and the motion of Mr. Wood in amendment to the said proposed amendment, *read*.

Mr. MILLS said he had noticed that several hon. gentlemen on the opposite side, while discussing the original motion and the amendment moved by the hon. member for Kingston, said that they did not involve any question of free trade or protection—that these questions were apart from the motions which were at present before the House, and that the question, at all events the amendment of the hon. member for Kingston, should be considered quite independent of any consideration of that sort. He had noticed, however, that the hon. member for Kingston did not himself take that view; and he observed that this debate had taken a very wide range, and that, not only had every conceivable question connected with the finances of the country been discussed, but also every conceivable question connected with the present Administration. He did not himself make any objection to the discussion taking this very wide range. He thought, when the amendments made involved the question of want of confidence in the Administration, that it was not wholly foreign to the motion before the House, whatever might be the words embraced in that motion, to consider the general policy of that Administration; and he thought that, when the House was called upon to vote want of confidence in the Government for the time being, they had also before them the question as to what would be likely to be the policy of their opponents were

Mr. CARTWRIGHT.

they successful in displacing them on the Treasury benches. They were therefore called upon, he thought very properly, to consider many questions besides those involved in the motion itself. The hon. member for Terrebonne (Mr. Masson) gave the House, the other evening, a glowing eulogy upon his own consistency as a public man in connection with this question. That hon. gentleman, in fact, pointed out what he (Mr. Mills) thought most hon. members knew before, that he (Mr. Masson) was content in his consistency—that he was prepared to follow where the hon. member for Kingston might lead. The hon. gentleman told the House that he was not a new convert to the principle of protection—that he was, in fact, an old stager in this respect, that he had considered the subject for a long time, that he had stated it in all its bearings, and that he had long ago come to the conclusion that a protection policy was a policy in the interest of the country. The hon. gentleman told the House what the hon. member for Kingston had advocated in a speech made at Toronto in 1872. The hon. gentleman told the House how the hon. member for Kingston had then—and he read extracts from the speech made at that time—at so early a period in his political career propounded to the people of Canada a protective tariff. The hon. gentleman said that that proposition met with his approval at the time, and that he had always had a very great deal of confidence in the hon. member for Kingston from that time forth.

Mr. MASSON: I did not say that. My confidence in the hon. member for Kingston does not date from 1872.

Mr. MILLS said then he was to understand that the hon. gentleman had confidence in the hon. member for Kingston before he propounded a protective policy, and quite, apart from any consideration of that sort. That was not the impression that the speech of the hon. gentleman on Tuesday evening was calculated to leave upon the minds of hon. members of this House, although he thought, if they looked closely into what the hon. gen-

tleman said, they would see that what he now said after all fairly and accurately represented his opinions, that, contrary to what he recently said, he would, as he had before 1872, support the member for Kingston, protection or no protection. The hon. gentleman said it was quite true that the hon. member for Kingston did not undertake to give effect to this policy—that he had practically abandoned it after the elections of 1872 were over; but he told the House that the hon. member for Kingston was quite justified in that course—that a Committee of the House had been appointed on the application of one of the hon. members for Hamilton, which reported that the various branches of manufacturing industries of Canada were in a prosperous condition, and that being in a prosperous condition the hon. member (Sir John A. Macdonald) was quite justified in not proposing a protective policy for the consideration of Parliament. But the hon. gentleman said there was an entirely different condition of things at the present time—that there was a deficiency in the public revenue, that our Customs duties were not so large as they ought to be, that we were deriving less revenue from this source than we ought to obtain, and that, that being the case, he (Mr. Masson) declared that a protective policy ought to be pursued at this moment. This seemed to be the rather inconsequential line of argument of the hon. gentleman. What was his (Mr. Masson's) position? It was this: that the revenue had largely fallen off. Why? Because the importations had decreased; there were fewer goods imported into Canada than in 1872 and 1873; that, in fact, the diminution of importations showed that our commercial men—our traders and the consumers, not our manufacturers—were in a less prosperous condition than they were three or four years ago. This class being in a less prosperous condition, the amount of the imports having fallen off, the hon. gentleman proposed that an increased tax should be imposed on this diminished importation, by which the imports would be further diminished, and by which we would obtain less revenue than we did before. When they looked closely at the statement

of the hon. gentleman, they would find that it could hardly be considered a logical one. The hon. gentleman proposed a tax on a certain branch of industry. He said the interests of importers of goods were seriously affected by the depressed condition of trade, that their profits were diminished, that bankruptcy had increased among them, and that, therefore, the House should impose a tax upon the importations in order that a larger revenue might be obtained, and to the end that other branches of industry might be benefitted. The hon. gentleman complained that the Government had not declared its policy; he stated what the views of a gentleman who was not a member of the House were. He said Mr. Joly was a Protectionist, and that, because that gentleman was a Protectionist, either the Government was seriously wrong in offering him a seat in the Cabinet, or Mr. Joly was acting very improperly in not becoming a member of the Administration. Unless this was the conclusion the hon. gentleman intended to draw, he (Mr. Mills) did not see how it was germane to the question before the House. The hon. member complained that the Government had obtained power without having explained its policy to the country. He (Mr. Mills) told the hon. gentleman that his leader, the hon. member for Kingston, declared that it was perjury on the part of a Minister to make known his views to his constituents. It was, of course, improper to allude to a debate which had taken place during the present Session, but the hon. member for Kingston made this statement two or three years ago, and it might be properly referred to now. When His Excellency's Speech was read to the House, the hon. member for Kingston complained that it was improper for a Minister to indicate to the public what his views were on great public questions—that those should only be made known in Parliament, and he pointed out the fact that the London *Spectator* had censured Mr. Gladstone for going before the public with a well-defined policy, one that they understood, and one of which he asked them either to approve or disapprove. The hon. member for Kingston had laid down a constitu-

tional doctrine out of joint with the times,—a doctrine which might have some value when Glasgow had less than thirty electors and Manchester had none at all; but it was noticeable that the member for Terrebonne (Mr. Masson) differed from his leader, both as to facts and principles. That was the position they had taken. Ministers held it was important that an Administration should have a policy, and they thought it was equally important that the hon. gentlemen opposite should have one. These gentlemen were seeking to supersede them; they said the Ministry was not entitled to the public confidence, and it was not only important that these hon. gentlemen should make out a fair case, but they should also show that they were entitled to the public confidence. These hon. gentlemen should be prepared to state more definitely than did the resolution of the hon. member for Kingston what their views were on this important question. The hon. gentleman called for economy; he said the Government were not sufficiently economical; and he held that they should not begin to economize by reducing the public expenditure of the country. The hon. gentleman said they should begin in other quarters. In fact, like the hon. member for Cardwell, he censured the conduct of those he now associated with and supported, for what they did shortly before their retirement from office. These gentlemen had made numerous appointments—374 to offices wholly new. They added to the salaries of 973 others. The salaries of the new officials amounted to \$147,353, and the increases to \$104,861—making in all an additional expenditure of \$252,214. He thought that the advice given with regard to economy was good advice, and that the Government would perhaps be open to censure if they failed to act upon it. He hoped that this would be so fully considered that these hon. gentlemen would have no reason to complain of the conduct of the Administration in this particular at a later period. The hon. gentleman told them that his hon. friends behind him, who were from Quebec, had a leader in the House and a leader out

of the House. So had the hon. gentleman. The hon. gentleman had a leader in the House, the hon. member for Kingston, and a leader out of the House in the Province of Quebec, who was now seeking re-election in the county of Charlevoix. He knew the hon. gentleman might not have a great deal of admiration for his leader out of the House, but he knew that this gentleman had made vigorous efforts to maintain his position. That gentleman had received from a public contractor 32,000 good reasons, worth a dollar each, to enable him to maintain his position.

Mr. MASSON rose to a question of order. He said he thought that the hon. gentleman should not refer to the subject of the \$32,000 concerning Mr. Langevin, who was not in the House.

Mr. SPEAKER said such a question of order usually affected only members of the House.

Mr. MILLS said that charity covered a multitude of sins and the hon. gentleman had a great deal of charity. No doubt the hon. gentleman was anxious to conceal the faults of the gentleman who had led him so long and so successfully. The hon. gentleman had assured them that the Government's acts were wholly wrong during the present period of depression. The hon. gentleman held they should increase the expenditure. The hon. gentleman's theory was that, the more straitened your circumstances, the more extravagant you should be; the more impoverished the people for the time being, the more necessary it was to increase their burdens. The hon. gentleman told them that our expenditure was not like the expenditure of the people of the United States; that theirs was an entirely different expenditure; that it was proper enough for them to undertake to pay off expenditure incurred and undertaken to prevent the dissolution of their country, because that expenditure was incurred for very improper, or at all events for unproductive, purposes; but that our expenditure was wholly different, relating as it did to public works, and that our public works were going to be exceedingly productive; that this would both directly and

indirectly contribute largely to the wealth and prosperity of this country; and, therefore, that we ought to expend money without stint or without any hesitation. He did not altogether subscribe to the views of the hon. gentleman. It seemed to him that, when we would have to borrow money to expend on these public works, and would have interest to pay, all of which must necessarily increase our burdens, we ought to be at least in some degree certain that we would be enabled to meet our increased liabilities, and that it was not the best period to become extravagant when our circumstances became straitened. The hon. gentleman said that posterity ought to bear these burdens, and that we ought to shift the load to the shoulders of those who came after us. He would remind the hon. gentleman of the observation made under similar circumstances by the Rev. Sydney Smith: "While we are in charge of the ship, we can make her sail as we please; we can give directions to those that are under us. We have the right to control the vessel as we please, but when we leave it, and when others have taken possession of it, we may leave them as much good advice as we please, but we ought not to leave them commands." This was his opinion with regard to the policy which the hon. gentleman recommended to them. He thought it was their business to see that they would, at all events within a reasonable period, be able to meet the liabilities which they themselves incurred. He did not know that the hon. gentleman claimed to be a Communist, or that he advocated communism openly and avowedly; but the doctrine laid down by the hon. gentleman was communistic. The hon. gentleman said the Government was responsible for the hard times, and that when people were out of employment it was the business of the Government to find and give them employment. The hon. gentleman said: Why hundreds of people will be thrown out of employment if the public works are not carried on as extensively during a period of depression as during a period of comparative prosperity. The hon. gentleman held they were responsible

if they did not give employment to these people, and that, if the Government only paid them money, they would be enabled not only to support themselves and their families by what they obtained from the Public Treasury, but also that he would somehow or other be enabled to increase the balance which they did not consume to such an extent as to give back into the Public Treasury more than they had received. The position of the hon. gentleman was this, that parts were not only greater than the whole, but also that any one part was greater than the whole; the balance unexpended, that those people by economy might be able to save from their earnings for the purpose of purchasing for consumption of goods imported into the country, would yield to the Public Treasury more than they were paid for wages upon Public Works, undertaken at the public expense. The hon. gentleman told them to look how France prospered by a policy of protection. He referred especially to the duties on sugar imposed in France. But it was not the protective policy of France that built up her sugar industry, but it was the navy of England. The French ports were blockaded. It was not the Government of France or the decrees of the Emperor Napoleon, but the Government of England who blockaded the ports of France, and who made it impossible for the French people to import sugar. Necessity compelled them to provide that for themselves which they could have obtained more profitably under other circumstances from the West Indies. He would first state a fact to the hon. gentleman, which, if questioned, he would be able to establish beyond the possibility of being controverted. It was this—if the money that the French people had paid in the form of protective duties on sugars were invested at five cent., it would purchase one-third more sugar than the whole French Republic produced at this moment. The hon. member for South Ontario (Mr. Gibbs) said they ought to adopt a National Policy. He quite agreed with the hon. gentleman. He thought we should adopt a National Policy; and that we were numerous

enough and had self-respect enough to adopt a policy that might properly be entitled a National Policy; but he did not think that the peddling policy recommended to this House by the hon. gentlemen opposite was such a policy. He contended they should legislate for the whole people. A policy which provided for the singling out of not two per cent. of the population of this country for special legislation was not entitled to the appellation of a National Policy. It was an abuse of terms to apply so dignified a term as National Policy to a policy of this sort. The hon. gentlemen proposed a few cents duty on coal, a few cents duty on corn, and a few cents duty on flour, and they called this a National Policy. It was a policy which might injuriously affect many, and which would benefit very few. It was very difficult to classify the hon. gentlemen opposite. They knew the difficulties naturalists found sometimes with regard to different classes of plants, which gradually shaded into each other. Now, these hon. gentlemen, while quite agreed that the tariff was all wrong, and that the policy which ought to be adopted also ought to be in some respects protective, were not at all agreed as to the grounds upon which they asked for the change or what the change should be. The hon. member from Kingston told them he was a Free-trader in the abstract. He was not metaphysician enough to tell, and the hon. gentleman had not condescended to explain to the House, what he meant by it. He was sure that if the hon. gentleman said that morality was all right in the abstract but that it was not right in practice, he would be speaking about as rationally as when he talked about protection being right in the abstract.

Sir JOHN A. MACDONALD: I did not say that.

Mr. MILLS said he corrected himself. He meant to say free trade; because he should remember that the hon. gentleman was always inconsistent. Could there be free trade without articles in which trade could be carried on. When you had no commodities and interchange of commodities, he supposed you had no trade;

Mr. MILLS.

and you could not have free trade in the abstract. They could have an imaginary line in geometry; and Plato told them that they ought to study astronomy without stars; but how they could have free trade in the abstract and not in the concrete, was altogether beyond his comprehension. The hon. member for South Ontario told them he was an admirer of a free-trade policy, or of what he called the modified free-trade policy of 1854. This was the period of reciprocity. If he understood the hon. gentleman aright, he said that if we had reciprocity with the United States he would become a supporter and advocate of that reciprocity, and he would prefer reciprocity to protection.

Mr. GIBBS (South Ontario): Yes; certainly.

Mr. MILLS: Then I correctly understood the hon. gentleman.

Mr. GIBBS: Allow me to put the hon. gentleman right on another point. When I spoke of modified free trade, I did not speak of the policy of 1854, but of the policy of Sir Alexander Galt, introduced in 1858-9.

Mr. MILLS said he understood the hon. gentleman to refer to the policy of Sir Alexander Galt as a policy of modified free trade. The hon. gentleman also expressed himself in favour of the policy of 1854, and told them how under that policy manufacturing industries sprang up.

Mr. GIBBS (South Ontario): I did not speak of 1854. I spoke of the policy of Sir Alexander Galt in 1858-9 when manufactures sprang up and prospered.

Mr. MILLS said he certainly understood the hon. gentleman to say also that these manufacturing industries sprang up under the policy of 1854.

Mr. GIBBS: No, I did not.

Mr. MILLS asked if he understood the hon. gentleman to maintain that manufacturing industries did not prosper between 1854 and 1865.

Mr. GIBBS: I argued that they prospered under the policy of Sir Alexander Galt and not before that. Previously, we had very few manufactures in the country. Under that

policy, manufacturers commenced operations and under that policy manufactures did prosper. I hope I have now made myself sufficiently intelligible.

Mr. MILLS said the hon. gentleman, then, having expressed himself in favour of reciprocity, could not argue that we could not fairly or successfully compete with the Americans, or that in consequence of superior wealth they would be able to crush out our manufactures, if we had absolute free trade with the United States. The hon. gentleman's position was wholly different from that of the hon. gentleman who had spoken on the other side of the House, who maintained that we were not in a position to compete with the manufacturers of the United States; that we required protection; that protection was a good thing in itself; that it brought the purchaser and consumer near together; that it did away with the cost of transportation upon goods interchanged, and that, under such a policy, not only were population and capital augmented, but that the whole country was more prosperous than it would otherwise be. The hon. gentleman was precluded from taking that position. If he understood aright, the hon. gentleman favoured a policy of retaliation, and urged that we should do towards the United States what they did towards us. The hon. gentleman asked the Government to discriminate against the people of the United States, or, in other words, to adopt a retaliatory policy of which the hon. member for Cumberland (Mr. Tupper) had been for many years the exponent in the House.

Mr. GIBBS (South Ontario): The exigencies of our position require us to adopt that particular line.

Mr. MILLS said then the hon. gentleman, as he understood it, withdrew his position, and said that free trade would not be a good thing, and that the exigencies of our position made it absolutely necessary that we should have a protective policy whether we got reciprocity or not. The hon. gentleman referred to Sir Alexander Galt, and spoke in very strong terms of the ability of that gentleman, and he read a letter from him in order to place his opinions before the House.

He (Mr. Mills) must say that he was not an admirer of authorities; he considered it of more importance to look at facts and reason than at the *ipse dixit* of any man, however able or eminent. He admitted, however, that the opinions of Sir Alexander Galt, being as he was for many years the Finance Minister of Canada, were entitled to a great deal of consideration. Since the hon. gentleman was a worshipper of authority, he would read to him an extract from the Budget speech of Sir Alexander Galt of 1866, and this was at a period when the Government were called upon to consider whether or not they should adopt a protective policy. The hon. gentleman at that time might fairly be taken as speaking not only his own views but the views of the hon. member for Kingston. At that time, the hon. member for Kingston was not a Free-trader in the abstract but a Free-trader in the concrete. Sir Alexander Galt at that time spoke as follows:—

"I think it must be admitted we have a choice between two systems. We have the choice of the American system or of the European. The making of that choice I do not think we can well postpone. I do not see how we are to avoid the difficulty we now experience. If we take the United States system of protective duties, of protecting every branch of industry, we shall, to a certain extent, assimilate our system with theirs—a course which I do not think the people of this country would approve. On the other hand, if we adopt what I call the European system—because the policy of England is now being generally adopted by other European countries—if we adopt that system as opposed to the American system, then, I think, we shall stand in the position of offering to the people and the capital, which for various causes are now seeking new homes and employment, a country possessing more advantages than any other on the continent. I do not believe that the United States can continue for any great length of time to absorb the redundant population of Europe, subject as they are to very high rates of taxation. If, on the other hand, we in Canada, or, I would rather say, in British North America, are able to offer these people land of equal fertility, and at least equal security for life and property, and if, at the same time we can show them that every article that enters into ordinary consumption can be bought very much cheaper here than in the United States, I think we may reasonably hope to be able to attract to our shores much of that immigration which of recent years has swelled more than anything else the wealth and prosperity of the neigh-

bouring Republic. We are entering on a new state of political existence. If there is any prominent feature in the future we have designed for ourselves, it is the establishment of a separate and distinct nationality; and this can only be accomplished in one way. If we are in every respect to copy the policy of our neighbours across the line of 45°, the natural course would be to become one with them. But if, on the other hand, we believe, as we do all believe, that the continent of North America is sufficiently extensive for two nations, two empires, then it is time that, taking lessons from the great authorities on political economy who have shed light on the commercial transactions of Europe during the last few years, we should endeavour to so adjust our system that we may be able to invite immigrants here, telling them that this is a better country, and governed by wiser principles, than the country along our borders."

To show that there could be no doubt as to the views entertained by Sir Alexander Galt at the time as to the impolicy of retaining a system of incidental protection, he (Mr. Mills) would read the concluding paragraph of that Budget speech :

"Finally, I think it will be well if in the last session of the Provincial Parliament of Canada, we shall have been able to approximate in some measure to that system of political economy which is bearing such magnificent fruits in the mother country—to remove some of the burdens which weigh on the industry of the people, and to open new markets for their products."

Mr. GIBBS (South Ontario) : Sir Alexander Galt said in 1875 he was tired of it.

Mr. MILLS said he had seen no statement of Sir Alexander Galt's that was wholly irreconcilable with the views he expressed in 1866.

Mr. GIBBS : There it is.

Mr. MILLS said the hon. gentleman would have an opportunity of answering him during the debate. Sir Alexander Galt not only expressed these views in 1866 but in 1870, and, when the Postmaster-General introduced a resolution for more extended commercial relations with the United States, the hon. gentleman deprecated any attempt at what he called an "unwise and unstatesmanlike course" which the hon. gentlemen were advocating at that time. Every one in the House remembered the fierce attack made upon Sir A. T. Galt, then the member for Sherbrooke, by the

Mr. MILLS.

hon member for Cumberland (Mr. Tupper),—how he denounced the hon. member, and how the hon. member for Kingston later on fiercely denounced the policy which the hon. member for Sherbrooke of that day recommended. The hon. member for Sherbrooke told the House that a more unwise and unstatesmanlike course could not well be conceived than that which was recommended. The hon. member for South Ontario said that the Government had now adopted a "cringing" policy towards the United States, that it was not an open or a manly policy, that it was a policy dictated not by courage but by cowardice. If the hon. gentleman could show that it was in the interests of this country to change the tariff in the direction he indicated, and that nothing else would so extend the commerce of Canada, he (Mr. Mills) would be a convert; but the hon. gentleman did nothing of the sort. The hon. gentleman mistook assertion for facts. He had not given the House a single fact which would go to show that the policy he recommended would contribute to the prosperity of the country, or even to the prosperity of any class of our population. To speak of a "cringing" policy was rather a strong expression to be used by the hon. gentleman. The hon. gentleman seemed to have forgotten what happened in 1872. He seemed to have forgotten that a treaty was then negotiated by a Commission at Washington, the hon. member for Kingston being one of the Commissioners. He seemed to have forgotten the terms and provisions of that treaty; he seemed to have forgotten that he himself advocated, supported, and defended those provisions. It was a very tender subject for the hon. gentleman to touch upon. If there was any subject which he (Mr. Mills) would be disposed to avoid, under those circumstances, had he taken the course of the hon. gentleman, it would be a discussion of our relations with the United States. He would rather discuss any question, whether theoretical or practical. The hon. gentleman seemed to have forgotten that the navigation of the St. Lawrence was conceded to the United States contrary to the express promise made

by the English Government. Earl Grey expressly pledged the word of the English Government that the navigation of the St. Lawrence would not be conceded to the United States without the sanction of the Parliament of Canada. But that promise was disregarded. The hon. member for Kingston was supposed to sit on the Commission as the guardian of the interests of this country, but he seemed to forget that there was any such a country as Canada at all. If the treaties of any other country similarly situated were looked into, it would be found that the navigation of rivers was reciprocal. If the people above had the right to use the river below, so had the people below the same right to use the river above. The rights of the riparian proprietors were mutual. The people of Chicago and Milwaukee could use the St. Lawrence for all time, but we were only allowed to use the tributary streams running into the United States for ten years. Then the hon. gentleman secured the right to navigate certain rivers in Alaska. It so happened that we had this right for all time by virtue of a treaty with Russia. This right was conceded by yielding to Russia the disputed territory on the coast. The United States, therefore, acquired the country subject to this right. But, by the Washington Treaty, the United States had the right to use the rivers in British Territory conceded to her, which Russia had not, while we did not secure any rights which we had not before. The hon. gentleman obtained a promise from the Americans to use their influence to secure the use of the canals in the United States contiguous to our frontier, for which he conceded to the United States the right to navigate not only any canal in any part of the Dominion then built, but any which might be built in the future, however far they might be from the frontier. The hon. member for South Ontario at that time had an opportunity of showing his interest in the welfare of this country, but he then really supported the interests of the people of the United States. And now, when the interests of Canada were not to be promoted by a certain policy, he proposed

to be very courageous. The hon. gentleman told the House that the present Government had ruined the sugar trade of Canada.

Sir JOHN A. MACDONALD: Hear, hear.

Mr. MILLS: The hon. member for Kingston says: "Hear, hear:" it is to be trusted that he will hear and understand.

Sir JOHN A. MACDONALD: I have tried to understand my hon. friend for a long time, but have failed.

Mr. MILLS said it was a very important element in coming to a right conclusion that the matter should be sufficiently considered. He had listened very frequently to what was said by hon. gentlemen opposite on this question, but he had never yet been able to hear a single statement of facts which went to establish the position which they took on this matter. When the sugar question was under the consideration of a Special Committee of the House—and he certainly had no prejudice against the sugar refiners of Canada—a Mr. Drummond appeared on behalf of the single existing sugar refinery in this country. Mr. Drummond made two or three statements which the Committee had an opportunity of looking into. One statement of Mr. Drummond was that sugars of an inferior grade paid higher duties than those of higher grades. The Committee took the Trade and Navigation Returns and looked at the prices at which they were entered at ports of entry, and they did not find that the evidence which they obtained at all supported the statements made by that gentleman. It was found that sugars below number 9 paid, when the duties were reduced, an average *ad valorem* duty of 39 per cent., and from 9 to 13, an average duty of 43 per cent., and then from 13 upwards an average duty of 44 per cent. And so it was not found that the inferior grades paid a higher duty than the higher grades. And the statement made by that gentleman was, in regard to the duties of the United States, that the drawback to the sugar refiners was really a bounty. So far as could be ascertained the facts did not seem to warrant that

statement. He (Mr. Mills) had looked at almost everything which had appeared on the question in this country, whether published originally here or copied from foreign newspapers, and he found nothing which tended to establish that proposition.

Mr. FARROW: I would ask the hon. gentleman whether he had seen the quotations from the *Manchester Sugar Cane* in his Committee.

Mr. MILLS said he had seen the article referred to, which he understood was written by Mr. Drummond, but which in no respect controverted what the Depression Committee stated in their report last year. He would refer to sugars from Nos. 7 to 10. The American Commissioners said that the refiners produced out of 100 lb. raw material 70 lb. of white sugar which would pay a duty of 3c. per lb.—which was \$2.10 for the 70 lb.; 13½ lb. of yellow refined sugar of inferior quality, which would pay a duty of 2½c., which would be a total duty of 33¾c.; and besides 11½ lb. or one gallon of syrup, which would pay 6½c. duty. In all, these articles, if exported from the United States, would receive a total drawback of \$2.50. That was a sum exactly equal to the duty paid on 100 lb. imported in the raw state. The only way the American refiners could obtain a bounty upon the sugar that they exported was by producing a larger quantity of refined sugar than was here stated. It had been stated by Mr. Drummond, and the statement had been repeated in the House that they received a bounty of 55 cents on the 100 lb. raw. If this were so, they must obtain upon the product of 100 lb. raw material, ranging from 7 to 10 Dutch standard, \$3.05. Now, the highest amount allowed as a drawback was 3c. per lb. upon those varieties of white coffee sugar, which was the best sugar that could be made from the inferior grades of raw sugar. Now, 101½ lb. of white sugar would be necessary to produce a drawback of \$3.05 at 3c. per lb.; but it was impossible to get this quantity out of 100 lb. of raw. Surely no hon. member would be so devoted to the principles of protection as to say that this could be done. Suppos-

Mr. MILLS.

ing that the proportions of the inferior qualities were such as the American refiners and American commissioners said they were, it would be necessary that they should produce 88 lb. of refined white sugar, 13½ lb. inferior quality and 11½ lb. of syrup to obtain \$3.05; or in other words it would be necessary to produce 112½ lb. of sugar and molasses out of 100 lb. of raw. This, no hon. gentleman would believe to be possible. No. If the duty were distributed proportionally for the grades, 116½ lb. would have to be produced out of 100 lb. of raw sugar in order to give a bounty of 55c. He believed there was but one way in which it was possible to obtain a bounty, and that not of such an amount as had been represented in the House. It was well known by those who had examined into the qualities of raw sugar that the centrifugal sugars of the West Indies contained about 98 per cent. of pure saccharine matter or crystallizable sugar; some perhaps as high as 99 per cent. Those sugars had never been imported here, but they were unquestionably the best for the consumer. The crystallizable matter was certainly, if they were to accept the testimony of chemists, of superior quality to that found in inferior grades. Sugars were imported into the United States and Canada by colour. It was said in some instances the superior grades might be coloured so as to be imported into the country as inferior grades, and consequently pay a smaller duty than they otherwise would have done, but that never could make much more than 10 per cent. upon the amount of sugar of superior quality that would be obtained, while, of course, there was a proportionate diminution of sugar of inferior quality; thus, it would make at most 4c. or 5c. on the hundred weight, between importing this sugar and the sugar of inferior quality. He observed that the opinion of Secretary Bristowe had been referred to, to show that it was an irregular system to levy duties by colour, and that they should be levied on the amount or quality of crystallizable material contained in the sugar. That statement had been put forward by Mr. Dunstan, and he (Mr. Mills) was per-

fectly certain that no one who considered the question would think that it was a fair or proper system in the interest of the consumers. He would endeavour to make the point more plain to the apprehension of the House. The sugars that were formerly refined by Messrs. Redpath & Co., and such sugars as were imported from Greenock in Scotland, did not contain more than 83 per cent. of crystallizable sugar, while the centrifugal sugars of the West Indies contained as high as 98 per cent., and the duty paid by each would be in the same proportion, thus there would be charged the same duty upon the white refined sugar as upon the raw centrifugal sugar imported from the West Indies. If such a policy were adopted, it would completely exclude from consumption in the country all raw sugars of high values. If the Government should interfere at all in the interest of the people with the view of excluding some of the varieties and including others, their object should rather be to exclude the inferior varieties that entered into consumption than those of superior quality. The hon. member for South Ontario had alluded to Sir Alexander Galt's policy of what he called modified free trade. The hon. gentleman had used that expression in one sense while Sir Alexander Galt used it in an entirely different sense; the hon. member had used it in the sense of increased duties, in the sense of increased protection. Sir Alexander never used it in that sense. Sir Alexander Galt explained fully to the people of Sheffield, when the tariff of 1862 was attacked, what he did mean. He told them that the public debt had been incurred for the purpose of facilitating transportation in the country and thus cheapening transportation; that the taxes that were imposed upon the imports were levied for the purpose of paying the public liabilities that had been incurred for the purpose of improving the means of transportation; that, if those public works had not been undertaken, the cost of transportation would have added more to the price of goods than the duties imposed, and therefore the people of Canada, consuming English goods, paid less for those goods including the duty than they would have

paid if the public works had not been undertaken, and that he (Sir Alexander Galt) considered that it was practically in that respect a free trade system—that the policy adopted was a policy of modified free trade. That was he thought in 1862.

Mr. GIBBS (South Ontario) said that when the Chamber of Commerce of Sheffield made objections to the tariff was in 1860.

Mr. MILLS said he would read from a speech made by Sir Alexander Galt in 1870. Sir Alexander Galt said:

“That so far as we can judge of the intention of the Government, their policy, in this respect, is one which I am bound to say is one which does not meet my approval. We have indications that they are disposed to enter upon a policy of retaliation—a policy which I believe to be hostile to the best interests of this country, and calculated to produce results disastrous to our future prospects. My own belief is, as I shall endeavour to explain, that the great interests can only be promoted by the most unrestricted intercourse with foreign countries.”

Sir Alexander Galt further observed:

“There appear to be two courses open to us at this moment, and I think it of the utmost importance that we should make a wise selection between them. The one is a policy of restriction and retaliation; the building up of a ‘Chinese wall,’ as the hon. member said the other night, between ourselves and other countries. The other is the policy of developing our trade with foreign countries, of adopting free trade as far as is consistent with revenue purposes and seeking to give our country that trade with other markets we are now so much in want of.”

He thought these extracts showed that the hon. member for South Ontario misinterpreted the views of Sir Alexander Galt.

Mr. BOWELL: Now read Sir Alexander Galt's letter of 1875.

Mr. MILLS said he had not the letter at hand, and moreover the hon. member would be able to read it himself. It was, however, quite clear, if Sir Alexander Galt expressed at a more recent period any opinions adverse to those, they had simply Sir Alexander Galt against Sir Alexander Galt, and, when they had equal quantities on opposite sides of the equation, hon. members knew what the effect was.

Mr. TUPPER: Second thoughts are best.

Mr. MILLS said those opinions he had quoted were the second thoughts of that gentleman. They knew that Sir Alexander Galt adopted a somewhat different policy in 1859. When called upon in the House to defend that policy in 1870, Sir Alexander Galt stated why it was that he had adopted that policy eleven years before. He said that he had been forced into it by his colleagues, especially by the right hon. member for Kingston; and while, as a Minister, he was not disposed to repudiate his share of responsibility, he was not disposed individually to be held responsible for a policy of which he did not approve. The hon. member for South Ontario had informed the House that the Government had acted very improperly in imposing the duty upon tea, that they ought to have imposed it on something else; and in fact that they were discouraging our foreign trade. He had examined the Trade and Navigation Returns for the past year, and found that the Dominion imported 5,000,000 lb. of tea from Great Britain, 5,000,000 lb. from the United States, 1,086,000 lb. from China, and 2,250,000 lb. from Japan. That was to say, from China and Japan, where the teas were grown, we imported about 3,400,000 lb., nearly one-third the amount consumed in the Dominion. The remaining quantity would perhaps freight three ships from those countries. If hon. gentlemen opposite would look at the question, they would find that, according to their view, the whole prosperity of the country depended on whether three ships more were engaged in the tea trade between China and Japan and this country. He favoured the duty on tea, not only because it was proposed by the Government of which he was a member, but for this reason: That the whole fiscal policy of England for the past half century had been to get rid of taxes that imposed large burdens on the people, but which did not go into the public Treasury. They were told by M. Sully, a very able Finance Minister of France, that there was a duty collected in France which contributed 40,000,000 fr. to the treasury, but which took 300,000,000 fr. out of the pockets of the people. The whole efforts of financial reformers in Europe and

especially in England had been to adapt taxation so as to take from the people only those taxes that went into the public Treasury. Every change that had been made in the tariff in England during the last thirty years had been made with that object, and the reforms of Sir Robert Peel, Mr. Huskisson, Mr. Villiers, Mr. Gladstone and Mr. Lowe pointed in that direction. But hon. gentlemen opposite told the House that all those financial reformers were wrong. At the same time, they had not shown that the circumstances of this country, in that particular, differed from those of England. It was impossible to show it; in the nature of things, the principle was the same everywhere. The hon. gentlemen opposite said that it was a wise policy, to do what? To impose taxation on the people in such a way as to levy large taxes which would not go into the public Treasury, and so make the people prosperous. When the Government placed a duty on tea, they imposed a tax on an article the revenue from which would all go into the public Treasury; but, if they were to tax some of the articles which hon. gentlemen opposite would tax, such would not be the case. If a tax was imposed on certain articles, they would not only increase the price of those articles on which the tax was collected, but the price of everything manufactured in the country of a similar kind, and the revenues would not go into the public Treasury, but into the pockets of the manufacturers. The consumer was thus compelled to pay just as much additional price as the amount of profit added to the taxes upon imports of the same class to those engaged in manufacturing industries. A few manufacturers for a short time made large profits, and the advantage they derived was obtained at the cost of all other industries. Hon. gentlemen opposite had become wonderful admirers of the people of the United States. They said: "Look to Washington, see what they are doing there; they have adopted a wise policy." They appeared to imagine that the people of Canada were unable to think and judge for themselves, and the country did not possess men capable of forming correct conclusions, such as were arrived at by Congress. But Congress was

MR. TUPPER.

impelled to the conclusions at which it arrived by the force and influence of certain interests. Hon. gentlemen opposite asked the House to look to them and follow their example. He remembered when hon. gentlemen were not such admirers of the people of the United States; when they believed there were men of sense, thought and reflection in England; that there were statesmen in England, and men qualified to form a correct conclusion as to what was the best financial policy to adopt. Now, they told Parliament to look to the United States. In the case of the Washington Treaty, hon. gentlemen opposite legislated in the interest of the Americans, and they now asked the House to adopt the policy which would promote the interests of the United States, but certainly not the prosperity of the Canadian people. The hon. member for King's (Mr. Donville) had asked that the Government should protect the different manufacturing interests of the country; but it was difficult to understand how to protect them. There were various ways in which a people might get gain: by profits in trade, by wages for labour, by rents and also by gifts and by plunder; and this was the policy which hon. gentlemen now suggested. They might disguise it as they pleased, but that was what it meant and nothing else. It meant taking from the pockets of every consumer a sum to be given to some one person; and the system by which this was done was a system of plunder. In what manner could it add to the wealth of the country. Our wealth was increased by the industry of our population and by profits arising from that industry; and by a protective policy they simply gave to certain interests an amount of profit beyond their legitimate share. They took from the averages of profit a certain sum and conferred it on particular interests, and diminished the profits of the remainder to the extent to which they aided such interests. It was not in the interest of the country that the Government should interfere and direct the investment of capital into certain channels. There never was a country which, if left alone, failed to find profitable employment for its capital, and,

while its capital might be misdirected by such Government interference, it could never add to the general prosperity of the entire population. Hon. gentlemen opposite had stated that they would aid struggling industries, while at the same time the hon. member for Cardwell (Mr. McCarthy) stated they did not intend to ask one dollar more of taxes, but they would readjust the tariff and re-distribute the taxes so as to secure the object aimed at by the hon. member for Kingston—namely, to aid certain manufacturers. Hon. gentlemen might not get one dollar more into the public Treasury, while, at the same time, they imposed larger taxes. If the people knew that hon. gentlemen opposite intended to impose taxes to the amount of 28 millions instead of 15 millions, and that only 15 millions would go into the public Treasury, the balance passing into the pockets of certain capitalists, they would not support such a proposal, and yet that was precisely the proposal of hon. gentlemen opposite, disguise it as they might. The hon. member for Terrebonne (Mr. Masson) spoke the other night as if taxation was a pleasing thing in itself, and as if the people could be made prosperous by simply imposing more taxes upon them, without reference to the wisdom of the expenditure. That was not his opinion. His view was that taxation was only beneficial as it was wisely and properly applied; that the taxation, therefore, would not add to the prosperity of the country in the sense used by the hon. gentleman. If we were to impose a tax to-morrow beyond what was required to pay the interest on the public debt, and beyond what was required to meet the expenses of Civil Government, it must be for some public work or undertaking; and then, in proportion as the work was useful, yielded a revenue, diminished the cost of transportation and equalized prices, it might be a benefit to the country. But it would be some time before those advantages could be accomplished. How the imposition of a tax was going to relieve the depressed condition of the trade and commerce of the country he could not tell. The proposition

would not bear one moment's examination. It was absurd upon its face to state that, from the very fact of a tax being imposed, it would work a beneficial change in the actual condition of the country. The hon. member for South Ontario (Mr. Gibbs) said that the Finance Minister laid down the doctrine: the more we imported the better we were off. That might be true, if what we imported were paid for. Our prosperity was in a great measure indicated, where the trade was unhampered, by the extent of our importations. It was with a wealthy and prosperous nation as with a wealthy and prosperous individual. A man with a large fortune expended, purchased and consumed more than one with a small fortune. If we imported largely and our importations were paid for, it was an indication of our prosperity. It did not so much make us prosperous as it indicated the fact, and, further, it contributed to our prosperity in so far as we could import the articles we did import cheaper than we could produce them. We sent abroad the products of our most efficient industry—those things which were produced with the least labour and capital. What were they sent abroad for? To purchase those articles which, with the same amount of labour and capital, could not have been manufactured here in equal quantities. To undertake to produce those articles which we imported would be to withdraw labour and capital from its most efficient purposes, and to apply them to those purposes for which they were less efficient; and the very fact that we were called upon to interfere to transfer the capital and labor from one to the other was an evidence that we were misdirecting them. In his own opinion, the true principle of taxation, so long as we retained indirect taxation, was this: that we should seek to distribute taxes fairly over the various Provinces of the Dominion, impose them in such a way as would make the population pay in proportion to their ability, and that there should be no increase in the price of any other articles than those on which the tax was imposed—otherwise a larger

Mr. MILLS.

amount of taxation would be drawn from the people than found its way into the public Treasury. A system of indirect taxation must always be less expensive. In 1875 our revenue from Customs was \$15,300,000. For the collection of this, \$683,000 was paid, and, if we charged 12 per cent. for insurance and profits, we might add to this \$1,841,000 more, or, in other words, in order to collect what would be \$14,661,000 available for public purposes we imposed a tax of \$17,185,000. We produced in this country goods similar to those paying the 17½ per cent. tariff amounting to \$76,000,000 yearly. If those goods were increased in value to the extent of that 17½ per cent., a further tax on the people of \$15,225,000 would be imposed. He did not say that these goods were increased to that extent, because in many instances the home competition was such that prices were brought down to some extent; but they could not fall below the cost of production. But this reduction in price did not hold good in regard to all the industries, for many of them were new.

An HON. MEMBER: Which?

Mr. MILLS asked if the hon. gentleman could tell the House how many gasfitting establishments, how many manufacturers of tubing there were in Canada. If he reflected, the hon. member would see that there were a large number of articles which would be increased in price almost to the full extent of the tax. Now, hon. gentlemen opposite would say that in so increasing the cost they were aiding our struggling industries.

Mr. CURRIER said he would like to ask the hon. gentleman a question, but before doing so, he would have to make an assertion. He had learned that a certain company in Ottawa had obtained offers for cast-iron gas pipes and that the cheapest one was from Philadelphia, whose price was \$31.50 per ton, which was considerably below any offer from England. He would like the hon. gentleman to point out how it was that, although the Americans had a high duty upon gas pipes, they became no dearer to the consumer.

Mr. MILLS said he supposed that there might be very serious depression, or there might be home competition in that branch of industry. He had a letter which he submitted to the House last year from the Hon. Mr. Wells, in which that gentleman said: "We have entire industries closed. We find that with a protection of 60 per cent. on silk, manufacturers of silk call for further protection." We might impose a very large duty upon particular articles that were largely imported from abroad, and afford an opportunity for enormous profits to the producers at home. The tendency would be for a large amount of capital to be withdrawn from other industries and invested in the pet of the Government. Other branches of industry were largely injured thereby, but there was no doubt that the favoured manufacturers made enormous profits for a time, and those profits were a sufficient motive for larger investments—for the multiplication of manufacturers. The result was they became so numerous they competed against each other and overstocked their own market and caused a fall in prices. If the hon. gentleman would take the average cost of that class of goods in the United States for a number of years, he would find that the price was much greater than what he had quoted. Look at the boot and shoe trade in Canada. It was protected by a duty of 15 per cent., which gave it an enormous advantage over the shoe trade of New England. About \$16,000,000 worth of boots and shoes were manufactured in Canada every year. The foreign producers were practically excluded from the Canadian market, and yet there was a larger number of failures connected with the boot and shoe trade last year than with any other industry in Canada. The hon. gentleman would perhaps be able to tell him how protection aided this struggling industry. How it was that under a tariff that excluded the foreign producer altogether the trade was so much depressed and there were so many failures in the trade. It was because the effects which had flowed from a policy of restriction in other countries had

actually followed from the adoption of that policy in Canada. The hon. gentleman had said that what was good for the United States was good for Canada; that protection had been good for the United States and therefore it would be good for us. Now he (Mr. Mills) might say that what was good for England was good for Canada; that England had been prosperous under a free-trade policy, and therefore we ought to follow her example. There could be no question that England had prospered, but he denied that the United States had prospered under a protective tariff. Take the matter of cotton goods alone. In 1860, under a revenue tariff, the United States had exported manufactured cottons to the extent of about \$11,000,000, while under the protective tariff they never reached higher export value than \$9,000,000, and that was reached in 1875. The hon. member for Stanstead (Mr. Colby) informed the House that no country had ever become prosperous, or capable even of adopting free trade, except through the adoption of a protective policy in the first place. The hon. gentleman might be correct in saying that every free-trade country once had a policy of protection. There could be no doubt whatever that very erroneous, very imperfect notions on political economy and national finance were entertained at one time. It was the opinion at one time that a nation could only be prosperous at the expense of another; it was believed at one time that it was impossible to carry on a trade that would be mutually beneficial; it was believed at one time that a public debt could be paid by a sinking fund. A great many notions were entertained at one time that were now exploded. But he denied that England had been enabled to adopt a policy of free trade because at one time she had a policy of protection. On the contrary, he believed, what had been stated over and over again by the most eminent statesmen and writers on political economy, that in proportion as England prospered under a system of protection, she prospered in spite of it and not on account of it. This was asserted by Lord Lansdowne and Lord Liverpool fifty years ago, the latter of whom, in

a most elaborate speech, showed that the manufacturing industries of England had prospered, not in consequence of protection, but in spite of it; and that it was for the interests of the country, at as early a day as possible, to adopt the views then recently promulgated by Adam Smith. The farming population of England afforded a good illustration of this doctrine. That class were to-day far more prosperous than they were when the Corn Laws were in force. Land had increased in value, its cultivation had increased, the wages of the labourer had advanced fifty per cent., and the means of subsistence had been improved thirty per cent.

Sir JOHN A. MACDONALD: But gold has depreciated.

Mr. MILLS said the purchasing power of gold had diminished, but he contended that the men were able to purchase more of the necessaries of life with a day's wages now than before the repeal of the Corn Laws—that they lived in greater comfort, and were in every way more prosperous. What were the views of the Protectionists of that day? They said the farmers would be unable to compete with the cheap lands of America. But none of the mischiefs predicted by Lord George Bentinck and others had resulted from free trade.

Mr. ORTON: I should like to ask the hon. gentleman whether the agricultural population of England is as large under free trade as it was under protection.

Mr. MILLS said if the hon. member would look at the last Census returns he would see for himself. He did not propose to answer any further questions. He was quite ready when he closed his observations—if the House chose to permit any hon. gentleman to ask him any questions—to answer them. While he had so far submitted to this course which was adopted towards himself on almost every occasion he addressed the House on this subject, he did not find the hon. gentlemen opposite disposed to submit to similar interruptions from him, and consequently he was disposed to adopt in this matter the policy of retaliation. These hon. gentlemen told them that

England could afford to adopt the policy of free trade, because she had more capital and cheaper labour than almost any other part of the world. Now, these hon. gentlemen overlooked this important element in this line of argument: it had no value from their own standpoint, unless England, by adopting such a policy, could induce other countries to follow her example. If protection was a good thing in itself, it was good for England as well as for every other country, unless England, by adopting the free-trade policy, could ensure or entrap other countries into following her example. If this were a sound principle—and he did not see how it could be questioned—England ought to retaliate on the United States. She ought to do what these gentlemen said ought to be done in Canada. She had the same motive, and even a greater motive, because her commercial relations with the United States were more extensive than ours. But they found that no statesman in England was unpatriotic enough, or unscrupulous enough to submit for the consideration of the Imperial Parliament the proposition seriously submitted by hon. gentlemen opposite for the consideration of this House. One hon. gentleman told them that the balance of trade had been strongly against us for many years; that we were purchasing more from the United States than we were selling to them; that our imports from that country were more than our exports to it; and they referred to this as though it were a misfortune, and a great evil—one that ought to receive the serious consideration of the House, and for which they ought at once to provide an efficient remedy. He did not so understand the matter; he never supposed that the fact of the balance of trade being against the country was any evidence of loss by the transactions of international trade, but the contrary. It always had seemed to him that, if any conclusion was to be drawn from this circumstance, it was rather to be drawn in favour of the country against which the balance existed. Reference might be made to the case of England. In 1860, England imported goods to the value of £210,000,000, and exported to the value of £135,000,000, a balance

Mr. MILLS.

of £74,000,000 being against her. In 1865, this balance amounted to £105,000,000; in 1870, to £103,000,000; and in 1875, to £130,000,000. So that in the fifteen years ending in 1875, the balance of trade against her averaged yearly about £100,000,000, or during that period it amounted to £1,500,000,000 sterling. If indebtedness or losses were to be measured by the extent to which the balance of trade was found to exist against her, England ought to be impoverished by this time, owing to her trade relations. She would then have been £1,500,000,000 poorer in 1875 than in 1860. He would give an illustration: Suppose a vessel left Halifax laden with fish and lumber to the value of \$100,000. She went to the West Indies, and her cargo was sold for \$130,000 worth of sugar, coffee and spices. She took these to England, and sold them for \$100,000 in cash, and \$60,000 worth of woollen goods, which she brought to Canada. The balance of trade in this transaction would stand: Exports, \$100,000, and imports, \$160,000, showing a balance of trade against Canada of \$60,000. The extent to which the balance of trade was against us would be measured by our profits on our commercial transactions. He did not say this was true in every case. He saw the hon. member for Kingston agreed with him in this observation. The hon. member saw it was quite possible that a country might have a large balance of trade against it, and yet that this balance of trade was an evidence of its prosperity. It must be so in all cases where the balance was not the result of credit, which could not be the case for many years in succession. The hon. member for Centre Wellington (Mr. Orton) had given the House a very great deal of information with regard to the advantages farmers would derive from a protective tariff. The hon. member for Kingston had fully considered, of course, the interests of our farming population, and provided in his resolution for due consideration being given to their interests. But he thought the hon. gentleman would have a very great deal of difficulty in convincing our farming population that any duties imposed on the products of other countries would be in

any way advantageous to them. He did not think farmers ill-informed enough with regard to their own interests and the principles of political economy to suppose that any taxation of the agricultural products of the United States or of other countries could in any way benefit them. The doctrine laid down in England was that taxation imposed on imports was paid by the consumers of these imports; and, if that was the case, the taxes imposed by the Government of the United States on Canadian products was paid by the consumers of these articles in the United States; and, if a tax was imposed upon articles entering into consumption in this country, imported from the United States, it would be paid by the people of Canada. How was the farming population to be made prosperous by increasing the prices of such articles? How were farmers to be benefitted by such a policy? In 1875, we sold to the United States 5,400,000 bushels of barley for \$5,359,000. This barley was taxed by the American Government, he believed, 30c. per hundred pounds. Who paid this tax,—the brewers of the United States or the farmers of Canada? Beyond question, it was paid by the brewers. The very object of imposing this tax was to increase the price of barley produced in the United States; and how did it increase the price except by generally increasing the price not only of what was grown at home, but also of that which was imported from abroad? This was the object in view.

An HON. MEMBER: The farmers lose fifteen cents per bushel.

Mr. MILLS said our farmers lost nothing. He might repeat for the benefit of the hon. gentleman a story he had previously related. A farmer of Essex county went to Windsor with \$500 worth of barley. He found barley was worth \$1.70 a hundred pounds at Windsor and \$2.00 at Detroit. He thought the Windsor dealers were trying to cheat him, and he took his barley to Detroit, but had to pay 30c. per hundred pounds duty. He was very indignant, and said he never would support a Government that would not retaliate, and in argument with a brewer held that the Canadian

farmer paid the tax on barley. He said it was very improper not to place a tax on American cereals coming into Canada. He worried over the subject and in the night dreamed that when he came back to Windsor, he was compelled to pay a tax of 30c. a hundred pounds on his corn, which had been put on by the Government on seeing how meanly the Yankees had treated him in taxing his barley; so they punished him by making him pay 30c. per hundred on his corn; this was just the way the hon. gentlemen opposite proposed to punish the Yankees. They proposed that the Canadian consumer of American cereals should be made to pay the taxes. How would we be benefited by a retaliatory tax on barley? He believed we did not import a single bushel of barley from the United States last year.

An HON. MEMBER: Yes, we did.

Mr. MILLS said he could find no such entry in the returns of 1875. We had sold to the United States 100,000 bushels of malt for \$109,000, and the tax levied on it only increased the price to the American consumer. It made no difference to the Canadian exporter. We sold them 100,000 bushels of beans, and we did not import a bushel from them. We sold to Great Britain, in 1875, 2,247,000 bushels of pease for \$2,138,675, and we sold to the United States 579,000 bushels of pease for \$502,176; and we got, a cent, from the American purchaser, the price we received from the English purchaser. Pease entered free into England, and they were taxed fifteen cents in the United States. Who paid the duty? If the duty was paid by Canadians, then pease would be fifteen cents lower when sold to Americans than when sold to England. It was the consumer and not the purchaser who paid taxation. He would take a single case. The American Government taxed broadcloth 60 per cent., and the Canadian Government taxed it 17½ per cent., and Americans and Canadians went to purchase in the same market. Did the American pay less than the Canadian for his goods? Did the English seller tell the American

Mr. MILLS.

he would sell him broadcloth 43 per cent. less, because it was taxed 43 per cent. in the United States more than it was taxed in Canada? No; they paid the same price. We sold to the United States last year 1,350,000 bushels of oats, and to England 1,500,000 bushels, and obtained the same price from the purchasers in each country. If there was a difference, it was dependent upon the point of transportation. We sold largely animals to both countries. We exported to the United States 4,299 horses, for which we received \$442,000. We imported 1,580 horses, for which we paid \$82,000. From Ontario we exported 2,167 horses for \$243,000, and Ontario imported 174 horses, valued at \$19,000 in round numbers. We exported 25,357 head of cattle to the United States, for which \$601,148 were paid, and we imported 6,397 head, principally into Manitoba and British Columbia, at a cost of \$164,491. We imported into Ontario only 369 head of cattle, and Ontario exported during the same period 14,919 head to the United States, for which we received \$301,349. It was preposterous to talk about adopting towards the United States a policy of retaliation. We exported last year to the United States 85,628 sheep, and we imported thence only three sheep. How did the hon. member for Centre Wellington (Mr. Orton) propose to protect the Canadian farmer? He said the Canadian farmer was cheated by the American people and wronged by the American Government; that we sold them 85,628 sheep last year, and that, owing to the duty, our farmers lost money in consequence; that we ought to retaliate; and that we ought to impose such a tax on these three sheep so as to make the Americans pay as much. He thought that, if we adopted such a policy, while we might exclude the three sheep, we would be in some danger, in the estimation of all well-informed people, of making donkeys of ourselves. It was also proposed to tax the wool trade by taxing wool. He had spoken with many manufacturers of tweeds and flannels in Canada, and what was the result? He found that they did not manufacture tweed from Canadian wool at all. It was unsuitable for the pur-

pose. The kind of sheep the Canadian farmer raised to the greatest advantage did not furnish the kind of wool suitable for the manufacture of woollen tweeds. We could not abandon the raising Leicester, Cotswold and Lancaster sheep, and introduce Merinos and other fine-woolled sheep, because our climate was not suitable for them. Both had been tried in this country.

Some HON. MEMBERS: No, no.

Mr. MILLS: Yes; they had been found unsuited to our climate, while the long-woolled sheep came to maturity in a single year. The result was that they could be readily disposed of, and the farmer was not obliged to winter them. The flesh of fine-woolled varieties were of very little value, and they yielded a very much less quantity of wool, which also brought a smaller price. In addition, the carcase of the long-woolled sheep was valuable. In 1875, we sold Great Britain 10,000 lb. of wool, and the United States 2,636,521 lb. We imported from the United States about 4,885,818 lb. We obtained for our 2,636,521 lb. \$917,000, and we bought the 4,885,818 lb. for \$14,673, securing two pounds of wool for every pound sold, and having over \$100,000 profit on the transaction. Fine wool not only made better and more saleable cloth, but it also brought a price which cloth made from long wool would not bring. They would produce a variety of tweed cloths which they could not sell abroad, and which their own people would not purchase. We were producing superior goods at a much cheaper rate than they were producing in the United States, and we were even sending to the American market, notwithstanding their high tariff. It was true that when it was washed it was very much reduced in weight.

Several HON. MEMBERS: 60 per cent.

Mr. MILLS: No; not 50 per cent. This was the way these hon. gentlemen proposed to benefit the farmers and manufacturers. They proposed to put a duty on wool which would prevent manufacturers importing foreign wool and would interfere with the manufactures of flannels and tweed goods in Canada, and then they proposed to

interfere with the market of the farmers and to say that they should not produce the variety of sheep most profitable,—that variety of sheep which furnished to the manufacturer of tweed goods the raw material which he required. But hon. gentlemen could not succeed in convincing Canadian farmers that such a policy would be to their interest. The hon. gentlemen had recommended to the consideration of the House the policy of the United States. The United States had had a protective policy for nearly twenty years. They had carried out that policy more systematically and more universally than perhaps any other country that had adopted such a policy. Now, what had been the result of that policy, at the end of these 20 years? It was that while of the exports \$522,000,000 had been the products of agriculturalists, only \$58,900,000 was the product of those manufactures which had been protected. The United States had been constantly compelled to devise means to exclude English manufactured goods from their markets. The result was this: that, out of something like over \$220,000,000 of American products sent to English markets, only \$6,000,000 worth were manufactured goods, and the rest were products of the farm. In that country, older than ourselves, wealthier than ourselves, having an advantage over us in point of climate, and with a protective policy that had been tried under the most favourable circumstances for nearly a quarter of a century, it was found that, notwithstanding all interferences of the Government, which had been most active and persistent, they had not succeeded in misdirecting capital to such an extent as to produce 10 per cent. of the products of industry in the form of manufactured goods. He thought we could not well have a more complete instance or a fairer trial which testified so much in favour of free trade. The House was told that the Government had greatly injured the country by allowing the American products to be admitted to our markets. He would just briefly call the attention of the House to our trade with England and the United States, for the four years ending December, 1876. In animal and cereal products of various

kinds, there was imported into this country, during these four years, the value of \$19,430,000; and we had exported to England during the same years, animals and their products to the extent of \$33,638,000. If we looked at our trade relations with the United States for these four years, we would find that we had imported from that country of animals and their products to the value of \$14,730,000, and exported to the value of \$19,844,000. Then, when we looked at the products of agriculture, we found that, during these four years, we had imported from England to the value of \$1,943,000; and we had exported to England to the value of \$58,675,000; or we had exported agricultural products into England during these four years last past, more than we imported from that country, to the value of \$56,750,000. Now, when we looked at the agricultural products exchanged between Canada and the United States, we found that we imported from the United States to the value of \$55,000,000, and we exported to the value of \$34,224,062; or we imported into Canada during these four years, \$20,822,754 more than we exported to that country. It was important to notice what we did with this surplus of importations from the United States. It would be found that it was largely made up of breadstuffs, flour, meal, Indian corn and wheat. With regard to barley, peas and oats, we exported to both countries more largely than we imported from them.

Mr. ROCHESTER: Do you allow for corn?

Mr. MILLS: We imported from the United States more than we exported \$6,069,000 flour, and \$23,057,000 wheat. That was, in all \$29,000,000 more than we exported. We exported to England more than we imported from that country \$5,344,000 flour and \$36,500,000 wheat. That was, we exported to England \$12,500,000 worth of these products more than we imported from the United States. Now, these figures showed that we were largely engaged in the carrying trade—that we imported a large quantity of wheat and flour from the United States which was not consumed in Canada, or if it was, it dis-

placed an equal quantity of Canadian products; the latter was sent to the English markets. No man in Canada would send articles to England unless he expected to make a profit out of the transaction. The hon. gentlemen opposite could not succeed in a policy in which it was affirmed that the Canadian merchants and millers had \$29,646,000 employed in the grain trade which they said should not be so engaged, and the profit of which they ought not to have. These persons had engaged in the carrying trade for their own benefit, but they had also been benefitting the whole country; for what was the prosperity of the country if not the prosperity of individuals? They prospered. They were Canadians. Every dollar they made by the trade was a dollar added to the wealth of the country. With regard to the corn trade, in 1874, we imported into Canada to the value of \$2,676,751, or 5,331,000 bushels. We exported 2,680,000 bushels of corn in that year. We therefore consumed of the corn which we imported into Canada, 2,651,000 bushels. We paid for the whole 5,331,000 bushels \$2,676,000, and we ourselves for the 2,651,000 bushels received \$1,708,000. We bought the corn at about 40c. a bushel, and we sold it for 60c., leaving that which we had on hand at a cost of less than 30c. a bushel. According to the hon. gentlemen opposite, those who had carried on this trade and imported these cereals, had seriously damaged the interests of the country. In 1875 our trade relations were somewhat similar. In 1876 we imported \$2,356,000 worth of corn, or 3,335,000 bushels. We sold to Great Britain 2,000,000 bushels, for which we received \$1,439,000. The result of that transaction was this: We bought the whole for 60c. a bushel; we sold two-thirds for 71c. a bushel, leaving the cost of that which we retained at 55c. a bushel. It was perfectly clear that those who imported the corn profited very largely by the transaction. Now, the hon. gentlemen opposite said the Government ought to impose a duty for the purpose of encouraging farmers to engage in producing coarse grain to be consumed in Canada. Instead of

Mr. MILLS.

importing corn for the purposes of distillation, we ought to produce rye for that purpose. We produced barley and peas because we could produce them cheaper than we could corn. We could buy two bushels of corn for one bushel of peas or barley.

Some HON. GENTLEMEN: No, no.

Mr. MILLS: Hon. gentlemen said "No, no." That might not be so at some one particular time, but he was taking the average price as it ranged for the last four years. He was taking the Trade and Navigation Returns, and from them it appeared that corn was from 35c. to 50c. a bushel, and barley or peas from 75c. to \$1. He said that as an agriculturist. There was another consideration, that of distillation. A bushel of corn cost but little more than half a bushel of rye. 18 lb. of rye would produce a gallon of whiskey, and 15 lb. of corn would do the same thing. The effect of the exclusion of corn and the production of rye in this country would be that the Finance Minister would be obliged to make a reduction of at least 50 per cent. in the Excise duties on whiskey, in order to prevent smuggling from the United States, and he did not know that the reduction would accomplish it. The hon. member for Vancouver (Mr. Bunster) had referred to the demoralizing effects of bad whiskey in his Province, and he promised to bring about a moral reform by the production of a better quality, but the matter would be still worse if the proposed change were made. The hon. member for Terrebonne, (Mr. Masson) in speaking of the large French-Canadian emigration to the United States, said this was caused by the failure to protect the manufacturing interests of Canada. The hon. gentleman was reminded, and he admitted it, that there was as large or a larger French-Canadian population in the United States between 1860 and 1870 than at the present time. On looking at the American census, it would be found that out of 4,000,000 population of Canada, some 493,000 had emigrated to the United States. The argument of the hon. gentleman was

that, if a highly protective policy had been adopted and foreign goods were excluded, the population would have kept within the country. He (Mr. Mills) believed that the contrary was the case, and that, had there been a highly protective policy, there would have been a far larger expatriation. A large number of these people were agriculturists and went to the United States to settle on the prairies, where they could get cheaper lands than they could at that time in Canada. In New England there was a highly protective policy. But had the population remained there? No; they had gone to other States. The New England States had a smaller population than Canada, and yet nearly 600,000 had left and gone to other States of the Union. If, then, the hon. gentleman was to account for this emigration of the Canadians to the various States of the adjoining Republic, he must do so on other grounds and in some other way than by attempting to attribute it to the fiscal policy of the country. He found that, in 1875, we had exported of the products of mines, \$3,878,000; of fisheries, \$5,380,000; of forests, \$24,781,000; of agricultural products, \$29,958,000; of manufactured goods, \$2,250,000; so that, out of \$70,000,000 of products of Canadian industry exported, only \$2,250,000 were manufactured goods. These gentlemen told them they should adopt a policy which would keep the gold in the country, which would keep our money at home, that would give employment to a larger population than might wish to engage in agricultural industries or the various manufacturing industries which were now in a prosperous condition. But they forget that we had no gold in the country except what was brought into it; they forgot that gold was an imported article; that it was received from abroad in exchange for something produced in Canada; and that, if our exportations could be prevented, it was very doubtful whether there would be any gold to be kept in the country. Let him call the attention of hon. gentlemen opposite to our importations of raw material which these gentlemen said ought to be taxed. We had imported of cotton wool, \$533,000; of wool, \$1,373,000; of pig iron, \$1,229,000;

of rags, \$80,000; of coal and coke, \$3,000,000; of unmanufactured India rubber, \$277,000; of bristles for brushes, etc., \$49,000, of broom corn, \$123,911; of hides, \$41,000; of furs undressed, \$83,000; or, for some seven or eight branches of industry, raw material of the value of nearly \$7,000,000. How were these to be paid for? We exported of manufactured goods to the value of \$2,293,000 only, so that we had  $4\frac{1}{2}$  millions of dollars charged against us for these raw materials alone, that were to be paid for in the products of some other industry than this. If these hon. gentlemen were to carry out their views, seeing the small extent to which we exported manufactured goods, it was obvious that the manufacture of goods would be further diminished. A tax on raw material implied an increase on the cost of production, less ability to compete in a foreign market, or to obtain a foreign market, and, if those views were carried out, instead of our manufactures becoming more prosperous, they would be less prosperous, and further taxation would be necessary.

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

### After Recess.

Mr. MILLS resumed. He said the hon. member for Stanstead (Mr. Colby) had made a few observations on the state of Canada some years ago and at present, which he intended to answer before, but they had escaped his attention. The hon. gentleman informed the House that the manufacturers of this country grew up when the American War was at its height and American currency was depreciated, and that in consequence, they enjoyed a much larger protection than they would under any tariff they could hope for at the present time. He would leave out the question, which would certainly be a debateable one, between the hon. gentlemen and himself, as to whether depreciation of American currency gave any protection or not. In his opinion it did not. When American currency depreciated in value, the price of all commodities in the United

States increased apparently proportionately, and it was a delusion to suppose that prices measured by a gold standard were at all affected by depreciation or change in the ordinary currency of the country. But leaving that question out of view altogether, supposing the hon. gentleman's views were indisputable in regard to that point, still it did not account for the general prosperity of the manufacturers of the country at that time. If the hon. gentleman looked at the various branches of manufacturing industries in Canada, he would find that many of them did not compete with American products at all—for instance, mill castings, edge tools, woollen goods, woven or knitted, etc. Those competed not with the United States, but with the manufacturers of England. It was obvious, when we found those branches that met with competition from the manufacturers of England had prospered quite as much and had progressed quite as rapidly as those the hon. gentleman said were protected by the depreciation of American currency and the civil war, we must account for this prosperity on some other basis. A sober, industrious people became prosperous more rapidly under some circumstances than under others. They became prosperous in proportion as Government left them alone, as they were not interfered with, and as they were permitted to apply their capital to those branches of industry from which, in their judgment, they would realise the greatest rewards by the proper application of their labour and capital. In Canada some industries that had never been protected and had never asked for protection from the Government up to this hour, were prosperous. We found also that a great many of those who had been asking for a higher tariff were really prosperous. He referred particularly to the manufacture of castings. A number of gentlemen were before the Depression Committee last year who stated that, when they began the manufacture of stoves, ploughs, agricultural implements, etc., they had but small capital, and that all the capital they possessed had been produced from the profits of the business in

Mr. MILLS.

which they were engaged. Many of those who began a quarter of a century ago without a dollar were to-day worth a quarter of a million. He did not think that men who had prospered to that extent ought to press upon the Government the propriety of making changes in the tariff, not for the purpose of raising a larger revenue, but in order to exclude competitors from the Canadian market so that they might realize larger profits. We found that the farmer who went into the backwoods, who obtained land worth one dollar an acre, perhaps on credit, and after thirty years of unremitting toil succeeded in making his farm worth \$3,000, asked no favour from the Government beyond protection to his life and property; and it seemed to him most unfair that parties should ask the Government to impose a tax upon the various articles which the farmer found it necessary to purchase, who, starting at the same time as he, were now worth \$250,000, while he only had \$3,000 as the reward for his labour. This was asking the Government to tax the poor in order that they might become poorer, and that the rich might enjoy not only the profits produced by their own skill and industry, but in order that they might enjoy a share of the profits of the men who worked and received but little reward for their labour. He did not pretend to say that one branch of industry was likely to yield very much more than another, but, so far as he could ascertain of the number of employers, about one to twelve invested in manufacturing industries. Perhaps the agricultural population would average the same amount of wealth to the same number. But there was this difference—that with the agricultural population the wealth was diffused. The \$100,000 was not in the hands of one but of 25 men. In the manufacturing portion of the community this condition of things was reversed. But of 25 men, one only possessed \$100, and the other 24 were without any accumulation of capital at all. It never could be in the interests of the country, even if it were wise to adopt a protective policy, to impose a tax with the view of preventing the diffusion of capital, in order that it might be concentrated in few hands. When a period of

depression first came, who first felt it? It was the men without capital, who depended upon their daily earnings for subsistence. The policy that was commended for the consideration of this House was one which would change this order of things—that would impose a fine on that portion of the community amongst whom capital was diffused, in order that it might be concentrated in fewer hands. In his opinion, in so far as the tariff had been modified this year, it was modified in the right direction, in a way that would only take from the people such a tax as actually passed into the hands of the Administration. It would not relieve wealth at the expense of poverty. He believed we would receive far greater benefits from such a course than by any unjust, unwise and oppressive policy which would aid a portion of the community to get rich rapidly at the expense of those possessing small capital. When the country was very largely indebted, when its circumstances were such that they had to resort to almost every system of taxation, direct and indirect, in order to preserve public credit and carry on the Government, a Finance Minister was necessarily the custodian of mischiefs. He had to impose a very considerable burden on the population of the country, but it was his business to see that that burden was as fairly imposed upon all classes of people as possible. If the views of hon. gentlemen opposite were carried out, it was not his business to become a kind of ministering angel seeking to alleviate the burdens of the people, but he was rather a demon who would impose misery and oppression upon those least able to bear it. He did not think that the predictions of the hon. gentleman opposite with regard to the unpopularity of the policy of the Administration would prove to be well founded. He had no doubt that they would like to see their predictions verified. He had no doubt they would like to profit—he would not say by their mistakes—but like to profit politically even by the misfortunes of the country.

Sir JOHN A. MACDONALD: Oh, no.

Mr. MILLS said the hon. gentleman

said "Oh, no," but he (Mr. Mills) said a tax imposed for the benefit of one portion of the community at the expense of the rest was a tax calculated to bring misfortune to the whole population. It did not alleviate, but was calculated to aggravate, the misfortunes of the people. But he was perfectly willing hon. gentlemen opposite should console themselves even with an idea of this sort. The hon. gentleman opposite was rather like an individual suffering with pulmonary consumption, who fancied every day that he was getting better. The hon. gentleman thought that every day he was becoming more and more popular—that by-and-by he would be worshipped by the population of this country. But he (Mr. Mills) thought the hon. gentleman's case was every day getting worse and worse—that the disease was mortal, and that, although he and his friends were tenacious of life, yet, after all, they would not be able to hold out very long against the good sense of the people. He had no doubt that the hon. gentleman would find that the discussion of this subject would not tend to impress people with the views promulgated in his resolution. He had no doubt that the agricultural portion of the community were sufficiently alive to their own interests, to know that a tax imposed for the benefit of the few was unjust, and that they would therefore not support the policy dimly shadowed forth by the resolution of the hon. member for Kingston.

Mr. WALLACE (Norfolk) said that the hon. gentleman who had just taken his seat had spoken of the wide range the discussion had taken. He was sure that the hon. gentleman would not blame the hon. members of this side of the House for that. If the hon. gentleman would look back he would find that this wide range of discussion was due, in a great measure, to the hon. members for North York (Mr. Dymond) and for North Norfolk, (Mr. Charlton) who both diverged very widely from the subject at issue and took occasion to throw charges across the floor of the House. He agreed with the hon. gentleman that the Government ought to have a policy and that the Opposi-

Mr. MILLS.

tion also ought to have a policy. And he thought the country would see that both parties had a policy—the one diametrically opposed to the other. The policy of the Ministry was to levy taxation to raise revenue, without any regard to the question whether the raising of that revenue was going to be injurious to the interests of the country or not. The policy of the Opposition, on the other hand, was to raise the revenue and at the same time to encourage the various industries in which our people were employed. Now, he apprehended that the people would understand clearly the difference between the two policies. The hon. gentleman said that the time of depression was not the time to undertake the construction of public works—that that time was not opportune for raising the burdens of the people. He agreed with the hon. gentleman that when there was a depression it was not wise to impose additional burdens on the people if it could be helped; but, if it was necessary in the interests of the country to construct public works, he would ask if there could be a more opportune moment for doing so than when the construction of those works would aid the industries of the country? That was what the people desired to be done now. The hon. gentleman also said that it was difficult to classify members on the Opposition side of the House; he wanted it to be inferred that they were not agreed upon anything. But the hon. gentleman should remember that those who lived in glass houses should not throw stones. It was true that there might be a difference of opinion on the question as to the best mode of giving protection to our manufacturing and other industries, but he would ask that hon. gentleman how his views coincided with those of the hon. members for Montreal (Mr. Workman), and Hamilton (Mr. Wood), or the hon. member for Halifax (Mr. Jones). When the hon. the Minister of the Interior quoted Sir Alexander Galt's views, as expressed a great many years ago, he totally ignored the views that gentleman now held. Sir Alexander Galt, having seen the folly of the opinions he had entertained, like a wise man, and not like the hon. gentlemen on the opposite side of the

House—who because they had said they were Free-traders, must, under all circumstances, be Free-traders—had changed them, and did not now believe that the policy he had once supported would be in the interests of the country. The hon. gentlemen opposite contended that what was suitable for one country was suitable for all countries; circumstances made no difference in their estimation. A country with a sparse population and a small amount of capital was placed by these hon. gentlemen on the same footing with a country possessed of great wealth and a dense population. He held it might as well be said that, because we wore fur coats in the winter, we should also wear them in summer; and, on the same principle, it might be urged that, because we wore heavy clothing, the same clothing should be worn in India. The circumstances of a country and of a people must be taken into consideration in their government; but these hon. gentlemen thought nothing at all of either circumstances or surroundings; because free trade was suited to England, they maintained that it must be suited to the Dominion. The hon. gentleman had said that his hon. friend from Terrebonne (Mr. Masson) was a Communist. Now, what, he would ask, did free trade among nations mean if followed out to its legitimate conclusions? It almost meant Communism, and because of this he sometimes doubted the correctness of the theory. It meant the abolition of national distinctions, and that each nation should strive to do the best it could for the good of the whole, without looking after its own particular interests; and this was Communism as applied to individuals. The hon. gentleman stated that the interests of this country were sacrificed by the Washington Treaty, which gave away the navigation of the St. Lawrence. He would like to know why our canals were deepened and enlarged, if it was not for the very purpose of securing the passage of the trade of the great West and North-West through them to Montreal and to England. If the free navigation of the St. Lawrence had been given away, what did this amount to? The free

use of our canals had not been extended to the Americans, whose shipping, in passing through them, paid the same charges as our own; therefore, he apprehended that, in this relation, no great sacrifice of Canadian interests had been made. Of course, it might be said that the free use of the St. Lawrence might be prejudicial to our interests in the event of war; but when war broke out, all treaties made with the country with which we might be at war would cease to exist; therefore, in case of war with the United States, this treaty would be of no effect. The hon. gentleman had spoken as if imports or exports were evidences of wealth. He held that neither of them could always be so considered. Imports, as the hon. gentleman had said, might be evidence of indebtedness, and this he believed was the case of this country to a very great extent. Our imports last year exceeded our exports by fourteen millions of dollars, the former being ninety-four and the latter eighty millions of dollars. During previous years the differences were at times much greater. How were the differences made up? They must signify indebtedness in some way or other. He believed a large portion of it was paid in this manner: Our Trust and Loan and Credit Companies borrowed money from England, by means of which mortgages on Canadian town and city property and farms were secured, and the money raised upon them was sent back in the shape of bills of exchange, thus helping to pay Canadian indebtedness. He apprehended that no hon. gentleman would say that this was evidence of wealth on the part of Canada. Exports might also be no evidence of wealth. The comforts enjoyed by a people, which they paid for, really showed what their true wealth was. We might export what we ought to consume, and what was necessary for the comfort of the people, to pay our indebtedness to foreign countries; and, therefore, he held that neither imports nor exports could fairly be taken as evidences of the wealth of a people. The hon. gentleman said that the consumer always paid the duty; this was a fallacy. He admitted that, when an

article was brought into a country where it was not produced, the duty on it was a tax on the consumer; but, when an article was imported into a country in which it was produced, and in which the amount of such imports was not so large as to control or make any very material change in the market, he held that the consumer did not pay the duty. In illustration, he would allude to Canadian barley. American barley was sold in the United States for 80c. a bushel, and Canadian barley brought in that country the same price. Canadian barley was, however, subject to a duty of 15 or 20 per cent., and, therefore, he held that the Canadian producer paid this duty. If the Canadian barley had not been taken into that market, it was possible that American barley might there have brought a higher price. In this case it was clear that the Canadian producer paid the 15 or 20 per cent., as the case might be, to sustain the Government. The hon. gentleman had told a story about an Essex farmer who had sold his barley in the United States and bought corn there, but he thought it could be shown that in both cases this farmer had the duty to pay. In the one case he was the producer and the other the consumer, and therefore his position was changed. In taking his barley into the United States he had the duty to pay, which, as was before shown, was paid by the producer, and in bringing back corn for feeding purposes he was the consumer, and would have had to pay the duty if one had been imposed. Corn was grown to a very limited extent in this country, and its price was, in a great measure, regulated by the price of the American article, and would have been increased in cost by the amount of the duty. He held, therefore, that it was not correct to say that in all cases the consumer paid the duty. It was also argued that, if we bought so much corn at 40c. per bushel and sold it again at 60c. per bushel, therefore we were richer as a people to the extent of the difference between these two prices. But, if we sold that corn out of the country at 60c., we had to pay the transportation and other charges upon it to the market where

it was sold, and consequently we did not make the 20c. If it was sold in this country, we were no richer; it would be only transferring wealth from the pocket of the man who paid the 60c. to the pocket of the man who bought it at 40c., so that on the whole the country would be no richer by that transaction; and in the other case the country would be only richer to the extent of the difference between the cost price, 40c., with the charges for transportation added to it, and the 60c. It might also be that we were sending out a superior article, and bringing in exchange an inferior one. The hon. gentleman had spoken of the advantage enjoyed by the Canadian farmer in feeding his beeves with American corn, because he could sell pease at a higher price than the corn cost; this was questionable. For instance, the farmer, on computing the profit he made upon his beef, must put the cost of the production of a bushel of pease against the cost price of any other grain with which he fed his beeves. If he could raise pease at 30c. a bushel, and feed his beeves with them, the cost of feeding would be so much less to the extent of the difference between 30c. and 50c., the price of the corn; so, instead of selling the pease at a good price, the farmer got this price in the sum received for his meat. It was a fallacy to say that the Canadian farmer, by selling his pease at a high price, though they cost less than the corn with which he fed his beeves, made more than if he fed them with the pease directly. He thought the hon. gentleman most unfortunate in his attempt to show that the Canadian manufacturer had less to compete with regarding American manufacturers than with English manufacturers. What articles were chosen for the purpose? Edge tools, above all things. Every hon. gentleman must know that, if there was one thing more than another in which the American could out-do the English manufacturers, it was in edge tools. American axes, chisels, etc., could not be touched by the British article as far as quality was concerned. And to show that Canadian manufactures were flourishing, what manufacture had the hon. gentleman selected?—

Mr. WALLACE.

the manufacture of stoves and agricultural implements, etc. Every one knew that the manufacture of such articles enjoyed protection in addition to the duty, because they were of little value in comparison with their bulk, and because of the great cost of their transportation. These hon. gentlemen proved too much. They proved in one instance what they said in another case was untrue. The hon. gentlemen said that the Canadian farmer realized as much for his pease in the American as in the English market last season; but the gentlemen opposite were always averring that the English market regulated the price of such articles; therefore, according to their own showing, it was clear that the English market did not always regulate the price of pease. The hon. member for North Norfolk (Mr. Charlton) had said that the Government had fallen heir to difficulties bequeathed them by the late Administration. The hon. gentleman referred, as the first of these difficulties, to British Columbia, and the terms made with that Province. He believed, however, that every hon. member on the other side of the House had been as desirous to see British Columbia enter the Union as were the supporters of the late Government, so that the difficulty could only relate to the terms of Union. But these hon. gentlemen had not observed those conditions; they had voided the old contract; they had made a new agreement on their own account, and consequently these terms were not a legacy bequeathed to them by the late Government. The hon. member had also spoken of the Manitoba troubles as another legacy; but he would remind the hon. gentleman that he and his friends caused these troubles. When the negotiations for the purchase of the North-West Territories were in progress, the hon. gentleman opposite had declared that the inhabitants of that country were being sold; that their interests were not considered, and that they were being deprived of their rights, thus creating the difficulties in question. It was unfair, incorrect and unjust to say that these troubles were a legacy bequeathed by the late Government. The hon. gentleman also said that the Government was

not responsible for the present depression. He admitted that this depression was perhaps beyond the control of this Government, but he did not doubt that it was, in some degree, the creature of the Government in this way: our industries were controlled, in great measure, by legislation, and the Government had not done the very best that could be done in this relation. They had undertaken such legislation, but, in nine cases out of ten, their legislation had injured rather than benefitted our industries. The hon. gentleman alleged that the depression was consequent upon the American War, and the inflation growing out of a depreciated currency. If this was correct, why was not the depression greater during, or immediately after that war? Why had such a length of time elapsed before it reached its present height? If it was caused by war, it could not be due to the American War, because that war had closed a number of years ago, long before the depression began. It could not be due to the depreciated currency, because the depreciation was much greater when there was no depression than it was now. It must have been owing to other circumstances. The hon. gentleman said the old Government had nothing to do with the prosperity of the country which existed between 1867 and 1873. If Governments had nothing to do with retarding or making prosperity, he would ask why the hon. gentlemen, when in Opposition, were so anxious for a change of Administration. They led the people to believe that the country was going to ruin, and they asked to be allowed to show how prosperous they would make the condition of things. Was that true, or were the hon. gentlemen trying to get control of the Government under false pretences? The hon. gentleman said that protection meant an increase in the price of everything. If so, it was very strange that in a country where there was such a heavy protective system as in the United States they could send so many manufactured goods into free-trade England. The hon. gentleman then spoke of the lumber trade. He said it was one of the most important industries in this

country. He (Mr. Wallace) was not going to undervalue the lumber interest. There was a large amount of wealth in it and it gave employment to a great number of hands. But, after all, it was not one of the most important interests in the country. The timber wealth had been growing up for centuries, without any labour being spent upon it. A great deal of it was exported in logs and in round timber, and the exportation of these could not be a very important industry.

Several HON. MEMBERS: Where?

Mr. WALLACE said he knew that it was so in the county he represented, and in the county of Kent. If the lumber was manufactured into furniture or implements of husbandry, or if ships were made of it, then it would be a much more important industry than it was at present, important as he admitted it to be. Then the hon. gentleman had spoken of American domestic manufactures, and said that the export of American manufactures bore no proportion to the whole of the manufactures; and yet the American people had to pay a tax upon those domestic articles which they consumed as well as upon foreign articles. But he (Mr. Wallace) did not think this susceptible of proof. He would say that the aggregate happiness of the human race might have been just as great if the \$4,000,000,000 worth of goods manufactured in the United States had been manufactured in the looms and workshops of Great Britain, France, Germany and Belgium, but no man would deny that, if this had been done, the American nation would not be so great as she was to-day, and there would not be those hives of industry which now existed. There would not be the New Yorks, the Chicagos, the Philadelphias, the Baltimores, the Lynns, the Lowells, if the old policy that the colonies should manufacture nothing, not even a hob-nail, for themselves had been carried out. Speaking about corn, it had been stated that the duty on it only affected the section of country in which the corn was produced; but this was a very narrow view. A large portion of the corn was used for distilling purposes, and another large portion was

Mr. WALLACE.

used for food; and when American corn came into Canada it entered into competition with the Canadian farmer—not only with his corn, but it reduced the price of his oats and coarse grains. He was astonished to hear, as he had heard the hon. member for North Norfolk (Mr. Charlton), a representative of the Canadian people, undertake in the House of Commons of Canada to belittle the people whom he represented. It was said that this country was unknown in New York, and that, if we attempted to regulate our policy in the interests of Canada, we must be careful, we must beware lest the United States adopted a retaliatory policy in return, and put a duty on our lumber and prevented the Canadian lumberman from going into the American market; and lest also they would reduce the price of Canadian barley by growing barley themselves on the prairies. He would like to know whether the Americans had stopped growing barley on their prairies in order that Canadians might have a good price in the American market, or had kept up the price of American lumber in order that Canadian lumber might have a better price. Americans bought from Canada because it was to their interest to do so; nothing more. It mattered not what policy we adopted, they would not adopt a retaliatory policy unless it suited their purpose, and if it suited them to adopt a retaliatory policy, they would do so, no matter what we did. The hon. member for South Waterloo (Mr. Young) said: "You must speak with bated breath for fear of the Americans, and not let them know what our policy is." He (Mr. Wallace) would ask whether the Canadians existed by sufferance of the Americans, and whether we were their vassals? It was disgraceful that a representative of free men should say Canada ought not to do what she believed to be for her interest, for fear of the American people. If we were free men, then we should legislate so as to promote Canadian interests, without reference to what Americans thought or what they might do. The hon. member for North Norfolk (Mr. Charlton) had had a fling at the right hon. member for Kingston, but it would be well for

that hon. gentleman, or the foremost of his friends, after being in political life as many years as the right hon. gentleman had been, if they stood as high in the estimation of the people of this country as the hon. leader of the Opposition did. It was not that the right hon. gentleman was blameless that he said this, but because, although he made no professions to be more honest or pure than other men, yet no one pretended to say that he had done a wrong to the country to benefit himself. The hon. the Premier had said the prosperity of the country was independent of either side of the House. With this proposition he quite concurred. No legislation could enact prosperity; the elements of a country's greatness existed independent of legislation; it consisted of its natural resources and the industry of its people. Industry, prudence and economy would create wealth and prosperity, while indolence, waste and extravagance would always create poverty and misery; but, while legislation could not of itself create prosperity, it could, if wise, promote it; whereas, if it was unwise, it would retard and check it, and this was what the Opposition contended the legislation of the present Government had done. The hon. member for Bothwell (Mr. Mills) said the present Government had so arranged the tariff that the taxes on one article did not increase the price of another. This he (Mr. Wallace) held was impossible, inasmuch as every article entered into either the food, fuel or clothing of the producer and increased the cost of his living, which, as a matter of necessity, added to the cost of his productions. In a country like Canada, where so much business was done on credit, which was a sort of circulating medium, a feeling of confidence was absolutely necessary. But the course of the Government had been such as to stamp out confidence. The Finance Minister, when he came into power, undertook to re-arrange the tariff, and such was his policy that deputation after deputation waited upon him to protest against his action, and the confidence among business men was destroyed entirely. And the thing which had produced great alarm was

the black picture the Finance Minister had drawn of the future prospects of this country. These causes had tended to aggravate and intensify the existing distress if they did not create it. The Government now refused to do anything to help our languishing industries; and in this they were as culpable as the man who would see another drown without making any effort to save him. Some of the hon. gentlemen opposite had attempted to define the policy of the Opposition as one of rigid protection. But it was not proposed to protect the people from themselves, nor was it proposed to create monopolies or rings. Our own manufacturers had a very unequal match to fight. Not only were they met with an exceedingly high duty in the United States, but in that country a drawback was allowed on all articles imported into Canada, which would be dutiable if exported from Canada into the American market. Old establishments with large capital, had always the advantage over young establishments with small capital. The Canadians were willing to compete with those disadvantages: but they were unwilling that they should be overwhelmed with the additional disadvantage of high taxes, which met them when they entered the American market, and they were unwilling to be compelled to compete with the degraded labour and cheaper money of some of the European countries. It was declared that the Protectionists were entirely wrong in their views. The whole system of Government was, however, one of protection; it was the protecting of the right against the wrong and the weak against the strong. The hon. the Premier had declared that protection was of the dark ages. It was the essence of civilization. The higher the civilization, the greater would be the amount of protection which the Government would afford the people. The first step from barbarism was protection. Hon. gentlemen opposite talked much about making Canada a cheap country to live in. If that was all that was desirable, our civilization was a blunder indeed, a crime against humanity, because the effect of civilization was to make living more expensive. But those

hon. gentlemen who talked loudest about making this a cheap country, did not themselves wish to live cheaply. They wanted good houses and clothing and to fare sumptuously, but that some one else should be able to live cheaply. He desired not only that Canada should be a cheap country to live in, but that it should be a country where the industrious man had most of the comfort, and indeed of the luxuries, of life. That should be the aim of statesmen, rather than trying to make this a cheap country. If cheap living was all that was required, surely it could be had, when the aborigines lived by the chase and did not till the soil. To return to such cheapness of living meant barbarism. He believed that free trade was a great and grand idea, but its advocates claimed for it too much credit. They went back to the period of the inception of free trade, and pointed to the advance made in the trade of the world since that time. It was a factor in the world's prosperity, but it was only one with a number of concurrent causes. The world's trade would not have made such rapid progress as it had done, if there had not been the discovery of steam and the great inventions in machinery. The discoveries of gold in California and Australia had also stimulated industries; and, therefore, it was not true to say that the great strides in the world's industry had been due to free trade alone. Free trade would have done little for the great West if there had not been railways to carry produce to the eastern markets, and to carry the manufactures of the east in exchange for the products of the west. The country would not have been so rapidly developed except for the railways. There were concurrent causes with free trade, whereby the world's business had made great strides during the last century; but that progress was due as much, and perhaps more, to causes other than so-called free trade. The people of the country should understand the difference between the political parties, and it was this: that while the present Government levied taxation solely with a view to revenue, without having any regard as to how it would affect the industries of the country, the

Opposition, while levying taxation for the purpose of raising revenue, at the same time desired so to levy it as to stimulate and encourage Canadian industries. This was the course which every lover of his country should adopt. He believed hon. members would show themselves to be true patriots, as having the true interests of the Dominion at heart, if, instead of striving, as the Government were now striving, to make this a cheap country to live in, they would seek to make it a country where the industrial people would be best clothed, best fed and best housed, of any country in the world.

Mr. PATERSON said there was one aspect of the question he wished to present to the House, which had not been brought out as clearly as he desired it. The House was discussing a question in regard to which one party was committed while the other party was fighting with a free lance, not being committed in any way. It was the duty of the Government to bring down to the House a policy and that they had done, as their policy was now before the House and the country, and hon. members knew what were the intentions of the Government in regard to the tariff; that the tariff would be retained as at present, with the exceptions proposed by the hon. Minister of Finance within the last few days. It became the duty of hon. members, in determining whether the Government was entitled to their confidence or not, to consider whether any better policy than that of the Government had been enunciated. Hon. gentlemen of the Opposition stated that they had a policy. There appeared to be a policy floating about in the brains of the Opposition, which, when presented to the House, it was said, would exceed that of the Government as light did darkness, but it had not yet been presented. He had listened attentively to the speeches of Opposition members and had endeavoured to ascertain what was their particular line of policy. One hon. member adopted a line of policy in favour of a prohibitory tariff, but he was followed by another hon. member who was careful to repudiate any such sentiment as being held by the Opposition. Some hon. members of the

Opposition informed the House that they would have a tariff levied on such articles as were produced in the country, thereby to obtain revenue and promote the industries of the country. That was the view taken by the last speaker, who was in honour bound to support the Administration of the day in their policy, for that which he had enunciated was the policy of the Government. If there was trouble in understanding the views of the Opposition, it arose from the fact that those gentlemen were afraid to attach themselves to anything definite. They introduced resolutions which meant nothing. They endeavoured, by resolutions, in which were words without meaning, to have the House committed to one principle—a declaration of want of confidence in the Government. It might suit hon. members who had no confidence in the Administration to vote for such resolutions, but, if they wished to seek the support of those who were not devoid of confidence in the Government, then they must give reasons why the Administration should not be supported and submit a policy so that hon. members might determine between the two parties. The tariff was a question that had been very much mixed up with other matters in the speeches of hon. members of the Opposition. They were fully aware that the Government was charged with the duty of raising a revenue; certain expenditures were incurred by the country and certain works had necessarily to be prosecuted, and it was therefore necessary for the Government to devise ways and means whereby they might raise a revenue. There were two ways open to the Government to do this. They might take the principle of direct taxation as the basis, and levy taxes directly as did the municipalities; or they might obtain a revenue from duties levied on goods imported into the country. He thought that direct taxation, while it had some advantages, especially that of cheapness, was a principle not considered as at all practicable by either of the great political parties, and neither party thought of acting upon it. It had been decided by common consent that revenue should be raised by a tariff—duties being levied upon

goods imported into the country. That point being determined, it became a very serious question with the Finance Minister to determine from what class of goods the revenue should be raised. Different countries had adopted different plans in regard to that matter. In England, the Finance Minister raised all the revenue required from a very few articles. The United States adopted an entirely different policy and imposed a heavy Customs duty on almost every article imported. In Canada, we had adopted the policy that prevailed in the United States to a great extent qualified. It differed from the policy of England inasmuch as the duties were imposed on a long list of articles; it differed from that of the United States in that, while it resembled that policy in the number of articles upon which duty was levied, the rate of duty was very much less. The true and proper policy for this country to adopt and maintain was that which was pursued by the Government at the present time. The Government had taken this wise precaution: that, in obtaining revenue by a Customs tariff, they had an eye to the material well-being of the country as well as to revenue. It was a baseless charge made by the last speaker when he said that the Government were bound to raise revenue, no matter what might be the effect on the national industries. He (Mr. Paterson) would not support any Government which, in raising the revenue, did not exercise care in regard to the business interests of the country. He maintained that the Government had the public interest at heart, and they had framed a tariff and adopted a policy which, while securing revenue, would minister to the well-being of the Dominion. They had seen fit to impose duties on imported manufactured goods, and the effect of that wise and efficient policy had been that, while they had secured revenue, they had fostered, stimulated and encouraged our manufacturing industries, until Canada to-day, in proportion to her population, stood in a proud position with regard to manufactures. The hon. member for South Norfolk (Mr. Wallace) had endeavoured to distort the argument used by the hon.

member for North Norfolk (Mr. Charlton) and tried to make it appear that he had adopted a line of argument exalting the United States at the expense of Canada. If he rightly understood the hon. member for North Norfolk, he spoke in regard to imposing retaliatory duties on United States products, and, like a wise man sitting down to count the costs before he entered into an enterprise, he asked the House to consider whether four millions were able to fight successfully forty millions of people. That was not belittling his country. The men who were belittling Canada and exalting the United States at its expense were those men who were continually declaring that our manufactures were crushed out of existence, that in this country there was not energy and ability sufficient to enable us to compete with the manufacturers of the United States—men who made that statement in face of the Canadian exhibit at Philadelphia and our success there, when we showed that not only in the department of education, but in agriculture and manufactures, this Dominion occupied a proud position among the nations. What was the result of that Centennial Exhibition in regard to our manufacturing interests? Did not hon. gentlemen know that commissioners from distant countries were led to visit Canada by the very fact that at that Exhibition they observed Canadian manufacturers competing with American manufacturers in quality of goods, and underselling them in price? To-day, a large and growing market was being opened up in the Australian colonies from the exhibit of Canadian manufactures made at Philadelphia. In the face of those facts, hon. members of the Opposition, in mournful tones, were belittling this country, saying that we were not able to compete with the United States unless two and a half per cent. more protection were given to every manufacturer living in our midst. No doubt there was somewhat of depression existing, but it was not confined to manufacturers. The statistics of failures showed a larger proportion among importers than manufacturers. It was true that

Mr. PATERSON.

manufacturers had suffered with the rest of the community, but it was not correct to say that they were being crushed out, and were unable to bear the strain now upon all classes. He believed in protection to manufactures, and he made a speech last year when a Committee was moved for in regard to the depression of trade, in which he took the ground that it was the duty of the Government to consider manufacturing interests in framing any tariff. He took that ground now. He supported the Government last year, because he was convinced they had the interests of manufacturers at heart, and he supported them now because he was satisfied they had the same interests at heart they had then.

Mr. WHITE (East Hastings): You will support the Government whatever policy they adopt.

Mr. PATERSON said the hon. member for East Hastings (Mr. White) seemed to think that he had some confidence in the Government. He would tell him that he had a great deal more confidence in them than in the hon. gentleman; and when he looked on the Opposition benches and thought of the remote possibility of those gentlemen crossing over to the Ministerial side of the House, he confessed that it was a calamity which he hoped would never overtake this country. He believed that the policy of the Government was one which ought to be adopted and maintained. He believed it had been maintained, and that any hon. gentleman who was well disposed to all the interests of the country would support the Government in maintaining that policy in the future. The hon. the leader of the Opposition asked that he should be judged by words, but he (Mr. Paterson) judged by the action of the Government in reference to this matter. To speak about manufactures being depressed, or in difficulties, did no good; but the Government that would take action, and by that action give relief, ought to be encouraged. What were the facts of the case? What was the action of this Government? Had they shown a want of interest or care for the manufactures of this country? What was the very first thing they

did when they came into office? They found the public Exchequer run low owing to the extravagance of their predecessors. They found that there were engagements entered into that would more than consume the revenue on the basis of taxation then levied, and it became necessary, in order to meet those engagements, that additional taxation should be imposed. What was the result; a total disregard of the manufactures of the country? No; in raising that additional amount they had put  $2\frac{1}{2}$  per cent. on manufactured goods, thus securing more revenue and at the same time giving increased protection. What was the course of hon. gentlemen opposite on that occasion; what was the course of the hon. gentlemen who claimed to be the manufacturers' friends? The hon. member for Cumberland rose in his place and denounced the hon. the Finance Minister for attempting to enter the thin edge of the wedge of protection. He (Mr. Paterson) was cognizant of one interest which, under that tariff, had received from the hands of the Government 100 per cent. more protection than it had under the previous Administration. Deputation after deputation waited on the late Government to secure some protection, but all in vain. It was, however, conceded at once by the hon. the present Finance Minister, because he saw that that industry was not in as fair a condition as other industries in the country. He remembered that when the hon. the Finance Minister brought down the tariff to the House on that occasion, 5 per cent. protection was placed on pig iron. We had, within six miles of Ottawa and in other parts of the Dominion, large mountains of iron ore, equal in quality to that of any other part of the world. This had to be taken to Cleveland to be smelted and then brought back in the shape of pig iron to Canada to be worked up. The hon. the Finance Minister thought that the manufacture of pig iron should be stimulated in this country. With that object in view, he put a duty of 5 per cent. on pig iron. But the tariff was denounced. Large deputations of manufacturers waited upon the hon. the Finance Minister and urged that such a duty would

be ruinous to the iron interests of Canada. The hon. the Finance Minister showed a regard for the country's welfare and well-being, and he listened to the representations, reconsidered his tariff and struck off the duty he proposed to put on pig iron. He (Mr. Paterson) would ask the manufacturers who had proved himself to be their friend? Whether they did not think better to support an Administration which treated them in that way or whether they were disposed to support an Administration which denounced the Government for raising the tariff to  $17\frac{1}{2}$  per cent. when they thought the interests of the revenue required it. He had no faith in the motion offered by the hon. member for Kingston. Last year that hon. gentleman had been kind enough to refer to him and say that his amendment would give the hon. member for South Brant an opportunity to show the interest he felt for the farmers and manufacturers. The hon. gentleman had given many opportunities to the hon. member for Brant to observe his line of policy in this House, and he (Mr. Paterson) could only assure him that no clap-trap motion should lead him away from the support of the Government. They wanted resolutions introduced by hon gentlemen whose professed dealings with the question would warrant the House in believing they had some honesty in introducing them. His views with reference to that amendment were very much strengthened by events which preceded as well as succeeded it. The House would remember that the resolution of the hon. member for Hamilton recited that it was in the interests of Canada that differential duties should be levied—in other words that the home Government should be memorialized for power to impose differential duties on goods coming from the United States. That resolution also embodied an expression of confidence in the general policy of the Government. What were the remarks of the hon. member for Kingston? In reference to that resolution, some of the hon. gentleman's supporters told the House that they did not believe in putting heavy duties against England but that they favoured putting them on against the United

States. Every one of them voted the resolution down, and why? The hon. member for Kingston gave the reason. It was not because of the differential duties. He said that a resolution had been introduced calculated to give every consideration to the manufacturers, but, while the hon. gentleman found fault with the financial policy of the Government in his resolution, he, in the next place, expressed confidence in the general policy of the Government, and therefore he could not support the proposition. The tariff was of no consequence. Manufacturers were of no consequence. He would have gone for the whole thing or anything, but there was that expression of confidence in the general policy of the Government, and therefore he could not support the amendment. When the hon. member for Montreal introduced his resolution for greater protection, the hon. gentleman denounced it as one-sided. He held that it was proposing to give undue advantages to one class at the expense of another and was therefore unwise and unjust. Then in the motions now before the House they had another illustration of the policy of that hon. gentleman. He had moved:

“That the said Resolution be not now read a second time, but that it be resolved: That this House regrets that the financial policy submitted by the Government increases the burthen of taxation on the people, without any compensating advantage to Canadian industries; and further, that this House is of opinion that the deficiency in the revenue should be met by a diminution of expenditure, aided by such a re-adjustment of the tariff as will benefit and foster the agricultural, mining and manufacturing interests of the Dominion.”

That last sentence, according to the organ of the hon. gentleman, and according to the sentiments uttered by his supporters in this House, composed the grand National Policy of the Opposition. Now, the hon. member for Hamilton moved that that grand resolution be struck out and that something else, entirely different and foreign to it, should be substituted. The hon. member for Kingston indignantly commented upon that resolution. He characterized it as selfish and one-sided—as a policy that was enunciated in the interests of the manufacturers only

—that it was for the special benefit of a few manufacturers of Hamilton, but still the hon. gentleman said he intended to vote for that resolution. No question more clearly illustrated the policy of the Opposition than did their course upon the coal oil question. It would be remembered that the duty on coal oil was 15c. per gallon, and that there was an Excise duty upon it of 5c. per gallon. About the close of last Session, the hon. member for Stanstead (Mr. Colby) moved that the import duty on coal oil should be reduced from 15c. to 7½c. per gallon. The hon. member for East Middlesex (Mr. Macmillan) made a speech on that occasion to show how unjust such a step would be to the refiners of coal oil. But what was the conduct of the Government in regard to that matter? The hon. the Finance Minister said that that interest had an undue amount of protection, and that he would deal with it this year, but that, in dealing with it, the interests of refiners must be guarded. That hon. gentleman had fulfilled his promise; he had given a sufficient protection to the refiners, while, at the same time, he reduced the cost to the consumer. Upon that occasion, however, the whole Opposition were found voting with the hon. member for Stanstead. He (Mr. Paterson) wished to correct himself in that statement, as the name of one notable member of the Opposition, the Right Hon. Sir John A. Macdonald, was not to be found on the division list. He had a very distinct recollection that, up to the very moment the division bell rang, the right hon. gentleman was in his seat. Surely there was something strange in his name not appearing in the division list. That was the right hon. gentleman's opportunity to show that he desired to do something to relieve the manufacturing industries. The motion was made to wipe out one of the great industries of the country, but did the hon. gentleman oppose it? Nothing of the kind. Though in the House at the time the division bell rang, he fled the scene when the vote was being taken: “paired” with himself was the word to use in characterizing this action on the part of such a prominent member. But “shirked” was the term which would be applied to such

conduct on the part of a less distinguished member. That was the action of a statesman who proposed to give back prosperity to the country by protecting its industries. Canada expected that her statesmen, if they were mistaken in their policy, should, at any rate, be men not afraid to stand by and avow their policy. The country wanted statesmen at the head of affairs who, although mistaken on some points, were not afraid to maintain their expressed policy. He (Mr. Paterson) thought he had successfully proved that he had taken the right step for the protection of the manufacturing interest by supporting a Government who made it their aim, in a revision of the tariff, to attend to the whole interests of the community. The hon. member for Kingston told them that while he should vote for a resolution which gave protection to manufacturers alone, he believed it was selfish; and that the protection ought to be extended also to the mining and agricultural interests. But, as the resolution of the hon. member for Hamilton reflected somewhat on the Government, and would be apt to gain one or two more votes than his own, he decided to sacrifice the farmers and the miners. But the hon. gentleman said he would again introduce his resolution, but the country would estimate it at its proper worth when they found the hon. gentleman had attempted to vote it down himself. What had been the course of the hon. member for Kingston in regard to the agricultural interests. Neither by resolution or speech had he expressed himself in favour of putting a duty on flour. They did not want resolutions which meant nothing, and they wished to learn what duties it was proposed to put on flour and grain. The hon. gentleman might not be able to state this in his motion, but he could not be prevented from doing so in his speech. They desired to learn the duties proposed on flour, wheat and corn in order that they might judge the question intelligently. The hon. gentleman had not committed himself in this connection. He would call the attention of the House to the course pursued by the hon. gentleman in this regard last year. It would be remembered that

the hon. gentleman while going through the country, had endeavoured to make farmers believe that he favoured a tax on grain and a policy beneficial to them; he had not said so distinctly then, or in the House, nor did the resolution say so, and they must know what the resolution meant. A Committee had been asked for last Session by the hon. member for Centre Wellington (Mr. Orton) to ascertain whether it would be in the interests of the farmer to levy a duty on grain, and this motion prevailed. He had favoured its appointment, and he had said he had understood that the House would be petitioned in this respect. The hon. member for Kingston had declared that he was loaded down with letters demanding such a course. He had thought information on these matters desirable, and he had said he had as yet been unable to ascertain how a duty on grain or wheat could enhance its price, when we exported a surplus. But, before that Committee had appointed its chairman, the hon. member for Kingston, who had voted for it, introduced the celebrated resolution which he, or rather some of his supporters, said favoured a duty on grain. He had to remind the House that the hon. member for Kingston, in the course of his long political experience and while leader of a Government, had imposed, on one or two occasions, duties on grain. In 1867, the Finance Minister had introduced a tariff in which provision was made for a duty on flour and coarse grains, but not on wheat; but in the spring of the very next year a motion was made for the repeal of this policy, and the hon. member for Kingston then said that these duties were imposed to show the Americans that we were independent of them; but, as they had been found to work against the prosperity of certain sections of the country, their repeal was a step in the right direction. Such duties were again imposed in 1870; but in 1871, during the absence of the hon. member for Kingston, the members of his Government and their supporters again repealed the duties on grain. Such had been their course with reference to this matter; and he wanted to know whether the present policy had

more stability, and whether it was a scheme to benefit the agricultural interest, or devised merely to assist in their transference to the Treasury benches. They would, in this regard, have to take bonds from the hon. members for Cumberland and for Kingston, before they could permit them once more to take office,—that they would not themselves assist in strangling the policy which they had declared to be in the best interests of the country. He did not propose to discuss whether duties on grain would be in the interest of the farmer. He contended that this question was not declared in the resolution. The hon. member for Kingston (Sir John A. Macdonald) had said he was charged by the hon. member for North Norfolk (Mr. Charlton) with the introduction of a log-rolling system, and the hon. gentleman had not denied it, but rather had gloried in what would be considered a disgrace in connection with a municipal council. The hon. gentleman had also gone on to tell how he would make the log roll; he would put the miner at one end, the manufacturer at the other end, and the farmer at the middle, which would be the heaviest part. This was protection to the farmer, who would be made to lift up both the miner and the manufacturer. He held that any member who had no confidence in the Administration, whether Protectionist or Free-trader, or modified Protectionist or modified Free-trader, could vote for the resolution of the hon. member for Kingston. The great Free-trader, the hon. member for Queen's, (Mr. Pope) could vote for it without hesitation. He expressed no confidence in the Government and nothing more; and, by a parity of reasoning, it was equally incumbent on every hon. gentleman who had confidence in the Government, to vote against the resolution. If the Government was unworthy of their confidence, their support should be withdrawn; but he wished to know, if that was the case, why this was not shown. He approved of the course of the hon. member for North York (Mr. Dymond) who had called upon the Opposition to formulate, in the House, the charges they had made against the Government throughout the country, and to prove

Mr. PATERSON.

them before a Committee of investigation; until such proof was made, it was the duty of the supporters of the Administration to stand by it. The hon. member for Ottawa (Mr. Currier), who was a strong supporter of the hon. member for Kingston, had said that if half of the charges made against the members of the Government by the Opposition were true they should be in the Penitentiary,—that the members of the Government should not only be out of office but also in the Penitentiary. Did not this imply that these charges were so base that they could not be believed or could it be expected that they could be believed? Never had the Opposition been subjected to such charges as had been hurled against the Government of the day. One was that the Prime Minister was a poor man when he took office three years ago, and that to-day he was a millionaire, though it was well known how the hon. gentleman entertained his friends and political opponents as well. This charge implied wilful corruption, but they were not prepared to endorse any such insinuation. If charges could be made, let them be preferred. The hon. the Premier had challenged his opponents to establish them, on the opening of Parliament, and on his own account he (Mr. Paterson) renewed his request. If the First Minister was corrupt, they should know it; and, if the Minister of Justice had ever been guilty of taking public money in order to bribe a criminal charged with murder to evade justice, and at the same time had gone through the country and exclaimed: "Would to God I could catch him," he wished to know it, and if he did, he participated in his guilt by supporting him. He did not maintain that the Ministry was perfectly infallible. They might have made mistakes, but he did claim for them honesty and integrity of purpose and ability. In proof thereof, he pointed to the valuable laws which they had placed on the Statute-book, and for which they had fought while in Opposition. They had provided for simultaneous elections, and to their honour it was to be said that, scorning to follow the practice of the hon. member for Kingston, they had acted on this

principle in 1874, when no such law existed. A pure Election Law had also been enacted, and an improved Insolvency Law as well. They had established successfully the Supreme Court, which had been previously proposed but not brought into operation, and the country was now enjoying the advantages conferred by the existence of this distinguished tribunal. The administration of the Departments had been admirable and efficient, and he urged hon. members to give to the gentlemen who conducted the affairs of the country a fair and honest support for what they had accomplished. He would ask the House to consider the herculean task placed upon the shoulders of the hon. the Premier. He was saddled with liabilities and responsibilities which he had not incurred, and he was hampered with the claims of British Columbia, and with all the hasty, ill-considered and ill-devised bargains made by the previous Government. There was something like fair play in Opposition. He believed it was the right of the Opposition to find fault; but he did not think the Opposition should blame the Government for matters for which they were not responsible. The hon. member for North Ontario (Mr. Gibbs,) lamented the absence of patriotism, evinced by the Government, and he called upon the Government to resign; but the Government did not vacate their seats in response to his appeals. If the hon. member for North Ontario laid so much stress upon patriotism, he might show it by purchasing only those articles made in Canada, even if they were dearer than those made in the United States. A great many members had alluded to the speech of the hon. member for North Norfolk made last year. It had been charged upon that hon. gentleman that his speech last year was a strong protection speech, and that this year he had entirely changed his ground. It might be that the hon. gentleman had made a mistake, but it might be that he was consistent. The position taken by the hon. member last year was that the protection to manufactures was in the interest of the consumers as well as of the manufacturers to a certain extent, and that

this protection was given by the policy of the Government. Precisely the same views had been expressed by him this year. He held it to be the duty of the Government, when raising the tariff, to levy upon manufactured goods and to protect manufacturers in this country. Garbled extracts of the speech of the hon. gentleman had been made, but those who took the speech as it was delivered, would find that that speech of last year and the speech he had delivered this year were identical in principle. What did the hon. gentleman say in that speech?

"I had believed that protection, to a certain extent and certain limits, would benefit the country."

And this was the policy which had been inaugurated and maintained by this Government. The hon. member went on to say:

"Although protection has conferred great benefits upon the United States, I think it can be clearly shown that the amount of protection in that country has been altogether greater than necessary for the purpose of promoting its interests; and, in consequence of that, over-protection, monopolies and rings were created, and a gambling element was introduced into all business transactions."

The hon. member used precisely the same language in his speech this year. Further down he went on to say:

"I am satisfied that the manufacturers of the United States, through lobbying, obtained vastly more protection than they were entitled to, or the country should have granted."

The hon. member for North Norfolk said that this year. His speeches would be found to be a strong argument in favour of maintaining the present policy. He (Mr. Paterson) agreed with the hon. gentleman that the policy of the present Government was one which would secure the revenue, and, at the same time, promote the interests of the country; and, therefore he would give them his support.

Mr. McNAB said, as a farmer and as representing a farming constituency, and believing that the sentiments which he held were held by the great bulk of the farmers of Canada, he felt it to be his duty to offer a few observations to the House, and in doing so he would not endeavour to discuss the general policy of the Government or

attempt to discuss the consistencies or inconsistencies of any parties in the House, but he would endeavour to look at the matter from a rational and common-sense point of view, and to look at the two fiscal policies which were submitted for the consideration of the House, and to choose that which was best calculated to promote the interests of the country. The original motion and the two amendments now in the Speaker's hand indicated two very distinct policies. The motion of the Minister of Finance proposed a revenue tariff, or, in other words, he proposed to put duty on dutiable goods as lightly as possible, so that it was sufficient for the revenue, without regard to the protection of the interest of any one class of the community, while at the same time it would provide incidental protection to the extent of 17½ per cent. upon the industries of Canada. The amendment of the right hon. member for Kingston and the hon. member for Hamilton (Mr. Wood) proposed the principle of protection as the basis of our fiscal policy. In other words, it proposed that the Customs duties should be imposed upon imported foreign goods to such an extent as would enable the Canadian manufacturers to charge higher prices, and to carry on their business more profitably, and to secure to the manufacturers of Canada the whole of the consumers of Canada as their customers. He presumed it would be admitted as a sound principle that that was the best fiscal policy which benefitted the largest number of the people—that the guiding principle of the Government, as well as of the House, ought to be the old motto, the greatest possible good to the greatest number. He intended to look at the population of the Dominion and its various classes, and then to see how the different policies enunciated would affect them. It had been estimated that the manufacturers of this Dominion represented about one-twentieth of the entire population; and, if were added to them all those engaged in the various branches of commerce, as well as those engaged in the various professions and other callings other than manufacturing, they would in all make one-tenth of the entire popula-

Mr. McNAB.

tion, leaving nine-tenths engaged actively in pursuits of agriculture. It had been the habit of Protectionists to say that manufactories built up the farmers, and that the manufacturing interest built up the farming interest. It had been also said that cities and towns which were largely interested in manufactures built up the country. From his point of view, the reverse of that statement was the fact. If the towns and cities of the Dominion were by some accident wiped out to-morrow, the country would be still able to prosper, and would create and build up new towns and cities. But, if a similar accident were to befall the country, the cities and towns could not sustain themselves, much less could they create and build up a new country. It followed, therefore, that the agricultural interest was the great interest of this Dominion. The artisan took the products of other men's hands and gave them the finishing touch. But the farmer went directly to the soil and brought from it, by hard labour and careful industry, the prime necessities of life, without which no community could long subsist. Therefore, whether they looked at the large numbers engaged in the agricultural industry, or at the character of the work itself, they were forced to the conclusion that the great agricultural interest was the predominating interest of this country; and that upon it must every other interest ultimately depend for its success. If these statements were correct, they might then enquire what fiscal policy was best adapted to promote that great interest. In pursuing that enquiry, he thought it would be fair and reasonable to appeal to the experience and judgment of practical farmers themselves. It had been the habit sometimes to look upon farmers as of secondary importance. He had been taunted with being a rough and horny-handed farmer. In his late election contest he was taunted with that statement, but he accepted the taunt as the highest compliment. He was not ashamed to have his hands soiled with honest labour, especially with agricultural labour. He felt it no disgrace to belong to that noble class who traced their origin to the very

commencement of time. He felt, as he had said, that it would be fair to appeal to the judgment of practical farmers, in this House and outside, as to which of the two fiscal policies he had endeavoured to indicate was best calculated to advance this great agricultural interest, upon which the other interests so much depended. The system of high protective duties meant, if it meant anything at all, an increased value to the manufactured articles of this country. It meant that the manufacturers of goods, implements, &c., would be able to command a higher market for their manufactures. If it did not mean that, it was of no benefit at all to manufacturers to get protection. So evident was this that the more honest Protectionists admitted freely that protection meant that they would get higher prices for their goods. Then it followed that an increased cost must be given to every article consumed by the farmer. As a practical farmer, he appealed to every farmer in this House and the country whether the secret of successful farming did not lie more in the farmer being able to keep down his annual expenditure than in the amount he might receive from the surplus products of his dairy and farm. If it was true that a highly protective tariff tended to increase the cost of the farmer's living, and that the success of farming lay in keeping down the cost, it must be evident to every reflective mind that protection was a bad system for the farmer. He was free to admit that it might be a benefit to the manufacturer for a certain length of time. It would give a stimulus to the manufacturing industry. The manufacturer would be able to command a higher price, because the Canadian farmer with his family must purchase from the native manufacturer, as he had not the opportunity of getting foreign manufactures. He (Mr. McNab) might not seek to go any further to establish his case, but the manufacturer would say that protection would, notwithstanding, give a set-off to the farmer in the way of an increased price for his surplus products. That was the rock upon which Protectionists split. There was the great mistake which Protectionists and hon. members who advocated protection made, as he

believed, in consequence of a want of the practical experience which practical farmers had as to the difficulties of carrying on the system of agriculture. If it could be demonstrated that the farmer would be equally well off by giving this advantage to the manufacturer, he would be quite willing to let the manufacturer have that advantage. But hon. members who had preceded him had shown that we were an exporting country in regard to all those cereals, a tax on which they said would benefit us. He argued that any amount of duties which might be placed upon American coarse grains, cattle, horses, sheep, swine, etc., would not affect in any degree the value of our agricultural surplus products, because they did not come into competition with us. Only three sheep had been imported in a year; no horses, cattle, oats, barley, or beans worth speaking of, were taken into Ontario, though some had gone to the new Provinces. Whatever duty therefore was placed upon those articles, it would not affect our prices or add anything to the revenue of the country. The conclusion was therefore forced upon him that the result of protection to the farmer would be only injurious. He thought he could also show that in the end it would be injurious to the manufacturers themselves. He intended to cite hon. gentlemen opposite as his witnesses, and establish the case by their own evidence. Hon. members were pointed by Protectionists to the United States as a country of unexampled prosperity. They were pointed to the manufacturers of the United States as having a degree of prosperity which was unequalled, and they were told that that was owing to the system of high duties in force there, and to the tender fostering care of a good paternal Government. They were told that in Canada they were injured because they had not these high duties, and because they lacked a careful, fostering, paternal Government. That was a very fine picture, and it was a pity that hon. gentlemen should themselves, by ruthless hands, destroy it. But, while they told them that these manufacturers enjoyed these high privileges under that system of protection which they so much admired and owed

it to the good paternal Government, they told them in the next breath that, notwithstanding these advantages and privileges, the manufacturers of the United States had to fly from that grand principle and come to this cold sterile country, cursed with an unpaternal Government, and make it a slaughter-market, and sell at ruinous prices to the farmers of Canada, who were nine-tenths of the people of this country. In the name of common sense, he would ask, was it an injury to the consumers of Canada that cheap goods were placed within their reach; and that they had not that high protective tariff which would prevent their neighbors from offering them cheap goods when they wanted them? By their own evidence, gentlemen opposite showed that the want of this high protective duty in this country was a positive benefit to farmers; it proved, also, that this grand protective principle did not secure all that they pretended it would secure. Under the most favourable circumstances, it had driven their manufacturers to seek a market in another land. There was an old law of nature that like causes produced like effects, and that was true all the world over. All true principles would bear extension. If, in the United States, from the testimony of hon. gentlemen opposite, which he assumed to be true, they had shown that the grand protective principle had not secured for the manufacturers a home market for their home products, but that they had been obliged to come into Canada to seek a market, he argued that, if high duties were introduced into Canada, they would produce similar results, that by a sort of hot-house growth they would overstimulate the industries, and in the end be injurious to the farmers and manufacturers alike. All this must be regulated by the old law of supply and demand. It was impossible to remedy the evil by legislative enactments. He wished to draw attention to the fact that there were no advocates of free trade in this House. It was impossible at present to apply it pure and simple to this country. He was an advocate not of free trade, but of a revenue tariff. He was opposed to a protective tariff, which would be

Mr. McNAB.

injurious in the first place to the farming interests, and in the second place to the manufacturing interest, as well as all other interests. Notwithstanding what had been said in favour of a revenue tariff, it was stated that the farmers, for some reason, were favourable to introducing the protective principle in the fiscal policy of this country. He, as a practical farmer, denied the allegation, and hon. members opposite had failed to prove the statement by evidence. He proposed to show, by certain circumstances and evidence, that the statement was incorrect, and that the farmers would not have protection as the basis of a fiscal policy. The late election in South Wellington was one instance. That was a great agricultural country, and there the protection horse was gallantly trotted out, saddled and bridled, and well mounted. The Opposition candidate challenged the contest to be fought on that issue. The challenge was accepted, and the result was to send a living witness in the person of his hon. friend (Mr. Guthrie) that the farmers of that county did not believe in that principle. In the good old county of Bothwell, the same result followed. That was the issue upon which the election contest was fought, and the result was to send the hon. member for Bothwell (Mr. Mills) here as a living testimony that the farmers of that county did not want protection, and would not have it. In the good old county of Glengarry, which he (Mr. McNab) represented, the protection theory was trotted out under circumstances the most favourable for that principle. His opponent was a gentleman of ability, character, and standing, who had not been mixed up in the county, municipally or politically; who had never provoked a single prejudice, but came into the contest with a sheet of clean paper, without a single fault. Not only that, but he was very numerous and influentially connected in the county. In almost every concession, he found his first, second, third, and, he supposed, fifty-third cousins. Not only was this the character of his opponent, but he (Mr. McNab) was honoured with a very strong outside influence against

him. He had the pleasure of meeting the pleasant countenance and smiling face of Mr. Thomas White, of Montreal, who was a very eloquent man, and had the faculty, in a high degree, of presenting a weak case in the most favourable light. He had also the member for North Victoria (Mr. Cameron), and they all knew that he had the faculty of looking so grave and demure that he would almost convince anyone that he himself at least was firmly convinced of the correctness of his positions, whatever difficulties others might have. He had also Mr. Davidson, a gentleman of influence in Montreal; Colonel A. Stephenson and some French friends, and also the local member for the neighbouring county of Prescott, who had a large medical practice in Glengarry; and a number of merchants, also from the county of Prescott, who were Protectionists, and did a large trading business in the rear of the county of Glengarry. All this influence was used for weeks before the election against him, and in favour of the Protectionist candidate, Mr. McLennan. But the result showed that the honest and independent electors of Glengarry could neither be cajoled nor coaxed into a belief of the protection theory, and the result was that he (Mr. McNab) was returned by a handsome majority as the representative of a revenue tariff as opposed to a protection tariff. Prince Edward Island had also spoken out on this question. The hon. member for Queen's county (Mr. Pope), who strongly desired the defeat of the Government, was forced, by the strength of public opinion in that Province, to declare himself in favour of a free-trade policy as against a protection policy. He was very much amused the other evening at the very pathetic appeal of the member for Kingston in behalf of the farmers of Canada. He was extremely obliged for the kind sympathy the hon. gentleman had shown towards the poor farmers; but it very soon became evident that his sympathy was more apparent than real. The hon. gentleman sang a lament upon the fact that the farmers would be called upon to pay two cents more for their tea; but, while the hon. gentleman was thus lamenting, he was

quite willing that the farmer should be taxed for the boots on his feet and the coat on his back, the hat on his head, the dresses of his wife and daughters, and every article of furniture in his house, and every agricultural implement in his field. The hon. gentleman was quite willing to tax all those articles, but he lifted up his hands in holy horror at the proposition to put two cents on tea. He (Mr. McNab) had made a calculation and found that the additional impost on tea would at the outside add only eight cents a head per year to the expenses of the farming population of Canada, or an average of 40c. for each family. In imposing that tax, however, the Government had relieved the farmers of an impost of 30c. a head on coal oil, or an average of \$1.50 per family. That article could now be bought in the county in which he lived at from 25c. to 30c. a gallon, while two months ago, it was selling at 60c., in consequence of the high tariff. If any proof more than another were required to show the evil results that would follow from high protective duties on manufactured goods, this fact in relation to coal oil would demonstrate it beyond a doubt. As a practical farmer, he hoped the day was far distant when hon. gentlemen opposite, with all their plausible reasoning, would be able to persuade the farmers of Canada that protection would be beneficial to their interests. They owed to the lawyers, doctors and other professional men in the House a debt of gratitude. Those hon. gentlemen had done great service to the country, and no doubt many of their names would go down to posterity as worthy of being honoured and revered; but, without disparagement to those gentlemen, he must say that it would be no injury to the House as a body if the agricultural element was more largely represented in it. In the youthful stage of the country the farmers had neither the means nor the leisure to give their sons that training which would fit them for such public positions, but, as the country grew older and more wealthy, the agriculturists would undoubtedly give to their sons such training as would prepare them to discharge the highest duties connected with the public affairs of

the country. He trusted that the House, and especially hon. members who represented agricultural constituencies, would pause before voting to introduce a fiscal policy which was false in theory and would be in the end wholly ruinous to all classes of the community—a policy, as had been aptly expressed, which would organize a system of legalized public plunder.

Mr. WORKMAN said the importance of this question was sufficiently proved by the fact that it had monopolized the attention of the House for the last week or ten days. It was a question of such nature that, although he was rather indisposed and scarcely able to speak, he could not allow himself to give a silent vote upon it. When he had the honour of occupying a seat in the House last Session, he took a deep interest in, and, as far as laid in his humble power, advocated, the policy of protection. While he felt the same interest and while he appeared as the advocate of protection to-night, he was at the same time quite willing to admit that the current of public opinion was not so strongly in favour of it now as it was then. At that time, in the large cities there was a pronounced opinion that pervaded nearly all classes in favour of very high protective duties on manufactured goods. He was living in a community where that opinion was expressed in his presence, and he came in contact daily with manufacturers, merchants and mechanics; and he was bound to say that there was a considerable modification in the tone of public sentiment on that question. That modification probably arose from two or three causes. In the first place, what was last year termed the slaughtering system of the United States had, to a very large extent, ceased. Last year, Canada was over-run by American goods forced upon our markets, and sold at prices far below the cost at which they could be produced here. That had been changed, from the fact that gold to-day was not so valuable, as compared with the American currency, as it was twelve months ago. There was an approximation between gold and United States currency of eight to ten per cent.—that was, we had to pay today in New York or in Boston \$100 for what last year could have been ob-

Mr. McNAB.

tained for \$92. We had also to pay 17½ per cent. duty on American prices, and that increased the cost of goods delivered in Canada. In the next place, he was glad to see that the Customs authorities had inaugurated a better system for collecting the duty on goods coming from the United States. In nearly all the principal cities the duty was now collected upon the whole value of goods, which system also tended to decrease the competition that was felt so injurious to our interest last year; besides, there had been an increase in the price of many articles in the United States. Several of the staple articles in which he was interested—iron, cut nails and spikes—which were formerly sent into Canada in very large quantities, had this year almost entirely ceased to be imported. Those articles were either supplied by our own people or were imported from England, so that the competition of the United States in that direction had almost ceased. He believed that it was also the case in certain articles of dry goods and prints. He was informed by gentlemen in that trade that there was not so much competition as last year. Notwithstanding all this, he should have been pleased indeed had the hon. the Finance Minister announced to the House a small increase on the duties which existed. He would have liked to have seen the 17½ per cent. duty increased to 20 per cent. He thought a moderate increase would have met the just wants of the farmers, manufacturers, importers and merchants, and given general satisfaction to those parties who heretofore had been so much dissatisfied. The Government had not done so, and for that reason he could not vote with them on this occasion. He would vote for the motion of the hon. member for Hamilton, because he believed it was a straightforward, candid and open motion, and one that expressed in clear language the position that some other Protectionists and himself occupied in this House. Before proceeding any further, he would like the permission of the House to refer to a question somewhat personal to himself. In his absence, a letter was written by an old friend of his, Mr. George Stephen, of Montreal, which was published in two or three

newspapers. He had the authority of that gentleman for stating that the letter was written under a misapprehension of certain expressions he made use of in reference to the coal question. He thought it only just to explain to the House that what was imputed to him on that occasion and printed in the Montreal newspapers was incorrect. The reports in the *Globe*, *Mail*, and *Ottawa Citizen* were quite different. He had been furnished with the report of his remarks from the *Hansard*, and what he did say on the 2nd of March, in regard to Mr. MacKay's motion, was:

"I am a manufacturer, and a Protectionist to a moderate extent, and looking at the question from that point of view, I cannot agree to the imposition of the proposed duty on coal."

The words "partial Protectionist" had been incorrectly put into his mouth, On account of this phrase Mr. Stephen, who took exception to it, had soundly rated him in the newspapers. He thought that Mr. Stephen had made a great mistake in transgressing the bounds of common courtesy in order to attack him in his private business transactions and to impute to him motives which were groundless. He was, however, quite willing to acquit Mr. Stephen of any desire to injure his private character. The sentiments he had expressed were entirely in harmony with what he had stated on the floor of this House on the 29th February, 1876, when he had had the honour of moving a resolution favouring protection. He had then said he had always been to a moderate extent a Protectionist, but he confessed the prevalent sentiments among his constituents in Montreal West went beyond the ideas he had favoured on this question. The proposal to place a duty on coal was not new to him; it had occupied the attention of the House five or six years ago, when he opposed it in every possible way. He had visited his constituents a short time since, and as far as possible he had made himself acquainted with their views on this question. He had also requested a very intelligent mechanic and small manufacturer to ascertain the opinions of the people on

it, and he had received in reply last Monday the following letter:—

MONTREAL, March 12th, 1877.

DEAR SIR: I have seen quite a large number of manufacturers and mechanics in this city and ascertained their views in relation to the proposed duty of fifty cents per ton on coal as advocated by several members of Parliament; and I have found them all most strenuously opposed to any duty being placed on coal. They tell me that they cannot see the justice of taxing an article so much used in manufactures and for domestic purposes also, and they believe that such a duty would work most injuriously, especially in the two Provinces of Quebec and Ontario. I may add that I thoroughly coincide with them in this view. Most of the mechanics I have seen are, owing to their great intelligence and influence amongst their fellow workmen, representative mechanics, and, therefore, they express the sentiments of the large majority of the employes of Montreal and its vicinity."

He thought he was quite justified, under the circumstances, in opposing the motion of the hon. member for Kingston. He had found that at least nineteen-twentieths of the manufacturers of Montreal whom he had seen took the same ground. He was also opposed to the imposition of a duty on grain of any kind, especially wheat. When a duty had been placed on wheat some years ago, he had been continually besieged with complaints, owing to the annoyance caused in the transshipment of grain in Montreal. Great delays were occasioned, and demurrage was frequently claimed. As the then representative of Montreal Centre, he was supposed to have been instrumental in having the duty imposed, which was not the case. The changes now made in the tariff, he confessed, did not satisfy him as much as could be desired. He regretted the increased tax on malt, which would add to the price of a popular beverage; this duty was equal to 76c. on every bushel of malt, and it was higher and more oppressive than any similar duty in any other country. He could have selected twenty articles now on the free list, on which could be imposed duties which would have altogether obviated these changes. The additional two cents per pound on tea was a mere trifle. He did not believe that it would increase the cost of tea to the consumer.

He would have preferred to have seen iron tubes and piping placed on the 10 instead of the 17½ per cent. list. He could not see why these articles had remained so long on the free list; we did not manufacture them and they ought to contribute to the revenue. As a manufacturer, he believed the free list was much too extensive. It might with advantage be curtailed very materially. If the Ministers of Customs and Finance had accepted his advice, this would have been done, but they had not seen fit to do so, which he much regretted.

**Mr. MITCHELL:** Why do you not vote against them?

**Mr. WORKMAN:** I will do so on this occasion; and, if my vote would turn them out of office, I would cast it against them to-night.

**An HON. MEMBER:** But you know it will not do it.

**Mr. WORKMAN** said he was well aware of this fact. He had tried it last year. A manufacturer had told him he was perfectly satisfied with the increased duty on thread and spools from 10 to 17½ per cent., and the imposition of 10 per cent. on the raw material. The hon. member for Glengarry (Mr. McNab) had said that the imposition of what he called Protectionist duties increased the price of goods to the farmer.

**An HON. MEMBER:** That is so.

**Mr. WORKMAN** said he was prepared to prove the contrary. He could show by figures and by reference to his books and those of other merchants that to-day the farmers of Canada were buying much better scythes, forks, reaping machines, chains, spades, shovels, &c., at much lower prices than when the duties were only 2½ per cent; therefore, the argument he had alluded to was a perfect fallacy. As a manufacturer, he was satisfied with the present protection, which had greatly stimulated our industries, but other manufacturers wished to secure more protection, and consequently, he was obliged to support the movement. His own opinion, however, was that if an industry could not exist under a 17½ per cent. tariff, its doors ought to be closed.

**Mr. WORKMAN.**

**An HON. MEMBER:** You do not believe that.

**Mr. WORKMAN** repeated that this was his opinion as well as the opinion of Mr. George Stephen. A large majority, however, did not take the same view; therefore he was prepared to advocate a twenty per cent. tariff, but beyond that he was not inclined to go. He believed the hon. member from South Ontario agreed with him in this opinion.

**Mr. GIBBS (South Ontario):** It depends on what the articles are.

**Mr. WORKMAN** said he referred to the present 17½ per cent. list. He highly approved of the manner in which the recent loan had been negotiated in London. The price obtained was most satisfactory. The firms of Barings and Glyn's were preëminent among the banking institutions of London, and they would scorn to give such advice to the Finance Minister as would enable them to make money dishonestly out of the transaction. If they merited the imputations cast upon their good faith, they should no longer be the agents of the Government. As to the ordinary quotations of stocks in the newspapers, they were not to be depended on with regard to large loans. The whole country ought to be and was satisfied with the price obtained. The Finance Minister should receive their thanks for having placed the loan on such favourable terms, and for having, as it were, re-established the credit of Canada at the very highest point.

**Mr. FARROW** said that, in 1874, the Government added \$3,000,000 of taxes to the people of the country. Since they had been in power, they had been three times to the old country to borrow money, and had increased the public debt to about \$45,000,000. The Government seemed to fight hard for office and the country knew it. The hon. the Minister of the Interior rose at about three o'clock, and spent all the evening talking about something of which he knew nothing, and respecting which no person seemed to understand what he was saying. He (Mr. Farrow) had wondered why the people of Bothwell had elected him, but

the reason was now apparent; the electors could not understand what the hon. member said; and, therefore, they thought he must be a clever man. He (Mr. Farrow) was a representative of one of the wealthiest constituencies in Ontario. In his constituency there were various industries—agricultural, mining and manufacturing. He considered that the amendment of the right hon. member for Kingston was just the motion which would suit them, and, if any hon. member could give a conscientious vote upon it, he could do so. He could not conceive of any of his constituents being opposed to it. His constituents had a large interest in the salt trade, and the hon. members for Centre Huron (Mr. Horton) and South Huron (Mr. Greenway) knew how that industry had been struggling. They had been struggling and crying out for years against the unjust tariff, for, whilst the Canadian salt dealers had a duty of 35c. a barrel placed on salt exported to the United States, the latter country was allowed to send salt into the Dominion free. Canadian salt manufacturers asked that the same check which was put upon them should be imposed on American manufacturers. The proposed tariff was only one which a mixer or a muddler would have framed. Take the duty on malt for instance. The hon. member for South Huron (Mr. Greenway) said he wished the Government would put such a duty on malt that beer could not be manufactured. But, as long as people would drink, it was certainly better that they should drink the mildest of liquors, and that the duties should be placed on ardent spirits that killed at sight. Would hon. gentlemen say that they had reached the maximum of taxation on whiskey, rum, gin and brandy? In his opinion, they had not begun to touch it. Previously, there was a tax of \$1 on what represented a barrel of beer, but now the tax was \$2 a barrel. There was also a license of 50c. a barrel, which made the total direct tax \$2.50 per barrel. In the United States the total duty on beer was only \$1. The Government contended that, if they slightly increased the duty on whiskey, there would be much smuggling from the United States. If this

were so, the policy of the Government completely precluded the idea of a Prohibitory Liquor Law. It was a direct stab against temperance. In 1873 the Premier was one of the greatest temperance men in this country. His followers, of whom he had a great many, were temperance men. The Grand Lodge was sitting at Toronto, and they sent Mr. Knowlton to interview Mr. Mackenzie, and Mr. Knowlton came back with a glowing account of the hon. the Premier's intentions. The hon. the Premier assured him that he was an abstainer and a Prohibitionist, and would do all he could to obtain a Prohibitory Liquor Law. This statement fired the heart of the late respected Mr. Malcolm Cameron, who told the people there, when his election came on, to accept the hon. the Premier's statement; Mr. Cameron was afterwards disappointed. The Premier and his followers came into power. Their majority was about 114. Now was the time to carry this great measure. But how did the Government act in 1874? They went to work very zealously and expended \$1,200. They could have gone into the Library and obtained books which would have given them all the information they required, and the report of the Commissioners did not throw any new light on the subject, although it was favourable to the working of the Maine Liquor Law. In 1875, Mr. Ross, of Middlesex, the champion of the temperance cause, became ashamed of the Government, and he sought by some means to cover up their retreat by the following motion submitted on 15th March, 1875:—

“That the House go into Committee on resolutions declaring the expediency of the total prohibition of the importation and manufacturing and sale of spirituous liquors.”

The hon. member for Lisgar (Mr. Schultz) brought the Government face to face with the darling project of their lives by moving the following amendment:—

“That in the opinion of this House a prohibitory liquor law is the only effectual remedy for the evils of intemperance, and that it is the duty of the Government to submit such a measure for the approval of

Parliament at the earliest moment practicable."

It was now or never, because the Premier had a good majority at his back; it seemed as if he surely would put the measure through this time. But no; he weakened in the knees, and there was no power on earth which could bring him to the sticking point. One of his supporters interposed to save the Government and moved the following amendment:—

"That this House do further resolve itself into a Committee of the Whole to consider the means best calculated to diminish the evils of intemperance."

But that brought the question right back to where it was in 1874, and, to prevent the affair going to pieces, Mr. Ross then moved:

"That having regard to the beneficial effects arising from prohibitory liquor laws in the States of the American Union, in which the same were fully carried out, the House is of the opinion that the most effectual remedy for the evils of intemperance is to prohibit the manufacture, importation and sale of intoxicating liquors."

The hon. member for Hastings then moved:—

"That it is the duty of the Government to prepare a measure at the earliest possible date to carry the principles of prohibition into effect."

It would seem as if it was impossible for the Government to escape, but the hon. member for Chateaugay (Mr. Holton) objected on a point of order and the objection was sustained. If the real honest people of this country hated anything it was hypocrisy. It was because of this that the Government's majority of over one hundred had fallen to one of something like forty—scarcely that number. On the 12th of March, 1876, Mr. Malcolm Cameron said:

"They had promised the people that they would let them have a plebiscite, but then came to the conclusion that it was not constitutional."

Who told them that a prohibitory law was not constitutional? It could not have been the Supreme Court, for it was not then existing; it was, presumably, the hon. the Minister of Justice. But he would now turn to the question more immediately under discussion. The hon. the Minister of the Interior had spoken about our sugar refineries,

Mr. FARROW.

and he had asked the hon. Minister across the House whether he had read the *Manchester Sugar-Cane*. The hon. Minister said he had. It would seem, however, that the hon. Minister knew more about the subject than did the *Manchester Sugar-Cane*, although that journal was edited by men who devoted their whole time to the sugar question. The *Sugar-Cane* had the following on the question of the American bounty, and how it affected Canadian manufacturers:—

"The committee who are so fond of quoting the report of the American experts, ought also to have read it sufficiently carefully to see that if 70 lb. of undried white sugar is a proper quantity to be produced from 100 lb. of the lower class of raw, 60 lb. of the same sugar, minus one or two per cent. of moisture, is much too small a quantity of hard sugar to be produced, even by the same class of raw; and, therefore, utterly fallacious, when taken as the yield of the higher class and used as a basis on which to calculate the drawback. The whole thing is so transparent a take-in, that it is very unfortunate that Mr. Drummond did not point it out, which he could have done without committing himself to any opinion as to the yield of raw sugar. The best and probably only opportunity for stopping this American subsidy, which is likely seriously to injure the British sugar trade before long, is for Canada to take stringent measures against it. But how can this be hoped for, when the members of this Committee worry, puzzle and brow-beat the person most competent to give information; just as if the American refiners had been brought before the law courts in Canada, and those who interrogated Mr. Drummond were counsel for the defendants cross-examining the plaintiff's witnesses."

That journal further said:

"These gentlemen may be very able politicians, but they were evidently unfitted for the very simple arithmetical task undertaken by the Committee. We hope, in the interest of free trade, that the Canadian Government will make another effort to obtain a simple answer to the question:—With the present duties in the United States, by how much is the drawback \$3.60 per 100 lb. of refined sugar too high? On getting a correct answer to that question, and on the use the Canadian Government may make of it, will depend the answer to the further question: whether they prefer to have free trade in sugar, or to support subsidies to foreign trades and prohibition to their own."

The sugar question was one which affected the whole people of Canada. It might be a difficult question as to what had been the causes of drying up our revenue from sugar, but the fact

stared them in the face: that the action of the Government had turned the manufacturers out of business. In Montreal, 400 families had been thrown out of employment, and taking each family as representing five individuals, the gross number was 2,000. It was well known that the drawback gave a bounty to the American refiner of 50c. per 100 lb. of refined sugar. In consequence of our refineries being closed, sugar had advanced from one cent to one and a half cents per lb. There was consumed in Canada twenty-six pounds per head, and taking the population at four millions, the gross consumption would be 104 millions of pounds, which, at one and a half cents per pound, the additional price paid, would mean one and a half million dollars lost to the country every year. So long as the refineries at Halifax and Montreal were closed and our trade with the West Indies was suspended, the country would have to bear that loss. The sugar trade represented about 250 cargoes, which would mean that number of additional cargoes of lumber, fish and coal, sent from the Dominion, or 500 cargoes both ways for our shipping. That trade was now done by the Americans from Boston, Philadelphia and New York, and while the Dominion Government were playing into the hands of the United States, they would not move a little finger to remedy the grievances of the Canadians. He thought the people would not long tolerate such action on the part of the Government. Before leaving home he addressed a meeting of the farmers of his constituency, forming the very cream of Huron, and laid before them his views on protection, and, although one-third of them were Reformers, they were in accord with him, and not a voice of dissatisfaction was raised. If the hon. the Minister of the Interior visited the riding of North Huron and proclaimed such doctrines as he had propounded before the House, he would be hooted. The hon. gentleman had declared that the farmer did not lose 15c. on every bushel of barley sent into the United States. When an American farmer obtained a dollar for a bushel of barley, he took that dollar to his family; but, if a Canadian farmer

obtained a dollar for a like quantity, he had to pay 15c. to the American Government in the shape of duties. If anything was midsummer madness, it was the view held by the hon. the Minister of the Interior. He (Mr. Farrow) had received a letter from a farmer in the county of Lambton, the hon. the Premier's constituency. The writer, who seemed to be a Protectionist, illustrated the case thus: A drover bought a drove of cattle in that riding and took them over into the United States. He paid \$1,000 duty on them and sold them on the other side at the market price—who paid the duty? The drover had some strange idea that he lost \$1,000, and the United States Custom House authorities had also the idea they had received \$1,000, that it had gone into the public Treasury, and that the American people had that much less taxes to pay. Canada sought reciprocity with the United States in raw materials and agricultural products. It was absurd to talk about protection raising the price of an article. The hon. member for Montreal West had proved that in his branch such was not the case, and the same fact could be proved in many ways. In 1858 the price of stoger boots was from \$4 to \$5 per pair, but, when Sir Alexander Galt brought in his tariff resolution in 1858, which was called a protective tariff, the price fell, until to-day a pair of boots of that class could be purchased at from \$2 to \$2.25, and the best at \$2.50. Much had been said in regard to slaughtering American goods in Canada, which had been done to the disadvantage of our manufacturers. It was an easy matter for the Americans to manufacture for forty-four millions, instead of forty millions, the additional amount required not involving any great expenditure. When they found they had a larger quantity of goods than was required for their own people, they came to the conclusion, rather than reduce the prices in their own markets or stop their manufacture, to send the surplus across the line. This was especially the case in the furniture business, as goods of that class were being slaughtered in all Canadian towns, Toronto suffering severely in that respect. But the United States did not alone slaugh-

ter goods. England did the same. When Lord Brougham found out that manufactures were being established in this country, he declared that it must be stopped, and the best way to do so was to glut the market with goods even if they were sold at a sacrifice, and thus starve out the Canadian manufacturerers. It was true that such a system would keep goods at cheap prices for a short time, and that, during the season of slaughtering, goods might be had a little cheaper; but, as soon as our own manufactures were killed off, the foreign manufacturerers would increase the price of goods, and the Canadian people would have to pay the piper. It was argued by Free-traders that protection caused carelessness, that it tended to enervate the manufacturer, and lead him to make an inferior article. He would ask hon. members who had visited the Centennial Exhibition, if, on comparing the products of the United States with those of Great Britain, such a theory held good. A gentleman present from London, on comparing the mowers made in the United States with those made in England, decided that the American machine was 35 per cent. cheaper and 15 per cent. better quality than the English article. That difference was due to the protective policy of the United States. All that was asked in the amendment before the House was that this country should have fair play with the United States. We had been begging from, and bowing down to, the Republic for better trade relations ever since the abrogation of the Reciprocity Treaty. Canadians had humbled themselves before their neighbours, had asked them in every way to grant improved commercial relations; but the Americans had replied in the negative every time. It was proposed, when some of the members of the Dominion Board of Trade attended the convention of the National Board of Trade held at St. Louis, that the Custom-houses should be abolished on both sides of the line, and that we should charge the same duties as the United States on goods coming from England. But every sensible man knew that the Dominion could not take such action, that it would be discriminating against

Mr. FARROW.

England, and that Canada might as well separate at once as do that. He believed this country should adopt a manly course towards the United States, and say to them: "As long as you tax our agricultural products, we must tax yours in return." This was the reason why he, as a farmer and a representative of an agricultural constituency, would vote for the amendment of the right hon. member for Kingston.

Mr. GILLMOR said the hon. member who had just sat down was a most bitter opponent and had tried to say some bitter things. He supposed hon. members had seen one of those long narrow-necked bottles—the less there was in them the more fuss it made in getting out. This subject had been carefully discussed and he did not propose to trespass long on the patience of the House. He seldom took up the time of the House. He had always been in his place and he calculated that he was a pretty good listener. This, however, was a question regarding which he felt called upon, in the interests of his constituents, to make some remarks. The resolution offered by the right hon. member for Kingston contained two propositions. One was the principle of protection, and the other was a vote of want of confidence in the present Administration. The first proposition had been so ably discussed that he would not trouble the House long on that point. The resolution proposed to introduce a National Policy. He had not the honour of a seat in Parliament when the National Policy was introduced, but he remembered very well its effects upon the people that he represented. It evoked a universal feeling of disapproval—in fact that policy had no sympathisers in his section of the country. He did not believe it would be to the interest of his constituents if such a policy was again introduced. He did not believe that protection would benefit the Dominion as a whole. Protection was selfish in every respect. For himself, he was in favour of free trade so far as he understood the principle. Protection was wrong theoretically, and bad in practice. The amendment of the hon. member for Hamilton (Mr. Wood) was decidedly more selfish than that

offered by the hon. member for Kingston. He could not better describe that amendment than by citing a prayer which he had heard of and which was a very selfish one indeed. A devout man undertook to pray. He said: "Lord bless me and my wife, my son John and his wife—us four and no more; Amen." The right hon. member for Kingston's amendment was not quite so selfish. He would take in a few more than himself and wife, and his son John and his wife. The hon. gentleman was going to take in the manufacturing, mining and agricultural interests. The hon. gentleman had probably concluded that if he got all those interests on his side he would have a majority and that was all he was aiming at. A vessel was once cast away on an island on the coast of Maine. The captain met a man and asked him: "What do you do for a living here?" "Well," said the man, "we make our living sometimes by skinning strangers, but, when we cannot find any strangers to skin, we skin one another." That was precisely the policy introduced by the hon. member for Kingston. In order to carry out that policy, the hon. gentleman was going to take in everybody, and his followers would probably have to skin one another. There were other interests in the Dominion besides the manufacturing, mining and agricultural. The constituency which he represented was largely interested in lumbering, fishing and agricultural interests, and he did not believe that any of those interests would be benefitted by protection. His constituents were able to manage their own affairs, but were unwilling to be taxed for the purpose of helping Montreal and other manufacturers. It was pretty well established that trade was generally depressed. No interest, however, had suffered more than the lumbering interests, and none contributed more to the revenue than it. Everything that entered into that business, from the time the first blow was struck in the forest, until the products left the shore, had to pay duty. It appeared to him it would be a great injustice for the people engaged in that industry to have to help manufacturers,

miners, and agriculturists out of their present difficulties. Standing behind this building, one could see more than one hundred million feet of lumber. Could any depressed manufacture present a harder case? Then there was the fishing interest, which had contributed as much under the Washington Treaty as any other. The very thing that the men engaged in that industry valued the most—their inheritance—was given away to the Americans. Our fisheries were now occupied by Americans to the exclusion of the native-born fishermen. He had listened very attentively to the arguments brought forward in behalf of protection. The hon. member for North Norfolk (Mr. Charlton) had made a speech which the Opposition could not get over. Almost every hon. member on the other side of the House had referred to that speech, which was proof that it was a convincing argument. They talked about his illustration of the dog wagging the tail and the tail wagging the dog. If they could wag their tongues in making such a speech as the hon. member for Norfolk made, they would have something to be proud of. He (Mr. Gillmor) believed that the cause of the present depression was outside of any legislation of Parliament—outside of the acts of the former or the present Government. He believed this depression resulted, in a great measure, from individual extravagance, over-trading, over-speculation and over-manufacturing. The manufacturers of Canada had had more protection than he would have given them if he had power. There was no reason in the world why our people should not sell in the dearest and buy in the cheapest markets, and, if a country could not grow under that system, it could not under any other. He knew it was difficult to introduce free trade to its fullest extent, but the tendency of the Government was to work as near as possible on free trade principles. A great deal had been said about protection in the United States. He would not trouble them with any extended remarks on that point, but he thought the country would have been in a better position to-day if the Government had adopted

a different policy. He would take the liberty of calling the attention of the House to the following extract from a Boston newspaper:—

“Protect everything and you protect nothing. But the logic of protection tends necessarily towards universal protection. You claim protection for the manufacturer of iron, or cotton cloths, on the ground of ‘high wages’ and ‘high interest’ in the United States. Every other manufacturer immediately demands it for the same reason. How shall it be refused, since these reasons apply equally to all? Then powerful interests combine, and form lobbies, and a new tariff is carried through Congress, which gives enormous profits to some industries, and destroys others; and yet no one can tell beforehand what will be the result. The network of such a system is too complicated and entangled for any conjecture, and yet this is done by those who claim to be men of experience, to be acquainted with facts and figures and who sneer at Free-traders as sentimentalists; call their statements flippant, and their plans based on ‘merely theoretic grounds,’ or on abstract principles. According to the present English Customs tariff, only seven or eight articles pay duty. The chief duties are on tea, coffee, cocoa, tobacco, wine, and spirits; and the whole tariff can be written on a piece of paper not larger than the hand. According to the United States codified tariff of 1874, more than a thousand different articles pay duty. What is the result? Expense and labour at the Custom House; increased danger of cheating, bribery and corruption there; difficulty in telling what is really protected, and what not; heavy taxes on consumers, which do not increase the revenue; injury to ship-building and commerce; vexatious delays and troubles to importers; constant over-charging of duties, and false charges of dishonesty against honest merchants; encouragement to knavery and discouragement to integrity; the ruin of some home industries in the attempt to protect others; prices needlessly increased; duties antagonistic to each other, and which neither produce revenue or protection; and, in spite of all the advantages enjoyed here in our abundance of land, plenty of raw material and the energy and enterprise resulting from free institutions, a general depression of business throughout the country. It may be wrong to use the word ‘villany’ in relation to such a system as this, but certainly the temptation to do so is very great.”

He heard the hon. member for Stanstead (Mr. Colby) state the other night that Mr. Madison was a Protectionist. He was always pleased to hear that hon. gentleman speak, but he thought he was mistaken on that point, as would appear from another paragraph in the same paper:

Mr. GILLMOR.

“For Mr. Madison spoke the truth when he said in the first Congress, ‘that if industry and labour are left to take their own course, they will generally be directed to those objects which are the most productive; and this in a more certain and direct manner than the wisdom of the most enlightened Legislature could point out.’ What Mr. Madison said in 1789, Mr. Gladstone said in 1856, as Chancellor of the Exchequer. ‘Statistics,’ says he, ‘which are open to the world, show the immense extension which our commerce has attained under and by virtue of freedom of trade, and the great advancement in the condition of our people over the inhabitants of foreign countries. What it cost us to achieve this blessed change; what time, what struggles, what interruptions to the general course of legislation; what animosities, what fears, what risk of convulsions. These were the fines and penalties we paid to our long adherence to folly.’”

That would be the course if a National Policy was introduced into this country. But, if this amendment was carried, another consideration was involved. It was a vote of want of confidence, and the hon. member for Kingston would immediately take his place in the land of promise; the land for which he and his followers seemed to be sighing. He believed it was a laudable desire for any man to covet places of honour, trust and responsibility; particularly when he had the qualifications needed for the situation. There were certain qualifications necessary for those who presumed to occupy such exalted positions as Ministers of the Crown. Intelligence, of course, was necessary; oratory was necessary. Gentlemen on the opposite side of the House possessed those qualities to a very considerable degree. They had had a great deal of experience in the science of Government; but there was a quality of much more importance than those he had enumerated, and that was the quality of honesty. His hon. friends on the Opposition benches were very fond of pointing to the United States as an example of the glorious results which accrued from a protective policy. His hon. friends were fond of imitating the United States in protection, but they ought to imitate that country in the system lately adopted of looking into rings; they ought to follow it with regard to the recently introduced practice of hunting up corruptions. Hon.

gentlemen opposite had long held positions of trust and of power in this country. But the House knew something of their history, they knew something about their policy; they talked about free trade and protection, but we might look through the history of the late Government and we would find that the policy that occupied the most of their attention, the policy which they were most anxious to carry out was that of keeping themselves in power. Hon. gentlemen opposite were tired of the cold shades of Opposition. They wanted to taste the sweets of office again; they wanted the people's money again. He had in his hand the report of a Sub-committee of Public Accounts appointed to enquire into the expenditure connected with Penitentiaries, from which he would take the liberty of quoting. This record would be found in the Journals of 1875-6. He would, by permission, read that part of the report which referred to enquiry into the purchase of a quarry by the late Government at St. Vincent de Paul Penitentiary in Quebec:

"With reference to the purchase of a quarry for the use of the Penitentiary of St. Vincent de Paul, it appears from evidence adduced that the quarry in question was offered in writing to the Government by its original proprietor, Mr. F. X. Auclair, late in the month of October, 1872, for the sum of \$9,000; that no answer to this offer was received; that early in the following month of December, Mr. E. H. Lemay purchased the quarry from Auclair for the sum of \$9,000; that, later in the same month, of December, valutors were appointed by the Government, or by the directors of Penitentiaries, under instructions from the Minister of Justice, to report on the value of the quarry, which was variously estimated by these valutors at \$29,750 and at \$25,750; that the quarry was offered by Lemay to the Government for \$18,000, at which price it appears finally to have been accepted by the Government in the month of January, 1873, and a vote for the money was obtained at the next Session of Parliament; that Mr. C. A. Dansereau, chief editor and co-operator of *La Minerve*, a journal published in Montreal, took an active part in the negotiation of the sale of the quarry to the Government by Lemay, and in consideration of his supposed influence, or the influence of his firm and journal, he was to receive, individually, according to Lemay's evidence, but for his firm, according to his (Dansereau's) own evidence, one-sixth part of the profits arising from the transaction; that, over and above one-sixth share of the profits so stipulated for, Dansereau demanded of

Lemay the sum of \$2,000 for an election fund, which he (Dansereau) says Lemay had previously agreed to pay, and that this demand was made pending the election in the county of Laval, in October, 1873, and the money was intended to be used in connection with that election; but it does not appear that Lemay ever paid this sum of \$2,000, or any portion thereof. It seems to be established beyond dispute or doubt that double the sum was paid for the quarry than it was offered and might have been purchased for; that the sale by Lemay was effected through the influence of Dansereau with the Government, and that a considerable portion of the sum paid for the quarry in excess of the price at which it was offered to the Government by Auclair was intended to be used in promotion of elections in the interest of the political party then supporting the Government."

He (Mr. Gillmor) supposed the last portion of this extract afforded a crumb of comfort to the hon. gentlemen opposite, as it did not appear that the money was actually paid to these parties, but no thanks to the Government; they took the money from the public Treasury for that purpose, they paid \$18,000 for a property that had been offered to them for \$9,000. With the offer of nine thousand dollars in their possession, under a hypocritical pretence and in order to deceive this country they went through the sham process of naming Commissioners to go and value the quarry. Was there ever a greater humbug than the report they made? And why did they not pay the price the valutors put upon it? They, no doubt, wanted to show their wonderful economy, so they would only give \$18,000 for it, and in doing so they had absolutely plundered \$9,000 from the people of this Dominion. Some hon. gentleman spoke of the present Government as a band of organized hypocrites. An organized band of hypocrites would not describe the late Government in this quarry transaction; it would require a different term to describe it and one that the rules of Parliament forbade. The idea of such men daring to charge hypocrisy or corruption on any class of men. The present Government should handle these gentlemen without gloves. If he (Mr. Gillmor) could for a moment suppose the present Government would not prefer to commit suicide rather than do such an act, he would at once cease to support them. He (Mr. Gillmor) had

no doubt the late Government had to be very particular when at the Council Board to make a minute of the appointment of these Commissioners, and of the value they put upon the property, and of the amount they finally concluded to give for it, viz., \$18,000; but he ventured to say no record would be found of the original offer of \$9,000. It was a clear case of public plunder, and a betrayal of the confidence the people of this country had placed in the right hon. gentleman and his colleagues, and he knew of no case but one of deeper dye, and that was recorded in the 26th chapter of Matthew. He would trouble the House with extracts from another report of a Committee in the same journal of an equally corrupt character, and of greater magnitude.

Several HON. MEMBERS: Dispense.

Mr. GILLMOR said he would dispense a dose to the Opposition before he closed that they would find it exceedingly hard to digest. The plot in this affair was laid in Nova Scotia, the actors were of the hon. member for Cumberland's supporters, Mr. Alpin Grant being one of the principal ones. The firm that acted as middle men in this transaction was Fraser, Reynolds & Co., hardware merchants of Halifax. The witnesses before the Committee, from whom he quoted, were Mr. Brydges, Mr. Cudlip, Mr. Sadler and Alpin Grant. He would commence at the 4th paragraph of the report:—

"4th. That Alpin Grant provided the bulk of the capital required by the firm, and that W. B. Reynolds ceased to be a partner in the firm at the end of 1873, drawing out, when he retired, the sum, in goods and cash, of \$14,000.

"5th. That the firm commenced to supply goods, but only in small quantities, to the Government in Nova Scotia in 1870, and continued to do so up to the time of the amalgamation of the Government railways in Nova Scotia and New Brunswick, in November, 1872, and thenceforward until the end of 1873, and that the enquiry of your sub-committee has been limited to transactions which took place within the last named period.

"6th. That the railway business was given to the firm solely from political considerations, Mr. Alpin Grant having, as he states in his evidence, urged his claims to patronage 'on the ground of his political position, and not at all on account of his acquaintance with hardware business.'"

MR. GILLMOR.

The following extracts were chiefly from the evidence of Mr. Cudlip, the Inspector of Customs, whose mercantile experience eminently qualified him to investigate this transaction; and, although there were depths of infamy and frauds practised upon the revenue which he failed to find out, yet sufficient was proved to show the depths of political degradation to which they had descended. Mr. Brydges stated:

"Again, in their account for April, 1873, in one item of 20 boxes of M. F. charcoal tin plates, which is charged at \$305, I find the invoice for those 20 boxes of tin, which, including freight to Halifax, is £42, or \$204. In the same account engine oil is charged at 50 cents a gallon, when the invoice from Boston shows that it was charged to them at 32 cents, United States currency, at Boston. I have ascertained from large importing houses in Montreal that the difference between United States currency and gold will about equal the cost and charges of importation. In this case, therefore, 50c. a gallon was paid to Fraser, Reynolds & Co. for what cost them 32c. a gallon. Twenty tons eleven cwt. of iron is invoiced to Fraser, Reynolds & Co. from Liverpool late in March, 1873, of various sizes, at a total cost of £227 lls. 6d., to which add £31 for freight, making a total of, say, £259, which is equal to about 2½c. per lb. In their account for April bar iron is never charged at less than 4½c. per lb., and in one case it is as high as 6¼c. per lb. In their account for May there is one item, for bolts and nuts, amounting to \$2,295.98. I have the original English invoice of these bolts and nuts, amounting to £219 12s. 11d. The weight of them was 7½ tons; the freight upon which, at 30s. a ton, would be £11 5s., making the total cost say £231 laid down in Halifax, which is equal to \$1,122.66, or less than half the amount charged to and paid by the Government. I feel, therefore, entirely justified in the statement that if the goods included in Messrs. Fraser, Reynolds & Co.'s account had been purchased, as they ought to have been, upon proper commercial principles, i.e., paying no more than the fair value of the articles, with a reasonable profit to whoever was employed as the importing agent, all the articles included in their account could have been purchased for a sum certainly not less than \$23,000 below the amount paid to Fraser, Reynolds & Co., provided they paid no duty. If they did pay duty, the articles could have been purchased for at least \$20,000 less than was actually paid to that firm."

The following is from Mr. Cudlip's evidence:—

"I have partially gone through the accounts of Fraser, Reynolds & Co., confining myself entirely to those goods imported free and specially for the Intercolonial Railway.

Many of the invoices being missing, as before stated by me, I have confined myself also to those goods imported for which invoices were at hand. Low Moor iron, imported in January, 1873, shows a profit of 59½ per cent. on the cost, landed in Halifax. Bar iron, for best refined, cost, landed in Halifax with duties paid, 3½c. per lb., and is charged at 4½ to 5½c.—a profit of over \$20 per ton. In February Low Moor iron again appears charged at a profit of 60 per cent. In April I find tin plates costing, landed, \$10.48, charged at \$15.25 per box, an advance of 46 per cent. Also, 15 brls. paraffine engine oil, costing 32c. in Boston, and 29½c. gold, landed in Halifax, charged 50c., a profit of 62 per cent. In May I find an invoice of 13 casks bolts and nuts, costing £219 12s. 11d. sterling, and with freight and all charges paid \$1,132.57, landed on the wharf in Halifax. These goods are charged to the railway on 21st of May, amount \$2,293.98, an advance of \$1,161.41, equal to 102 per cent. I observe that there is charged 318 lb. more weight than invoiced. In June, 30 rubber car springs, imported from Boston and charged at 65c. per lb., an advance of 50 per cent. over cost landed in Halifax. In June also, 400 brass tubes imported from England cost £450 14s. 11d. sterling, and with freight and all charges added, \$2,238.66. They are charged, on the 25th June, at 50c. per lb., amount \$4,895.50—a profit of \$2,656.84, equal to 118½ per cent. The iron imported in May, cost with the freight and all charges added, 3½c. per lb. Landed in Halifax, the lowest price charged is 4½c. and 4¾c. per lb., up to 5½c., an advance of 45 per cent. and upwards. Iron being a staple article, and sold generally at a very moderate profit, comparison with the sales prices of other houses in the trade can very easily be made at any time with advantage. In July, 200 seamless tubes are entered at Customs, as costing £235 0s. 2d. sterling, and charged in account \$2,539, a profit of over 100 per cent., as in the June parcel. I have no English invoice of this parcel. Low Moor iron in the same month is charged at an advance of 57 per cent. over the cost landed in Halifax. In July, 10 brls. paraffine oil, costing \$140.94 landed on the wharf, is charged at \$281.40, a difference of 100 per cent. In September, 32 car springs were imported costing \$686.96, landed, and charged at \$974.30, an advance of 41 per cent. Also, 202 car springs costing, landed, \$959.81, and charged \$1,516, an advance of 58 per cent. In the same month a locomotive plate is charged \$287.65 which cost landed, \$119.82, an advance of 140 per cent. In August, 15 brls. lard oil, imported, cost \$353.64 landed, charged at 97½ c., \$628.38, an advance of 85 per cent. In November, lard oil is charged again at the same price, showing an advance on the cost of 70 per cent. In October, 36 axles were imported, costing, landed, \$861.02, charged at \$1,442.91, an advance of 68 per cent. The small item of fog signals in November is

charged at 61 per cent over cost. All the above have been referred to in the report of Mr. Brydges, dated 21st November. All were imported duty free for the use of the Intercolonial Railway and so entered by Fraser, Reynolds & Co., except the bar iron, the duty on which was paid, and the amount of which is taken into the cost of importation. I have examined some other invoices. In February, I find copper wire charged at an advance of 90 per cent. over cost, landed; also 9 bundles of steel, charged at an advance of 55 per cent. over cost, landed; 10 brls. tallow at an advance of 35 per cent. over cost; another parcel of copper wire at an advance of 65 per cent., and shovels—imported for the railway—at an advance of 95 per cent over cost, landed; and sheet iron, specially imported, charged at an advance of 100 per cent. over cost, landed. On March 25th, I find 2 cases plush charged as imported under a commission of 5 per cent. with the charges added; the amount of sterling cost is stated as £154 ls. 3d., whereas the value stated in the Customs entry is put down at £111 ls. 8d., overcharge of £42 19s. 7d. sterling, or \$210.11. There is no invoice to be found of above. In April, I find 7 bars imported, charged in account 6½ c. an advance of 45 per cent.”

About the richest thing on the record was the following extract from Mr. Grant's evidence. He said:

“I was a good deal disappointed to find that Dr. Tupper was not as much delighted at hearing that I had gone into business as I expected; he said he was always afraid of parties going into trade who were not regularly brought up to it and that I was risking all my means and all my credit, which was a fact.”

This was about the thinnest covering of a dirty transaction that he (Mr. Gillmor) had ever seen, and there could hardly be dirt enough thrown to blind the people's eyes in this affair. There was not much danger of Mr. Grant losing his money under the paternal care of the late Government; as for his credit, the evidence was quite sufficient to ruin both his credit and that of the Government who aided him in this wholesale plundering of the people. Mr. Sadler said in his evidence:

“Mr. Carvell took no action when I showed the accounts to him; he said there had been no agreement made about prices and he did not see how he was going to dispute the prices. I understood from that there was to be no complaint made when Fraser, Reynolds & Co. over-charged. When I spoke to Mr. Carvell about their accounts, I was given to understand that they were not to be criticised. I do not remember his

giving any particular reason why they should not be criticised. I spoke to Mr. Carvell several times with reference to these assumed over-charges, and always with about the same result."

Those transactions were only cited to show that the policy of the late Government was a regularly organized system to raise money to hold a majority in this House and in this country, and, if he thought the leaders of the Reform party could for a moment think of entering upon such a course of systematic corruption, he would leave them and take shelter under the wing of the leader of the left centre, who, like the "last rose of summer," sat "blooming alone." He knew his hon. friend in New Brunswick, and knew him to be a thorough Liberal, and he must have felt sadly out of place during his connection with that party. Had it not been for the large amount of money raised in that way, their party would have been beaten in 1872. Could such corruption exist in the present party, then he would say consign them all "to the vile dust from whence they sprung, unwept, un-honoured, and unsung." He (Mr. Gillmor) believed the late Government had levied contributions from contractors, and every other source, to carry elections.

Mr. MITCHELL: It is not so.

Mr. GILLMOR said he believed it was, and that had it not been for the funds sent into his county he would have sat in the Parliament of 1872. He blamed no Government for giving their patronage to their friends; it was the duty of any party; but the labour or materials should be furnished at fair market prices. The late Government might attempt to shelter themselves under their ignorance, but as guardians of the people's rights they should, and, he believed, did know, of these transactions. Gentlemen aspiring to such exalted positions as Executive Councillors, ought to be men of the highest integrity. Talk about the purity of the Bench, and of Courts—Governments were the power who appointed Judges, and established Courts of Justice. It was only the natural result of such a course to lead up to the Pacific Scandal. That was the time the devil entered

Mr. GILLMOR.

into the swine and they ran violently down the hill into the sea. The swine were drowned, but the devil was here still, showing himself in the Secret Service money, and the Northern Extension Railway transactions. The right hon. member for Kingston was quite an actor. Whenever he got cornered, he commenced to put on the pathetic. They had seen a piece of such acting the other night in reference to the Northern Railway affair; there was an amount of money in the hands of that company which belonged to the people of this country, and ought to have been in the public chest, and the Government should have seen that it was put there; but what was done with it, and how was it used? The right hon. gentleman wanted a member returned to sustain his Government. The candidate was posted off to Algoma, and elected at an expense of nearly six thousand dollars of the public money; this was done to carry out the policy of the Government of the right hon. gentleman. It was not enough to provide for the hon. gentleman while living, but \$2,500 must be taken to aid a testimonial for the support of the hon. gentleman's friends after he was dead. He knew nothing about all this—of course not; but he knew it now, and let him or his friends return it; and return all that had been wrongfully taken from the public, and then go and hang themselves, as Judas Iscariot did; and they would, at least, leave on record an evidence that they felt some remorse. Such a course would be more appropriate than the one they are now pursuing. This Northern Railway was the medium for still another work of corruption. One thousand dollars more was taken for a subsidy to the *Mai* newspaper.

An HON. MEMBER: Oh.

Mr. GILLMOR said the hon. gentleman who groaned on the Opposition benches, was, perhaps, hungry; and this reminded him that the hon. member from St. John (Mr. Palmer) advised the present Government to give up the ship and let the old pilot from Kingston take charge of her again. The hon. member who groaned so piteously was one of the sharks who used to fol-

low the Government ship when the old pilot was at the helm, and used to feed upon the offal thrown over to take such fish; and not only was the garbage thrown over, but quite too much of the good provisions, furnished by the people of this country, were thrown overboard for a similar purpose. He would warn the Government that the leaders of the Opposition had declared war, and that they were governed by none of the rules of civilized warfare,—they would take any and every unfair advantage. They were now poisoning every avenue of information that went through their press—assertions without a shadow of foundation in truth, malicious falsehoods, and all manner of mean insinuations; for example, the letter which was read in the House the other night by the hon. member from Victoria, N. S., which he received from the Minister of Militia. This letter was mutilated and the spelling so changed as to make the public believe that the Minister of Militia was illiterate, and not capable of dictating or writing an intelligent letter, and he was astonished that not a man on the Opposition side had the manliness to rise and disapprove of such conduct, but seemed rather to glory in it. Some of his constituents, seeing some of the charges made in Opposition journals, asked him, before leaving home, if he thought the Government would stand through the Session. He told them, if half that was said against them was true, they ought not to stand, but he had no hesitation in saying they were deliberate falsehoods; but he said, if they were true, the Opposition could formulate the charges, and examine into them by Committees with the power to bring evidence, and, if the Opposition failed to do so, they might conclude there was no truth in them, as the Opposition would be only too glad to prove their charges if they could. The hon. gentlemen in opposition were remarkably courageous on the stump at pic-nics and dinner parties, apparently longing for an opportunity to meet the Government in order to slay them, but since they had met they reminded him of two men he once saw, one of whom was really savage for fight, until he

met his opponent. Some parties interfered to prevent the row. The man most anxious, apparently, to fight said: "Two of you take hold of him, one can hold me." Such had been the attitude of the hon. member for Kingston, so far as any of his pic-nic charges were concerned, since the Session opened. They charged the Government with incapacity. He (Mr. Gillmor) had seen nothing of the kind. The Government contained men who would do credit to any country, and the Opposition leaders know, to their sorrow, that the present Government were deficient in none of those qualifications necessary to the discharge of the duties of their office; and, were it possible, nothing would please him more than to have the constituents of the Dominion assembled here, to hear the Premier riddle, from top to bottom, the best man the Opposition could produce. Yet, he did not expect perfection in any Government, or any human institution. The best were liable to errors of judgment—liable to make mistakes. For such acts as these, he would make great allowance towards any Government; but acts of deliberate political dishonesty, this country could not afford to overlook; and no man or body of men could afford to purchase positions of power, honour or trust at the sacrifice of principle. Dealing, as the Government were, with political opponents, who spared no means, fair or unfair to defeat them, he believed it to be their duty to the country, truthfully, honestly, but faithfully to give to the country, from the records, an account of their malpractices; and if, with the information fully and fairly before them, the country chose them as their rulers, all right; but let them not be deceived. Political party prejudice was one of the greatest evils we had to contend with in this country. The right hon. member for Kingston had repeatedly stated that he was conscious of being a strong party man, and no one who was acquainted with the policy of that gentleman would doubt his assertion. It was to be regretted—

"That, born for the universe, he narrowed his mind,

And to party gave up what was meant for mankind."

His strong attachment to party was manifest when he gave to British Columbia, with a population of ten thousand, six representatives in the Commons, and three in the Senate. Considering that representation was based, as far as practicable, on population, that transaction was most unjust to other portions of the Dominion. He (Mr. Gillmor) represented 28,000 or more, nearly three times the population represented by the six members for British Columbia in the Commons, and three in the Senate. There were ten thousand inhabitants in British Columbia with three Senators, while twenty-eight thousand in Charlotte county had none. What better evidence could be adduced to prove that it was the policy of the late Government not to study what was right and fair, but what would maintain their party in power. It was like the advice given by the dying man to his son: "Get money, my son, get it honestly if you can, but get it at any rate." These were the gentlemen who had all the advantages of education, who represented the different religious denominations in this country, who, at prayer time, were so devout and performed so regularly their genuflections. He was satisfied their successors were a different class of men; they came into power at a time most unfavourable. No doubt they had made some mistakes, but they had not been guilty of dishonesty. The depression in all branches of industry, which extended almost everywhere, had tried their skill and ability, and the fact that today they commanded a majority in the House, and, he believed, in the country, was an evidence of superior ability. Their predecessors had rolled up a public debt, and had bound the country in further public works, so that it required eight to nine millions now to pay the interest on that debt, so that only a small amount, under reduced revenue, could now be appropriated for general improvements. Reference to increased expenditure in some Departments had been made, but it could not be supposed that, in opening up new Provinces, and extending mail communication, and other public accommodation, there would not be

Mr. GILLMOR.

some increase; but, in doing this, no corruption could be found. It was hardly necessary for him to inform the House that he would vote against the amendment of the right hon. member for Kingston, as well as that of the hon. member for Hamilton.

Mr. WHITE (North Renfrew) said he thought he might fairly crave the indulgence of the House while he made a few observations. The question, as it presented itself to his mind, was not one between free trade and protection. He maintained there was not such a question in its entirety before the House. The hon. the Premier had not announced himself an out-and-out Free-trader, and the right hon. gentleman who led the Opposition had declared that he was an Incidental Protectionist. The question they had to consider was whether the deficiency in the revenue was to be met by the imposition of Customs duties on articles which could not be produced in Canada, or whether that revenue was to be obtained by the imposition of duties on articles which could be produced within the limits of this country. In considering the question, he thought it was necessary to take into consideration the position in which we stood in reference to the country which lay alongside of us. He thought it was an absurd proposition to treat this question in an abstract point of view. We had to consider our position in regard to the neighbouring Republic, and, looking at the question in that point of view, considering that the United States levied a very high rate of Customs duties on everything sent in there from Canada, he thought we would be adopting a policy in our own interest in levying upon such goods a similar duty to that which they levied upon us. Hon. gentlemen might call it a retaliatory policy if they would; he was in favour of adopting it, and believed that a policy of differential duties would be in favour of this country. They had been warned by hon. members, and notably by the hon. member for North Norfolk (Mr. Charlton), that they must approach this question with hesitation, and must be very careful how they framed their policy with reference to the neighbouring Republic, as the effect might be to induce them to impose such duties as

would materially injure the interests of the people of this country. He (Mr. Charlton) told the House that the United States was the only market for our sawn lumber, and that, if we imposed differential duties on articles coming from that country, the effect would be that they would impose such duties on our lumber as would prohibit us from sending it into that market. Looking at the Trade and Navigation Returns of last year, he found that the whole quantity of sawn lumber exported to the United States was \$3,696,911 worth, while we exported to other countries \$3,397,380 worth. It was quite true that some years ago we sent into the United States a very large proportion of the lumber manufactured in this country. In 1873, they took from us 53 per cent. of the whole of our products in sawn lumber, but the policy of protecting their own interests had caused a diminution in our trade in that particular article with that country. Had the lumber interests of the United States suffered as ours had? Whilst the Michigan mill-owners and lumber-dealers were in a position to cut us out of the market of the Eastern States, they were also, through that system of protection which had been so much abused in this House, in a position to compete with us in the English markets. He had received a letter from a gentleman in Quebec stating that, in the old country, "deals are very hard to sell in consequence of the serious interference of those going and to go from Michigan." While some hon. gentlemen had told them that the imposition of duties on agricultural products would not enhance the price to the farmers of this country, other gentlemen had told them that they must not impose duties on agricultural products, in the lumber interest; that lumber would be increased in cost in consequence of the enhanced price of those articles. The only article of an agricultural character which entered into the production of lumber now imported from the United States on any extent was pork, and the duties on that article were at present exactly the same in Canada as in the United States. That was all they wanted. If hon. gentlemen would impose duties on the manufactured products of the

United States equal to what they charged on our products, we would be perfectly satisfied; but, looking over the exports of lumber from the United States, he found that a very large quantity was sent to the sugar producing countries—to the British West India Islands, to the French West India Islands, to Cuba and to Porto Rico. They had exported during the year ending 30th June, 1876, \$3,500,000 worth to those islands, which was nearly equal to all that we exported to the United States. This lumber was mostly composed of sugar-box shooks, staves, headings, etc. If the Government of this country were to adopt such a policy with regard to the sugar trade as would enable us to trade directly with the sugar producing countries, we might ship a very large proportion of the lumber now shipped from the United States; and, if their policy was to encourage manufactures, we should have factories springing up all over the country, and homes springing up for the employés; and whatever we might lose in trade with the United States would be more than made up by the increase in our own consumption. The hon. member for North Oxford (Mr. Oliver), the other day, speaking of a duty on Indian corn, said it would be against the interests of the lumberer, as it was largely consumed by the lumber interest of the Ottawa River. That was entirely incorrect. Under 1,000 bushels of Indian corn was consumed per annum in the Ottawa district, in the lumber trade. He believed that the interests of this country would be better served by the adoption of the policy propounded by the leader of the Opposition than of that brought down by the gentlemen on the Treasury benches. He believed the Government of this country, of whatever party it might be, ought to adopt such a policy as would enable Canadians to sell to themselves, and until such a policy was adopted by the Government of this country, different from that which gentlemen on the Treasury Benches were now following, he believed the country would not attain to the position which the energy, the ability, and the perseverance of its people justified them in expecting it to attain.

Mr. THOMPSON (Cariboo) said he had had no intention of troubling the House, but, after the very excited speech which the hon. member for Charlotte (Mr. Gillmor) had seen fit to inflict upon the House, he could not sit silent and hear his Province held up to the opprobrium which that hon. gentleman had thrown upon it. That gentleman represented, by the accident of a snowstorm he was told, a certain district, and he came forward before the House and said he represented a larger population than the whole people of British Columbia, while the district which he (Mr. Thompson) represented alone was larger than the whole Province of New Brunswick. When he stated that the members from British Columbia were bought to support the late Government, he would tell him that they were bought to support no Government, but came here as an integral portion, as they supposed, of the Dominion of Canada, and now they were told by representatives of older Provinces that they were interlopers, that they were people who came here to drain the revenues of the older Provinces. They, with their six members and three Senators, paid almost half the revenue that New Brunswick paid with its sixteen members and ten Senators. Perhaps the hon. gentleman would think British Columbia had some right to be represented. He had not the books with him, but, during the last year New Brunswick paid about \$1,200,000 of revenue, and British Columbia paid over \$500,000. He should like to know what right that hon. gentleman had to abuse them and their Province, and accuse them of being bought to support any Government. What right had he to talk in his excited style about what they were and what they were doing, and what he and his pure-minded people were doing? Was this the principle to be supported in this Federal Constitution? He asked if men from one Province were to come here and revile other Provinces, and say the smaller Provinces with the smaller representations were to be defrauded of their rights. He asked if this was the way to cement the Union between the Provinces and build it up from ocean to ocean. He was surprised that a gentleman of

the hon. gentleman's experience, who, he believed, had been a member of the Government of his native Province, should come here and talk about his little paltry islands and the population there, and say that British Columbia was not entitled to the representation it had. They had not come into the Union with a representation guaranteed to them. They stood on their rights and they asked for no more. He had not intended to speak on the subject before the House, but he would say that he disapproved entirely of the principle which had been brought forward by the Finance Minister. He was in favour of protecting home industries and no more. He was not in favour of putting protection upon a particular article unless we could manufacture it in Canada to more advantage than we could import it. The hon. gentleman, with his wisdom and financial ability, had placed a duty of 2c. a pound on tea. That was an article we did not grow in Canada, but he thought it was a very easy thing to tax. Then he put a duty on malt. We did manufacture it, and therefore he was going directly against the interests of the Dominion. He was placing a duty on one article which as far as his (Mr. Thompson's) Province, and, he thought, all the Provinces were concerned, would be a very great detriment to the trade of the Dominion: he meant tubing. We had no manufactories of tubing for boilers, and he was told that it was found cheaper to go to the other side and build the boilers and machinery in the steamboats there, and then to bring them in and register them at a nominal sum. He had a letter which he received last week. A gentleman went last year into an enterprise in British Columbia to build a large steamboat that had cost him about \$100,000. He found there were no foundries there sufficient to build his machinery. He could not get the machinery in California or in Canada, so he went to England and ordered the machinery there. It arrived in Victoria last month, and upon that alone he had had to pay \$5,600 in duties. If he had gone to the American side, he could have built for probably half the amount and then have brought the steamboat over and registered it for a nominal sum as a British bottom.

Mr. WHITE.

Mr. ROBINSON said he had been a little astonished to hear the speech of his hon. friend from Montreal West (Mr. Workman), who said the advocates of protection were not as numerous now as they were last year, and the principle itself was not as strongly advocated. The men who assembled the other day, however, in the Dominion Board of Trade—quite as great merchants as his hon. friend himself—had congratulated the country upon the increased attention which the principle of protection was receiving in Canada. He (Mr. Robinson) represented a city constituency, and many of those whom he represented were naturally interested in the manufactures of this country, and desired to see a law sanctioned by this House which would promote the interests which were dear to them. They thought that, of all the departments of commerce, that which had suffered most, perhaps, was manufactures—not due to the depression altogether, but to the fact that they were subject to competition with imported goods coming in without paying duty, while the excellent goods which they manufactured themselves, when they attempted to export them into the United States, were met with a hostile duty, which admitted of no profit to them. They did not believe, therefore, in a policy which gave to foreigners greater privileges than to the natives themselves. They thought it unjust, and naturally enough they protested against it. They believed rather in that national system which had been spoken of in this House, and of which the manufacturers had a very good idea. They knew that a revenue must be had to carry on the Government of this country, but they thought the revenue should be raised with greater fairness; that the duties should be placed heavily on those goods which were imported from abroad, which the people of this country could manufacture themselves, but lightly on those which they could not manufacture. What the manufacturers objected to was that they were now placed entirely on the defensive. No one who was placed on the defensive could do his duty to himself as well as if he had a fair and open field. The time had gone by, some thirteen or

fourteen years ago, when the question of free trade was so popular, and those who advocated another system were laughed at, if not sneered at. It was the national belief of the United States and Australian colonies, and he believed he was justified in saying that it was about to become the national belief in Canada, that this was not the time for those who held protectionist views to be laughed at, as they were some years ago. He wished to point out what free trade had done for the manufacturers of England, and what protection had done for the United States; and, in this connection, he would quote from a pamphlet written by a Manchester gentleman:

“There cannot exist the least doubt but that our manufacturing position is on the wane. In reference to the cotton trade, the United States and Foreign Europe have already more than overtaken us, and instead of these countries being, as formerly, to a great extent dependent upon us for a supply of goods, they are actually sending the same description of goods here. The same may be said of almost every article upon which hand or mechanical labour is employed.

It has been estimated, by parties who are competent to give an opinion, that we have, by hostile tariffs, been excluded from trading with countries representing over 60 millions of people, and that mostly, if not entirely, since the inauguration of our so-called free-trade policy. Our trade with Russia and Austria, so far as our manufacturing industry is concerned, is in much the same position as it is with Germany, occasioned by the imposition of hostile tariffs; and, by our one-sided policy, we are inducing these countries to extend and increase their manufacturing industries, sending their manufactures into this country, free from duty, to compete with our own.

It (free trade) has already struck down the silk and ribbon trades of Macclesfield and Coventry, the iron trade districts, and also many minor branches of trade, bringing to poverty and ruin millions of our population. It is now undermining that magnificent industry, the cotton trade of this district, on which our position as a nation so largely depends.”

That showed the effect the competition of the manufacturers, protected by the United States, had already had on the English market. In referring to this question, an English journal said:

“That a delegation, representing the trade of England and Scotland, waited upon Lord Derby formerly. They reminded him that in 1861 the duty was taken off from paper in England, and free trade established; that America, and most of the countries in Europe, had protective systems, some of

them a double acting one, mainly on exports of raw material and imports of paper; and that, under the present system, the paper trade of England cannot exist at all, and that an effort must be made to get other countries to cut down their duties."

That was just our position in relation to the United States. But he would cite an extract from the *Sheffield Telegraph*, concerning another deputation:

"That there was keen competition with Sheffield by American manufacturers, who not only supplied their home demand, but were pushing Sheffield in the British Colonial markets, notably Australia and Canada; also, that all hope of Sheffield again supplying America with goods, to any extent, especially with Bessemer rails, was at an end, and that now they must look to their laurels elsewhere. Canada was overrun with American merchants. Its Sheffield hardware trade was hopelessly gone. Sheffield wanted 'reciprocity,' and complained greatly of the one-sided arrangement that kept England out of America, but opened all English markets to America, so that England took every year large quantities of American manufactures."

He would now quote from the *Colliery Guardian* of last August, which stated:

"That two years since we were sending 10,000 tons of our railway iron monthly to the Americans, and that if anyone had predicted, in the summer of 1874, that within two short years this important branch of our iron exports would be utterly paralyzed, he would have been voted a madman. Yet, such a result had been witnessed."

That was quite an alarming state of things for us, with our small capital and population. He thought he had shown to the House what free trade had done for England; he had given his authorities, which consisted of extracts from influential newspapers and reports of deputations which had waited upon the Imperial Government to urge that measures should be adopted for the relief of certain industries. If he chose, he could produce the speech of Sir Robert Peel himself in introducing the question of free trade to the attention of the British Parliament. That gentleman said that he could not hold out hopes that free trade principles would prevail among the other European countries. Time was too short, however, to go into that branch of his argument. He would, however, quote another extract which he thought would interest the House, inasmuch as it contained information as to the point whether free-trade had extended over

the European continent, and was in favour now with the English people. A gentleman who had been engaged in the iron trade for the last twenty years, Mr. George T. Clark, wrote to the London *Economist*, a great free-trade paper, as follows:

"Unfortunately, foreign countries are all at this time far behind England in their appreciation of the benefits of free trade. To it almost all foreign nations are at the least indifferent, and all foreign Governments, whether monarchical or democratic, are opposed."

But he had yet another authority on this point. The President of the Cobden Club, the Right Hon. W. E. Baxter, at the last meeting remarked:

"My friend, Mr. Potter, said that the 'Cobden Club' was the nucleus of free trade sentiment all over the world. Gentlemen, there is no other nucleus."

• For a moment he would advert to the question of what protection had done for the United States. An English publication, referring to the same subject, said:

"That the American Government had done them vast injury by protecting American manufacturers until they have met the wants of their own market, and are reaching after ours. That the manufacturers of Sheffield were not the only ones in Great Britain who were beginning to feel that a little protection must be a good thing. That the paper makers, the sugar refiners, the cotton manufacturers and others were appealing to the Home Government for some form of protection against foreign competition."

He had other extracts, but they all pointed in the same direction—to the wonderful progress the United States had made under a protective policy. He read an extract from a pamphlet which, he said, contradicted the theories of hon. gentlemen opposite. It was shown that it was the producers in Lancashire who paid the duties. The Government of the United States had pursued a healthy policy. They had incurred a very large debt, the interest of which was perhaps more than that of the English debt, and, by the aid of protective duties, they had been able to pay the interest during the last eleven years, and at the same time pay off \$400,000,000 of the debt. Their imports during this period, moreover, had not decreased.

but, on the contrary, doubled. A similar policy in this country would be attended with similar results. He had heard a member of the United States Senate strongly advocate the English policy with regard to the encouragement and protection of the shipping interests, by means of bonuses or bounties to the extent of something like five millions of dollars. Under this system, the Senator stated, in the Island of St. Thomas nine or ten lines of steamers had been created, and these lines controlled the commerce of Mexico, the West Indies, Central America and some other countries. The United States possessed a population of forty millions, while we had only four millions—one-tenth of their number—and, consequently, one-tenth of their products would suffice for our wants. The policy of forcing goods into other countries was one which people engaged in trade always pursued if possible. This country had been used as a slaughter market by American manufacturers; and he was witness of one case of this sort in Toronto, when furniture, to the value of \$12,000 or \$15,000, was sent into that city from Rochester. It would be all very well if Canadians could retaliate, but this was impracticable. He contended that we occupied a humiliating position with regard to the United States in this respect. If we did offend the United States by adopting a retaliatory policy, we must, after all, look after our own interests. It would not be the first time that one country had been notified by another that they must, for their own protection, adopt prohibitory duties. As to the sugar question, it was to be observed that the hon. member for Halifax (Mr. Jones) was opposed to the policy of the Government in this particular; and this was a matter of the greatest consequence. He saw by a return of a Board of Trade that, if a proper fiscal policy was introduced, it would lead to the consumption of 50,000 tons of sugar manufactured in this country. For every ton of sugar made, a ton of coal would be consumed, and consequently this would require the purchase of 50,000 tons of coal. This industry

would, in various ways, give employment to 30,000 people, and, amongst other things, 350,000 barrels would be needed. He did not approve of the financial policy of the Government; nor did he favour the imposition of extra duties on tea and beer. If a number of items had been placed in a hat, and shaken up, and items taken out at random, the result would have been equally happy. Lord Derby had made the remark with reference to another Government: What is the use of gentlemen being upon the coach box unless they know how to drive; and what is the use of their knowing how to drive, unless they knew where to drive to? He thought the Government was exactly in this position. They were on the coach-box but they neither knew how to drive nor where to drive to. He thought the time was coming when the people of the country would strongly question the wisdom of the measure brought down by the Finance Minister.

Mr. DECOSMOS moved the adjournment of the debate.

Motion to adjourn the debate *negatived*.

Question *put*, and amendment to the amendment *negatived*, on the following Division:—

YEAS :

Messieurs

Baby	Macdonald (Kingston)
Benoit	McDonald (Cape Breton)
Blanchet	McDougall (Three Riv.)
Bowell	McKay (Colchester)
Brooks	Macmillan
Brown	McCallum
Cameron	McGreevy
Campbell	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Moffat
Costigan	Monteith
Currier	Montplaisir
Cuthbert	Mousseau
Daoust	Norris
DeCosmos	Orton
Desjardins	Ouimet
Devlin	Palmer
Dewdney	Pinsonneault
Domville	Platt
Donahue	Plumb
Dugas	Popej (Compton)
Farrow	Robillard
Ferguson	Robinson
Flesher	Robitaille
Frazer	Rochester
Gaudet	Rouleau
Gibbs (North Ontario)	Roy

Gibbs (South Ontario) Schults  
 Gill Stephenson  
 Haggart Thompson (Cariboo)  
 Harwood Tupper  
 Hurteau Wallace (S. Norfolk)  
 Irving White (East Hastings)  
 Jetté White (North Renfrew)  
 Jones (South Leeds) Wood  
 Kirkpatrick Workman  
 Lanthier Wright (Ottawa)  
 Little Wright (Pontiac).—78.

## NAYS:

## Messieurs

Appleby Holton  
 Archibald Horton  
 Aylmer Huntington  
 Bain Jones (Halifax)  
 Barthe Kerr  
 Béchard Killam  
 Bernier Kirk  
 Bertram Laflamme  
 Biggar Lajoie  
 Blackburn Landerkin  
 Blain Laurier  
 Blake Macdonald (Centre  
 Boldue Toronto)  
 Borden Macdonnell  
 Borron Macdougall (East Elgin)  
 Bourassa McDougall (S. Renfrew)  
 Bowman MacKay (Cape Breton)  
 Buell Mackenzie  
 Burk McCraney  
 Burpee (St. John) McIntyre  
 Burpee (Sunbury) McIsaac  
 Carmichael McNab  
 Cartwright Metcalfe  
 Casey Mills  
 Casgrain Oliver  
 Cauchon Paterson  
 Charlton Perry  
 Cheval Pettes  
 Christie Pickard  
 Church Pope (Queen's, P.E.I.)  
 Cockburn Pouliot  
 Coffin Power  
 Coupal Richard  
 Cunningham Ross (East Durham)  
 Davies Ross (West Middlesex)  
 Dawson Ross (Prince Edward)  
 Delorme Ryan  
 De St. Georges Scatcherd  
 DeVeber Scriver  
 Dymond Shibley  
 Ferris Sinclair  
 Fiset Smith (Peel)  
 Fleming Smith (Selkirk)  
 Flynn Smith (Westmoreland)  
 Fréchette Snider  
 Galbraith St. Jean  
 Geoffrion Taschereau  
 Gibson Thibaudeau  
 Gillies Thompson (Haldimand)  
 Gillmor Thomson (Welland)  
 Goudge Trow  
 Guthrie Vail  
 Hagar Wallace (Albert)  
 Hall Yeo  
 Higinbotham Young.—109.

## PAIRS.

## YEAS:

Messieurs

Brouse  
 McCarthy

## NAYS:

Messieurs

Cook  
 McGregor.

Question on Sir John A. Macdonald's proposed amendment put.

Mr. DeCosmos.

Mr. ORTON moved in amendment

“That all the words after ‘resolved’ in the said amendment be left out, and the following inserted instead thereof:—‘That this House expresses its regret that the Government have not seen fit, with a due regard to all other industries, so to arrange the Customs tariff as to relieve the farmers of Canada from the unjust effects of the one-sided and unfair tariff relations which exist between Canada and the United States in reference to the interchange of agricultural products, and at the same time place this country in a better position to negotiate a fair and just reciprocity in the interchange of such products between Canada and the United States.’”

He said he had been constrained to place this amendment before the House, because, notwithstanding that the facts established by the evidence taken before the Special Committee on Agriculture of last Session showed that legislation was required in the interest of the farmer, and unmindful of the fact that the policy of the Government in this matter had met with the decided disapproval of agriculturists throughout the country, as evidenced by the late elections in North and South Ontario, Cardwell and South Wellington, and even the recent local election in South Waterloo. And, regardless of the unquestioned influence which the decreasing prosperity of our farmers had had in intensifying the general depression in our manufacturing and other industries, yet the Government had not seen fit to introduce any legislation having for its object the welfare of agriculturists, but had only further increased the already heavy burdens on the people and more especially on the farmers by increased and vexatious taxation, such as the duty on tea and malt. He would refer to some of the points brought out last year by the Agricultural Committee. It was then conclusively proved, by a majority of three to one representative farmers throughout the country, that great injury had been caused to the agricultural interests of this country through the unfair tariff rate which existed between Canada and the United States. (Interruption.)

Sir JOHN A. MACDONALD: I hope, Mr. Speaker, you will insist upon order being kept.

Mr. SPEAKER called the House to order.

Mr. MACKENZIE said it was no wonder that hon. members were impatient. The debate had lasted five days and the hon. member for Centre Wellington had already made a speech on the subject.

Sir JOHN A. MACDONALD: And now he is speaking on the amendment he offers. It is his right.

Mr. MACKENZIE: I don't deny his right. I only ask whether it is reasonable that hon. gentlemen should be required to listen to the same speeches over and over again?

Mr. MITCHELL: I rise to move the adjournment of the debate, the hour is so late. I can tell the Government they will not get a division to-night.

Sir JOHN A. MACDONALD said he could quite understand that the hon. the Premier was anxious that the debate should come to an end. He (Sir John A. Macdonald) and his hon. friend from Hamilton (Mr. Wood) both made motions in favour of protection to the manufacturing interests. The hon. member for Centre Wellington (Mr. Orton) now made a motion with reference to a branch of industry to which he was more especially attached—the agricultural interest—and he had a right to be heard, and as respectfully treated as the hon. member for Hamilton; and the interests of the farmers were not to be set aside in this manner.

Mr. MACKENZIE: I do not deny the hon. member's right to speak. But I said it was unreasonable that he should make the same speech twice. It is rather remarkable that the hon. member for Kingston and the hon. member for Centre Wellington are to take charge of the farmers. Other people have charge of the farmers as much as they have.

Sir JOHN A. MACDONALD: Not more so.

Mr. MACKENZIE: A great deal more so. At the same time, I must admire the versatility of the hon. member for Kingston in making an amendment to his own motion.

Mr. ORTON said it was not the right hon. member for Kingston's

amendment. It was not his intention to inflict a repetition of any former speech on this House. He was about, when he was interrupted, to state the important facts that were laid before the consideration of the House through the instrumentality of the Agricultural Committee of last Session. The evidence went overwhelmingly to show that the markets in this country were seriously depressed through their volume being reduced by the introduction of large amounts of farm products from the United States, while Canadian farm products were to a great extent debarred entry into the American markets, and in some articles almost completely stopped. The evidence also went to show that the market for the Canadian farmer was still further reduced by the fact that the Government discouraged the manufacturing industries of our country, and it was shown that it was important, in order to advance the interests of the agriculturist, that the manufacturers should receive fair play. He would now refer to the Trade and Navigation Returns for 1875, from which it appeared that we imported from the United States, of agricultural products, animals and their products, to the value of \$18,806,865, while all the market that we could obtain in that country, with ten times our population, was to the value of \$12,164,128, leaving a balance against us in agricultural products alone of \$6,642,737. And this balance against us was not made up in other ways, for, while our total exports to the United States were to the value of nearly \$26,000,000, our imports from that country amounted to \$46,000,000, leaving a total balance against us and in favour of the United States of no less than \$20,000,000. Therefore, not only in agricultural products, but in manufactures, there was a large balance of trade against us. He would also refer to the amount of revenue paid on agricultural imports to assist in carrying on the affairs of the country. The duties paid to Canada from agricultural imports coming from the United States in 1876 amounted to \$135,149, and for this the Government gave to the Americans our markets in agricultural products. But we had to pay to the revenue of the United States, in order to obtain there a market for a

smaller amount of our agricultural productions the sum of \$2,961,809, which relieved the farmers of the United States of taxation to that extent. These were facts which weighed seriously upon the thoughtful men of our country. As an instance of the unfair competition against which the Canadian farmer had to contend, he would state that, if a Canadian and a United States farmer both went to the same American town to sell a car-load of barley, say of 500 bushels, the Canadian had to take \$75 less than his American cousin for his barley, and the latter could chuckle over the fact that he not only got more for his barley, but that the Canuck had paid \$75 of his taxes for him; but, if a United States farmer came across the border to the markets of Windsor or Chatham, or any other Canadian market with a car-load of Indian corn, he could get the same price as the Canadian in his own market, and the latter had the further mortification of feeling that, not only the price of his own corn was reduced by the glut of American corn, but that all his coarse grains were reduced in value without the satisfaction of the American farmer paying one cent to the revenue of his country. This was a great injustice, more particularly so to those counties of Canada where corn was grown. The hon. member for Bothwell (Mr. Mills) said there were only three sheep imported into this country last year. He (Mr. Orton) found by the returns that sheep were imported into Canada from the United States last year to the value of \$23,000 worth. He challenged the hon. gentleman as to this return.

Mr. BLAKE: The hon. member for Bothwell was speaking of Ontario.

Mr. ORTON said, if the other statements of the hon. member for Bothwell were equally incorrect, there was not much reliance to be placed upon his statements or his arguments, which were applied to the whole Dominion, as he and the House understood them. In regard to the statement of the hon. the Minister of the Interior that there was no barley imported into this country from the United States, he

Mr. ORTON.

found by the Trade and Navigation Returns that there was no less than 30,000 bushels brought into Canada. A like statement was made by the hon. Minister with respect to beans; yet the same returns showed that beans to the value of over \$9,000 were imported from the United States. He mentioned these facts and challenged contradiction in regard to them, to show the House and the country what weight should be attached to the remarks of the hon. the Minister of the Interior. He desired to further illustrate the question as to the interchange of animals and products between the two countries. When a Canadian farmer entered the American market he had to pay a duty of 20 per cent. on his animals; but when the American farmer came here he was only charged ten per cent. To illustrate this injustice, he would say that when a carload of sheep was taken from Canada, \$100 had first to be paid into the United States Treasury, and to that extent lessen the taxes of the American farmer; but the latter might come into the Canadian market with a carload of hogs and only pay half that amount into our Treasury, and, at the same time, by his cheapened western pork, reduce the legitimate value of the Canadian farmer's pork, as well as other meats, in his own market. Was this just? He had called attention to the large quantity of corn brought from the United States into Canada, and it had been argued that it was an advantage, not only to the people generally, but to the farmers, which he denied, as the greater portion of the corn consumed here was used in the manufacture of whiskey. He felt that, if there was one matter on which the Government might have aided the temperance question, it was on the matter of corn. But their policy with respect to it was entirely opposed to temperance principles. Every arrangement of the tariff was directly opposed to the aspirations of the hon. member for West Middlesex (Mr. Ross). It had been said that it would pay the Canadian farmer to sell his barley and import Indian corn. He desired to call the attention of the House to the facts of the interchange and to show that last year barley for feeding purposes was cheaper than the

Indian corn of the United States to the Canadian farmer. The price of barley in Canada had not averaged over 50c. this last season. He would give to the House the opinion of a farmer residing in the township of Wellington on this subject, an old Reformer, who had spent a large portion of his life in trying to place in power the present Administration. The letter, which was published in a paper in the county, said:

"I would say that barley is quoted at 45c. to 55c. in the market reports; and as a stained sample is as good for feeding as a bright sample, we will take the average price 50c. and compare it with corn. According to analysis, 51 lb. of barley is equal to 56 lb. of corn; 51 lb. of barley at 50c. costs 53c., while 56 lb. of corn costs 56c.; therefore, barley is three cents a bushel cheaper than corn."

Mr. GUTHRIE asked the name of the writer of the letter.

Mr. ORTON said it was Mr. Bathgate.

Mr. GUTHRIE said that gentleman had been a Tory all his life.

Mr. HIGINBOTHAM said the gentleman was the most violent opponent Mr. Guthrie had.

Mr. ORTON said that, up to the last election in South Wellington, the gentleman, as well as all his friends, had been most enthusiastic supporters of the Reform party. He would refer to the exchange of pease between Canada and the United States, in order to show how erroneous were the views of hon. members opposite in that regard. The hon. the Minister of the Interior had stated that a bushel of pease would buy two bushels of corn. There was no practical farmer who would take that as a just and fair calculation. He wished to show the cost to the Canadian farmer when he sold his pease and bought corn. First, the farmer had to defray the cost of taking his pease to market and bringing back corn, which might be placed at 5c. per bushel, which must be added to the price of the Indian corn; and then, it was well known that every bushel of pease weighed 60 lb., while corn weighed only 56 lb. to the bushel; a pound of pease was also, as proved by analysis, more nutritious as food than a pound of corn. Therefore, it would take  $1\frac{1}{2}$  bushels

of Indian corn at least for a bushel of pease; that was to say, that one-eighth of the price of a bushel of corn must be added to the exchange. The average price throughout Canada of Indian corn during the last six or seven years, was 50c. per bushel; it would, therefore, be necessary to add  $6\frac{1}{2}$ c. to the 5c., which would bring the price of the corn to  $61\frac{1}{2}$ c. The average price of pease during the last five years had not exceeded 68c. per bushel. There was, also, the loss which Canadian farmers sustained through the competition of corn with Canadian barley, rye and other grain, to be taken into consideration. On an ordinary farm of 100 acres, a Canadian farmer would have 300 bushels of oats to dispose of, and that was taking a very small average. Taking the loss of 5c. per bushel, he would be out of pocket \$15 from the competition of Indian corn admitted free. There was also the question of barley. During this year, when our farmers were dependent to a large extent on what they obtained for their barley, other crops having been a failure, distillers would have used the barley in manufacturing whiskey, for it could be bought as cheap as the Indian corn and would make as good whiskey, except for the fact of corn being admitted free. It was fair, he thought, to say that the farmer lost 5c. per bushel, and it was a fair average to estimate that every farmer would have a surplus of 200 bushels of barley, which would cause him a loss yearly of \$10 by the present arrangement. He need not refer to the articles of Canadian rye, corn and hay, upon which there would also be a loss. Under those circumstances, he failed to understand that we were in any degree obtaining a profit from the interchange. It had been stated during the debate that the price of lumber and of manufactured goods would be increased if a duty were placed on American products, because it would raise the price of farmers' products to the consumers in Canada. That was a very strange argument to be used by the same hon. members who had been labouring to show that farmers would not obtain any larger price for their products if duties were placed on United States farm products, as the country to which our surplus went ruled the price. If a lumber-

man or manufacturer was compelled to pay higher for agricultural products, the farmer would surely reap the benefit and be able to pay more for his lumber or manufactures. But, if the price of food was not increased to the lumberman and manufacturer, the price of the production of lumber and manufactures would not be increased. It was contended by representatives from the Lower Provinces, that the people engaged in the fishing industries could not permit the cost of living to be increased. But that was not placing the question properly before the House. In order to illustrate the point he wished to make, he would refer to the article of wheat, to show that, though the trade price might not be increased to the consumer, the price might be increased to the producer. It was a well-known fact that a home market was the most profitable, no matter what industry was considered. Every manufacturer knew that a market for his goods at his own door was the best market that could be obtained. If a manufacturer obtained such a market, he could then afford to extend his operations and send goods to foreign markets, because, the larger the production, the less the cost. So it was with regard to flour. If the Canadian miller possessed exclusively the Canadian market, he would get his returns much sooner than when he depended to a large extent on the European market; he would thus save interest besides risking less. Therefore, even though he only obtained the same price in the Lower Provinces for his flour as he would in Liverpool, he could still afford to give a larger price to the farmers for their wheat, by turning over his money oftener, and still reap a nice profit. The House had heard a great deal about the importance of our carrying trade, and that the fact of our allowing American flour and wheat to come into Canada free benefitted our carrying trade to an enormous extent. He wished to direct the attention of the House to the facts in connection with that matter. In 1875, the flour and meal imported from the United States was \$3,000,000 worth, of which only \$58,000 worth was re-exported to foreign countries. Therefore there was no profit for the

carrying trade on that article. Of wheat, we imported \$6,000,000 worth, and re-exported only \$3,000,000 worth, and this, if required, could be carried through our country in bond. Another injustice to the Canadian farmer was the fact that the flour of the United States was carried to the Lower Provinces at a cheaper rate than that of the Canadian millers, and it was easy to understand that such an arrangement worked to the general disadvantage of our industries. It would be difficult for hon. gentlemen opposite to convince the farmers, in view of this fact, that protection would not benefit them. The great bug-bear which frightened many hon. members from supporting a protective policy was the cry that it would increase the taxation of the people. It was said that putting a duty on American products would simply be the excuse for manufacturers to raise the price of goods used by agriculturists. He had listened with pleasure to the straightforward and manly statement of the hon. member for West Montreal (Mr. Workman) on this matter, who showed clearly that the expense of articles used by our farmers would not be increased by protection. Hon. members on this side of the House did not desire to augment the bulk of taxation, but simply to put a duty on such articles as were produced in Canada, and remove them from such articles as were not produced. The hon. member for North Brant (Mr. Fleming) said the duty placed on cereals by the United States was no benefit to the farmers of that country. He (Mr. Orton) could not understand how any one could take that position. A duty on Canadian barley, for instance, must have a beneficial effect on the American farmers, in giving them 15c. more per bushel than the Canadian farmer; and the same argument applied to coarse grains generally. He failed to see the force also of his argument, that the revenue could be reduced by placing a duty upon agricultural products. It had been stated that the price of tea would not be increased to the consumer by the duty placed on that article. We did not produce tea in Canada, and there was no possibility of its being reduced in price owing to home com-

petition in its production, which often took place on other articles. It was a palpable absurdity to say that a duty on an article we did not produce would not raise the cost to the consumer. It was also a fallacy to say that beer would not be increased in price by the additional Excise duty on malt. There could be no doubt that any augmentation in the cost of manufacture would ultimately affect the price to the consumer, and the additional duty was a serious embargo on the consumption of beer, and an encouragement to whiskey-drinking, and, therefore, an injury to the Canadian farmer who grew barley. Again, referring to Indian corn, he might say that not one out of a hundred farmers in the county of Wellington, or in the country, bought Indian corn for feeding purposes. Those who did so, were chiefly rich farmers who lived near railways, and could afford to speculate, and could obtain it at no great cost or trouble. But were the interests of ninety-nine farmers out of each hundred in the country to suffer serious loss owing to the competition of Indian corn with their coarse grains in order to occasionally benefit a few speculators. He agreed with the Premier when he stated it was very unjust to enrich one class at the expense of another. But he believed even the few rich cattle-feeders referred to, if they studied the matter closely, would find that they could raise cattle-feed cheaper than they could buy it. It had been said in the House that to impose duties on American products would drive us farther away from the prospect of obtaining reciprocity; but, if Canada could submit to any greater humiliation than had been submitted to already in the attempts made to secure reciprocity, he thought she would occupy a more degraded position than it would be desirable or possible for any free people to endure; and he thought that, in saying this, he represented the sentiments of every true Canadian. The imposition of duties on farm products, at any rate as far as it concerned the farmers of the western States who obtained a large market in Canada, would assist us in securing reciprocity by creating a parity there whose interests would

favour reciprocity. The move in this matter must, however, come, not from the Dominion, but from the United States—that was, if we had a proper regard for our own self-respect. It was utterly impossible for our Government to go again through the farce of sending a Commissioner to Washington to negotiate a Reciprocity Treaty. The Government and country had already been treated with such indignity as would not likely be submitted to again in this matter. He had always held it was unfair and unjust to protect manufactures and other industries, without also affording the legitimate benefits that accrued from such a policy to our agriculturists. In voting for the amendment to the amendment moved by the hon. member for Hamilton, he had felt that it was simply an amendment in accord with the motion which proposed to do justice to every industry in our country—manufacturing, mining and agricultural. It was a step in the right direction, though it was not conceived in a fair spirit towards the other interests of the country. Even if carried, it would only have had the effect of expelling from power a Government that had neglected generally our agricultural, manufacturing and mining interests. He hoped that every representative of agricultural constituencies, at any rate, would vote for his amendment, and do justice to one of the most important interests of the country.

Mr. TUPPER suggested to the Premier that it was a gross breach of the arrangement entered into on both sides of the House to prevent these very late sittings, to sit to this hour (3.45 a.m.). Half-a-dozen gentlemen had risen to address the House on the question before them, and it was quite impossible to close the debate at this late sitting.

Mr. MACKENZIE: It is a very early sitting.

Mr. TUPPER said hon. gentlemen opposite seemed very much inclined to treat with derision the proposal to give the same consideration to the agricultural interests of this country that was given to other interests. He did trust that the House would not be forced to

sit at such very unreasonable hours. He had no hesitation in saying that this was a course which had led to very lamentable results in the past, and he hoped they would be protected from the continuation of such results. There were gentlemen who, in his judgment, would have now been alive and well, and capable that night of discharging their duties to the country, if they had not been compelled to remain in that Chamber at unreasonable hours. He trusted that they would have a full and fair opportunity for discussing the most momentous question ever before the House. He hoped it would not be necessary to say more, and that the Government would not attempt to force the House to continue a late sitting.

Mr. MACKENZIE replied that, whatever might be said about the question, the hon. gentleman might depend upon this: the House would treat with derision the attempt of two doctors to constitute themselves the champions of the farmers. The House would undoubtedly treat with derision the attempt of two doctors to constitute themselves the representatives of the farmers. The farmers were represented twice over on the other side of the question, and to assume that, because the gentlemen who pretended to speak for the farmers were opposed, the farmers were treated with derision was a piece of mockery.

Mr. ORTON: The evidence is before the House.

Mr. MACKENZIE: So was the hon. gentleman before the House, but that did not improve the House very much. With regard to the question of adjournment, he would merely call the attention of the hon. member for Cumberland to the fact that this discussion had proceeded for five days, and that it would be absolutely necessary for the Government to ask for another day in the week if this discussion was to be interminable. The hon. gentleman himself had no doubt acted with great forbearance in not speaking very long.

Mr. TUPPER: I have not made a remark.

Mr. MACKENZIE: The hon. gentleman spoke on the question.

Mr. TUPPER.

Mr. TUPPER: Not since this motion was made.

Mr. MACKENZIE said the hon. gentleman had been quite moderate, and he (Mr. Mackenzie) had spoken less than one-half the time consumed by the hon. gentleman. Those who sat on the Ministerial benches had taken up very little time. It was quite evident that, since the discussion on this motion had occupied six days, it was very difficult to get on with the business. He would take steps to secure another day for Government business.

Mr. BORRON moved the adjournment of the debate.

Motion to adjourn debate *negatived* on the following Division:—

YEAS:  
Messieurs

Baby	Macdonald (Kingston)
Benoit	Macdonnell
Bernier	McDougall (Three Riv.)
Blanchet	McKay (Colchester)
Borron	Macmillan
Bowell	McCallum
Brooks	McGreevy
Bunster	McQuade
Cameron	Masson
Campbell	Mitchell
Caron	Moffat
Cimon	Monteith
Colby	Montplaisir
Costigan	Mousseau
Cuthbert	Orton
Daoust	Quimet
Davies	Palmer
DeCosmos	Pinsonneault
Desjardins	Platt
Dewdney	Plumb
Domville	Pope (Compton)
Donahue	Pope (Queen's, P. E. I.)
Dugas	Robinson
Farrow	Robitaille
Ferguson	Rochester
Flesher	Rouleau
Fraser	Roy
Gaudet	Schultz
Gibbs (North Ontario)	Smith (Selkirk)
Gibbs (South Ontario)	Stephenson
Gill	Thompson (Cariboo)
Haggart	Tupper
Harwood	Wallace (South Norfolk)
Hurteau	White (East Hastings)
Jones (South Leeds)	White (North Renfrew)
Kirkpatrick	Wright (Ottawa Co.)
Lanthier	Wright (Pontiac).—75.
Little	

NAYS:  
Messieurs

Appleby	Huntington
Archibald	Irving
Aylmer	Jetté
Bain	Jones (Halifax)
Barthe	Kerr
Bechard	Killam

Bertram	Kirk
Biggar	Lafamme
Blackburn	Lajoie
Blain	Landerkin
Blake	Laurier
Bolduc	Macdonald (Centre Toronto)
Borden	Macdougall (East Elgin)
Bourassa	McDougall (S. Renfrew)
Bowman	Mackay (Cape Breton)
Brouse	Mackenzie
Buell	McCraney
Burk	McIntyre
Burpee (St. John)	McIsaac
Burpee (Sunbury)	McNab
Carmichael	McNair
Cartwright	Metcalfe
Casey	Mills
Casgrain	Norris
Cauchon	Oliver
Charlton	Paterson
Cheval	Perry
Christie	Pettes
Church	Pickard
Cockburn	Pouliot
Coffin	Power
Coupal	Richard
Cunningham	Robillard
Currier	Ross (East Durham)
Dawson	Ross (West Middlesex)
Delorme	Ross (Prince Edward)
De St. Georges	Ryan
DeVeber	Scatcherd
Devlin	Scriven
Dymond	Sibley
Ferris	Sinclair
Fiset	Smith (Peel)
Fleming	Smith (Westmoreland)
Flynn	Snider
Fréchette	St. Jean
Galbraith	Taschereau
Geoffrion	Thibaudeau
Gibson	Thompson (Haldimand)
Gillies	Thomson (Welland)
Gillmor	Trow
Goudge	Vail
Guthrie	Wallace (Albert)
Hagar	Wood
Hall	Workman
Higinbotham	Yeo
Holton	Young.—112.

PAIRS.

YEAS:	NAYS:
Messieurs	Messieurs
Brouse	Cook
McCarthy	McGregor.

Mr. BOWELL moved the adjournment of the House.

Mr. TUPPER said he would like to say on the question of the adjournment of the House what he had said before. It was a manifest breach of the agreement entered into on both sides of the House that they should sit until such a late hour. He had listened patiently to hon. gentlemen on both sides of the House through the debate; he would have been very glad to have had the opportunity of addressing the House himself, but he was

anxious to forward business as much as possible. He had listened with a great deal of pleasure to the hon. gentleman on the Treasury benches who had addressed the House for three or four hours that day on this question, and he must say that, during the period he had had the honour of a seat in the House, he had never witnessed such a spectacle before as one Minister occupying almost the entire day and then the Government to commence banding their supporters together in order to force a division at four o'clock in the morning. He might say, with reference to the remark which had fallen from the First Minister, that he treated with derision the attempt of two doctors to represent the farming interests in this House, that the hon. gentleman forgot the position he occupied in the House when he ventured to throw so undeserved an insult across the floor of the House to any gentleman. Long before that hon. gentleman held any public position in this country, he had had the honour to represent as able, as intelligent and as independent a farming constituency as the agricultural constituency which that hon. gentleman represented. The hon. gentleman had no right to use the expression which he had employed; and the hon. gentleman forgot what he owed to the House as well as what he owed to himself when he undertook to reflect upon any gentleman selected by the independent suffrages of his countrymen to represent them in Parliament. If a farming constituency second to none in Canada in point of intelligence and independence selected him as their representative, he had a right to claim the respectful consideration of the House for any views he might present to the House in support of the gentlemen who sent him there. He thought the hon. gentleman would have learned a lesson from the past, in reference to his treatment of the agriculturists of this country. The hon. gentleman had adopted the same course in the House a year ago, and what did he gain by it? It had been resented in a most marked and distinct manner when that hon. gentleman went into the constituency of South Ontario, one of the finest agricultural constituencies in the country, during last season; he was told

how he had treated the agricultural interests in the House, and how he had treated one of the ablest and most independent and most intelligent representatives of the agricultural interests in the House, the hon. member for Centre Wellington (Mr. Orton); and the hon. gentleman was reminded of the ribald and unfair treatment to which this hon. gentleman (Mr. Orton) was subjected, and the derision with which that hon. gentleman (Mr. Mackenzie) had attempted to treat him as the representative of the agricultural interests in this country; and the hon. gentleman made his defence. But, when the verdict was taken, the hon. gentleman found that, in the constituency in which he, a short time before, had a large majority, that majority had been reversed; and the hon. gentleman had to suffer the penalty of that course which he had pursued on a former occasion. When the agriculturists found that the hon. the Prime Minister of Canada so far forgot himself as the hon. gentleman had done, they would resent the slight placed upon them. That conduct was not to be regretted by the Opposition, from a party point of view, for it was such conduct which had made the hon. gentleman lose that position in the country which he formerly held. But it was to be regretted that the hon. gentleman should descend from his high position, and indulge in conduct which was unparliamentary and discreditable to himself and the Party which he led in the House. It was the first time in the history of that Parliament, within his (Mr. Tupper's) experience, that a Government majority had been used as the hon. gentleman had seen fit to use his majority. The course he had adopted was not one which would meet with the approval of the country. No hon. gentleman on the other side who had a remark to make or an argument to present during the debate, could say that he had not been listened to with the most patient and earnest attention.

Mr. DYMOND: Will the hon. gentleman allow me to answer him?

Mr. TUPPER: Yes.

Mr. DYMOND: Then I say that for a whole hour the hon. gentleman's

Mr. TUPPER.

leader was doing his best to instigate his followers around him to interrupt me whilst I was speaking.

Mr. TUPPER said all he could say was, if the hon. gentleman did create some little excitement—and he thought there was just as much in his own neighbourhood as in the ranks of the Opposition—it was due more to the style of remark which the hon. gentlemen adopted than to any other cause. He (Mr. Tupper) was speaking of any hon. gentleman who had an argument to present to the House.

Mr. DYMOND: Or a remark to make.

Mr. TUPPER said he did not think the case in point affected his statement. The hon. member for North York (Mr. Dymond) took a very extraordinary mode of addressing the House, and when he had indulged in a very remarkable exordium, he prepared himself to listen to the argument, but he was astonished when he observed the hon. gentleman take his seat, and the speech which had been looked forward to with great pleasure and great satisfaction had not yet been delivered. He did not think any party in any Parliament had given a more patient or careful consideration to the remarks of the party opposite, than had been given during the present debate by the Opposition to the views presented by the hon. gentleman sitting on the Government benches. Under those circumstances, there was no reasonable excuse for the hon. gentlemen adopting the course they had. As the hon. the First Minister well knew, the speech he made was one calculated to call for a reply from himself. A large number of hon. gentlemen had asked him if he was not going to reply, and he said he would not if he could avoid it, although the hon. gentleman in his speech—he would not call it a harangue—had made some very extraordinary statements.

Mr. MACKENZIE: I did not speak ten minutes.

Mr. TUPPER said he was afraid that statement was very incorrect. He thought it would be very difficult to crowd the speech into half an hour. The hon. the First Minister had paid him the compliment of saying that he

exhibited great forbearance, and he was sure that the Opposition had not taken up one moment of time unnecessarily.

Mr. MILLS: The hon. gentleman has spoken twenty minutes just now.

Mr. TUPPER said during the whole evening he had been endeavouring to obtain a division on the question, and he thought he would defer his remarks to a future date. He could not understand why, at four o'clock in the morning, a majority of the House should be used to force a discussion, and that in opposition to a distinct understanding that the sittings should not be continued to the undue length to which they had been continued last Session. He appealed to the hon. the leader of the Government, as he had appealed to him before, not to force the House to sit to an unreasonable hour in the morning. The hon. the First Minister had said he could stand it, but other hon. gentlemen could not. The House had to mourn the absence of some gentlemen who, a year ago, were bright ornaments in Parliament, but who were not in their places through, in a great measure, the hon. the Premier forcing the House to sit until unreasonable hours. A chairman of the Committee of the Whole was once kept in his chair for six hours, and his life was sacrificed in consequence of it. He wanted to know whether the lives of the members of the House were to be treated as a matter of no moment.

Mr. JONES (Halifax): Shame.

Mr. TUPPER said he called "Shame" on those who forced a course upon the House which had been attended with such dire results. It was an unfair use of a majority to use it in that manner. It was true the hon. gentleman opposite had a mechanical majority, as Mr. Disraeli said, which it appeared could be wheeled into line, however oppressive or unjust the act might be. But that majority was rapidly fading away, and the independent yeomanry of the country would resent the course pursued that night. He trusted the House would carry the motion, and at that hour, half-past four in the morning, allow the debate to be adjourned.

Mr. MACKENZIE said, while the hon. gentleman had been complaining of being kept in the House to such

a late hour, he had occupied more than half an hour pouring out a tirade of shameful abuse. The hon. gentleman, apparently, was incapable of understanding what fair play or fair debate was. His reputation for that conduct, however, was such throughout the country, that it was a matter of little consequence what he complained of in the House. It was not right to complain of anything of which he (Mr. Mackenzie) had said. He would appeal to Mr. Speaker as to whether he had used a single unparliamentary expression. He had said that the hon. member for Cumberland and his brother doctor (Mr. Orton) had no right to pretend that they alone represented the farmers in this House; and he would say so again.

Mr. TUPPER rose to a point of order. The hon. the Premier had no right in dealing with a statement made to change the statement he (Mr. Tupper) made, which was that the hon. gentleman had treated with derision the claim.

Mr. MACKENZIE said that was not a point of order. He could quite understand the anxiety of the hon. gentleman to save himself in the gross attacks he had made. The hon. gentleman had used the most violent language possible within parliamentary bounds. He would repeat that the two doctors had no right to pretend that they represented the farmers in the House.

Mr. DOMVILLE rose to a point of order. The hon. the Premier should distinguish an hon. member by his county.

Mr. MACKENZIE said he could easily understand that hon. gentlemen opposite wanted to prevent him from getting a hearing. He knew their tactics; he had known them for many years. The hon. member for Cumberland and the hon. member for Centre Wellington misrepresented the farmers. The policy which they were seeking to impose upon the country was the most disastrous one which could overtake the farmers, and the Government were bound to protect the farmers from the assaults the hon. gentlemen were making upon them. He would have no trouble whatever in satisfying all the farmers in the coun-

try on that point. The farmers were not so ignorant as the hon. gentleman and his colleagues seemed to think they were, and, if he imagined that the farmers, any more than the members of this House, were taken over to the Conservative side by the tactics of which they had witnessed such a specimen to-night, he was never so much mistaken. He had said that he (Mr. Mackenzie) had caused the death of several members last year. He had supposed that it would be impossible for even the member for Cumberland (Mr. Tupper) to cast such a shameful imputation against any one. He (Mr. Tupper) had forced them to sit there last year once until half-past four o'clock, in consequence of his speaking three hours against time, and that was the only occasion of a very late sitting. He pursued that course night after night with a view to compel the Government to adopt his views, and they were compelled in self-defence against his course and that of his colleagues to expedite public business by sitting to a late hour. The hon. gentleman supposed that, because he had a somewhat loose tongue, he could insult the majority of this House whenever he pleased.

Mr. PLATT: Keep your temper.

Mr. MACKENZIE said the member for Cumberland (Mr. Tupper) imagined, because he was allowed a latitude which no else would be allowed, that he could insult the majority as he had to-night. He never was more mistaken. He had said that the Government had lost election after election. They had lost thirteen seats and gained six, which was precisely the ratio of the numbers on each side when Parliament opened.

Mr. TUPPER: Name the six you gained.

Mr. MACKENZIE said he might name them at an early day. The hon. gentleman should keep his temper; he had had his speech and he must behave himself.

Mr. SPEAKER: I must request the hon. member for Cumberland not to interrupt the hon. gentleman.

Mr. MACKENZIE said that, after the hon. gentleman's display of temper,

Mr. MACKENZIE.

he did not wonder that he manifested that impatience, interrupting as constantly as if he was for the first time in public life. But he would not be allowed wantonly to trample upon the feelings and rights of the majority in this House, and they did not want a lecture upon political or other morality from the hon. gentleman. They were quite capable of managing their own affairs and business without any advice from the hon. gentleman. He (Mr. Mackenzie) had risen to suggest an arrangement for an adjournment when the hon. gentleman stopped him by calling for the yeas and nays. He got nothing by that. If he had allowed him (Mr. Mackenzie) to proceed, the House would have been adjourned, and they all would have been home long ago, but he wished to have an opportunity to display that spleen and ill-feeling towards the majority of this House, which he was evidently unable to control and keep within decent bounds. He had said that he (Mr. Mackenzie) took a long time in speaking. He had spoken after the member for Kingston, perhaps for fifteen minutes, certainly not more, so that no possible complaint could be made of his occupying too much time, and he was sure that the hon. gentleman did not hear one single expression in that speech to which he could take exception. He might controvert the principles advanced, and he (Mr. Mackenzie) expected that they should be controverted, though, if the principles on the Ministerial side of the House ever had a triumphant vindication, it was in the debate now proceeding. The hon. gentleman had stated that his hon. friend from North York (Mr. Dymond) not only had no argument to advance but no remark to make. He (Mr. Mackenzie) would dignify the speech of his hon. friend as an argument, but even the hon. gentleman would admit that the member for North York made a remark. No one was interrupted that he knew of on either side, except his hon. friend from North York and the gentleman who persisted in inflicting his speech upon the House twice.

Mr. TUPPER: Mr. Robinson.

Mr. MACKENZIE said it was true he was slightly interrupted, and he

was good enough to say that he accepted it as good-natured banter, not as an interruption at all. It would be well if the member for Cumberland (Mr. Tupper) would accept things in the same way, and give up accusing hon. members. He (Mr. Mackenzie) had asked the Speaker twice to mention any unparliamentary expressions which he had used. The hon. member for Cumberland had been called to order repeatedly, and he (Mr. Mackenzie) had not. At the same time, he was resolved that the hon. gentleman should not trample upon the rights of the majority; and the rights of the minority should have the same consideration. The Government would not now offer any opposition to the adjournment.

Mr. MITCHELL said the course of the Government had been injudicious, and he hoped they would learn a lesson, and be willing, in future, to adjourn the House at an earlier hour.

Motion to adjourn the House *agreed to*.

House adjourned at  
Twenty minutes before  
Five o'clock.

## HOUSE OF COMMONS.

Friday, 16th March, 1877.

The Speaker took the Chair at Three o'clock.

### EXTRADITION OF CRIMINALS BILL.—[BILL No. 65.]

(Mr. Blake.)

#### THIRD READING.

House resolved itself into Committee of the Whole on Bill (No. 65) To make provision for the Extradition of Fugitive Criminals.

(In the Committee.)

Mr. BLAKE said the 1st section contained definitions with respect to the Imperial Act. He had, however, renewed the phraseology a little. There was also included the definition of the word "Judge," because Commissioners might be appointed as well as Judges, and in subsequent portions of the Act the word "Judge" alone was used.

Section *agreed to*.

Mr. BLAKE said the 2nd section simply provided that proceedings commenced under any other Act or Law should be continued under that Act or Law.

Sir JOHN A. MACDONALD: Under the old law?

Mr. BLAKE: Yes.

Section *agreed to*.

Mr. BLAKE said the 3rd section repealed the law referred to in the 2nd section.

Section *agreed to*.

Mr. BLAKE said the 4th section provided for the application of this Act. It provided, however, that it should not go into operation until the operation of the Imperial Act should have ceased or been suspended in Canada. They had express power to legislate on this subject. The second sub-section referred to doubts which had been raised with regard to the trouble that had arisen between the United States and England as to the operation of the Act of 1870. The 4th sub-section ought to be marked the 3rd. It embodied practically a provision of the Imperial Act, and it was a limiting or restricting clause with reference to Orders of the Privy Council, and it was intended to harmonize our legislation with theirs. He proposed a mere formal amendment in this relation. Hon. members would observe that sub-section 4 of the next section really ought to be sub-section 4 of this section, and he proposed to transfer it. Provision was made with reference to Orders in Council but not with regard to their publication.

Section *agreed to*.

Mr. BLAKE said Section 5 provided for the application of the Act, which depended on an Order in Council. The second sub-section simply provided for the laying before Parliament of Orders in Council. The third sub-section, which was adopted from the Imperial Act, provided for the publication in the *Canada Gazette* of arrangements or Orders in Council. He proposed to strike out the 4th sub-section of that section, as it had already been transferred.

Section *agreed to*.

Mr. BLAKE said the 6th section was practically the provision which existed in England touching the event of the surrender of a fugitive, if it appeared that his offence was political, or that proceedings were taken against him with the view of punishing him for a political offence. This he had already explained.

Section agreed to.

Mr. BLAKE said the 7th section extended to cases in which the crime had taken place before the coming in force of the Act, and related to the criminal jurisdiction of the Courts of the country. This was practically adopted, with some slight modifications, from the English Act.

Section agreed to.

Mr. BLAKE said the 8th section provided for the appointment of judicial officers to carry out the provisions of the Act. The terms were similar to those contained in the present Canadian Act. It also contained provisions touching *habeas corpus* proceedings.

Section agreed to.

Mr. BLAKE said the 9th section referred to documents and proofs. Of course a departure from the general law with regard to this class of cases was allowed. The only alteration he proposed was to insert in second line of sub-section B the words, "or affirmation." He had throughout recognized the fact that affirmation might be employed.

Section agreed to.

Mr. BLAKE said that the 11th section related to the issuing of warrants. The report of issue with certified copies was to be sent to the Minister of Justice, who was made directly responsible in those cases, as was the case in England with the Secretary of State for the Home Department.

Section agreed to.

On Section 15,

Mr. BLAKE said it described the mode of requisition and was a little different from the English Act. The Imperial Act granted power to the consular officers, but it was obviously inconvenient in matters of this character, which sometimes involved delicate investigations, for such officers to make the application. He thought, as

Mr. BLAKE.

a rule, the consul resident at Ottawa should take charge of this matter. It was also provided that the application should be made by any Minister of State.

Section agreed to.

On Section 16,

Mr. BLAKE said it defined the proper alternatives upon which an order might be refused. The first and second provisions related to political offences. The third was of a general character, and gave the Minister of Justice power to order the discharge of prisoners under certain circumstances.

Section agreed to.

On Section 17,

Mr. BLAKE said it contained provisions for security against hasty surrenders, and for cases in which a criminal might be charged with a Canadian crime. It was practically similar to the English law.

Mr. DEVLIN asked if it was left to the Minister of Justice to determine whether the offence was of a political character, or whether it was left to the Judge.

Mr. BLAKE said prior sections provided that the Judge should investigate that matter, and that the fugitive should not be surrendered if the offence was a political one. But diplomatic power to surrender was vested in the Ministry, even after the Judge had given his decision.

Section agreed to.

On Section 19,

Mr. BLAKE said provision was made that anything found in possession of the prisoners should, as far as practicable, be given up.

Section agreed to.

On Schedule 1,

Mr. BLAKE said the list was substantially the same as contained in the Act of 1870, with the exception that there were provisions applying marine offences to the great lakes as well as to the high seas, and a further exception in regard to accessories before and after the fact.

Schedule agreed to.

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

INSPECTION OF STEAMBOATS  
ACTS AMENDMENT BILL.

FIRST READING.

The House resolved itself into a Committee of the Whole to consider the following resolution:—

“That it is expedient to amend the Acts respecting the Inspection of Steamboats—31 Vic., c. 66; 32, 33 Vic., c. 39; and 37 Vic., c. 30—by diminishing, in certain cases, the number of boats, life-preservers, fire buckets &c., which steamboats are bound to carry under the said Acts, and to relieve them from certain other obligations now imposed on them; and also to substitute for the yearly rate or duty now imposed on them for the Inspection Fund, an inspection fee of eight dollars for each inspection, made imperative by the Act 31 Vic., c. 65, on passenger steamboats exceeding one hundred tons burthen, and of five dollars for each such inspection on all passenger steamboats of one hundred tons or less, and on all other steamboats.”

(In the Committee.)

Mr. SMITH (Westmoreland) said it had been found necessary to make changes in the Act. It would, perhaps, be more convenient to discuss the proposed changes on the Bill rather than on the resolution.

Mr. MITCHELL said he saw from an advance copy of the Bill that the amendments were mostly verbal, with some slight alterations in detail, which, so far as he could see, were calculated to facilitate trade and business. He concurred in the view of his hon. friend that the Bill had better be discussed.

Mr. SCHULTZ asked if it was proposed to provide for the inspection of steamboats in Manitoba.

Mr. SMITH (Westmoreland) said there was already a provision in the law relating to inspection in that Province.

Mr. SCHULTZ asked if the inspector had been appointed.

Mr. SMITH (Westmoreland): I think he has, but I will make inquiries and inform my hon. friend.

Resolution agreed to and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

Mr. SMITH introduced a Bill (No. 83) To amend the Acts relating to the inspection of steamboats.

Bill read the first time.

SUPPLY.

IX.—IMMIGRATION AND QUARANTINE.

House resolved itself into Committee of Supply.

(In the Committee).

55. Immigration and Quarantine..... \$120,550

Consideration of proposed vote resumed.

Mr. POPE (Compton) called attention to the increased expense of maintaining immigration agents at Chicago, Detroit and other points in the United States. He found that these agents were not well received in the United States, and believed it would be better to pay the men a commission.

Mr. CARTWRIGHT stated that the Government intended abolishing the Detroit agency, and had given the gentleman in charge there notice of the discontinuance of his office. The agency at Chicago was but a temporary one. The one at Worcester had proved of considerable utility in regard to Icelandic immigration to Manitoba.

Mr. RYAN asked whether the Government intended to appoint an agent at Duluth on behalf of Manitoba. A good live man, not afraid of his work, could do much good in preventing new comers from being taken away by the Americans. The agent should have authority to run down the line when he heard of the arrival of immigrants and to go with them as far as Moorehead, the head of navigation on the Red River. He had not pressed this subject before as there had been in the Province a season of depression.

Mr. SINCLAIR remarked that he saw that \$800 was put down for the expenses of an agent in Prince Edward Island. The agent, however, was not appointed, and he hoped the Government would soon appoint him. There was a large emigration of young men from Prince Edward Island to the United States, and if an agent was appointed he could give them such information as would induce them to go to our Western country.

Mr. BLANCHET drew attention to the fact that the two physicians appointed to attend to sick immigrants at Point Lévis, resided on the opposite side of the river, and that sometimes there was much suffering on account of sick immigrants having no one to look after them. He suggested that one of the physicians should be required to live on the Lévis side.

Mr. CARTWRIGHT promised to confer with his colleagues on the matter.

Mr. WALLACE said he considered the appropriation would be a waste of public money, when we had so many people in Canada who could not obtain employment. In Toronto he had heard lately of a man starving to death. Neither did he see why the Government should be trying to induce people from Ontario to settle in Manitoba when there was such an unjust discrimination towards them as compared with foreigners. In this connection he would read part of a letter from a gentleman from Ontario who had gone to Manitoba with the view of settling there:

"I have been here now six months, and am highly delighted with the country, and have made up my mind to settle; but the difficulty I find is that on every side I find reserves for Half-breeds, Indians, Icelanders, Norwegians, Danes, Frenchmen, and God knows who, but none for us poor Ontarians. If we want to settle we must go fifty or sixty miles from a settlement, and then, perhaps, as in the case of many others, when our old friends and neighbours come to join us, they find the lands around in reserve for some speculator to colonize. I have now waited in hopes that those reserves would be thrown open this winter, as promised by Parliament last Session; but if they are not opened this spring I will go back and settle on land offered me as I came through in Minnesota; and take my word for it, many others intend to do the same."

Mr. TROW said he felt surprised at the narrow view taken of the subject by the hon. member for South Norfolk (Mr. Wallace). Instead of decreasing the amount for immigration, he (Mr. Trow) considered it should be increased, if we could thereby secure the proper class of immigrants. There were large tracts of land in the North-West, in Quebec and in Ontario, which wanted filling up with settlers. The extraordinary progress made by the

Mr. SINCLAIR.

Western States was due to the extent to which immigration was pushed. There were, at least, in the United States, 8,000,000 people of European birth, and the Irish alone, with their descendants, numbered between 14,000,000 and 15,000,000. About twenty years ago, the State of Minnesota contained only 5,000 inhabitants, but to-day it had, he presumed, about 750,000. It would be found, and he spoke from personal investigation, in Toronto, Stratford and other western towns—he could not speak as to the eastern towns—that most of the destitution existed among people who had lately come from the United States. The immigrants who had been induced to come to this country from year to year had found ready employment. According to the report of immigration agents, agricultural labourers and domestic servants were in great demand in Western Canada, and would be even more so in a few weeks hence. He was surprised that the hon. member for South Norfolk (Mr. Wallace) should have read such a letter as he had done to the House. It was written from a very unpatriotic standpoint, and must have emanated from some person who had strange ideas in regard to his duty to his country. From Manitoba to the slope of the Rocky Mountains we had sufficient arable land fit for settlement to make twenty-two States as large as Illinois, and a very large portion of the land was as productive as that of Illinois. A few years ago there were only a few lumbermen in Minnesota, and twenty years ago they had to take produce from St. Paul and other points eastward to supply the lumbermen. That State now exported over 35,000,000 bushels of wheat yearly. Passing along the Red River they found in British Territory an alluvial deposit more fertile and better adapted for farming purposes than in Minnesota. The hon. member for Compton (Mr. Pope) had referred to French immigrants, regarding whom he would read the following report:—

"The courageous settlers at Dufferin and the vicinity have publicly expressed their entire satisfaction; we, in our turn, request you to communicate to our countrymen what we think of Manitoba.

"Since our arrival we have been sufficiently initiated, as respects everything with which

immigration is concerned, to form an opinion as to the truthfulness of the reports contained in our newspaper and communicated to us by our delegates and friends of colonization in this country.

“If some few people, whose expectations were too great, have gone back upon the pretext that the resources and advantages of Manitoba had been exaggerated, we have to say, on the contrary, that by so doing they were guilty of great injustice to those who received us in so brotherly a manner, and to the country, possessed as it is of so rich a soil.

“More than this, we should not be surprised to see those self-styled disappointed persons return before long in the train of others.

“It has been correctly stated, the steady farmer who knows how to work, and is willing to do so, is sure to succeed. Farms are sold at excessively low prices, and the yield is enormous. We consider that we are doing our countrymen a service when we request you to reproduce in your excellent paper, so devoted to Canadian interests, the accompanying article from the *Métis* respecting the crops of 1870.

“It will constitute the firmest, most convincing and least suspicious plea in support of the cause which we favour. The remarks of the French organ in Manitoba, concerning the few persons who return, most frequently for the most frivolous reasons, are very judicious. We endorse them in every respect and unite our voices to that of the *Métis* in saying to our countrymen:—

“If you are tired of the noise of the shop, if your prospect where you are is not a smiling one—if, in a word, you are willing to work the soil and to devote yourself to agriculture, come to Manitoba.”

That report was signed by forty or fifty of those emigrants who had formerly been in a state of starvation, under the excessive protection of the United States, but were now enjoying comfortable homes, though they had been in the North-West only two years and received only one crop. The destruction caused by the grasshopper plague had been very discouraging to immigrants, but in all human probability the plague would not be repeated for many years. With such fertile lands at our disposal, where the people could obtain a livelihood with a little labour, and the exercise of that thrift and economy which was necessary in settlers in a new country, it was the duty of the Government to encourage all persons out of employment to proceed westward, and settle in Manitoba and the North-West. According to the estimate of the Chief of the Bureau of Statistics of the United States, every

immigrant, in perfect health and capable and anxious to work, was worth \$1,000 to the country. It must also be remembered that many immigrants brought considerable means with them. In 1875 the immigrants arriving in Canada brought in cash and personal effects about \$1,500,000; and last year, even with the small immigration, nearly \$1,000,000. If any hon. member who doubted the wisdom of the policy of bringing out immigrants would take a trip to Manitoba and visit the comfortable homes of the Mennonites, in their twenty-five or thirty little villages, where they grouped together as was their custom in Russia, he would be satisfied as to the advisability of the action taken. Those settlers had obtained only one partial crop, on account of the unusually heavy rains in the west. But those immigrants, with whom the hon. member for Compton had had much to do, and the circumstance was to his credit, were now fairly settled. He believed it was the duty of the Government to encourage the immigration of Mennonites because the 6,000 now in Manitoba formed only the nucleus of what would be a large settlement. He had seen many letters sent by Mennonites to their friends in the county of Waterloo, stating that they had every prospect of prospering. There was no doubt that, with a little Government encouragement, an additional number of that body would go out to the North-West, and indeed there were now in Waterloo 100 of those who came out to go to Manitoba, but remained in that county. In a very few years the Manitoba Mennonites would be able to pay off the Government loan, with interest. It was, in his opinion, the duty of the Government to encourage the immigration of a large colony from Southern Russia to Manitoba, to develop and improve the country. The Icelandic emigrants had suffered the severe misfortune of an attack of small-pox. A few had been discouraged, and this had in turn discouraged their friends at home from emigrating to this country; but no doubt, in a year or so, a large body of that class would proceed to Manitoba. As the Canada Company increased the price of its lands to a high figure,

so that poor people could not purchase it, so was it in Manitoba, where lands were being concentrated in the hands of a few, instead of being sub-divided and given to all who wished free grants. The policy adopted in the United States was to give very large tracts of lands to railway companies, the result being that they became immigration agents, and had agents themselves in every town in Canada. The moment an immigrant landed at Point Lévis, American emissaries endeavoured to induce him to proceed to the United States, and offered greater inducements, including free railroad passes, than this country was prepared to offer. Those agents had, however, succeeded in obtaining very few of the immigrants who had been aided by the Dominion Government. When he visited Prince Arthur's Landing three years ago, the moment the steamboat landed American agents went through the steamboat to ascertain if any passengers were going by the Dawson route, and they endeavoured, by pointing out the dangers of the road, its remoteness from settlement and inadequate facilities for travel, to induce the immigrants to take the American route by Moorehead, and at every station on the route they were trying to persuade them to settle in Minnesota, Dakota and other western territories. The moment a good settlement was established on our waste lands, the value of the land was increased 100 per cent., and as the Government possessed such splendid tracts of land they should introduce the system pursued in the United States. He would even go further than many hon. members and offer inducements to immigrants who remained in the country for the first year. The amount expended for immigration purposes did not exceed last year \$11 per head, while other years it ranged from \$5 and \$6 to \$7, the last named amounts including special grants to the Mennonites and Icelanders. Each immigrant paid to the revenue of the country during the first year more than the whole expense of bringing him out. It was right that we should endeavour to gather into our midst the surplus population of the old country. He

Mr. Trow.

denied that the farmers in Western Canada were suffering from the depression. It was very rare there was a total failure of crops in this country; the only example in many years had been the last crop. If there was another good crop, he had no doubt the farming community would be in as prosperous a condition as at any former period. They had no reason to complain, because in this country there was a good climate, good institutions and large tracts of rich, arable land.

Mr. WALLACE (South Norfolk) said the only class of immigrants we required were those who would settle on the wild lands. If Canada was made a good country for the labouring man, the surplus labour of the old world would find its way here. He doubted if the population during the last two decades had advanced in proportion to the natural increase of the people; and he held that a large portion of the money expended on immigration was wasted, because the country paid the expenses of bringing out immigrants who, in a short time, went to the United States. He had read the letter to the House in order to inform the Government that the manner in which land grants were managed tended to drive out settlers instead of encouraging them. He had a high opinion of the fertility of the soil in the North-West, but it was found impossible by the immigrants to obtain lots there.

Mr. TROW said the fact that lands had been badly managed was not due to the present Government.

Mr. WALLACE said he did not attribute the blame to either Government; but, if such was the fact, the evil ought to be remedied. The question was not with whom the evil originated, but by what means it could be cured.

Mr. CARTWRIGHT said that no doubt the large reserves in Manitoba proved a great difficulty in the settlement of the Province. He would not condemn any person on that account, but the fact that large tracts of land were set apart for the Hudson's Bay, Half-breed and other reserves caused considerable difficulty in the way of settlers going to that country from

Ontario. He was not aware that the present Government had set apart any distinct townships, except for Icelandic and Mennonite immigrants, and they had cancelled considerable numbers of special grants of land.

Mr. POPE (Compton) asked to whom those grants of land which had been cancelled were given.

Mr. CARTWRIGHT said that applications had been made by emigration companies in Scotland and elsewhere for land, they offering to bring out a large number of emigrants; but, as their promises were not fulfilled, the grants made were subsequently cancelled. As regarded the general immigration policy, he entirely agreed with the proposition that, in the present circumstances of the country, agricultural labourers and perhaps a certain number of female domestic servants formed the classes of labour which could be most profitably brought into the country at the present time. It was probably a wise principle to pursue the system which had been adopted with regard to certain particular classes, such as the Mennonites, who wished to go together and to settle *en bloc*; and, but for the unfortunate loss of the crops in Manitoba, he had reason to believe that the experiment would have been eminently successful. He gave to the hon. member for Compton (Mr. Pope) and to his colleagues all possible credit for what they had done in this regard. It had cost the country a good deal, but he thought it was worth the money. It was said they ought to reduce the expenditure under this head, and they had done so. If the sum set apart for quarantine was deducted from the sum total, it would be found that the figures for keeping up immigration agents and keeping faith with the Mennonites, was very moderate. The sum total was \$230,000, and, as about \$43,000 was required for quarantine and similar purposes, this left about \$187,000, a large proportion of which was accounted for in reasonable detail above, for the general immigration service including \$110,000 for the transport of Mennonites. They did not want to spend this sum unless it was required; but they could not tell exactly how much might be

required for transportation of Mennonites. They were not inclined to make the expenditure unless immigrants came, and unless they appeared to be of a satisfactory character to their agents. He did not see how they could make any reduction with regard to the expenses of what were known as travelling agents and their contingencies. He was as anxious as any hon. gentleman to be economical, but, if they were to keep up the immigration service at all, he did not think it reasonable to ask the Government to reduce the present vote.

Mr. MONTEITH said he was strongly in favour of encouraging immigration, but the immigrants that were required were those that would settle with us and were adapted to such a life. He thought it was well known that we were losing very many of our best settlers in the West. A large number of them had left Ontario during the past four or five years, and gone to the Western States and California. He held that something should be done by the Government and the House to retain in our midst people who were useful as tillers of the soil, and who were inured to hard labour. Such persons who came to this country years ago were anxious to obtain more land, and consequently they sold their improvements and in some cases went to Manitoba. We ought to throw inducements in their way, and reduce the expenses of the trip. He had heard an hon. member not long ago speak in high terms of the Dawson Route and the famous water-stretch; the American Republic informed immigrants that this was a most dangerous route. He thought a little more money should be spent upon it in order that but they were also told that agents of emigrants might reach our own lands through our own territory. Every thing possible should be done to induce classes of people like the Mennonites and Icelanders to come to this country; but the persons who were at present brought from England, Ireland, Scotland, and Germany were of no great benefit to the Dominion. Those who were possessed of means would settle in the older districts, and

the best thing that could be done would be to induce people who already lived amongst us, and who wished to remove, to settle within our boundaries and under the old flag. He favoured reducing the amount of the vote, because we were not getting value for the money spent in this regard. Reference was made to the class of immigrants they had in the town of Stratford. Some of them might have come from the United States, but they were of no use to themselves, and of very little use to others. He was almost opposed to the immigration system. The settlement of our own territory should be encouraged, and the best encouragement and inducement in this regard was to commence the Pacific Railway at the east end, and work westward. If this was not done, immigrants would go by the way of Duluth, and many of them would certainly be prevailed upon to settle in the Western States. He was aware of the fact that a number of people from his section of the country had gone to Manitoba, and he knew they were doing very well; but the great difficulty encountered in this relation, was the inevitable expense on the trip. The Western States could be reached more cheaply; and he believed that the general choice of immigrants was to remain in American Territory. He knew of numbers who had, somewhat recently, left his part of the country. They had wished to go to Manitoba, but had settled in the United States. What was the reason? He presumed that, in the first place, they were afraid of the grasshopper plague; but he hoped the time would soon come when this would no longer exist; and then there was the cost of transportation. All that could be done to induce our surplus population to settle in our own territories should be accomplished. The fact was we sent to England, Scotland, Ireland and other parts of Europe for immigrants, and whom did we secure? All the agents could discover about the streets of Liverpool, London, Dublin and Glasgow willing to make the voyage. We did not require this class at all. The men needed were only those with enough energy and industry to turn their hands to anything available in order to make

Mr. MONTEITH.

a living, improve their position, and support their families. This class would be of real benefit to the country. He hoped they would be secured. The idea of spending over \$200,000 under the present system was absurd; and how many of the persons sent to Canada remained amongst us? Of course Icelanders and Mennonites came in bodies, but others remained only as long as it suited them, and when they became discontented they crossed the line.

Mr. SCHULTZ said it was a matter of regret that the hon. the Minister of Agriculture was a member of another branch of the Legislature, as the hon. the Minister of Finance, who represented him in this House, could not possibly be expected to know all the matters of detail of that Department, and had thus been led into statements, one of the inaccuracies of which he would point out. He had understood the hon. Minister to say in reply to the speech of the hon. member for South Norfolk (Mr. Wallace) that the reservations complained of by the hon. gentleman's Manitoba correspondent were a legacy of the late Government, and for which the present Administration were not accountable. Now, the facts were that, while the late Government did make the Half-breed Reserves and some others, yet the greater part, in extent at least, had been made by the present Government. The Railway Reserve was a very large one; it existed as a standing grievance and drawback, as he had pointed out last Session and this, and he had believed the Government to be convinced of that fact last Session, when they introduced and carried to its final stages a Bill to relieve, at least in part, the difficulty. It really made no matter now, however, who caused these or any other evils; it was the duty of the Government of the day, aided by the Parliament of the day, to redress grievances when shown to be serious in their character and hurtful to the general good. As the colleagues of the hon. the Minister of Agriculture had shown some want of knowledge in the affairs of a Department, the administrator of which was not in this House, it might be well to remind hon. Ministers generally of

some facts in connection with this all-important subject of immigration. In the first place, our interests in this matter must be felt to be great when we reflected upon the enormous extent of territory we possessed. Canada had an area of 3,500,000 square miles. The United States had an area of 3,390,000, and all Europe was computed to have only an area of 3,650,000 square miles. Having a country greater in extent than the United States, inferior but slightly to the combined areas of the countries of Europe, we were naturally impelled to the consideration of the economization of such portions of this immense region as were likely to reward the effort. If the ruler of France was right when he characterized the cession of his North-American possessions as "the transfer to England of a few acres of snow," then it would be wise to let matters take their course. But what were the facts in regard to the agricultural value of a great portion of that immense region? A good authority, in making an estimate of the agricultural value of our western prairies, as compared with the part of the United States lying immediately south, said :

"Fully one half the area of the United States lies west of the 98th meridian. Having four to five months—the agricultural months be it remembered—without rain or with an insufficiency it is mostly devoid of vegetation except the cactus in the south, and artemisia, or sage of the desert, in the north—true indices of a rainless region. As an agricultural country it is worthless, except where artificial irrigation can be made to supply the deficiency, supposing water could be got for that purpose. Even then the saline properties of the soil would, over vast areas, be destructive of vegetation. Professor Wharton, an American writer, some fifteen or twenty years since, maintained that they had reached the limits westward of arable land; and this is the test mory of every traveller over those regions. Emigration must now turn north-westward, from the country of summer droughts to that of summer rains in the great fertile valleys of British America. Sir John Richardson (Arc. Exp., vol. ii., p. 267) informs us that wheat is grown with success in latitude 60 deg. 5 m., near the borders of Great Slave Lake, where the summer temperature is 65 deg., that of London being 61 deg. Bishop Taché found it growing up to 62 deg. on Great Slave Lake, and farther west it ripens at a higher latitude. It grows freely on the banks of the Saskatchewan in latitude 54 deg., and luxuriantly in the

valleys of the Assiniboine and Red Rivers. Sir John Franklin found Indian corn ripening in latitude 54 deg. west of Winnipeg. Barley ripens well at Fort Norman in latitude 65 deg. (400 miles north of the Orkneys and the capital of Sweden, and 350 miles north of the capitals of Norway and Russia). South of latitude 60 deg. 5 m., where 'wheat ripens well,' we have an area in Canada probably greater than the entire arable land of the United States, and yet 5 deg. north of this barley ripens, potatoes and turnips grow, and the luxuriant pastures invite the bison and the deer. No doubt when these northern countries shall have been cleared of the forest and the land drained, these plants will here, as in Europe, go to a much higher latitude. We know that where wheat ripens in such a climate, we have the best region for the grasses, cereals, coarser grains, and root-crops generally. It is true that the climates east of these posts, nearer Hudson Bay, are less propitious. The cold arctic currents which sweep around that bay and down the coast of Labrador, lower the temperature. But these arctic streams come to us burdened with a superabundance of food in the countless swarms of fish which, after feeding their numerous enemies in northern seas, supply luxuries for millions of the human family in the temperate zones. We surely have enough agricultural land, and can well afford these north-eastern preserves for fishing and hunting grounds, and as nurseries for hardy seamen."

There was corroborative evidence of those facts in the report of Professor Macoun and of other Government officers charged with the duty of ascertaining the facts of the case; and it was now an established fact—an all-important fact—that we had in Canada a larger wheat-growing area than was possessed by the United States, and than was, in fact, owned by any of the countries of Europe. Those facts brought with them their responsibilities. The hon. gentlemen on the Treasury benches were the trustees of great interests in that respect. They were the administrators of an estate of the people of Canada, great in extent and valuable in resources, and hon. Ministers must not feel annoyed if he (Mr. Schultz) enquired a little closely from the published reports of Ministers before the House into the manner in which they had discharged that trust. It was obvious that the possession of that magnificent wheat-growing region in the North-West was useless without the adoption of proper means for its colonization and development. At the outset,

fortunately, a wise policy was inaugurated by the preceding Government. The system of surveys of the United States had been adopted and improved upon; their system of free grants had also been adopted, and, owing to the fact of our lighter taxation, our healthier climate, and our better security to life and property, we had advantages to offer the foreign immigrant greater than those which had attracted so many millions to the shores of the United States. When the present Government came into power they found this initial work done. They found also that the hon. member for Compton (Mr. Pope), then Minister of Agriculture, had matured a scheme for European immigration, the success of which since was the best tribute to its excellence. That hon. gentleman found that in Russia there were settlements of men of German race who felt it necessary to seek new homes. Those men had their eyes fixed upon that home of thousands of their native race—the United States, when the then Minister of Agriculture, the present member for Compton in the face of difficulties created by a Government jealous of interference with its subjects, in the face of utter ignorance of even such a place as Canada, and the interested representations of American agents, succeeded in getting these communities to visit the North-West. So wise was the management, so fair the conditions offered, that the movement resulted in success, and, for the first time, Canada fairly entered the marts of the whole world in fair competition with the United States for the agricultural emigrant. So long as his successors followed in the footsteps of the hon. member for Compton, they had been successful; but a departure from the policy inaugurated by him seemed to be at hand. We got those Mennonites by giving them assisted passages, and granting them the same rights of homestead and preëmption as were enjoyed by British subjects; and now, when it appeared from the reports of our European agents that other farming immigrants could be got upon the same terms; now, when we wanted consumers for our over-production of manufactures; now, when, or never,

Mr. SCHULTZ.

we wanted the North-West filled up, they found the vote for immigration purposes cut down \$60,000, and the reduction proposed to be made in the very matter of these assisted passages. Such a policy he felt to be suicidal, and against every interest of the Dominion of Canada. As to the possibilities of European immigration, he would beg to refer the House to the excellent report of Mr. C. J. Dore, who represented in a highly creditable manner our emigration interests in London, printed in the Minister of Agriculture's general report, on page 129, under the caption of "Swiss Emigration." Mr. Dore said:

"Having received a notification that an important conference was about to meet for the purpose of considering *in extenso* the subject of Swiss emigration, at Berne, on the 4th October last, I deemed it advisable, in the interests of the Dominion, to ask your permission to attend.

"Having obtained your consent, I left London for Berne, where I arrived on the day preceding the first meeting of the conference. On the afternoon of the 4th, through the kind offices of Madame Von Koeber, I obtained an audience of the President of the Swiss Republic, Mr. Wehlti. He informed me that he took great personal interest in Canada, and considered it by far the best field for the emigration of his countrymen. He further informed me that his Government would take no part either in encouraging or discountenancing emigration, but they deemed it their duty to exercise a proper surveillance over it, and to provide against the chance of Swiss subjects being deceived and imposed upon. With the welfare of his people in view, Mr. Wehlti said he should be disposed to look favourably on any fair scheme of colonization proposed by our Government. He referred to the statute about to be passed by the Swiss Parliament, dealing very severely with shipping agents who had plundered and victimized the Swiss people. Mr. Wehlti stated that the Swiss emigration to South America had been brought about by false representations of interested agents. The results of that emigration was disastrous, but he thought there was a wide field open for a substantial and trustworthy offer.

"The President expressed his willingness to advocate the claims of Canada in any way he could legitimately, provided he was convinced of the *bona fides* of the Agents we sent.

"I further informed the President that I should report his opinion to the head of my Department, and expressed a hope that the two Governments would arrive at an understanding upon the subject, which would be mutually satisfactory and advantageous."

It thus appeared that our agent in Switzerland had not only brought about this very desirable state of affairs in that country, but she had rendered most important services in that branch of our immigration interests, where the services of a lady would be invaluable—that of a class of women for domestic servants, a want so greatly felt in this country. It would be seen that Mr. Dore recommended as follows:—

“It would be well to make Switzerland the centre of our operations in mid-Europe. It is favourably situated for commanding France, Berne, Wurtemberg, Bavaria, the Tyrol, the Provinces of Austria as far south as Trieste, and for aiding, if not influencing emigration from northern Italy.”

It was easy to understand the value of that suggestion. There was a Government unlike that of most of the countries of Europe, not only not hostile to emigration, but willing to assist it, if satisfied of the good faith of the agents and the desirable character of the country to which immigration was solicited. From that centre it was evident that, if a liberal policy was pursued, we might get what we wanted, a large farming population from Europe. Mr. Dore suggested, evidently with a view of satisfying the very reasonable doubts of the President of the Swiss Republic, that “we should invite some of their leading writers to visit Canada to judge for themselves of the prospects and resources of the country.” No intimation had yet been given by the Government of their intention to act on that suggestion, and he feared that the decrease in the Estimates meant a decrease in the efforts usually made to secure even the ordinary number of immigrants, and he would earnestly urge that, since the suggestions of Mr. Dore would entail no very great immediate expense upon the Government, they should receive favourable consideration. In reference to what had been said by the hon. member for South Perth (Mr. Trow), he must refer for a moment to the valuable service which that hon. gentleman in his capacity as chairman of the Immigration Committee had rendered. That hon. gentleman had, during a visit to Manitoba, taken the utmost pains to inform himself of everything good, and had, in con-

nection with the immigration interests of that Province, acquired an amount of information which was now bearing good fruit in the admirable manner in which he had presided over the Immigration Committee. That hon. member in his speech bore testimony to the value of the Mennonites as immigrants, and urged the Government to increase instead of decreasing the amount to be devoted to the payment of assisted passages. He (Mr. Schultz) quite agreed with his hon. friend from Perth, and, if more than his testimony was needed, they had the report of Mr. Klotz, Canadian Agent at Hamburg, who, in the course of his report, on page 89 of the Department of Agriculture's Report, stated:

“The amount of money exchanged by Mennonites under my supervision, and after the ocean fare had been paid, amounted to 215,000 rubles. Besides this amount I have lately received from South Russia, for transmission to Manitoba, 50,000 rubles, which I have exchanged for drafts on the Bank of Montreal, and remitted the same according to instructions to the respective parties in Manitoba. This makes the total amount brought to Canada by the Mennonites during the year 1876, 265,000 rubles, or about \$170,000 gold.

“The above-mentioned emigrants, with few exceptions that died during the journey, have safely arrived at their destination.

“All told, within the last three years, and through my agency, 6,175 Mennonites have been shipped at this port for and are now settled in Manitoba. And the total amount of cash brought by these people to said Province amounts to considerably over six hundred thousand dollars.”

Now, it would appear from that report, that those immigrants brought into Manitoba an amount of about one thousand dollars per family. They were agriculturists *par excellence*—the men who had, under similar conditions as to soil and climate as the North-West Territories, in Southern Russia, grown that famous Black Sea wheat which for years had stood first in the estimate of European consumers. Honest, industrious and moral, they were the types of the class we needed, and hon. members found, from the statement of the chairman of the Immigration Committee, what it cost to get them. That hon. member had told the House that the average cost of our ordinary immigrants was seven dollars; that, owing to exceptional arrange-

ments being made, the Mennonites had cost us eleven dollars, while he stated his belief in the abstract value of an individual immigrant to be \$800 or \$1,000. Here we had in the case of the Mennonites six thousand consumers brought into the country at a cost of eleven dollars per head. It was possible to increase that immigration, if the proper steps were taken, almost indefinitely, but he (Mr. Schultz) regretted that he could see no disposition to do so. When hon. gentlemen on the Treasury benches were in Opposition, he never knew of their opposing that part of the scheme of the Canada Pacific Railway which referred to its value as a colonization scheme. Since they had come into power, they had had an opportunity of carrying out their ideas of colonization in this way; but, as yet, not a foot of the line was built west of the Red River; and, instead of devoting money to that purpose, it was being frittered away in Georgian Bay contracts, or sunk in canals at Fort Frances, in the mad attempt to make broken stretches of water serve the purposes of a railway. In reference to the remarks of his hon. friend from South Norfolk (Mr. Wallace), he heartily sympathized with the correspondent whose letter he had read. He (Mr. Schultz) had dwelt upon similar grievances felt by his constituents, in moving, early in the Session, in the matter of the Railway Reserve. One cause, possibly, of that unfortunate state of things, was the cutting down of the Estimates for surveys during the past two years. The Mennonites, had their surveys gone on, might have settled farther to the west, where there was equally good land, and left more area for the expansion of the settlement which had been formed from Ontario and other Provinces of the Dominion. Another class of immigrants we might hope to get, if proper means were employed, was a portion, at least, of the large emigration, which had taken place in former years to the United States. French-Canadians from the Eastern States, and Ontario emigrants, who had helped to fill up the Western States, were equally desirable; and, when hon. members reflected upon the altered conditions in their case,

Mr. SCHULTZ.

they would see how easily the change might be effected. Those Canadians, particularly those from Ottawa, were attracted to the Western States during and shortly after the American war. The scarcity of labour consequent upon the absence of able-bodied men and the superior advantages presented by a prairie over a wooded country, were sufficient inducements to cause the large emigration of Canadians to those States. Now, the conditions were altered. Township, county, State, and general taxes consequent on the war, had ground down the farmers to the utmost limit, and the possibility of getting the same advantages of a prairie farm free under the old flag, where taxes were merely nominal, the necessaries of life cheap, property secure and the country progressive—those causes had resulted in the prosperous colony of Emerson from Wisconsin, and the large bodies of Canadians who had come in from Iowa and other Western States. It would easily be seen that desirable immigration was possible. We had the country to give them. We might get them at a slight expense, and with the Government must rest the responsibility of the policy they adopted. They were trustees for the people of Canada of that splendid heritage; to them would belong the praise for the success of any scheme which would fill the North-West with a farming community, while on them must rest the odium, if, under circumstances so favourable, they failed to allow the North-West country to fulfil its manifest destiny of becoming the greatest wheat-producing portion of the continent, or the world.

Mr. CARTWRIGHT said no doubt it was a question of very grave importance as to what policy the Government should pursue with respect to the settlement of the North-West, but he thought the House would agree with him as to the inexpediency of the Government encouraging a large immigration at present until they were more certain that the very grave difficulties of last year would not occur again. Last year it was his painful duty to ask an appropriation for the relief of starving settlers, to the amount of \$60,000.

Other expenses of a very formidable character had been thrown on the Government, owing to the misfortunes which had overtaken the Icelandic settlers. He hoped that the glowing prophecies which had been made from time to time as to the future of the great North-West Territory might be verified to the full. No doubt its future, to a great extent, depended upon that part of the country having a large and industrious population. But at the present moment, when there was a chance of another visit of the grasshoppers, and of the Government having to pay large sums to keep the people alive, he did not think it prudent that immigration should be stimulated to any great extent. With regard to the reservations, the present Lieutenant-Governor of the Province, last year, was disposed to throw them open for settlement, but the right hon. member for Kingston (Sir John A. Macdonald) objected to the measure, and he (Mr. Cartwright) thought, on the whole, the right hon. gentleman was right. The present reservation policy had been inaugurated by the late Government and continued by the existing Administration, who held themselves responsible for it. At the present, an enormous amount was being expended in the North-West—some \$800,000—which was rendered necessary if the Pacific Railway was to be built. He did not think he would be making a mistake if he said that \$1,250,000 had been expended in that direction. He did not think he would be justified in recommending an expenditure of any further sum.

Mr. BOWELL said the question which he was about to ask had been asked the other night by an hon. gentleman on the other side of the House, but he could not catch the answer, and he would, therefore, have to repeat the question. The question was in reference to the reduction of the agency in Belfast, and why this agency had been selected any more than any other.

Mr. MACKENZIE: It is not reduced; it is simply transferred.

Mr. BOWELL: Where?

Mr. MACKENZIE: To the "Salaries and travelling expenses of immigration agents, \$13,000."

Mr. BOWELL: But what position has it held in the past? Was it a special item taken for that service, and if so, why has the change been made?

Mr. POPE (Compton): To make it appear there was no excess in the expenditure.

Mr. MACKENZIE: That officer was appointed originally without any vote being taken by the late Government. And the vote was put, and is now put in with all the others, in order to show that there is no difference in the status of the respective officers.

Mr. BOWELL: Am I to understand this was done to satisfy the complaints that have been made by different newspapers and writers?

Mr. MACKENZIE: No.

Mr. BOWELL: Then why is an officer of the Department instructed to answer these newspaper attacks in reference to this particular agency?

Mr. MACKENZIE: Because he was asked to reply.

Mr. BOWELL: By the newspapers.

Mr. MACKENZIE: No, by me.

Mr. BOWELL: That is what I say. Then the country is to understand that, when a certain class of newspapers in the country think proper to attack the Government in any particular policy, or in reference to one of the immigration agencies, one of the clerks of the Department is to be a newspaper correspondent and answer the attacks?

Mr. MACKENZIE: Whatever you choose.

Mr. BOWELL: Past experience has taught us that you will do what you like whether it is in the interest of the country or not, when you desire to make any party or political capital out of it. I must confess that was just about the answer I might have expected under the circumstances.

Mr. MACKENZIE: I will give any answer or explanation that the hon. gentleman desires.

Mr. BOWELL: The only difference is that the hon. gentleman inserts some interjectory remarks, which, if they came from anybody else, and were

applied to him, would be considered discourteous and impertinent. I think the country will object to any distinction being drawn between any of these agencies.

Mr. MACKENZIE said they had been placed upon an equal footing.

Mr. BOWELL said the course pursued by the hon. gentleman, in instructing an employé of the Government to answer newspaper attacks, was an exceedingly bad one. He himself had no sympathy with the attacks made upon either the Belfast or the Dublin agency. He knew, from a little personal experience, that the agents in both places fulfilled the duties of their office, and were constantly employed in endeavouring to send emigrants to this country. He observed that the expenses of this Department had been increasing continuously since the hon. gentlemen opposite had been in power. All who had been to the old country lately knew that the press, the clergy, and landlords were opposed to immigration to Canada, and therefore a decrease in the expenditure for immigration purposes might well be considered by the Government, by dispensing with some of the agencies in England and Ireland.

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

### After Recess.

## MARY JANE BATES DIVORCE BILL.

### FIRST READING.

Mr. TROW moved the first reading of Bill (No. 85) (from the Senate) For the relief of Mary Jane Bates.

Mr. SPEAKER ordered the members to be called in.

Mr. HOLTON said this motion could not be made unless the Standing Orders of the House were suspended. They required that at half-past seven the House should proceed to the reading of Private Bills. The mover of the first reading of this Bill would therefore have to allow it to stand until a later period of the evening.

Mr. BOWELL.

Mr. SPEAKER said he agreed with the hon. member that it was really out of order to do anything within the hour after the re-assembling of the House on this day until they had got through with Private Bills.

Mr. MITCHELL: Is not this a Private Bill.

Mr. SPEAKER said it was not on the order paper at all. He read the rule on the subject as follows:—

“When any Bill shall be presented by a member, in pursuance of an Order of the House, or shall be brought from the Senate, the question ‘That this Bill be now read a first time’ shall be decided without amendment or debate.”

Mr. MASSON said he would be willing to meet the view of his hon. friend from Chateauguay (Mr. Holton), but, as the question had been put and the members called in, it implied that, if they were out of order, there was a universal consent.

Mr. SPEAKER said the rule must be set aside by a positive resolution.

Mr. BOWELL read the 82nd rule, as follows:—

“When members have been called in preparatory to a Division, no further debate is to be permitted.”

Mr. HOLTON said a question of order was always in order. It might be convenient in this case, perhaps, to take the vote, but he should object in future cases.

Question put, and motion agreed to, on the following Division:—

### YEAS:

#### Messieurs

Archibald	Kirk
Bain	Little
Bertram	Macdonald (Centre Toronto)
Biggar	Macdougall (East Elgin)
Blain	McDougall (S. Renfrew)
Blake	McKay (Colchester)
Borden	McCallum
Borron	McQuade
Bowell	Metcalfe
Bowman	Mills
Buell	Mitchell
Burk	Monteith
Burpee (St. John)	Norris
Burpee (Sunbury)	Oliver
Cameron	Orton
Carmichael	Pettes
Cartwright	Plumb
Casey	Robinson
Charlton	Ross (East Durham)
Christie	Ross (West Middlesex)
Church	Ross (Prince Edward)
Cockburn	

Davies	Schultz
DeCosmos	Scrifer
DeVeber	Smith (Peel)
Domville	Smith (Westmoreland)
Dymond	Snider
Farrow	Thompson (Cariboo)
Ferris	Thompson (Haldimand)
Fleming	Thomson (Weland)
Flesher	Trow
Forbes	Wallace (Albert)
Gibbs (North Ontario)	White (East Hastings)
Gillmor	White (North Renfrew)
Guthrie	Workman
Hall	Yeo
Higinbotham	Young.—74.
Kerr	

## NAYS :

## Messieurs

Barthe	Holton
Bécharde	Hurteau
Bernier	Jones (Halifax)
Blanchet	Jones (South Leeds)
Bolduc	Lajoie
Bourassa	Lanthier
Campbell	Laurier
Caron	McDonald (Cape Breton)
Casgrain	McGreery
Cimon	McIsaac
Costigan	Masson
Coupal	Pope (Compton)
Currier	Robillard
Desjardins	Robitaille
Devlin	Rouleau
Flynn	Short
Fréchette	Taschereau
Geoffrion	Wright (Ottawa).—37.
Gill	

Bill read the first time.

Mr. TROW moved :

“That the said Bill, and the evidence and papers accompanying the same, be referred to a Select Committee, composed of Messrs. Trow, Macdougall (East Elgin), Oliver, Kerr, Brooks, Gibbs (South Ontario), Young, Kirkpatrick and Mitchell.”

Mr. BLANCHET contended that Private Bills should be referred after the second reading.

Mr. BLAKE said the rule did not apply to this class of Bills, as there was no Standing Committee charged with their consideration, and it had been the invariable practice to refer these Bills to a Select Committee after the first reading. The question whether or not a particular case was one in which a divorce should be granted depended upon the report and evidence furnished by the Select Committee.

Mr. MITCHELL said he was rather inclined to think there were reasons for pursuing a different course on Bills of this class than on ordinary Bills, as they involved treatment of a quasi-judicial character.

Mr. POPE (Compton) said it was clear that every Private Bill should be referred after the second reading.

Mr. BOWELL said Rule 54 did not apply. Such a Bill should be referred to the Standing Orders Committee.

Mr. BLAKE said he was informed the Bill had been read the first time.

Mr. POPE (Compton) said that, under Rule 59, the Bill could not be referred to a Special Committee.

Mr. BLANCHET said the Bill should be referred to the Committee on Standing Orders.

Mr. BLAKE said it had been stated that this Committee had already reported upon it.

Mr. SPEAKER: My present view on the subject is that I will follow the practice of our House at present. The point of order can be raised again. I shall look carefully into the whole matter and satisfy myself on the point. If the hon. gentleman charged with the Bill moves that it be referred to a Select Committee, I am inclined to hold—provisionally, of course—that he is in order.

Motion agreed to on the same Division.

## PRIVATE AND LOCAL BILLS.

## THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:—

Bill (No. 52) Further to amend the Act to incorporate the Canada Mutual Marine Insurance Company.—(Mr. Domville.)

Bill (No. 57) To authorize the Royal Canadian Insurance Company to reduce its capital stock, and for other purposes.—(Mr. Jetté.)

Bill (No. 46) To incorporate the Union Cable Company.—(Mr. Jetté.)

## CONSIDERED IN COMMITTEE.

The following Bill was considered in Committee of the Whole, and reported:—

Bill (No. 34) To amend the Act to incorporate the Ottawa Agricultural Insurance Company.—(Mr. Rochester.)

GLOBE PRINTING COMPANY  
BILL.—[BILL No. 7.]

(*Mr. Blain.*)

SECOND READING.

Mr. BLAIN said the *Globe* Printing Company, in its petition, represented that it was desirous of establishing offices in various places outside of the Province of Ontario, and it prayed that such power be granted. The charter of the Company, he believed, was granted by the old Parliament of Canada. The Company also desired to increase its capital stock, and such power, of course, was given to all companies that applied for it.

*Bill read the second time.*

SUPPLY.

IX.—IMMIGRATION AND QUARANTINE.

House resolved itself into Committee of Supply.

55. Immigration and Quarantine..... \$120,550

Consideration of proposed vote resumed.

Mr. BOWELL said, when the House rose, he was calling attention to the remark of the Finance Minister that they had made all the reduction in connection with this item that was possible; and to the fact that the expenditure, so far as it affected the staff, was increased; while the reduction had been made where, if money was to be voted for immigration purposes, it ought to be increased, provided that we had work for more immigrants in the Dominion. He did think that, if the attention of the Government was drawn to this particular item, there was plenty of room for retrenchment, more particularly in connection with the English office. He had hoped that after the resignation—he believed that was the term which was used, although it was very well known that he got a slight intimation that he was no longer required—of the late Agent-General, Mr. Jenkins, that the extravagant habits he had introduced would have been dropped, but he noticed that the vote was the same. He did not think the same extravagance prevailed to the same extent under the present agent.

Mr. SPEAKER.

The Government could not have selected a better man for the management of that agency. It was well that the Government had changed the location of the office. An office in a small fashionable street in London was not likely to attract the class of people who emigrated. Considering the difficulty of obtaining immigrants at present, steps should have been taken to reduce the expenses in every possible way. But he did not accept the theory laid down by his hon. friend from South Norfolk (Mr. Wallace)—that the system should be abolished altogether. He believed there was plenty of room in the country for a good class of immigrants, but he deprecated any attempt to send newly-arrived men into the back country where they had to clear the land, for they scarcely ever succeeded, and it was cruelty to do so. If we wanted to receive some benefit from the amount of money expended, the only way of doing it was to prosecute our public works in such sections of the country where the men could ultimately become permanent settlers. In Manitoba and the great North-West there was plenty of room, and, if the Government would push on the construction of the railway, the country would soon be settled in the manner that he had suggested. We should first get immigrants into the country, and then find them something to do, and they would ultimately become permanent residents. If the practice that had prevailed for many years continued, of bringing many men who knew nothing of the habits of the people, and were unaccustomed to the manner of land clearing, we might be sure they would remain but a short time. He did not desire to argue this question any further. From what had come under his own observation, he was convinced that the ideas he had suggested formed the only correct mode of this system of immigration. Unless we were prepared to adopt some such system as that, the sooner we cut down the staff one-half, the better it would be for the country. He did not desire to be understood as arguing for the abolition of the London agency altogether, but, under the present cir-

circumstances of the country, and the lack of employment for immigrants from any part of the world, he looked upon it almost as madness to vote and expend such large sums of money.

Mr. McCALLUM said it was undoubtedly very desirable to open up the great West, but he thought we should first find something for the people to do. In discussing this question, we should consider whether enough value was got for the money expended. He was of the opinion that the return did not warrant the outlay. This question, however, was very closely connected with the one under discussion yesterday, inasmuch as, if our industries were not prosperous, we could not give employment to people from other countries. The first question an emigrant asked in the old country was: "Can we get work?" and the next: "What will you pay for it?" Under the *régime* of the hon. gentlemen opposite, we had absolutely nothing to offer immigrants. It might be said that this was a cheap country, but what was the use of cheapness when work could not be obtained? A man once said that he could have bought the city of Chicago for a pair of boots. His companion said: "You are foolish in not taking it." "But," replied the first, "I didn't have the boots." That was the way in which this question stood; but, while taking this view, he thought it was necessary we should keep up the organization and hope for better times.

Mr. THOMSON (Welland) said he proposed to treat the subject of immigration from a different standpoint from that taken by other speakers. In the older settled portions of the country, habits and prejudices had been established which could, however, be overcome in the vast prairies which lay to our west, between us and the Pacific Ocean, and to the development of which we must look for the future prosperity and greatness of this country. Some years ago he had looked upon the construction of the Canadian Pacific Railway as a dangerous proposition for the future prosperity of the country, but he had since seen reason to change his views upon that subject. A great free port on the Pacific Ocean was

necessary to the progress of the Dominion of Canada. Holding that opinion, he had concluded that the true process of building the Pacific road, and making a network of railways over all the prairies of the west, was to lay the foundations of a new Carthage on the Pacific Ocean. To do that, that country must be relieved of taxation and tariff imports, and the Government should build, as the first link of the Pacific Railway, a road across the Rocky Mountains, a distance of some five hundred and fifty miles, to the level of the prairie. That done, private enterprise with a certain acreage of land grants would make a network of railways over those prairies, including what is to be called the Canadian Pacific, without involving the Dominion of Canada in any cash expenditure for these purposes. The giving away of all the lands on the prairies for railway construction, providing such construction populated the country, was literally giving away nothing because the only value to the nation was the value of the population settled upon the lands.

Mr. MITCHELL said he was sure the House had listened with a great deal of interest to the views expressed by the hon. gentleman who last spoke, it being unfortunate, however, that his voice was so weak that the connection of his remarks had been lost to a great extent. He (Mr. Mitchell) would briefly refer to some of the remarks made by the hon. member for Lisgar (Mr. Schultz). That hon. gentleman, from his great practical experience of the wants of the North-West, was entitled to have much weight attached to what he said. The one great objection which the hon. gentleman had to the policy of the Government was, that they were not appropriating a larger amount of money than they were for the purpose of settling that portion of the Dominion. He (Mr. Mitchell) felt of a practical turn that night, and sympathized with the view taken by the Finance Minister. Looking at the great amount of money the Government had expended in the North-West, and the present condition of our finances, he did not think it wise or just to that section of the country which would have to bear most of the

burden to increase the vote. He agreed with the hon. member for Lisgar (Mr. Schultz) that it was most desirable to have this country settled. In place of 25,000 immigrants, the number brought to Canada last year, he would like to see 100,000 settle amongst us yearly. He was satisfied that at least 50,000 could be settled yearly in the North-West Territories for the next ten years without overcrowding it, or creating the difficulties which the Finance Minister had mentioned. But they had something else to look at than the question of settling this western country. How could the resources of the country admit of the expenditure of a sum greater than was proposed? Looking at the records of the past five or six years, he found that, in 1872, under the reign of an Administration which was alike a credit and an honour to the country—he said it with all humility—the London office had cost \$67,809. In 1873 this expenditure amounted to \$138,019; in 1874—the first year of the Administration of the hon. gentleman opposite—\$149,000; and in 1875, \$177,000. Looking at results, he found that, in 1872, with an expenditure of \$67,000, 52,000 immigrants were brought to this country; the other figures were as follows: 1873, expenditure \$138,000, and number of immigrants 49,000; 1874, expenditure \$149,000, and number of immigrants 40,649; 1875, expenditure swollen to \$177,000, and number of immigrants 10,499, including passengers for the Western States. The total number of settlers coming into the country in 1872 was 36,000; in 1873, 50,000; in 1874, 39,000; in 1875, 27,000; in 1876, 25,673. In 1875 the expenditure was nearly three times as great for the London office as in 1876, while the number of immigrants which came into the country had decreased from 36,000 in 1872 to 25,633 in 1876. It was a remarkable thing that the number of immigrants had decreased almost in proportion to the increased amount of money expended on the service. He found in the statement he had in his hand that the salaries in connection with the London office in 1872 amounted to \$4,236; in 1873, to \$4,679; in 1874, \$5,055; in 1875—the second year

of the present Administration, when the number of immigrants had decreased by nearly two-thirds—the expenditure in connection with this office alone had swollen from \$4,236, the figure in 1872, to \$16,002.48. Looking at these facts, he found they were asked to-day to appropriate for the immigration service \$230,550 as against \$177,000 in 1875. He could not but say that the sum seemed to him to be very considerably increased, and, when he took into consideration the fact that last year, according to the returns, the number of immigrants that came into the country was very small compared with the enormous amount of money it had cost to bring them here, he did not quite agree with his hon. friend from Lisgar (Mr. Schultz) that any larger sum should be placed at the disposal of hon. gentlemen who had shown so little capacity to judiciously expend the money voted in connection with this branch, and such small results for the large sum expended. He believed in the immigration service, and in the voting of a reasonable sum of money for the promotion of it, but he did not believe in squandering the money as the Government had done in this relation. They had swollen the expenses of the London office from \$4,000 to \$16,000, and that too without securing any adequate result. Within two years from the time that this magnificent establishment had been built for their plenipotentiary at London, they had recalled that gentleman, almost dissolving the whole establishment, and reducing it to the scale on which it had been placed by his hon. friend from Compton (Mr. Pope) during his administration of that Department. It was a source of satisfaction, when they heard the late Government attacked, and comparisons made between the manner in which the public service had been performed under the Administration of the right hon. member for Kingston (Sir John A. Macdonald) and the manner in which it was conducted to-day, to look back at the records of the years he had mentioned to make comparisons, and to contrast the results. Taking this Department alone, they found what a

very small number of persons had been brought into this country at much greater expense compared with the number which had been brought into the Dominion under the former *régime* with a much smaller expenditure. Comparing the percentage, he found that the rate paid per head was three times as great now as it was in 1872. He was not going to ask for the reduction of the vote, because he believed that the service was desirable; but what the House had a right to ask, and what the country would expect, now that the attention of the Government had been called to the very great discrepancy existing between present and past results, was that the hon. gentlemen on the other side of the House should see that greater results were accomplished with the money placed at their disposal. Although the appropriation was very large, in view of the present condition of our finances and resources, yet the service was of such great importance that the vote was justifiable. He certainly endorsed the views of the hon. gentleman from Lisgar on that point. Every reasonable effort should be made to fill up with population our great western country, which would, in future, become the most important granary of the Dominion. He had been told by hon. gentlemen sitting on the other side of the House, that they could not see how they could reduce the expenditure unless they cut down the expenses of some of the travelling agents, but it appeared to him that a reduction could be made in the expenditure in connection with the working executive. If it cost \$130,000 to bring into the country during one year 67,000 persons, surely it should not cost over one-half of that sum to bring 25,000 immigrants into the Dominion. He thought the Government could reduce the executive staff of the Immigration Department, and that this service could be performed so as to produce greater results with the same sum of money than had been accomplished of late years. He requested the Minister of Finance to turn his attention to this matter. The cost per head could certainly be lessened. He would not follow his hon. friend from Compton over the ground he (Mr. Pope) had traversed, clearly

and lucidly explaining the cost per head of bringing immigrants into this country. The management of that Department by his hon. friend from Compton had been able and remarkable, and, if the Cabinet did not understand how to conduct this business, he had no doubt that his hon. friend from Compton, with his usual generosity, would be very glad to furnish them information, and charge nothing for it. More economy, more judgment, and more discretion should be shown by the Government in this relation, and greater results should be accomplished.

Mr. POULIOT said he thought this expenditure could be greatly reduced. He spoke for the Province of Quebec. Immigrants came out, it was true, but to a great extent they passed through his Province and went to the United States. This money could be otherwise expended with greater advantage to the country in general, and more particularly the Province of Quebec. Persons who now lived in the Dominion were worth as much as immigrants, and something should be done to induce those who were leaving us to remain in some part of our vast territories. Means should be given to enable these people to remain, to live on their farms and to establish themselves properly. They were worth as much attention as were strangers, who were brought at great expense from distant lands. The present system was a bad one, and a proper class of persons were not brought into the country. Agents were paid so much per head as if they were buying cattle. This money should not be paid until it was found that the immigrants were suitable, and that they would remain in the Dominion. In the case of certain Frenchmen, the country had been put to the additional expense of returning them to France.

Mr. MASSON said he hoped his hon. friend from Temiscouata (Mr. Pouliot) would become a convert to their ideas. His hon. friend should inform the Minister of Finance by what means the Canadian population could be retained on their own soil; and, if his advice was not followed; his hon. friend should go into Opposition. He

had paid a great deal of attention to the remarks of his hon. friend from South Perth (Mr. Trow), and he hoped the results of an increased vote, which the hon. gentleman talked of, would be to the advantage of the country. His hon. friend had been rather severe on the hon. member for South Norfolk (Mr. Wallace), who counselled a curtailment of expenditure in this relation, and if his hon. friend reflected a moment, he would see that the hon. member was completely justified by the action of the officers of the Government and of the Finance Minister himself. These gentlemen were those who had injured our immigration system. The late Agent-General, under the Administration of this Government, had informed the world that the condition of Canada was such that it was not advisable for emigrants to come here. This was the first blow struck at the system, and, coming from the highest official of the Government in Europe, it must have exercised an immense influence. The Government had struck the system another blow in sending back to Europe persons who had emigrated to the Dominion, under the pretence that Canada was not fit for them to live in. He had always hoped that, if immigrants could not well settle now in the older Provinces, they could settle on the great prairies of the North-West. If anything could destroy the confidence of intending emigrants to Canada, it was the assertions of our employes and the warnings of the Finance Minister who often took a gloomy view of questions relating to this country, and who had drawn a gloomy picture of the North-West troubles and of Manitoba. He was among those who were not in haste to acquire the North-West Territories, and, if he remembered aright, he voted against their immediate acquisition; but was not the Minister of Public Works one of the strongest advocates of this step, and did he not draw a most glowing picture of that country and its capabilities? The hon. gentleman voted for their acquisition, and he must have desired to see these territories utilized. He thought it was a misfortune, when Canada was struggling to get emigrants and when so many difficulties

stood in the way of European emigration, that the Government should advise the people of Europe and even their compatriots in the United States to be careful how they determined to go to Manitoba. The French Canadians who had proceeded to Manitoba from the United States had written to their compatriots at Worcester telling them that the North-West was a glorious country. The hon. the Finance Minister had stated that it was proper to restrict the emigration to the agricultural classes and female servants. He largely agreed with the hon. gentleman in that view; but the very fact that the hon. the Minister of Finance admitted that the immigration should for the present be restricted led him to inquire why a reduction in the vote for that branch of service had not been reduced. If the Government understood the wishes of the people on this point, they would reduce the expenditure on immigration, and that in regard to the payments made to highly salaried officers. The hon. member for Lisgar (Mr. Schultz), had spoken of the difficulties which stood in the way of emigrants from the older Provinces finding locations in the North-West, and complaining that the greater portion of the best lands of those territories was taken up with reserves. It was well known that the people of Manitoba desired the limits of the Province to be extended. If the Government were embarrassed in finding locations within Manitoba for immigrants from Ontario and other Provinces, the boundaries might be extended some miles westward, and other townships surveyed and laid out, which townships might be thrown open to the best immigrants from the older Provinces of Canada and from Europe. There was room in the North-West for many colonies, and he hoped the Government would not go back on the policy which had been pursued, but that they would extend that policy and give the utmost facilities for the establishment of colonies in the North-West. It had been stated in the report of the Agent-General that there was a colony of Tyrolese in Michigan, and the Government had been informed that, if they wished, he would obtain information as

to the best means of inducing those people to settle in Canadian territory, as they were greatly dissatisfied with their location in the United States. He wished to know whether any steps had been taken to secure that immigration.

**Mr. CARTWRIGHT:** No steps are being taken at present.

**Mr. MASSON** said the House had reason to find fault with the Government on that account, for the information was given to them in January, 1876. The report said :

"I may say before I conclude that I learned from one agent of two parties—one consisting of 1,000 Tyrolese, and the other a large village of Bavarians, who he said had written to him upon the subject of emigration. I am informed that a number of these Tyrolese some time since were induced to go to Michigan and have been severely disappointed. I will obtain the address of this colony and forward it to you with the suggestion that a special agent should be sent here to visit those persons, and ascertain whether they, like the Icelanders in the United States, would be willing to emigrate to Manitoba.

**Mr. BURPEE (St. John):** There is a gentleman there now for that special purpose.

**Mr. MASSON** said he congratulated the Government on the fact that an agent was sent in 1877, but they should not have allowed a whole season to have elapsed without taking action.

**Mr. CARTWRIGHT** said he supposed the hon. member for Terrebonne wished them to be sent to Manitoba.

**Mr. MASSON** said he did not know whether they should be sent to the North-West or not.

**Mr. BURPEE (St. John)** said the agent was sent to the colony in 1876.

**Mr. MASSON:** What time in 1876?

**Mr. BURPEE:** During the summer months.

**Mr. MASSON:** Is his report before the Government?

**Mr. BURPEE:** No.

**Mr. SMITH (Selkirk)** said that every hon. member recognised the necessity of economy in view of the reduction of revenue, but he hoped the Government would be able to find some other means of effecting that economy

than by reducing the vote for immigration purposes. They were agreed as to the importance of filling up the country as rapidly as possible, and it would be a misfortune, not only to the North-West, but to the country at large, if the efforts were relaxed to send emigrants there. One of the great wants of the North-West, was undoubtedly, better facilities for getting into the country. He hoped they would soon have a new approach, and a better mode of entering, by way of the United States and Pembina. Recent legislation in Minnesota had been such as to clear away many of the difficulties to the completion of the railway to Pembina; and the Dominion Government would, no doubt, be prepared to do their part of the work, and connect Pembina with Winnipeg. While this road was most desirable, it was even more important they should have a rail route by way of Lake Superior, so that immigrants might not be subjected to the temptation to remain at points on the journey, to which they were at present exposed. But it was not alone necessary to give immigrants facilities to get into the North-West; they should also give them every opportunity to acquire lands when they arrived. It was most unfortunate that Manitoba was, as it had been termed, one great reserve. Almost every section was reserved, not for settlement, but to keep out settlement. Some one-third of the whole nine million acres in Manitoba was virtually a reserve at this moment; that was to say, that all the lands easily accessible were taken up. He did not direct attention to that point in order to find fault with the present or the late Government. It was to be regretted that occasion should be so frequently taken to convert almost everything which came before the House into a party question. He found fault with neither Government, and held that they should endeavour to make the best of the present position. The people of Manitoba thought both Governments rather dilatory, but he knew how very different it was to be responsible and irresponsible, and how much easier it was to criticize than to carry out an undertaking. He was willing to give the Government credit

for a desire to do all they could do for the settlement of the country. He felt satisfied that the hon. the Minister of the Interior was at present using every means to effect that purpose, and he hoped one great cause of delay would be speedily removed; that a large portion of what were known as the Half-breed Reserves, consisting of one million and a half acres of land, than which, he ventured to say, nothing more fertile or better adapted for agricultural purpose was to be found on this continent, would be allotted to these people who were entitled to it, and when it once passed into their hands it would go into the possession of farmers. There was also the great Railway Reserve, which the Government might, and, he thought, ought to, allow emigrants to enter, but it should be provided that any land on the line of the railway should only be taken up for actual settlement and land speculators be strictly excluded from it. The number of reserves allowed to remain so long unappropriated and the enormous area of land locked up in the hands of speculators had unquestionably greatly retarded settlement, and might not improperly be termed a curse to the Province, for, wherever, within many miles around Winnipeg, immigrants wished to take up a free grant of homestead, the land proved to be either a Half-breed Reserve, taken up by scrip, or otherwise set apart, so as not to be available for their use. In the United States, settlers were allowed to take up land on the lines of the railway, 160 acres in some sections, and 80 acres where the land was more valuable. He would suggest to the Government to consider whether they could not adopt some such plan. In regard to the remarks of the hon. member for Terrebonne (Mr. Masson) as to enlarging the limits of Manitoba, it was well known that the people of the Province were most anxious that this should be done, and he would be glad if such enlargement were made with the least possible delay; but there were even now no obstacles placed in the way of settlers obtaining homesteads outside of the Province. A long way to the west of Manitoba the lands were now surveyed; 150 miles west the lands

were laid out in sections where immigrants could settle, and be under protection of the Dominion Government although not under the Provincial Government of Manitoba. There were now three Governments in the North-West—those of Manitoba, the North-West Territory, and Keewatin. So that, practically, the difficulty suggested by the hon. member was not of so much moment as at first glance it might appear to be. At the same time he would repeat that, so soon as it could be properly carried out, they would be very glad to have the limits of the Province extended. The Mennonites were a most thrifty, industrious class of immigrants, and it was fortunate for Manitoba that it had obtained them, especially at such a small expense. At the same time the Government should not rest satisfied with what had been done. It would be equally becoming and desirable that the Government should extend what assistance they could render to those of this country and to our fellow-subjects at home who wished to go to the North-West. Economy might be exercised in some other direction than that of reducing the immigration vote. There were upwards of two hundred members of that House, and some eighty members of the other branch of the Legislature, each of whom received what was called an indemnity, or compensation for services; might it not be possible, in this direction, to effect a saving of \$200,000 or \$250,000, which could be very profitably used for immigration purposes? Perhaps hon. gentlemen would, without any hesitation, agree to that suggestion; the hon. gentleman from Temiscouata said he would be most happy to do so, as he (Mr. Smith) would be. Besides that mode of economy, there were no doubt many others. As he had stated, the means of getting into the North-West were very inadequate, but he thought that, by way of the Dawson Route, when improved—as was now being done—a good many immigrants might be taken in, even before the through railway was completed. Much was said about the absurdity of utilizing the water stretches; he thought the Government should make use of them as far as practicable, while pushing on the rail-

way operations, and he hoped the time was not far distant when there would be an easy and speedy mode of ingress to Manitoba by the railway from Fort William. He hoped that as soon as possible all the lands in Manitoba would be placed in the hands of actual settlers, as far as it could be done, and that, instead of reducing the amount devoted to immigration, it would be augmented, for money so spent would return good interest in the greatly increased prosperity it would bring, not only to the North-West, but to Canada generally.

Mr. PLUMB said he thought it would be admitted on the other side of the House that the Opposition had shown every disposition to deal liberally with the items before them; but they had noticed the great increase of expenditure and the great falling off in results, and, while they were willing to grant the sums required in the Estimates for immigration expenses, they desired to secure the worth of the money. We found that the cost of bringing each immigrant into the country had increased from four dollars a head in 1872 to twenty dollars a head in 1876, and he found also an item in last year's expenditures of \$5,398.88 paid for taking back to their native country 230 immigrants, principally from France. Something was evidently wrong in a system which could give immigrants a claim upon the Government to be sent home at the expense of the Government, and regulations should be made to prevent a recurrence of this circumstance. We now wanted farm settlers and farm labourers, and men of these classes should be encouraged to come to us, and every reasonable facility and inducement should be held out to them. The Finance Minister had spoken discouragingly of the immigration policy, but it could not be supposed that the Ministry desired to abandon the system. It was evident that in some degree the increased cost of emigrants per head could be accounted for by the expense of inland transportation, and the great distances to which many of them had been conveyed since the opening up of the country west of Lake Superior, but this could only in part

explain the enormously increased ratio of expense. It was to be noted also that, while very large sums had been paid through the London Agency for the dissemination of information for the benefit of the intending immigrant, in many of the principal countries of Europe, which were important sources of supply, that information was grossly deficient. The Agent at Antwerp, for instance, in his statement which they found in the Report of the Minister of Agriculture for 1876, stated that among the chief requirements for stimulating emigration might be cited "advertising in order that the public may be informed of the profits that immigrants find in Canada, and the happy results obtained by those who settle in that country." He also said that "Canadian petroleum, as such, is unknown on the European continent, and that the name of Canada is never mentioned in connection with this important branch of trade." It seemed strange, considering the costly efforts of the late Agent-General in this direction, that such ignorance of our resources still prevailed in the countries which we were led to believe were actively canvassed in our behalf by himself and his agents. It was apparent that our chief point of settlement was and would continue to be Manitoba, and he regretted to hear from the hon. members for South Perth (Mr. Trow), and Selkirk (Mr. Smith), that so large a part of the land of that Province had been taken up in advance of settlement, as he understood, three millions out of the nine millions of acres which constituted the entire area of the lands of the Province, leaving but 50 acres each to 125,000 settlers. He trusted, in view of encouraging the settlement of that Province, the railways leading to and through it would be vigorously pushed forward. Railways were the precursors of the settlement of the rich farming lands of the West, and this had been abundantly proved in Iowa and Minnesota, where settlement had immediately followed the construction of the various lines in those States, and where wild lands along their courses were selling rapidly at prices varying as high as ten or twelve dollars an acre. The railway was the most useful and

effective emigrant agent, and, as such, its construction should not be for a moment delayed. He trusted that the discussion upon the item before the House would have the effect of impressing the Government with the necessity of a vigilant and rigid economy in making the expenditure which they embraced, and that beneficial results would follow.

Mr. BLAIN said he wished to draw the attention of the House to a class of immigrants who had hitherto received but little attention from the Department. He referred to the small tenant-farmers, who were being driven from their farms in the old country in order that a larger quantity of land should be placed under one management. Those men must either turn labourers for the large farmers, go to the large cities and endeavour to obtain employment in the workshops and factories, or leave the country. As a rule, they were pretty well educated, were thrifty and accustomed to work, and he did not think there was any other class of immigrants so desirable to obtain for Canada. The following extract from a letter put this question very forcibly :

“ Great numbers of small tenant-farmers are constantly, of late, being got rid of by their landlords, as they wish to have larger farms, two, three or four being often thrown into one ; then, again, the small farmer finds he cannot compete satisfactorily with the large one, as he has to keep up the same appearances to as great an extent as his richer neighbours ; and the increased rents, taxes and expenses of all kinds in this country, come more heavily upon him. In fact, in many cases, those people have told me that they have been losing money of late years. I have had great numbers of opportunities, which I have taken advantage of, to become on friendly terms with this class ; they are hardy, industrious and persevering people, and there could be no better class as settlers in this country. They and their families are, as a rule, all accustomed to hard work ; just as much so as the agricultural labourer, because it has required all their efforts to pay rent and keep clear of debt ; then they have capital more or less, which is a very material consideration in the case of people settling in a new country. Some have not much, but they will have all the way from a few pounds up to several thousand pounds. I speak of the class of those renting farms, having from say thirty or forty up to 150 acres. Then there are others, either small owners of the land they farm, or the sons of large farmers, who would also be affected, I have no doubt, by what I propose.”

Mr. PLUMB.

He had given some attention to the question of the settlement of the North-West, but he would not discuss it at length on this occasion. He thought he had established some time ago that, by giving the facilities which could be given for carrying freights, by the construction of the railroad from Thunder Bay to Fort Garry, and with the improvements on our canals, we would be able to lay down grain from 500 miles west of Thunder Bay on the Liverpool market at five cents less per bushel than competing countries. In view of this fact, and on account of the great impetus which would be given to immigration, it would be wise for the Government to hurry on the construction of the road.

Mr. CARTWRIGHT said the class of immigrants referred to was undoubtedly a desirable one, and the London agent was now taking steps to disseminate information respecting Canada and its advantages among the tenant-farmers. Such immigrants were specially adapted to take possession of partially cultivated farms which many old settlers were willing to exchange for lands in the backwoods.

Mr. RYAN said he rose to make a few comments upon statements that had been made by different members during the course of the discussion. The member for South Norfolk (Mr. Wallace) had called the attention of the House to the very numerous reserves existing in Manitoba, and had read a letter to himself from an Ontario emigrant in Manitoba upon the subject. It was quite true that the reserves were too numerous and extensive, and that the letter read by the hon. gentleman was a very fair expression of the provincial sentiment on the subject. As a Manitoba member, he desired to thank the member for South Norfolk for directing the attention of the House to the subject, thus strengthening the hands of the provincial representatives. The letter read by him was in all probability a letter written by one of the settlers of Marquette. Before leaving to attend the Session, his (Mr. Ryan's) constituents had instructed him to do everything in his power to open the reserves.

He did not doubt that other Manitoba members came similarly instructed, and, although the House was well aware that they had never lost an opportunity to urge this course upon the Government, yet so little had, until very recently, been accomplished in the matter, that their constituents had begun to lose confidence, either in the ability or the power of their representatives to induce the Government to move in the matter, and had adopted the expedient of writing to the representatives of the different constituencies of Ontario in which they had formerly resided. From the tone of the discussion which had just taken place, it was quite evident that public opinion in the House was quite alive to the urgent necessity of opening the reserves. He thought, while saying this much, that it was only fair to the new Minister of the Interior to bear testimony that, since his assumption of office, there had been no lack of diligence, and many of the preliminary difficulties to the opening of the reserves had been overcome. When the hon. gentleman assumed office, very little of the Half-breed scrip had issued; now it was almost all issued. The hon. gentleman had also thrown open the Indian Reserve north of the Assiniboine, some 18 or 20 miles south-west of Portage la Prairie, and, if the Danish Reserve on the west shore of Lake Manitoba was not already thrown open, it was on the eve of being opened. He had also the authority of the Minister of the Interior to state that the Government were prepared to issue, as soon as they could be prepared, after the close of the Session, the patents to all the half-breed children over age, which would have the effect of throwing fully, if not more than, one-third of the Half-breed Reserves into the market for sale and settlement. If, in addition to this, the Minister of the Interior would only take some steps to throw open the Railway Reserve for actual settlement only, he would deserve well of the Province. The Railway Reserve took up a very large portion of the Provincial lands. These lands were undoubtedly good, as were nearly all the lands of Manitoba; but for railway purposes they were no better, nor were they more fertile

than lands further west, which could be more easily, and with less interference with present settlement, reserved for railway purposes. He could not urge too strongly upon the Government the necessity of doing what he advised in this particular. The hon. member for North Perth (Mr. Monteith) had stated that many of his constituents had emigrated to the Western States of America. While he (Mr. Ryan) did not doubt the truth of this statement, it was also equally true that some of these Ontario men, after remaining some time in the Western States, returned again to Canada. Among his constituents in West Marquette were many families originally from Ontario, who had tried the Western States, and, after residing for some time in Kansas, in Iowa or Missouri, as the case might be, had gone to Manitoba, and were dwelling there in content. As a Canadian, he was proud to say that we need not fear a careful and impartial comparison of the advantages which were offered to the emigrant by the Western States and Manitoba respectively. The advantages preponderated in favour of Canada. Our lands were immeasurably more fertile than any open for homestead settlement in the Western States. Our climate was more invigorating and healthy; our institutions were certainly, so far as Canadians were the judges, far superior to those of the United States; and, while there was at least equal liberty north of the 49th parallel of latitude, there was certainly a greater amount of security to life and property than existed south of it. If constituents of the hon. member for North Perth emigrated to the Western States of America, it was certainly from a want of correct information, and he would advise him to distribute among intending emigrants in his riding some of the very excellent pamphlets respecting Manitoba and the North-West Territories, for which the country was much indebted to the active and efficient chairman of the Immigration Committee (Mr. Trow), the member for the South Riding of the county of Perth. If intending immigrants read these pamphlets they would turn their faces not to the west,

as the hon. gentleman complained, but to our own great North-West. The Mennonites had been frequently mentioned during the discussion. They were frequently mentioned whenever Manitoba matters were under consideration, and always in terms of the highest eulogy. He was satisfied they were an excellent class of settlers, and that the Government had deserved well of the country by their energetic action, which had resulted in securing to Canada so numerous and valuable a body of settlers. But, as the only member on the floor of the House who had been elected by settlers who came originally from Ontario and the other old Provinces of the Dominion, he felt it to be his duty to the men who had elected him to speak out plainly upon this subject. It was customary in this House to speak of the Mennonites as the very best settlers in Manitoba, as excelling all others in frugality and industry. On a former occasion he had heard the hon. member for Selkirk (Mr. Smith) inform the House how the Mennonites had, within an almost incredibly short time of their arrival in Manitoba, been found selling butter and vegetables in Winnipeg.

Mr. SMITH (Selkirk) said he desired to set the member for Marquette (Mr. Ryan) right. He had stated that the Mennonites had sold butter in Winnipeg; he had not said on the occasion alluded to that they had sold vegetables.

Mr. RYAN said, if the hon. member for Selkirk had not stated that the Mennonites had sold vegetables, he might correctly have said so, and he (Mr. Ryan) would say it. He did not desire at all to detract from the merits of the Mennonites, but what he did desire to do was to protest against their being regarded as superior to Canadian settlers. He was bound to say that, although the Mennonites were good settlers, the Canadians were even better. One hundred Canadians would do more to increase the revenue, to build up manufactures, to build cities, to cultivate the soil, and to lay the foundations of the new Canada broad and deep in the great North-West than double the number of Mennonites. It could not be otherwise. Canadians had

for a couple of generations enjoyed the benefits of a most admirable system of education. It would be unfair to expect that the Mennonites, who were not equally fortunate, would equal them in intelligence or enterprise. The first generation of Mennonites would, with their habits of frugality, accumulate money, which the succeeding generation would expend with intelligence and enterprise in works of public and private utility, when the education of a quarter of a century had Canadianized them.

Mr. McCALLUM: Hear, hear.

Mr. RYAN said he heard the member for Monck say "Hear, hear," which reminded him that they were agreed in their estimate of the Mennonites. But, while they were in unison so far as to prefer the Canadian settlers, they were not agreed in all particulars. For instance, the hon. member for Monck was inclined to regard the Mennonites with less favour because they were conscientiously opposed to fighting. He (Mr. Ryan) did not regard this conviction as worthy of disapproval or as at all calculated to render them less valuable citizens. The only war to which we could possibly be exposed was a war with the United States. The consequence of such a war would be so lamentable that no member ought to contemplate the possibility of it; and he believed that, in considering the qualities of immigrants, we could very well afford to leave their fighting capacity out of the question. The hon. member for Lisgar (Mr. Schultz) had objected to the location of the Mennonite Reserve, on the ground that the lands included in it were such as to be at once required for free settlement. He (Mr. Ryan) did not think the location of the reserve was, under the circumstances of the case, censurable. We had, in making the location, to consider not only where we could best spare the land, but also where they were willing to take it. Canada and the United States had been both competitors for the Mennonite colonies. They had sent out commissioners to see both countries and compare their respective advantages; and, after having made the comparison, they

Mr. RYAN.

decided in favour of Manitoba, provided the reserves chosen by them were made. After considering the circumstances of the case, he knew of no location possible in Manitoba or the North-West Territories which the Mennonite commissioners would have been willing to accept, which would have interfered less with free settlement than the reserves actually made. The hon. the Minister of Finance had referred to the very large amount of disbursements in the North-West, and made special reference to the cost of surveys. It was true that the surveys had cost a great deal. Had a proper economy been observed, the amount of work done by surveyors could have been procured at a much less cost. Both the late and the present Governments deserved blame in the matter. Each member knew what would be a fair equivalent to a surveyor for a season's work. He would assert, without fear of contradiction, that the prices paid surveyors were extravagant, and much greater than would have been paid by a private individual. In Manitoba, surveyors who got fair townships made frequently from five to seven thousand dollars net in one season. This fact was conclusive, and he hoped that the Government, in granting surveys in the future, would keep it in mind. The hon. the Minister of Finance did not think the times favourable for pouring a large volume of immigration into Manitoba. One of the reasons for his opinion was the uncertainty of the movements of the grasshoppers. Last Session, he said, the Dominion Government had been called upon to make a large advance to purchase seed-grain for immigrants; and, if he (Mr. Ryan) did not misunderstand the Minister of Finance, it would not be in his opinion advisable to stimulate immigration in any very considerable degree until we had some certainty that the grasshoppers would not again ravage Manitoba. He merely wished to say in reply that, if the Finance Minister was waiting until it became certain that grasshoppers would not return to Manitoba, before he poured immigrants into the North-West, he would probably have to wait for ever. He regretted very much the tone the

Minister of Finance had adopted in the discussion, and believed his remarks were calculated to do very serious and lasting damage to the cause of immigration. The grasshoppers came and disappeared in obedience to certain natural laws. We could tell what the operation of these laws had been for about three-quarters of a century, because for that length of time we had the history of the grasshopper invasions of the Red River Settlement. During the period referred to, they had visited the country four or five times, staying a longer or shorter period upon each occasion. We could not take bonds from them to stay away; but we were justified in assuming that, in obedience to the natural laws which produced and destroyed them, their visits would not be more frequent in the future than they had been in the past; because the physical condition of that portion of the continent which was their home had not materially changed during the last century. Assuming this much, then, there was not the least reason to be alarmed for the future of Manitoba; its advantages were so many and so great as to allow a very liberal margin for the damages to be apprehended from the grasshopper. It was not for him (Mr. Ryan) to dictate to the Government what amount they should put in the Estimates for immigration. They knew best what amount they could spare, and he hoped they would put every dollar they could spare—that they would even strain a point to make the item as large as possible. If we were obliged to retrench anywhere, there were other expenditures that would admit of pruning more than this one. We could better, at the present time, dispense with the services of a stipendiary magistrate, or some other high official in the North-West, even a Lieutenant-Governor, than with those of the immigration agent. The hon. member for Terrebonne (Mr. Masson) had stated that he was in favour of the establishment of reserves for the encouragement of colonies of immigrants. He (Mr. Ryan) would agree with him, provided the lands reserved were not those likely to be shortly required for the purposes of free immigration. Before

concluding, he would again urge upon the Government the very great necessity for an immigration agent at Duluth. He would only be required during the summer months, and the amount of good done, and the number of immigrants saved would more than compensate the country for the small expenditure that the appointment would entail.

Mr. MASSON said Mr. Jenkins, in 1776, had reported that a colony of 1,000 Tyrolese, and a village of Bavarians had written him on the subject of emigration. He understood that nothing was done in this regard.

Mr. CARTWRIGHT: Nothing was done.

Mr. MASSON said he considered the Government still more blameable.

Mr. BUNSTER said he found an item of \$1,000 for an agency in British Columbia. The amount seemed small, but nevertheless it would buy a great many ties for the Pacific Railway. He did not consider the agency worth the money. British Columbia had tried the agency system, and found it of little value. They had agents in London and San Francisco, but they had abolished the appointments. He saw over \$8,000 was set down for the agent, clerks and messengers at the London office, but he ventured to say that one half of the emigrants sent out were stolen by American agents. The item was exorbitant; at least \$200,000 should be sufficient for the purpose. He hoped that the Government would do away with these agents, reduce the item, and devote the saving to the building of the Pacific Railway.

Mr. POPE (Queen's, P.E.I.) said he observed that \$800 was set down for an agent in Prince Edward Island. It might be the Government's policy to pay the passages of persons who were leaving the country, but of this he was certain, that the island did not require this agency. The object undoubtedly was to reward some Government supporter. There were no large tracts of wild land in his Province and immigrants were not now disposed to clear sway the virgin forest. They wished to settle on the prairies. If anything was to be done in this connection the local

Mr. RYAN.

Government should take the matter in hand. They would be very glad, however, to receive in such a case a proportionate amount towards the payment of expenses, and if money could be spared, it was greatly needed for their public works.

Mr. CARTWRIGHT said the appointment was not made. The item was set down, as they thought was only proper, to be used in case the local Government decided to assist them in importing immigrants.

Mr. POPE said there was no need of a Dominion agent to conduct immigration to these lands.

Mr. CARTWRIGHT: I have no objection.

Mr. POPE said that no money had been spent in his county by the Government since Confederation, save for a little dredging.

Mr. MACKENZIE: No public money has been spent in my county since Confederation.

Mr. POPE said he thought the item uncalled for.

Mr. MACKENZIE: We will strike it out.

Mr. POPE: We do not want to see money foolishly spent.

Mr. MACKENZIE: None has been paid in this regard.

Mr. POPE: I hope none will be paid.

Mr. SMITH (Selkirk), with reference to a remark which had fallen from his hon. friend from Marquette (Mr. Ryan), said he had never spoken disparagingly of Canadians or any other nationality. On the contrary, he believed the Canadian settlers in, and those who came from Great Britain to, Manitoba would compare favourably with any settlers in the Dominion. While they were very glad to have such a useful class of immigrants as Mennonites sent them, their first duty, however, concerned their own people.

*Vote agreed to.*

*Resolutions ordered to be reported.*

*House resumed.*

*Progress reported.*

House adjourned at  
Fifteen minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Monday, 19th March, 1877.

The Speaker took the chair at Three o'clock.

## WALTER SCOTT DIVORCE BILL.

## FIRST READING.

Mr. McCARTHY moved the first reading of Bill (No. 84) (from the Senate) For the relief of Walter Scott.

Question *put* and motion *agreed to*, on the following Division:—

## YEAS :

## Messieurs

Appleby	Kirk
Archibald	Kirkpatrick
Bain	Little
Bertram	Macdonald (Kingston)
Blackburn	Macdonald (Centre Toronto)
Blain	Macdougall (E. Elgin)
Blake	McDougall (S. Renfrew)
Borden	MacKay (Cape Breton)
Bowman	McKay (Colchester)
Brouse	McCarthy
Burk	McCraney
Burpee (St. John)	McLeod
Burpee (Sunbury)	McNab
Cameron	McQuade
Campbell	Mills
Carmichael	Mitchell
Cartwright	Moffat
Charlton	Monteith
Christie	Norris
Church	Oliver
Cockburn	Palmer
Coffin	Paterson
Cunningham	Pettes
Davies	Platt
Dawson	Plumb
DeCosmos	Pope (Queen's, P.E.I.)
DeVeber	Robinson
Dewdney	Rochester
Dymond	Roscoe
Farrow	Ross (W. Middlesex)
Ferris	Schultz
Fleming	Scriver
Flesher	Sinclair
Forbes	Smith (Peel)
Galbraith	Smith (Westmoreland)
Gibbs (North Ontario)	Snider
Gibbs (South Ontario)	Thompson (Cariboo)
Gibson	Thompson (Haldimand)
Gillies	Thomson (Welland)
Gillmor	Trow
Goudge	Vail
Guthrie	Wallace (Albert)
Hagar	White (N. Renfrew)
Haggart	Wood
Higinbotham	Workman — 92.
Kerr	
Killam	

## NAYS :

## Messieurs

Bannatyne	Irving
Benoit	Jones (Halifax)
Bernier	Lajoie
Blanchet	Lanthier

Bolduc	Laurier
Bourassa	Macdonald (Cornwall)
Brooks	McDonald (Cape Breton)
Caron	MacDonnell
Casgrain	McDougall (Three Riv.)
Cauchon	McIntyre
Cheval	McIsaac
Cimon	Perry
Colby	Pope (Compton)
Coupal	Pouliot
Currier	Power
Daoust	Robillard
Desjardins	Rouleau
De St. Georges	Short
Devlin	St. Jean
Fiset	Taschereau
Flynn	Thibaudeau
Fréchette	Wright (Ottawa Co.)
Gaudet	Wright (Pontiac).— 47.
Hurteau	

Bill read the first time.

Mr. SPEAKER said, since the conversation on Friday evening regarding proceedings on Divorce Bills, he had looked into the matter and had found that it was the practice to refer such Bills to a Special Committee after the first reading. He really could not find upon what ground that practice rested, unless it was owing to the fact that for a number of years it was the custom in the old Parliament of Canada. The practice in the British House of Commons was to refer Divorce Bills after the second reading. Notwithstanding that they had a Divorce Court in England, the Commons still had this standing Committee on Divorce. It was quite competent for this House to adhere to its own practice, and perhaps it would be convenient to do so.

Mr. BLAKE said it was contemplated in the first set of rules of the House to make the reference after the second reading. This was, however, subsequently altered. The House began by referring after the second reading. The rule was then altered to the first reading, afterwards back to the second, and again to the first. They had no Standing Committee to whom those Bills might be referred for the purpose of making quasi-judicial investigation, which it was within the competency of the House to make. The Committee generally contented itself with perusing the evidence sent in by the Senate Committee. While they had the general practice of referring Bills after the second reading, he did not think it was necessary to alter a practice which had the sanction of ten years' existence.

Perhaps, when other matters in connection with the rules were considered, it might be determined whether this rule should be changed or confirmed by a special rule.

Mr. SPEAKER said he had prepared rather an interesting memorandum on the subject, which he would read:

"Up to 1867, in the old Legislative Assembly of Canada, all Private Bills were referred to Committees after second reading. Divorce bills were so referred. (See Beresford's case, 1852.) In 1867, the practice was changed, and Bills referred after first reading. Divorce Bills, consequently, followed this practice. (See case of J. R. Martin, 1873.) In 1874, practice was again changed, and Bills referred after second reading. In 1875, a Bill for the relief of T. W. Peterson came up, and was referred after first reading, as had been done under previous practice since 1867. No question then rose as to the propriety of the practice. In the Senate, as in old Legislative Council, Divorce Bills are always referred after second reading. In England, Divorce Bills have always been referred after second reading to a Select Committee."

Mr. MILLS said a Divorce Bill could not be considered precisely as any ordinary Bill would be, and it would be hardly proper to call upon the House to vote for the second reading of the Bill before a tittle of evidence on which it was founded was before them. If, after the first reading, it was referred to a Committee whose business it would be to enquire into the evidence and report, the House would be in a position to consider the matter properly.

Mr. POPE (Compton) said he quite agreed with the Minister of Justice and the hon. member for Bothwell. There was nothing, however, in the Rules to the effect that the Bill should be referred after the first reading, and all Private Bills were referred after the second reading.

Mr. MILLS: All Private Bills go before a general Committee, but this course cannot be pursued with respect to this Bill.

Mr. POPE (Compton): The Rule does not speak of any particular Bills.

Mr. CAUCHON said that, on the second reading, the principle of a Bill was affirmed or it was rejected. Here, however, a question of fact was concerned, and not a principle. If the facts in the opinion of the members did not justify divorce, of course the

Bill would not stand or go to the second reading.

Mr. BLAKE said he did not agree with the hon. member from Compton, that they had no power to refer after the first reading.

Mr. POPE said there was no rule to this effect.

Mr. BLAKE said it seemed the simpler method to adhere to what had been sanctioned by their practice.

Mr. McCARTHY moved that the Bill, evidence, and papers be referred to a Special Committee, composed of Messrs. McCarthy, Cameron, Robinson, Trow, Young, Oliver, McDougall (South Renfrew), Kerr and Kirkpatrick.

Motion agreed to on the same Division.

## PRIVATE AND LOCAL BILLS.

### THIRD READING.

The following Bill was read the third time and passed:—

Bill (No. 34) To amend the Act to incorporate the Ottawa Agricultural Insurance Company.—(Mr. *Currier*.)

## PICKERING HARBOUR AND ROAD JOINT STOCK COMPANY.—[BILL No. 26.]

(*Mr. Gibbs, South Ontario*.)

### BILL RECOMMITTED.

House resolved itself into a Committee of the Whole on Bill (No. 26) To vest the property and powers of the Pickering Harbour and Road Joint Stock Company in Joseph Harris McClellan.

Mr. BLAKE said, as he understood it, this company was incorporated under an Act of the old Parliament of Canada. It was proposed to invest its powers in an individual, and the Ontario Legislature had passed an Act with this object in view. Doubts, which, in his opinion, were well founded, had been raised with regard to its validity; and it was now proposed to legalize and confirm that Act, and vest the property in Mr. Joseph Harris McClellan. What was worthy of consideration was how far it was

Mr. BLAKE.

expedient to grant to an individual powers usually bestowed only on corporate bodies having perpetual succession, which they could always reach, and to which certain responsibilities were attached. Mr. McClellan might leave the property to heirs, to whom the conditions on which it was vested might not apply. It seemed to him that, if they adopted the principle in question, it must, of course, be general in its application. They could not deny to one privileges which had been granted to another.

Mr. GIBBS (South Ontario) said he thought the second clause of the Bill had reference to this objection.

Mr. BLAKE said he had read this clause; but it was to be remembered that there would be no continued entity to which they could look for the performance of the duties in question, though the powers requested were granted. What seemed a proper course was that a new company, in which the property might be vested, should be formed. If that would suit the views of the hon. member for South Ontario, it would be infinitely more satisfactory to refer the Bill back to the appropriate Committee.

Mr. GIBBS accepted the suggestion.

Progress *ordered* to be reported.

House *resumed*.

Progress *reported*.

Mr. GIBBS (South Ontario) moved that the Bill be referred back to the Committee on Private Bills.

Motion *agreed to*, and Bill *referred* back to the Select Standing Committee on Miscellaneous Private Bills.

SPRINGHILL AND PARRSBOROUGH COAL AND RAILWAY COMPANY BILL.—[BILL No. 12.]

(*Mr. Domville.*)

BILL RECOMMITTED.

Mr. BLAKE said it seemed dangerous for them to permit the Bill to pass in its present form. The Bill, by an alteration, he believed, made in the appropriate Committee, went on the theory, as the ground-work of action by the House, that the line of railway

to which it referred was a work for the general advantage of Canada, and it made such a declaration. It would obviously follow, as far as he could judge, that they could not refuse to make such a declaration at the instance of any other private railway whatever. He thought such a declaration should only be made when it was strictly true. There was a sense, of course, in which any railway was for the general advantage of Canada, but this was certainly not the sense in which these words were used in the British North America Act. There was another ground—if the allegations of the Bill were true, as they must believe under the circumstances—on which the Bill could be entertained, and this was that the company was not merely a railway company, but a railway and coal mining company, which desired to own ships running from Dominion to foreign ports. Such an enterprise took it beyond the legislative powers of the Province, and therefore on this ground it did not seem improper that incorporation or the necessary powers should be granted by the House, whichever mode might be thought most convenient. He suggested the same mode which had been adopted with reference to the previous Bill,—that it should be referred back to the Committee with the view of having such amendments made as might obviate the objections to its passage in its present shape.

Sir JOHN A. MACDONALD said the railway itself was to the general advantage of Canada, but, however this might be disputed, it could not be denied that the enterprise would be so when the powers asked for, additional to those granted by the local Government, were obtained. Where a Local Legislature passed an Act for simply local purposes, with certain privileges and conditions, it was a question whether the general Government might so add to the powers of that Act as would destroy its entity in a local sense. The corporation, as it existed, was created by the Local Legislature. But, supposing the corporation exceeded its powers, then it would be liable to have its corporate Act taken away from it. The question for consideration was whether this Government

could enlarge the powers of an Act passed by a Local Legislature, contrary to the will of that Legislature. If this were done, the entity of the Act would surely be destroyed, for the Act would be a creation in the first instance of the Local Legislature, and the latter could repeal it if they wished. The question was an important one, and he thought it advisable that the Bill should be referred back to the Committee for consideration.

Mr. BLAKE said there were two courses open: to grant additional powers to the local Act, or to take the Act within their own jurisdiction and create a new corporation out of the old one. He was not yet prepared to assent to the opinion that this Government could grant additional powers to the Act of the Local Legislature.

Sir JOHN A. MACDONALD: I said there was doubt about it.

Mr. BLAKE said he was strongly of the opinion that great inconvenience would result from such a course. It ought to be laid down as a general rule—which, however, had its exceptions, perhaps—that any corporation created by a Local Legislature coming to the general Government for new powers, ought to have its corporate Act again created in the whole by the latter authority. It would be observed that the clause which spoke of matters for the general advantage of Canada was confined to works, and that the other purposes and powers proposed to be given would not in themselves assist the argument that the railway was for the general advantage of Canada, either practically or in point of logic, although perhaps the power to sail ships to foreign ports would furnish a peg on which to hang this argument, as that was a power which could not be given by a Local Legislature.

Mr. PALMER said he thought some of the powers asked for would be clearly out of the power of the Local Legislature to grant. But the original object of the corporation was clearly within the jurisdiction of the local Government and out of the jurisdiction of the general Government. But it was very questionable whether the general Government could give a cor-

Sir JOHN A. MACDONALD.

poration created by the local Government power to give promissory notes. It would not be a corporation created by this Parliament at all, and he did not see how this Parliament could give such powers as would destroy it altogether, as a corporation created by a local Act. He did not believe it right by a mere declaration to assume jurisdiction, when there was not jurisdiction without that declaration. He thought it would be advisable to refer the matter back to Committee.

Mr. SMITH (Westmoreland) said it was necessary to consider whether the Act could be taken charge of by this Parliament, or by subsequent legislation by the Local Legislature. It was perfectly competent for this Parliament to declare that this work was for the general advantage of Canada, and thus to bring it within its jurisdiction. He thought it proper that the Bill should be referred back to the Railway Committee.

Mr. DOMVILLE said under the British North America Act this Parliament only had the right to legislate for railways and steamers under certain conditions. When the Bill was first introduced, it was not declared that it was for the general advantage of Canada, but it was found that this would have to be inserted for this Parliament to deal with the Bill. He had been led to believe that the Bill, in order to pass, would have to contain these words.

Mr. BLAKE said he was afraid the difficulty could not be got rid of by making an undue declaration.

Motion agreed to, and Bill referred back to the Select Standing Committee on Railways, Canals and Telegraph lines.

## THE FISHERIES COMMISSION.

### QUESTION.

Mr. MITCHELL asked whether the Government was prepared to state whether the American Government had appointed their Fishery Commissioner as provided under the Treaty of Washington, and if so, who was he; also whether the British Government had appointed their Commissioner; if so, who was he; also whether the third Commissioner had been selected

or appointed and by whom; and if appointed, who was he?

Mr. SMITH (Westmoreland) said the British Commissioner had been appointed, as was well known.

Mr. MITCHELL: We do not know it officially.

Mr. SMITH: This Government is not in a position to name the American Commissioner. The same observation applies to the third Commissioner. As soon as the information is ready, it will be brought down to the House without any further motion.

### THE ST. ISIDORE MAIL.

#### QUESTION.

Mr. ROULEAU asked whether it was the intention of the Government to issue orders that the mail despatched from Quebec for St. Isidore, county of Dorchester, should be left at St. Henri, county of Levis, to be from thence forwarded to the said parish of St. Isidore.

Mr. HUNTINGTON said the change could not be decided upon until the Government had some information as to how it could be made.

### JUDICIAL STAFF OF MONTREAL DISTRICT.

#### MOTION FOR CORRESPONDENCE.

Mr. LAURIER moved for all Orders in Council and correspondence since last Session between the Federal and Quebec Governments concerning the Judicial Staff of the District of Montreal.

*Motion agreed to.*

### INGONISH HARBOUR.

#### MOTION FOR PLANS AND REPORT.

Mr. CAMPBELL moved for plans of contract for building Ingonish Harbour (being part of contract); also a report of Engineer agreeing to curtailment of said original plans and specifications, and the correspondence on that subject, how much had been paid for the contract, and how much for extras, and how much was claimed for extras; how many feet did the finished work extend seaward that the original

contract and plans contemplated; how much had been paid to Superintendent McLeod for superintending said work. He said it was now a month since he first moved in the House for the plans and specification, and although the hon. the Premier promised to bring the information down, he had not done so. It was now four or five months since he made the charge before his constituents that there was something wrong about this contract, and he had taken the first opportunity he constitutionally could take to verify his statement. In reply to a motion for full particulars, he got a parcel of papers, from which it would appear that the essential information which he required had been intentionally kept back. This was the fourth time he had had to apply for the information. He had received a letter from a gentleman who did not know of the present motion, stating that 160 feet of partly-built work was in the harbour, forming a serious obstruction to navigation. He thought the Government should give the information he asked for, in order that it might be seen whether there was any truth in the charges he had made against them.

Mr. BLAKE said he had given instructions to have the return prepared immediately.

*Motion agreed to.*

### GRAND TRUNK AND INTER-COLONIAL RAILWAYS.

#### MOTION FOR CORRESPONDENCE.

Mr. Fiset moved for copies of all correspondence between the Government and the Grand Trunk Railway Company, on the subject of the arrangements effected with the latter, permitting the carriages of the Intercolonial Railway Company to run over that section of their railway between Rivière-du-Loup and Point Levis.

*Motion agreed to.*

### DISMISSAL OF POSTMASTER AT UPPER ST. FRANCIS.

#### MOTION FOR CORRESPONDENCE.

Mr. COSTIGAN moved for copies of all correspondence in the possession of the Government regarding the dismissal of the postmaster of Upper St.

Francis, in the county of Madawaska, in the Province of New Brunswick. He said he had submitted the motion because he had received a letter from the late postmaster, complaining of the treatment he had received. It appeared the postmaster had been dismissed, and received instructions from the Post-Office Inspector, calling upon him to hand over the papers of the office to his successor. There was, so far as he (Mr. Costigan) was aware, no cause for complaint, and the postmaster always appeared to discharge his duties in a satisfactory manner; and, if there was any serious charge to be brought against him, an opportunity should have been afforded to repel the charge. The fact that the Government acted without knowledge of the matter was shown in that they appointed, to take charge of the post-office, a person who did not reside there, and who did not desire the position. The change was not made in the interests of the people of the district, but in order to serve the interests of the mail contractors. Inasmuch as the new postmaster did not wish the office, and the late postmaster still remained in charge, it was desirable that instructions should be sent to him to continue to discharge the duties, unless some serious complaint had been made against him.

Mr. HUNTINGTON said no complaint had been made against the postmaster, and he had not been dismissed. The action taken was on a report made by the Inspector of New Brunswick, growing out of representations that the post-office might be placed in a more convenient position. The annual revenue of the office was \$2.18, and, as the hon. member for Victoria, N.B., had stated that the postmaster who was appointed was not acting, his representations would be communicated to the Inspector, with a view to have any inconvenience rectified, if such existed.

*Motion agreed to.*

## REPRESENTATION OF MINORITIES

### MOTION FOR A SELECT COMMITTEE.

Mr. DEVLIN moved:

“That a Select Committee be appointed to  
Mr. COSTIGAN.

enquire into and report upon the expediency of providing some system by which a more equal and just representation of all the electors, minorities as well as majorities, may be secured, and that with this view they be respectfully requested to investigate the system originated by Mr. Thomas Hare.”

He said the motion which he now submitted for the judgment of the House had for its object a reconsideration of the existing Electoral Law with a view of ascertaining whether it could not be so amended as to give greater power and influence to the electors of the Dominion in the selection of their representatives than they could now possibly exercise in that direction under the present system of voting. The question embraced in the proposition had not, he was aware, received much attention among the Canadian people, and would, in all probability, have remained wholly unnoticed were it not for its timely and happy introduction by a very distinguished personage, to whose remarks upon the subject he would have the pleasure of adverting hereafter. But, although the right of minorities to proportional representation could scarcely be said to have engaged attention in Canada to any very great extent, it had, nevertheless, been the subject of earnest discussion for many years in Europe and in the United States, and it might now be fairly said, after a full and critical examination of the advantages claimed for that measure of relief, that it came down to us supported by the opinions of eminent statesmen, and endorsed with the enlightened approval of very many of the most distinguished political writers upon Representative Government. As the election law appeared upon our Statute-book at the present time, it was well known that the sole power to rule, to make laws, to impose taxes, to regulate trade and commerce, and all the great and conflicting interests which came within the jurisdiction of the governing body was vested exclusively in the hands of the party which happened to command a majority, leaving the minority without representation, without a voice in the councils of the country, compelled to submit to any and every measure which the will or caprice of that majority, no matter how small, might

see fit to impose on them. Mr. Hare said:

“Looking at the place which representative institutions are manifestly destined to occupy in the government of mankind, it becomes necessary to consider whether means cannot be found to eradicate the vice from their constitution which deprives the State of the benefit of the judgment of, it is to be feared, a large number of the most calm and dispassionate, as well as of the most thoughtful and instructive of its people.”

The problem was how to make representation in fact what it was in name, to make it universally truthful, and give to the best elements in every constituency their best and most perfect form of expression. The founders of our parliamentary system, if that appellation could be conferred upon any class of men in any age, did not contemplate, and could not provide for the differences of opinion to be evolved in the progress of civilization. Nor could they have foreseen that the will of a vast proportion of those whom they had entrusted with franchise would have been wholly disregarded. It was obvious that the traditional method of filling the English House of Commons, which was followed in Canada at this day, suitable as it was in earlier times, when a few master minds directed all public affairs, and the people came together not to reason but to confirm what their leaders had done or proposed to do, was unsuitable at this day. The principle to be kept in view in forming the representative assembly was that full play should be given to the expression of all opinions and sentiments, so that they might be admitted to the test and scrutiny of discussion. The electors of Canada might well be described as the scattered inhabitants of an extensive country, possessing knowledge and powers of thought infinitely varied and diffused, and to expect that the electoral forms of a rude and illiterate age would gather for the national benefit the fruit of that expanded intelligence was, said Mr. Hare, “as reasonable as to suppose that the vast manufacturing results of to-day would be produced by the primitive loom and hammer.” He believed it was that conviction which led the hon. the Minister of Justice to deal with that all-important question in his great speech at Aurora, and to condemn

the present system of elections as one totally unworthy of a liberty-loving, intelligent and enlightened people. He hoped, now that that hon. gentleman occupied a position which enabled him to give effect to the opinions enunciated by him upon that subject, he would bring his matchless eloquence, his powerful reasoning faculties to the support of the motion he (Mr. Devlin) had now the honour to bring under the notice of this House, in the hope that it might ultimately lead to the adoption of such a measure as would secure to the now virtually disfranchised minorities, as well as to the majorities, a fair, reasonable, just and proportional representation in the councils of the country. Speaking upon this subject at Aurora, the hon. the Minister of Justice said:

“I believe we might effect immense improvements upon the present system of popular representation. For my own part, I have been for some time dissatisfied with our present mode of popular representation, as furnishing no fair indications of the opinions of the country. I do not think a system under which a majority in one constituency elects a member, the minority being hopelessly helpless without any representation of its own at all, is a good system. I have been collecting statistics on this subject, and it is extraordinary to what extent the popular voice as shown in the popular vote differs from the expression of that voice in the Legislature. Our principle of government is that the majority must decide. Upon what is it founded? Well, you cannot give a reason except this, that it is necessary—it is the only way in which government can be carried on at all. But, if the minority must on this ground of necessity bow to the voice of the majority, the majority is all the more bound to see that the minority has its fair share of representation and its fair weight in the councils of the country. The majority must recollect that it may become the minority one day, and then it would like to have its fair share in those councils, and such disparities as these are not likely to induce a feeling of cheerful submission on the part of the minority. We say we have representation by population; but we have not representation by population unless the population has a representation in the Legislature equivalent to its strength at the polls. My opinion is that it is not houses and stocks and farms that are represented, but human beings with immortal souls. These are the true subjects of representation, the sharers in the owners of political power, and I think a scheme ought to be devised, as a scheme has been devised, to give them a fairer representation. I say the system under which we now live is inadequate

to the purposes of the age, the complicated interests of society, the various views entertained by various sections of people, the enormous divergency which exists, the fact that you cannot accurately or reasonably approximate at the polls by the return of members to Parliament. These considerations are sufficient to condemn the existing system and send us on a search for a better. That better can I believe be found, and, if it is reserved for this Province or this Dominion to set the example of finding it, a great benefit will be conferred by us on the cause of freedom throughout the world. I believe that Mr. Hare's system or some modification of it, a system by which each voter may vote for any one he pleases, and give his vote, should it not be required for his first choice, to second, third or fourth candidates in the order of his preference, would result in the return, by unanimous constituencies, of men having the confidence of those constituencies and of just so many men on each side as the strength of that side at the polls would justify. We shall have to settle, before long, the question of the parliamentary system of the future. As the late Prince Consort said some years ago, parliamentary systems are on their trial.

When we provide a plan by which every man shall be represented, by which each side of opinion shall be represented in proportion to its strength, we shall have avoided the difficulties which result from the artificial divisions which we make, and which render the expression of opinion by the returns essentially different from that shown at the polls."

This unreserved endorsement of the justice of the principle he (Mr. Devlin) was endeavouring to impress upon the House—this lucid and candid expression of opinion in favour of the right of minorities to proportional representation by so wise, so prudent and so far-seeing a statesman as the hon. the Minister of Justice—must be taken as a deliberate and solemn protest on his part against the present one-sided system of electing representatives. Most heartily did he concur with that hon. gentleman in saying that, when the Dominion replaced it by a better system, by one that would strike off the legal shackles which cramped political thought and fettered political action, giving to every elector in the Dominion the right to vote for the person whom he might think best qualified to represent his interest—when this needful and happy change should have taken place, then, indeed, our Dominion might triumphantly point to her example as a brilliant advance in the science of Government—then might she proudly

MR. DEVLIN.

and confidently assert that by her action she had conferred inestimable benefit on the cause of freedom throughout the world. It was proper, however, that he (Mr. Devlin) should here remark that the policy thus propounded by the hon. the Minister of Justice was not allowed to pass unchallenged. Its wisdom was questioned, the necessity for its adoption denied, and its adaptability to the end in view declared unsuitable and impracticable, and why? Because, said the opponents of the scheme, minorities were represented and had always been represented, and, in this way, if Liberalism was triumphant in one constituency, Conservatism was victorious in another, and thus were things equalized, and minorities represented. It required a very brief examination of the grounds upon which this defence of our electoral law rested to prove conclusively that the argument urged in support of it was as untenable as it was dangerous in principle. As a matter of fact, it was not true that the opinions suppressed by the electoral voice at one place were expressed in those of another. It had been truly said by Mr. Hare that the separation of parties according to localities did not even approach completeness, and that the number of localities in which any given opinions prevailed was not proportioned to the general prevalence of these opinions. A distinguished writer, replying through the *Edinburgh Review* to these objections, said:

"It is this supposed system of balances and counter-balances, which is the *ignis fatuus* of the politicians of this century and the source of wranglings and jealousies without end. It recedes as they pursue it, and no sooner do they imagine that its elements are caught and fixed upon their canvas, than they are gone like a dissolving view."

To contend, therefore, that, although the opinions and sympathies of a minority were set at defiance in one place, it was a sufficient justification for this state of things that persons whose opinions corresponded with those of that minority might form a majority in some other place, and that they then succeeded in suppressing the voices of those whose opinions were in harmony with the victorious party

elsewhere was to set up one great evil as a compensation for another.

"Can it," said the reviewer, "be seriously argued that to balance one great mischief against another is as well and as safe a mode of proceeding as an honest endeavour to avert both."

If so, political action, instead of being the result of a steady and legitimate adoption of means to an end, was converted into a game of chance, of speculation, in which the failure on one card was to be compensated by success on another. In 1870, when the general question of representation was before the United States House of Representatives, Mr. Marshall, of Illinois, a gentleman of great distinction, speaking of the rights of minorities to proportional representation, made these remarks:—

"It is sometimes said that the man who is elected is the representative of the entire people of his district. This is an absurdity; he is not in any proper sense the representative of the elector who voted against him, but his antagonist. He is antagonistic to him in principle, in purpose and in his ideas, in regard to the mode in which the Government is to be administered. Under the present system, the minority cannot in any just sense be said to have any representation at all. They may go to the polls, it is true, but nine times out of ten it is a mere mockery, and they vote, knowing that their votes will give them no voice in the enactment of the laws by which they are to be governed."

This, he maintained, was an indisputable truth, and applied with as much truth to Canada as it did to the United States. In fact, every one knew that, as between a Liberal and his Conservative constituents, and as between a Conservative and his Liberal constituents, there was no such political relationship as should exist between a representative and his constituents. In the United States, where this question had been considered by some of the brightest minds of that great country, a table was recently made, showing the number of voters represented and unrepresented in the 40th, 41st, and 42nd Congress, which showed the following astonishing result: Of the voters represented in the 40th Congress, there were 2,335,617; unrepresented, 1,669,956. Divided into parties, there were unrepresented, 1,242,115 Democrats, and 427,841 Republicans; the result being that the Republicans elected 143 mem-

bers, and the Democrats only 49. In the 41st Congress the number of voters represented was 3,524,335; unrepresented, 2,552,078. Of those without representation there were 820,827 Republicans, and 1,731,254 Democrats; which enabled the former to elect 159 members, and the latter 83. There was about the same proportion in the 42nd Congress, thus showing that 58 per cent. of the voters secured all the representation, and 42 per cent. none. For every 100, therefore, who approached the poll, 60 secured the benefit of the suffrage, and 40 had none whatever. Mr. Garfield, speaking in the House of Representatives on this subject, said that, to his mind, the weak point in a representative Government, as now organized and administered, was that it permanently disfranchised a large number of voters.

"Take," he said, "my own constituency. I have seldom been returned by less than 9,000 majority. There are 10,000 Democrats in my district who have been voting there for the last forty years without any more hope of returning a member to the floor of Congress than of returning one to the Commons of Great Britain."

He would now consider how the electoral law worked in England. Mr. Hare stated that in the general election of 1852 in England the aggregate number of votes polled by the majorities where the seats were contested was 291,118, while the minority polled 199,994. These figures, Mr. Hare said, might with sufficient accuracy be taken as represented by three to two, and, if the same calculation was extended to the whole constituencies and taken as expressing the silent and suppressed differences of opinion where no contest was attempted, it would appear that 500,000 electors were not represented except by a fiction of law. Thus, in England, as in the United States, no less than 42 per cent. of the electors were unrepresented. Referring to this fact, Mr. John Stuart Mill, in his book on "Representative Government," said:

"Is it not a very great grievance that in every Parliament a very numerous portion of the electors, anxious and willing to be represented, have no member in the House for whom they have voted."

He (Mr. Devlin) was glad to say, however, that since that time the

principle of minority representation had been acknowledged and incorporated into the English Constitution. In July, 1867, a Reform Bill being then before the House of Commons, it was moved by Mr. Lowe, as an amendment :

“That at any contested election for any county or borough represented by more than two members, and having more than one seat vacant, every voter shall be entitled to a number of votes equal to the number of candidates to be elected, and may give them all to one or distribute them among the candidates as he sees fit.”

This amendment was lost, 173 voting for it, and 314 against it. When this Reform Bill came before the House of Lords for consideration, Lord Cairns moved an amendment to the effect that in every county or borough represented by three members no person should be allowed to vote for more than two candidates. This amendment gave rise to an animated and interesting discussion. It was supported by Lord John Russell, Earl Spencer, Earl Stanhope, Earl Cowper, Lord Carnarvon, the Earl of Shrewsbury, and Viscount Stratford de Redcliffe, and was carried by 142 against 51. In the House of Commons, notwithstanding the adverse vote upon Mr. Lowe's motion, it was carried by a majority of 49, the vote standing 253 against 204. On that occasion the Right Hon. Mr. Lowe said :

“There is a sort of worship of the majority which, after all, is a mere political superstition. The idea of true representation is to leave no part of the constituency unrepresented, and if you can find the means, or if the means can be found for increasing the number of members, and then adapting the system to that increase so as not to disfranchise the minority, but give some representation to the whole constituency; then, so far from regarding that as an innovation upon the Constitution, I think we ought to hail it as an advance in the science of Government.”

The London *Times*, commenting on the amendment, stated :

“The idea of modifying our electoral machinery so as to secure, in constituencies represented by three members, the proportionate representation of both the great divisions of party is working its way by its own inherent justice. Everywhere it has been confessed that the adoption in one form or another of the cumulative principle of voting was essential to maintain the charac-

ter of our institutions, and that measure alone could re-distribute the electoral power which all prescient statesmen regard as being the inevitable result of our Representative Government. Time will establish the true principle more and more firmly in the judgment of the nation, and those who fight against it fight against light.”

Subsequently, in the Sessions of 1870-1871, a most strenuous effort was made to repeal the clause in the Bill; but, so far from the attempt proving successful, the principle received a further extension, by the introduction of cumulative voting in the election of School Boards; “which,” said the Minister of Justice, in his ever-memorable Aurora speech, “resulted in the election of a dignified Parliament, which may vie with the Parliament of the Empire in ability, in proportion to its numbers.” Thus had the principle of minority representation been ratified and confirmed in England; and, as he thought he had shown, sanctioned by authority, which had the highest dignity. It was only necessary that he should further remark, in connection with the action which England had taken on this subject, that the supporters of the scheme had been fully satisfied with the results of the elections which had taken place under the amended law; for, as the *Times* had well said: “The principle of minority representation is working its way by its own inherent justice,” thus demonstrating to the nations of the world “that those who fight against it fight against light.” England, however, had not been the first country to recognize the principle of minority representation. That honour belonged to Norway, for he found, on reading up this subject, that a very distinct plan of minority or proportional representation was contained in her system, dating as far back as 1814. Next in the order of precedence came Denmark, followed by legislative adaptations of the principle, to a greater or less extent, in—as he had shown—England, Switzerland, and several States of the American Union; and, even where minority representation had not become law, it had, nevertheless, received the greatest attention, as for instance in France, Germany and Italy. He would call the attention of the House to an election held in Illinois,

Mr. DEVLIN.

which showed, beyond doubt, the practicability of the scheme, and its advantages; and he thought that, if hon. members would reflect upon the question, they would see that it was one of those measures that must tend to promote the prosperity of the country in which it was enforced. In Illinois the principle of minority representation had been subjected to a practical test. The cumulative system of voting had been adopted and incorporated into the constitution of this State, giving to every voter the right to cast as many votes for one candidate as there were representatives to be elected, or to distribute them among the candidates, if the voter preferred that course. If three members were to be elected, he could give all his three votes to one candidate, or divide them as he desired. At an election held in 1872, under this system, the number of representatives to be elected was 153; and, if each party were to be properly represented in the House, there would have been 85 of a Republican majority, and 68 of a Democratic minority. The Republicans carried 33 districts, and, under the old system, would have had 99 members, and the Democrats carried only 13 districts, and would have had 54 members. The result was thus described in the *Cincinnati Gazette*:—

“For the first time in the history of political organizations each party is represented from every portion of the State, and the aggregate representation is exactly in proportion to the numerical strength of each; thus the Republicans have elected 86 members, and the Democrats 67. In seven districts in which there were 58,335 voters, 18,420 were unrepresented under the old system, while, under the new system, 1,128 were alone unrepresented.”

The *Chicago Times* commenting on the election, stated:

“Such practical demonstrations of the eminent justice of proportionate representation in its natural results speak more convincingly in its favour than whole volumes would do.”

The *Chicago Daily Tribune*, in concluding an article eulogizing the system, stated: “The principle of minority representation has been fully vindicated”; to which the *World* added: “We may expect to see a principle which has given so much and such general satisfaction incorporated into

the various State constitutions.” In the Parliament of New South Wales a Bill was brought before the Legislative Council in 1862, adopting the principle of minority representation in the Upper House. It was referred to a Select Committee, which reported unanimously in its favour; and he should take the liberty, even at the risk of wearying members, to read a few extracts from the report because it explained the *modus operandi* of the measure, and indicated the advantages which, in the judgment of the Committee, were likely to flow from the adoption of it. The report stated:

“As respects the mode of voting, your Committee have given much consideration to the plan now commonly known as that of Mr. Hare, and which has lately attracted considerable notice among leading political writers in Europe. Its leading feature is the representation of all the electors in the proportion of the numbers of their respective parties and sections, instead of the representation of the majorities prevailing in each local electorate, while leaving the defeated minorities wholly without representation. Under the present system, if one interest or prejudice be prevalent in a majority of the electors in twenty constituencies, twenty members may be elected to represent those majorities, although the minorities may, collectively, amount to a figure not far short of the successful majorities. A difference of one vote in each electorate might determine the election, and twenty votes might thus determine the fate of twenty elections, thus leaving thousands of electors forming the minorities without a single representative. This is doubtless an extreme supposition, but the merits of any system may fairly be illustrated by what it tends to when carried out to its utmost length. The system of Mr. Hare provides a remedy, and, while it renders this injustice to minorities impossible, it equally maintains the just rights of majorities. It establishes a true representation of the whole society, with its various interests and opinions represented in due proportion and the manner in which this is effected is extremely simple. Supposing the number of voters to be 30,000, and the number of members to be thirty, each 1,000 voters, called a quota, is considered to be entitled to one member. Instead of a local electorate inhabited by 1,000 electors of divided opinions, and comprising a minority which is outvoted in that particular electorate and left wholly without representation in the Legislature, each member's constituency will consist of 1,000 electors coinciding in the choice of a representative irrespective of their places of residence. For this purpose, the whole Colony will form a single electorate, the electoral districts of the Assembly being adopted

solely for the purpose of more conveniently making up the roll and polling the votes. Each elector can thus ensure the return of at least one candidate by associating himself with a sufficient number of fellow-electors, wherever resident, to form a quota. But if the vote of each were limited to the naming of the one candidate he prefers above all others, it is evident that more than the quota would often concur in the choice of a popular candidate, and thus lead to a loss of the votes over and above the required number. To prevent this, each voter is entitled to name several candidates in the order of preference, so that, if the vote be not required for the first on the list, it is counted for the second, and if it is not required for the second, then for the third, and so on, to ensure its being made, ultimately, contributory to the election of some candidate of his choice."

The Committee concluded its report in these words:—

"The idea of Representative Government in the writings of statesman has long been the representation of classes or interests in due proportion, so as to render the legislation the true epitome of the political opinions of society. Hitherto, nothing but an approximation to this idea has appeared possible, and Mr. Hare's system, for the first time, proposes to make it a reality."

The Bill thus reported passed the Upper House and received two readings in the Lower House, but, the Ministry having resigned before the third reading could be obtained, the measure fell to the ground. He might remark in concluding this branch of the subject, that in the Parliament of Victoria an attempt was also made to amend the electoral law in the same direction. The measure was warmly supported by the Attorney-General of the day and others, but it was defeated because it was confined to a few districts instead of being intended for the whole colony.

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

### After Recess.

Mr. DEVLIN said that, having spoken so much of the progress of minority representation in other countries, he would now beg the indulgence of the House for a few moments longer, while he tried to present the question from a strictly Canadian point of view, and endeavoured to show the political status of minorities in the Dominion of Canada; and, for this purpose, he would ask:

Mr. DEVLIN.

Was our electoral system more perfect than that of our neighbours upon the other side of the line, or more just and equitable in its recognition of minority rights than the representative systems which prevailed in the countries referred to? To that question he unhesitatingly answered that, in his opinion, our system was productive of as great, if not greater, injustice than the worst of them; and, under its operation, minorities need never hope for representation, proportionately or otherwise. This, he admitted, was a bold and, apparently, a somewhat audacious statement; but it was capable of verification by any person who would take the trouble to examine carefully the foundation upon which our electoral mode of procedure rested, and by any person who took sufficient interest in the matter to consider attentively the monstrous inequalities that marked the boundaries of the several constituencies into which the Dominion was told off. Take, for example, Montreal Centre. Its population exceeded 30,000, and its registered number of voters exceeded 6,000. It was the chief seat of the manufacturing industries, as well as of the trade and commerce of the country; and yet Montreal Centre, with all the great interests it had at stake, was entitled to send only one member to the floor of this House; while that spoilt child, British Columbia, with a total population of 10,607, sent six members; and Manitoba, with a population of 11,058, sent four members.

Mr. SCHULTZ: I rise to a point of order. Manitoba has a population of 35,000.

Mr. SPEAKER: That is not a point of order.

Mr. DEVLIN said he did not include the Indians. Both of those Provinces only had a population of 21,665, and had ten representatives, while Montreal Centre, with a population of 30,000, only had one representative. Thus, upon any question affecting the prosperity of Montreal Centre, that constituency might find itself outvoted by the representatives of British Columbia and Manitoba, who could bring an influence to the support or defeat of any measure before the House ten times greater

than could be exercised by Montreal Centre. He could, of course, refer to many other constituencies where the electoral inequality was as strikingly great, but he had preferred to speak of Montreal Centre because he could do so more confidently than he could of any other constituency. Indeed, it might be truly said of all our electoral divisions that they were rude and reckless contrivances, evidently planned and apportioned without any just regard to the strength of their population or the number of their voters. Therefore, he said that, under our electoral system, we could have nothing approaching to a state of true representation. Most certainly British Columbia and Manitoba had no reason to complain of the want of minority representation, but he did not want it inferred from these remarks that he envied the full enjoyment of the power which the members from those Provinces were entrusted with. He hoped they would use it with wisdom, moderation and discretion, and what he had said was dictated solely by an honest desire to exhibit to the House, and through it to the country, the unevenness and the injustice of our electoral system, and hence the absolute necessity of a radical change in the law governing the election of its parliamentary representatives. But he would refer to the position of the minorities in the other Provinces of the Dominion. He had taken the elections of 1867, 1872 and 1874 for the purpose of ascertaining how the majorities and the minorities stood towards each other. He found that, in 1867, there were 137 constituencies contested. The aggregate number of votes polled by the successful candidates was 151,745, and the minority polled 110,009 votes, without, however, being able to return a single member. In 1872, there were 148 constituencies contested. In that election, the majority polled 174,346 votes, while the minority polled 128,007 votes, without, however, being able to return a single member. In 1874, there were 152 constituencies contested, and there were 176,900 majority votes and 130,765 minority votes. The total majority votes polled were 502,991, while the minority votes were 368,783 ;

in other words, 368,000 persons recorded their votes in three elections without being able to return a single member. Was that right? Was a law which excluded so large a number of the electors of this country from representation one that ought to be maintained on the Statute-book? But the opponents of the scheme he proposed would say: "What matters it that 500,000 of the electors were represented while 368,000 were not represented at all? What matters it that 56 per cent. of the electors were represented and 44 per cent. did not have one representative? Why complain that two out of every five electors were disfranchised, as they were, indirectly, under our present system?" For, it would be said here that the rule of the majority must govern, and it was the duty of the minority to yield. But, in reply, he would quote John Stuart Mill. Mr. Mill said:—

"Does it follow that the minority should have no representatives at all? Because the majority ought to prevail over the minority, must the majority have all the votes, the minority none? Is it necessary that the minority should not even be heard? Nothing but habit and old associations can reconcile any reasonable being to the needless injustice. In a really equal Democracy every or any section would be represented, not disproportionately but proportionately. A majority of the electors would always have a majority of the representatives, but a minority of the electors would always have a minority of the representatives. Man for man they would be as fully represented as the majority, and unless they are there is not equal government, but a government of inequality and privilege. One part of the people rule over the rest, leaving a part whose fair and equal share in the representation is withheld from them, contrary to all just government."

And such was the humiliating position in which the minority of this Dominion found themselves placed to-day. Without any representation in the law-making body, and virtually deprived of any voice in the Government of the country, they were, as the Minister of Justice said, helpless and hopeless, perhaps not victims but subjects of the majority. The oppression of the minority under our electoral system was strikingly apparent everywhere, but nowhere more than in the leading Province of Ontario. According to the last census, the population of Ontario was 1,620,851,

the elements of which might be summarized as follows:—English, 439,429, represented by twenty-four members all English and all Protestants; Irish Protestants, 285,280, represented by twelve members all Irish Protestants; Scotch, 328,829, represented by forty-two members, all Scotch, and all Protestants with one exception, the hon. member for Cornwall. He disliked very much mentioning the word "Protestant" in a discussion of this kind, but hon. gentlemen would see in a moment that he had reason for so doing. Of French-Canadians, there were 75,383, represented by one member, a French-Canadian and a Catholic. Of unnamed nationalities, there were 217,708, represented by, he presumed, the six members who, he noticed, were not credited with any particular creed or nationality and by the three others, two of whom were set down as of German extraction and the third as of the United States. The same census stated that there was an Irish Catholic population in Ontario of 200,000. How many representatives of their creed and nationality had they got in this House elected from Ontario?

Mr. DYMOND: Eighty-eight.

Mr. DEVLIN: The answer, I grieve to say, is—not one; and why not one?

Mr. WHITE (East Hastings): Because the majority of the Irish Roman Catholics vote for Scotchmen.

Mr. DEVLIN said it was about time they commenced to vote for themselves. Could any good and valid reason be given for their total exclusion from participation in the Government of this country? He asked hon. members to reflect upon the position in which this large body of their fellow-citizens was placed. Let them place themselves in their position. What would they think if the Scotch or the English had no representation in this House? They would not submit to it, and there was no reason why the Irish Catholics should be placed in an inferior position. Had they cast off their allegiance? Had they committed treason against the State, that they should be treated as an outlawed class, denied the privileges of the Constitution, compelled to wear the badge of inferiority, and

Mr. DEVLIN.

forced to submit to political degradation, for that was what it amounted to, when they saw eighty-eight members from the Province of Ontario in this House and not one Irish Catholic member. What was the cause of this? Was it due to the law? No doubt it was to a certain extent, and to a very great extent, due to this cause, but it was not wholly so. His opinion was that the indifference of the leaders of both the great parties which divided this country into what might be styled two hostile camps had contributed to the proscription of the Irish Catholic people in Ontario to a great extent; because he could not believe that they would be as they were to day, and as they had been for many years, in a state of political bondage, if the leaders of the Reform and Conservative parties, the men who directed public affairs in this country, made a serious effort to secure for them some representation in the Councils of the country. But he unhesitatingly asserted on the floor of this House of Commons that, as the law now stood and was taken advantage of, the door of the Chamber might be labelled with these words:—"No Irish Catholic from Ontario can enter here." This was regarded as an intolerable grievance and one that demanded an immediate and effective remedy; and no one need feel surprised if, at the next general election, which was not far distant, the entire strength and influence of the Irish Catholic body in this Dominion should be found arrayed against the party, whether Reform or Conservative, which refused them a fair and reasonable share in the representation of the country, and refused to place them, in this respect, upon an equality with the rest of their fellow-citizens. Let him for a moment invite attention to the marked difference between Ontario and Quebec in this matter of representation. The population of the Province of Quebec, according to the last census, was 1,196,115. Of that number, 1,019,850 were Catholics and 171,000 were Protestants. Quebec was represented in this House by sixty-five members, thirteen of whom were Protestants, one of them a member of the Ministry,—the hon. the Postmaster-General. And let it be observed that they

were elected by constituencies in many of which the Catholics had a majority of the vote. If, therefore, the example of Quebec were more closely followed, if her liberal and enlightened policy in this matter were more generally adopted, 500,000 Irish Catholics, whose hearts and homes and interests were fixed in this Dominion, would not find themselves to-day with only seven representatives on the floor of this House. If the minority of which he spoke had its fair share of representation, if it had its fair weight and influence upon the floor of this House, it would occupy a very different position. A few days ago, he heard that a deputation waited upon the hon. the Premier, asking for increased representation in the Cabinet; but it was impossible. This Government had given as much representation in that way as the late Government had given; as much as could be expected with the number found in this House. They had one representative, and that was all they ever had, and all they ever would have, until they increased their representation in the House of Commons. He must say, however, that, if they were to have only one member in the Cabinet, and he thought they could not expect more, his opinion was that that member ought to have a seat on the floor of this House, and not of the Upper House. He contended that here, where the wants of the people were made known, where their grievances were redressed, or ought to be if they were not; here, where their voice commanded attention and found expression, should, in his humble judgment, the Irish Catholic Minister be found to take his stand, if he sincerely desired to advance the interests of his co-religionists in this Dominion. He asked this House, he would appeal to its wisdom and patriotism, to regard this question not from a party, but from a national point of view, and he trusted that hon. gentlemen who might perhaps feel that he ought not to have introduced the religious question into this discussion would do him the justice to admit that the question which he had briefly brought under the notice of the House was the subject of discussion through the country, and that ventilating it here, in the brief manner he had

attempted, might be productive of beneficial results. He would conclude by saying that our Dominion was young, full of hope, full of promise, and full of vigour, possessing advantages which no other country, perhaps, could equal. Let it then be their duty to show their appreciation of the blessings which the bountiful hand of Providence had conferred upon them, by dealing out equal, even-handed, impartial justice to all creeds and classes that might dwell within the borders of the Dominion.

Mr. DYMOND said he was not one of those who would be at all disposed to discourage the introduction to the consideration of this House of such topics as the one which the hon. gentleman had discussed so ably; in fact, they must all feel grateful to the hon. member for the great care and attention he had brought to bear upon this subject, and the clear and lucid manner in which he had laid his arguments before them. He should be glad if he could allude to that speech in terms of un-mixed praise; it had but one blemish—one, he thought, which must have struck somewhat painfully most of those who observed it. He had hoped that his hon. friend would have discussed the question in the spirit of a philosopher, as John Stuart Mill might have discussed it, and did very ably discuss it on the floor of the British House of Commons. He regretted the hon. gentleman had thought it necessary to introduce a sectional and sectarian element into the controversy. He repudiated utterly the opinion that the representation of the people in that House was to be founded on old world nationalities. He supposed he (Mr. Dymond) was the latest importation from the old country within the walls of that Chamber, but he should be ashamed to come there and pretend to speak or vote in the House of Commons of Canada simply as an Englishman. His hon. friend seemed to imagine not merely that there should be a representation of political minorities, but a representation of national minorities, that the Irish Catholics should have a certain number of members, the Scotch Protestants a certain number, the Englishmen a certain number, and so on through the whole tale. If they

were for one moment to deal with the political issues which came before them in that sense, they would, in an attempt to obtain what the hon. gentleman called justice, simply realize a confusion worse confounded. He denied altogether that the Irish Catholics of Ontario were unrepresented here. Let him appeal to gentlemen on both sides of the House. Whose vote was it they tried hardest to obtain when an election was coming on? Whom was it they charged each other with especially trying to conciliate? He was afraid that sometimes even their strong political convictions gave way to an earnest desire that they might win the favour of the Catholics of Ontario. Some of his (Mr. Dymond's) warmest supporters were Irish Catholics, and he was not sure if his hon. friend, with all his ability, and Irish nationality to boot, were to enter the field against him, that he could not carry off their vote, even against the member for Montreal Centre. Discussing this question in a perfectly impartial sense, not attempting to dogmatize upon it, reserving to himself the right to be convinced at any future time by the arguments of his hon. friend or any one else, he thought there was a fallacy underlying the argument and position of those who had advocated the views the hon. gentleman had expressed, both in England and in this country. They were aware that, both there and here, some of the ablest minds had agreed in the opinion which the hon. gentleman had expressed, and he (Mr. Dymond) once had the honour, in the old country, of warmly supporting at least one candidate who was a warm advocate of the minority vote—Mr. Thomas Hughes, better known as an author as "Tom Brown,"—and they could discuss such a question without being bound, for all time to come, by the opinions they might express to-day. He thought his hon. friend did not quite realize the character in which he and other members of this House stood in their position as representatives of the people. He seemed to regard a member of Parliament as a mere delegate, sent by a certain section of the community, to speak in its name and vote in its behalf on the floor of

Mr. DYMOND.

Parliament. But, just as he (Mr. Dymond) claimed to represent a Roman Catholic population, so far as it existed in his constituency, just as his hon. friend from Montreal Centre desired, he was sure, to represent every Protestant in Quebec and Ontario, they were all here, not as the representatives of the mere constituencies from which they came, but as the representatives of the whole country. His hon. friend ought to remember that it was their duty to study the interests of British Columbia or Prince Edward Island as closely as they studied those of Ontario or Quebec. If they looked at the legislation which took place in the House of Commons, did they find, as a rule, any great division of opinion? Did they always find men divided into two hostile forces? Let them take the political measures passed since the present Parliament assembled in 1874. Was there any great difference of opinion about the Election Law, the Controverted Elections Act, the Supreme Court Act, or as to the principle of the Canadian Pacific Railway Bill which was passed in that year? There had been, it was true, differences of opinion about an Insolvency Law; but, even there, parties were broken up, and Conservatives and Reformers voted together on a common platform. There were, in fact, no hard and fast lines in politics in this country. They were not divided into two hostile camps, with Reformers on one side and Conservatives on the other, by a line which neither could pass over. There was a great political element in this country, which was neither absolutely Conservative nor Reform, which fluctuated from side to side, which voted for the man it liked best or the Government which gave it the best measures. On the hon. gentleman's proposition, they ought to have some men representing Conservatives, other men representing Reformers, and men representing those who had no political opinions at all. That would be the mode by which, logically and exactly, they were to arrive at the proposition which he laid before them. He did not think, taking practical experience as a guide, that any party had any special reason to complain, assuming for a moment that they did form

two political parties, of the position it had occupied in this House during the period since Confederation. It was true that, taking the numbers of the vote, bringing everything down to figures, a certain number of electors seemed to be unrepresented, and a certain number to be over-represented, but at two general elections certainly, where the Ministers of the day were returned with large majorities to support them, those of 1867 and 1874, the result was probably a fair and just expression of the general opinion of the country at the time. It was true that changes took place between 1867 and the general election which next succeeded. It was equally true hon. gentlemen opposite claimed that certain changes had taken place since the general election of 1874. Was that to be regretted? Not at all. It was a fact that, when one party was in a minority, it had to exercise a greater degree of political vigilance; that it had to educate itself up to a point which the majority previously had attained; and this was, he ventured to say, one of the merits and excellencies of our political system. He did not want to see the representation of the country neutralized by those fine and delicate adjustments. In a system of responsible government, it was well that the Ministry in power should be sustained by a large majority. It would be impossible, under our system, for any Government to carry on the business of the Administration successfully unless sustained by a considerable majority in that House. His hon. friend from Montreal Centre had alluded to the minority system in England. In 1868 he (Mr. Dymond) had an opportunity of witnessing the practical working of that system. Hon. gentlemen would probably be aware that it prevailed in England to a very limited extent. There were a few constituencies only in which elections were conducted on that principle under the Reform Bill introduced by the Conservative Government in 1867. It was true that the cumulative system had since been introduced in the case of school board elections, but the purpose for which those elections took place was totally different from political contests, and he did not think

the two cases could be regarded as by any means parallel. What happened in the city of London in 1868? That city returned four members, usually Liberals. The Reform Bill of 1867 gave every elector the privilege of voting for three persons only, but such was the majority of the Liberal party in London at that time that they were able to elect three Liberals, although two Conservatives were in the field. The fourth man, the late Baron Rothschild, was defeated by a small majority. A few months afterwards, however, the Conservative member died; there was another election, and Baron Rothschild was returned by acclamation, the minority principle thus breaking down; and similar results were liable to take place in any other constituency where there was a minority vote. He did not think the representation of Great Britain was affected by more than one or two members owing to the adoption of this minority system. But suppose the system was in vogue here; Montreal, instead of being divided into three constituencies, would form one large constituency returning three members, each elector being entitled to vote for two candidates. Suppose his hon. friend was the third successful candidate—the Liberal or Reform candidate—the other two being Conservatives. When the readjustment of the Cabinet to which his hon. friend had alluded took place, no doubt he would be invited to take a seat on the Ministerial benches. The consequence would be that he would have to vacate his seat, and then, instead of being re-elected, he would be defeated, because the Conservatives, having a majority in the whole city, would elect their candidate and defeat his aspirations. He believed that the remedy for inequalities in the representation would be found not by an exact and complicated system, but by an approximately just and simple arrangement similar to the one at present prevailing in Canada, only carried out with, perhaps, more care as to the adjustment of the electoral vote in the constituencies. By having constituencies of moderate size, each returning one representative, they obtained, when the general election came, what they wanted,

not, it was true, an exact representation of a party vote, but an expression of the general voice of the whole country, even supposing it happened that the moiety did not obtain a fair representation in any one Parliament. Their Parliaments did not last very long, and, if it were necessary in order to keep pace with changes in public opinion, they could be shortened. His (Mr. Dymond's) own conviction was that, under the proposition laid before the House by the hon. member for Montreal Centre, their system of responsible government would be utterly impossible. He saw the logical difficulty he created by making that admission. But they had not to deal with such matters in a theoretical sense, and could not afford to be too logical. If they had parties so evenly balanced, if they were to create constituencies which were to be so carefully adjusted that every man calling himself a Conservative, on the one side, was to have his representative, and every Reformer, on the other, was to have his representative, the probability was that they would destroy that which they especially intended to conserve. They would preserve some party lines nominally in the country and destroy them in effect in the House; and the result would be that, instead of having responsible Ministers, supported by majorities in the House, they would have men compelled, on many occasions, to seek the support of members on both sides. The Ministers would become, as in the United States, simply the administrators of public affairs, and the great constitutional experiment they were now engaged in would prove a failure.

Mr. CASEY said this was a question which might be discussed without entailing any immediate action. It was well that such questions should be discussed in the House and the country for a long time before any definite action should be taken. As the poet said, ours was a country in which

“Freedom broadens slowly down  
From precedent to precedent.”

And, as another distinguished individual, a native statesman, remarked, “Statesmanship should be well discussed before being crystallized into the

Mr. DYMOND.

form of law.” This was a subject which would bear such discussion, and might some time or other be crystallized into law. The system referred to by his hon. friend from Montreal Centre was based on a theory which was almost universally accepted—that the people should be consulted about all questions of legislation. It was, however, impossible that the people could be individually consulted about such matters; therefore the system of representatives was introduced. Hon. members were not sent to the House as representatives of the whole country in a vague, indefinite sense, but because they were supposed to be in sympathy with some geographical section of the country or some particular class, and were returned to Parliament that they might act as their constituents would act in regard to the measures under consideration. Still, he did not say that a representative was bound to reflect the sympathies and sentiments of his constituents, when opposed to the general interest; he was bound to take cognizance of the whole country, but his *raison d'être* was his entertaining the views of the people whom he represented. The majority must always rule. The correct system of representation would be to ascertain the feeling of the majority of the whole country. As the hon. member for Montreal had pointed out, there were a great many anomalies in the representation of the country. At the election of 1874, one member was returned by a total vote of 75. In another constituency 2,500 electors voted for a candidate who was defeated. In ten constituencies where the minorities were the largest, the average was 1,900; in another ten where the majorities were the smallest, the average total vote of the successful candidates was under 400. It would appear, therefore, that 4,000 electors had ten representatives, while 19,000, who happened to reside in larger constituencies, were wholly unrepresented. This arose in a measure from the geographical or numerical inequality of the constituencies; but it did not follow that, if the constituencies were equalized in this respect, the evil would be removed. Taking ten constituencies of almost the same size in

the election of 1874, he found that in seven one party was successful with a majority of 569, while in the three others, which went with the other party, the aggregate majority was 2,008, the result being a majority of four for one party in the House and of over 1,400 for the other in the country. Any system based upon geographical or numerical limits could not secure a correct settlement of the difficulty. In cases where there were more than two parties the matter would become even more complicated than it was at present. A candidate did not necessarily represent the opinions of every member of his party. He was the choice of a majority of the party, the minority acquiescing more or less willingly in his candidature. If his party happened to be the majority in the constituency he was elected, and the result of the present system was not to ascertain the total majority of one party over the other, but to ascertain what was the balance of majorities in the different constituencies throughout the country. A large minority were undoubtedly unrepresented. All those who voted for an unsuccessful candidate were unrepresented. It was not fair to argue that a minority in one section were represented by the choice of the same party from another section. The constituents of his hon. friend from Terrebonne (Mr. Masson), had he happened to be defeated at the last election, would scarcely feel that they were represented in all religious, political and national matters by the successful member for North Hastings (Mr. Bowell), who was a member of the same party. This evil had been experienced in England as well as in Canada, and various expedients had been resorted to to obviate it. The minority system as introduced there, it must be admitted, involved many inconveniences; but the system referred to by the hon. member for Montreal Centre was a totally different affair. Mr. Hare's system was that of proportional representation; he did not claim representatives for individual minorities in different constituencies, but the representation of bodies of electors throughout the country who happened to agree

in their political views. As Mr. Bright once aptly expressed it, this was a system which proposed that everybody should be represented and all such things as majorities and minorities should be done away with, and that the absolute majority of the whole country *pro* and *con.* should be ascertained. Within our party lines were included many smaller divisions—religious, political, etc.; and those classes were at a great loss to obtain proportional representation. Some such plan as advocated by Mr. Hare would probably enable those classes by concerted action to secure such representation in the halls of the Legislature. It was no new idea to speak of class representation. The principle had been admitted in England. Members were given to the Universities and constituencies were arranged in such a manner as to give representation to certain classes. Manchester, for instance, was regarded as representing a certain commercial class, and it was arranged so that proper representation should be accorded to that class. Certain towns in Scotland, again, were connected together, under the name of contributory burghs, in order that a fair representation of the sentiments of the people might be secured. The first idea of representation in the British Parliament recognised this principle. The divisions of Lords, Commons, Knights of the Shires and Knights of the Boroughs were intended to represent the land-owning, agricultural and commercial classes of the country, and did so fairly enough at that time. Classes were now much more cut up than in those days, and they were not adequately represented. It was to remedy this state of things that the principle of preferential voting, which was the basis of Mr. Hare's system, was brought forward. He would merely mention that it enabled the voter to cast his vote for the candidate he preferred above all others, while at the same time it would be counted for those he preferred in a lesser degree if not required to elect his first choice. The machinery for counting votes was so arranged as to transfer votes from one candidate to another as required. Perhaps an illustration given by an American author would be the best that could possibly be given. Suppose the candi-

dates were standing together on a large plain, and the electors of the country personally present. They attended in groups around their favourite candidates. A certain number of votes were sufficient to elect any one candidate, and, when this number was obtained, the remainder attached themselves to another group and so on until each candidate came out with an equal or nearly equal body of voters standing about him, and forming his constituency. This was the idea aimed at in the proportional system. Each member, under its working, would be sent to the House by a constituency of equal size with those of all other members, and composed of electors who became his constituents by their own free act. Not only so, but no residuum of electors would have the misfortune of not having their votes counted for any representative, or at least no large number of them. He would repeat he was very glad that the matter had been brought up. He hoped that the House in general would give it every attention, and not consider it a mere hobby. He thought it deserved a great deal more attention than that would entitle it to, and he trusted that the Government would see their way to allow its discussion in some such shape, either before the House or a Committee, as would best encourage it, and induce the country at large to become interested in it. He did not profess that his views in favour of this system were absolutely unalterable. The theory seemed, however, to be good. There might be difficulties in the way of applying it to this country, and these might be greater than they appeared at first sight. This question of its practicability was a proper one for consideration by the Committee.

Mr. DECOSMOS said the speech of the hon. member for Montreal Centre (Mr. Devlin) was in the right direction. It would attract the attention of the people of this country, and it might lead to a better representation of the electors. He hoped that the system in question would be placed on our Statute-book. His hon. friend from Montreal Centre had referred to British Columbia. The hon. member said he did not wish to offend the British

Mr. CASEY.

Columbia representatives in the House, but that he merely brought the matter forward to show what a large disproportion existed in the representation of the country. He thought it was a great act of statesmanship, on the part of the late Government, in allowing British Columbia six representatives on the floor of the House of Commons. He did not believe that British Columbia would have joined the Union had this concession not been made; when they considered that, in a short time, the Province would have a population of 120,000, they would arrive at the basis of representation made when the Act of Union was arranged. The Province of Quebec was the key and initial point of our representative system as he understood it. A constituency containing 20,000 persons was entitled to send one member to the House. The Province of Quebec had 65 members, and, although its population increased, the representation would never change. When British Columbia came into the Union, this was understood. If the railway had been proceeded with, as was at the time—in 1873—expected, with the prestige of the British name for good faith, on the supposition that the Canadian people and the people of Great Britain were one and the same, he believed that their white population, instead of being small as it was to-day, would have been doubled now. He could assure the hon. gentleman that his statistics with regard to the white population of British Columbia were incorrect. He believed they had at least 15,000 white people, instead of 10,600. The hon. gentleman quoted figures with reference to his own constituency and his own Province, but it was to be remembered that, when the terms of Union were under discussion in the Province of British Columbia, the large Customs revenue to be handed over to the Dominion was considered a basis for representation. And this, on the basis of the Customs paid by the Eastern Provinces, entitled them to a population of 120,000. While the hon. member (Mr. Devlin) was speaking, he had turned to the Trade and Navigation Returns, and he would show from these to the hon. gentleman and to

the House the relationship British Columbia bore with regard to exports, imports and Customs duties to the other Provinces. British Columbia in the year 1875-6 exported one-eighth as much as the great Province of Ontario; one-twelfth as much as the great Province of Quebec; one-third as much as the Province of Nova Scotia with her 400,000 people; one half as much as New Brunswick, with her 350,000 people; three times as much as Manitoba, which the hon. member said had only 11,000 white people, and a number of Indians; and nearly three times as much as Prince Edward Island — long settled — with her population of 100,000. Her imports to-day were one-twelfth of those of Ontario; one twelfth of those of Quebec; one-third of those of Nova Scotia; one-half those of New Brunswick; nearly double those of Manitoba; and more than double those of Prince Edward Island. The Customs duties were one-ninth of those of Ontario; one-twelfth of those of Quebec; two-fifths of those of Nova Scotia; very nearly one-half of those of New Brunswick; twice those of Manitoba; and two-fifths more than those of Prince Edward Island. He took it that a population, exhibiting such industry and bearing such a relation to the older Provinces with regard to consumption and payment of duties, was certainly entitled to much greater consideration than the mere numbers of its people might seem to justify. The hon. member for Charlotte (Mr. Gillmor) had made unpleasant allusions to his Province, and he hoped that hon. gentleman would bear in mind what he had quoted. He took this occasion to remind the House that, within a few years, they might have a population of 120,000; and he was prepared to predict that, ten years after the Pacific Railway was built and placed in communication with the railway system of Ontario and Quebec, they would export and import nearly as much as did the whole Dominion of Canada to-day. The history of California proved, most conclusively, that western people imported more, consumed more and exported more than any other people, for their numbers, in the whole world.

The exports of the State of California, last year, amounted in value to \$35,000,000, exclusive of the gold and silver crop, which was worth \$93,000,000. This was an indication of what our Western Province would do. The hon. member for North York (Mr. Dymond) had alluded to the remark made by the hon. member for Montreal Centre, with respect to the representation of Irish Catholics on the floor of the House. He (Mr. DeCosmos) thought this was a proper subject for the House to consider; they should endeavour to have every class properly represented in the House. If, owing to the manner in which the country was divided into districts, and to the non-representation of minorities, certain classes had no representation in this Chamber, he regarded it as a wrong, and he would cheerfully aid in securing them proper representation in any way which was in his power. The Irish population, now so excluded in Ontario, were also entitled to that representation in the Cabinet which they undoubtedly deserved. No Government could be fairly representative unless all classes were represented. Did the hon. member for North York (Mr. Dymond) wish to imply that the Roman Catholics in this country would be of one opinion, even under the minority system? He could easily conceive that they, as well as other classes, would be divided in this regard; and consequently, the Government would, under such a system as now obtained, have Catholic supporters as well as opponents. He hoped that the speech of the hon. member for Montreal Centre would be circulated from one end of the country to the other; and that it would bring about a proper class representation on the floor of the House.

Mr. BUNSTER said he wished to direct the attention of the hon. member for Montreal Centre (Mr. Devlin) to the terms of Union which gave British Columbia three representatives in the Senate and six in the House of Commons, such representation to be increased according to the provisions of the Act mentioned. He would also call the attention of the hon. members from Montreal Centre and Charlotte to the Pacific Railway clause. If its pro-

visions had been carried into effect according to solemn agreement, he was certain that his Province would to-day have been entitled to additional representation. They had been treated in a strange manner by the Government of the day. The Carnarvon terms had not been observed; and, when defeated in the Senate on the Nanaimo and Esquimalt Bill, the Government had not—as they should have done—sent this Bill up again year after year. If hon. members would only think of the injustice done to British Columbia, he thought they would refrain from vilifying it. Hon. members from that Province had a right to sit on the floor of the House, and still they were insulted by the statement that their Province was over-represented, and the spoiled child. This would be all very well before a justice of the peace.

Mr. SPEAKER ruled that the hon. member was out of order.

Mr. BUNSTER said that, when great injustice was done them, they could not do less than resent it. He thought they should not be subjected to continual attacks in this connection.

Mr. BLAKE said he did not think the motion in its present shape should be adopted. His hon. friend the member for Montreal Centre (Mr. Devlin) would have observed from the conversation which had taken place in the early part of the debate that it was unnecessary and improper that a Committee should be struck with the object of enquiring into a particular plan or system. He noticed that the form in which his hon. friend had placed the motion was such as would not have attracted such favourable attention as it would under other circumstances. The motion would be more acceptable to the House if it called for enquiry, while it did not commit them to the proposition that the present system was unequal and unjust.

Mr. DEVLIN said he was willing to alter his motion in that respect.

Mr. BLAKE said he thought it was less the proper function of a Committee of this House to enquire into the merits of a theoretical plan than to enquire into the practical working of existing systems, leaving to individual

members, and to the public at large the discussion of the former branch. It was not his own intention to introduce an amendment, for a reason he would explain afterwards. Were he moving a resolution, however, it would be to ask for the appointment of a Select Committee to enquire into and report upon the practical working of the plans upon which people were now and of late years represented in Parliament in other countries, with the view of remedying some of the alleged defects of our existing system. This would not prejudice the justice of our system, while, at the same time, it would permit an enquiry to be made. He did not intend to address the House at any length upon the very important question which the hon. member for Montreal Centre had brought up. That hon. gentleman had referred to his own (Mr. Blake's) opinions, and had quoted some of the passages of a speech he had delivered. Subsequent thought and reflection had not caused him to change these opinions. He was strongly convinced that an enquiry, if there would be time for it at this stage of the Session, would produce startling facts to the members of the House as to the practical working of the present system. Speaking from recollection as to the practical working of the present system in times past, when he made some investigation into the subject, he would say, as he had said before, that it did not merely afford no guarantee that the opinions of parties, as expressed at the polls, would be represented in the House proportionately to their strength, but no guarantee that the ruling party in the House was not in an absolute popular minority in the country. His investigations as to the elections of 1867 convinced him that the Liberal party had a slight popular majority, as to the Province of Ontario, and under a system of minority representation would have had a slight majority in the House. Of the 82 members who were returned, a popular vote would have returned 42 against 40. As a matter of fact, the return was 49 for gentlemen opposite, and 33 for the Liberal party. In the speech alluded to, he had also referred to two other remarkable instances of the utter

Mr. BUNSTER.

failure of the present system in producing a return to the House which was approximate to the strength of opinion at the polls. These instances were drawn from Nova Scotia. The first case occurred in 1867, when the Province returned eighteen members against union, and only one in favour of that scheme, and the gentleman who was the one exception was returned by a very narrow majority. If the return to Parliament was to be taken as the expression of the people of Nova Scotia in reference to this matter, their opinion must be held to be next to unanimous. It was eighteen to one. But the best calculation which he could make—although he did not speak so positively as he did with reference to his own Province—led him to the belief that the real popular expression of public opinion was about twelve to seven, if both sides of the question had been heard. He would instance, also, the last general election in that Province, in which nineteen were returned in favour of the Government, and one in Opposition, and one gentleman, his hon. friend from Cape Breton, (Mr. McDonald) as an Independent member, who, however, soon went over to the enemy.

Mr. McDONALD: As an Oppositionist also.

Mr. BLAKE said he had early given his hon. friend up. But there was no doubt whatever that nineteen to two was not the real expression of the opinion of the people of Nova Scotia on that occasion. The real expression was not so favourable at all as that to the Government. And, as to the Province of Ontario, the same observation applied. Those who investigated the subject would find that the popular vote was not so strongly in favour of the Government as was the return to this House by any means.

Some HON. MEMBERS: Hear, hear.

Mr. BLAKE said hon. members might cry "Hear, hear," but he was making observations on a subject which concerned all parties, and he was quite prepared to render his assistance—no matter if it was not to the advantage of his own party—to the elucidation of this great problem. If it was found

that the members returned even approximately represented the strength of the political opinions at the polls, they might fairly say that they would not go in search of new electoral machinery. But a Committee investigating the subject would find that, even in this simple form, the simplest form in which the matter could be considered, assuming that there were only two parties, the system under which they were acting did not meet the requirements. It by no means answered it, and the way in which he had put the matter was the lowest form in which he could do so. But there were other considerations which ought to be brought into the question. It would be ignoring the present condition of public opinion and the spirit of the age if they were to suppose that, at at this time, and under the present circumstances, there would not be an increasing divergency of opinion. There were various questions, some of which had been touched upon that night, on which strong opinions were held by small minorities, it might be by intelligent minorities of the population, and these opinions ran a great risk of being unrepresented under the present system, and the country was also in danger of these opinions sometimes exercising, under the present system, too great a power over the returns to this House. There were occasions upon which those who represented a particular view took up a social subject which they deemed of more importance than any other, and upon which party lines were not drawn, and they might procure this particular view to be over-represented as far as pledged candidates were concerned. On the other hand, there were cases in which such persons were extremely liable to have no advocate on the floor of the House, and that which they might conceive to be the most important thing in the political world, to be the one thing needful, they might not have a single man to say a word for on the floor of Parliament. Then, again, he could not conceive it to be a healthy or wholesome condition, as his hon. friend from Montreal Centre (Mr. Devlin) had observed, that a minority in a certain

constituency might be doomed to never having a representative. He could point to constituencies where the returns had been invariably on one side of politics for a quarter of a century. That was a condition of things which ought to be remedied if possible. What was the ideal of the representation of the people in Parliament? It was this: that those, who, owing to their distance from the scene of action, their engagement in other avocations, were unable to meet on Salisbury's Plain, and do the business of the nation, as of old, sent a man to represent them and to do their business for them. That being the ideal, they ought to struggle to attain something like the ideal. It could not be attained absolutely, but that was no reason why it should not be attained approximately. His hon. friend from North York (Mr. Dymond) said it destroyed the principle of responsible government. He did not understand how this could be—how, the more the popular opinion was represented, the more was responsible government destroyed. It might be that, under this system, and in certain circumstances, the House would be more equally divided than it was at present. And his hon. friend had alluded to this possibility, and said it was important that the Government should have a strong majority. But it was also important that the Government should be strong in the House just in proportion as it was strong in the country; and he would remind his hon. friend from North York that a majority obtained under the proposed system, while perhaps it would not be so strong in numbers, would yet be firmer in opinion, and there would not be the spectacle of the peculiar movements of hon. gentlemen who had weak knees, arising from the fact that they represented fluctuating constituencies. He thought that the alterations in the constitution of the constituency would far more than counterbalance the difficulty which the hon. gentleman suggested on a possibly equal division. But there was no reason to know that the House would be equally divided under a system in which the people would be justly represented. There were

Mr. BLAKE.

strong differences of opinion, and these were varying the members of the different Provinces. It was only in a case in which the popular opinion was equally divided that, under the proposed system, the representatives of the House would be about equally divided, and that was a difficulty which they would have to meet when it arose, a difficulty inseparable from an equally divided public opinion. He did not see why, if the public opinion was equally divided, the representation should not also be equally divided. Much error upon this subject had been occasioned by the use and abuse of the phrase "representation of minorities." This was not a phrase of which he was very fond himself. He believed "proportionate representation," or "representation in proportion to views" would be the better term, and would be less liable to misapprehension. But, in the sense in which he had used that phrase, there was nobody in the House who would for an instant object to the justice of the system. The very principle upon which the House met recognized the right of the minority to representation, as well as of the majority; and that the minority ought to be in Opposition, while the majority formed the Government. And the suggestion was made that, in some rough and ready way, a distant approximation to the just representation of minorities and majorities was made. But this suggestion was based on an incorrect idea of the basis of representation. Supposing that those who objected to what was called the representation of minorities carried their own system to its logical conclusion, what would be the result? It would be that the whole country should be made one vast electoral district, in which they would all vote for their choice of all the candidates, and a majority, if by but one, of the whole popular vote, would return the whole delegation to Parliament.

Mr. POPE (Compton): That is not the proposal of my hon. friend from Montreal Centre (Mr. Devlin)?

Mr. BLAKE said certainly it was not. The result of this would be that the majority of one vote would return the whole House of Parliament. None

of them would agree to that. They had in fact been gradually getting rid of some of these evils. They had abolished the joint representation of large cities, such as Montreal, Toronto, and Quebec; because, amongst other reasons, the system gave to a possibly very small majority in each of these districts the power of returning the whole three members in any district. But what was attempted to be accomplished by this insufficient mode had not been accomplished, and therefore he said it was worthy the attention of this and of every other deliberative body, whether there might not be some plan whereby, without incurring the risk and dangers he had referred to, the ideal of representation might be carried out. His hon. friend from North York (Mr. Dymond) had suggested some difficulties, and he asked what would happen when a minority representative died, and he thought in this contingency a great injustice would be done. The majority of the constituency necessarily would elect the member, the hon. member said; of course he would be of the right stripe of politics. But did not his hon. friend see that, in bringing forward that argument, he acknowledged the injustice of the present system, and yet he would perpetuate that injustice.

Mr. DYMOND: I did not say it was an injustice; I only gave it as an illustration.

Mr. BLAKE said the hon. gentleman had argued that, because a perfect system could not be reached, an approximate perfection should not be sought. His (Mr. Blake's) view was that, although perfection was not possible, yet that was no reason why they should not strive after improvement. But he might say that he had never believed in the English system, though he believed that, clumsy and imperfect as was the system applied to the large boroughs and counties, it was better than our present system, because, as the hon. member for North York had acknowledged, it had given Conservatives in the boroughs, and Liberals in the counties. True, that was all the effect in a party point of view, but it had a satisfactory effect for those who desired that the people

in each locality should be represented by men of their choice. It gave the boroughs a representative according to the choice of the people of the boroughs, it gave the counties a representative in accordance with the choice of the people, not absolutely but *suo modo*, better than formerly. If the system were adopted of grouping three, five or seven districts for electoral purposes, then, in case of one member dying, it was true they would still have a majority vote in the single district in which the election took place, but it would not necessarily follow that the proportions would be disturbed. Of course, accidents would sometimes disturb the proportion over the whole group, and sometimes, not inevitably, the accident of death would produce injurious results. But he discarded the argument of the possible failure of the plan in case of the accident of death. When that happened, the system would not be worse than that of to-day, and, when it did not, it would be a better system. Let them hope they would live and adopt the system. He had made these few observations under some sense of embarrassment, not at all embarrassing to his own position on that subject and his own opinions, as it was well known he was free to maintain them, but because, from circumstances which they all regretted, it was his misfortune to be leader of the House that evening, and he necessarily had to speak not for himself only, but for the Government. He would support any motion which might be made in the sense he had suggested. He did not think it would be fitting to ask the House to record upon its journals a view which might not be entertained by the majority—which he assumed was not entertained by the majority—that the present system was unjust and unequal, as they knew it was; but, if his hon. friend from Montreal Centre would modify the motion in some such sense as he had suggested, and propose such a reference as he (Mr. Blake) had ventured to submit, he would give it his hearty support, although at that stage of the Session he was afraid the labours of the Committee would not be prosecuted with that effective result they might have attained had circum-

stances permitted his hon. friend (Mr. Devlin) to have made his motion earlier.

Mr. POPE (Compton) said the motion of the hon. member for Montreal Centre was to the effect that there was a large minority in the country unrepresented, and that, speaking from a national point of view, it was desirable that that minority should have representatives in Parliament. The speech of the hon. the Minister of Justice had no reference to that motion; but it was not important as indicating the opinion of the Government on the question raised. He (Mr. Pope) sympathised largely with the hon. member for Montreal Centre. He would be glad, if it were possible, that there should be a representation obtained which would quiet the apprehensions that the people were not properly represented, whether Irish Roman Catholics or any other body, and if the hon. member for Montreal Centre could devise any means by which that could be accomplished, either through a Committee or otherwise, it would receive his support. He did not understand how, when the question of electing representatives had been left to the people, provision could be made for the representation of minorities. He had, however, no objection to minorities being represented, if a feasible plan could be found for carrying it out. There had not been any agitation on the subject; indeed, nothing had been said about it, except in a speech delivered by the hon. the Minister of Justice, which was a very good one in its way; but it had very little effect on the country, which did not think the speech sufficient as a basis on which to raise an agitation. But the question raised by the hon. member for Montreal Centre had agitated the country. It had sunk deep into the hearts of many people, and, if there were any way of settling it, he would render any aid in his power to that end. Let hon. members, however, not be led away by side-issues raised by the hon. the Minister of Justice. He felt that the hon. member for Montreal Centre represented a considerable population in the country, who were entitled to the consideration of the House. It was difficult to reach a solu-

Mr. BLAKE.

tion of the question which would be satisfactory to those people and prevent an agitation, and it should be the first duty of every hon. member to so conduct the legislation that there would be no room for agitation, but the people would be satisfied and contented.

Mr. MITCHELL said the hon. member for Montreal Centre might alter his motion in accordance with the suggestion of the hon. the Minister of Justice.

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

Mr. DEVLIN moved :

“That a Select Committee of nine members be appointed to enquire into, and report on the practical working of the plan under which the people are now represented in Parliament; and of the systems which have of late years been adopted in other countries, with a view to remedy some of the alleged defects of the existing plan.”

Motion *agreed to* on a Division.

## EMIGRATION AGENTS IN IRELAND.

### MOTION FOR CORRESPONDENCE.

Mr. DEVLIN moved for copies of all the correspondence between the Government or any of its Departments and the emigration agents stationed in Ireland respecting the sending out of emigrants from that country to Canada, and the manner and under what circumstances pecuniary assistance could be given and to what extent, and whether by all the agents or only one of them; also for copies of the instructions given to said agents as to the discharge of their duties and the places fixed for their headquarters, also all correspondence had with the agency in London respecting the sending out of Irish emigrants to Canada, and all correspondence regarding the removal of the agent who was stationed in Manchester to Belfast, and regarding the removal of the agent who was stationed in Cork to London, and regarding the powers conferred upon the agent stationed in Ulster.

Mr. BURPEE (St. John) said all the correspondence would be brought down. The motion conveyed the impression that some special arrangements had been made with agents on

the other side. No special arrangements had been made, and no special pecuniary aid given; all the aid given was from the office in London in the shape of passenger warrants.

Mr. DEVLIN said the question could be discussed when the papers were brought down.

*Motion agreed to.*

#### WELLAND AND ST. LAWRENCE CANALS.

##### MOTION FOR RETURNS.

Mr. BLAIN moved for returns showing the increased quantities between twelve and fourteen feet depth of water in the Welland Canal, and also the St. Lawrence canals and rivers, in the following materials, namely:—Masonry, dredging, earth excavations, rock cutting (one above water, two below water), timber, plank; also the prices upon which the calculations in the engineer's reports are based; also, the soundings of the river and lakes which have been made for the purpose of obtaining fourteen feet of water.

Mr. BROUSE moved the adjournment of the debate.

*Motion agreed to.*

#### HARBOURS OF BRITISH COLUMBIA.

##### MOTION FOR PAPERS.

Mr. DECOSMOS moved for copies of all papers connected with the enquiries sent to the Admiralty in England, and the answers thereto, respecting the harbours of British Columbia. He said that certain officers of the Imperial Navy had been investigating the ports of British Columbia, to find out which was best adapted for the terminus of the Pacific Railway. It would be of great service if the progress report of the Chief Engineer could be laid before the House prior to the discussion on this subject.

Mr. BLAKE said the correspondence was in such a condition that it could not be brought down.

Mr. DECOSMOS said in that case he would ask leave to withdraw the motion.

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

#### ESQUIMALT GRAVING-DOCK.

##### MOTION FOR CORRESPONDENCE.

Mr. DECOSMOS moved for copies of all correspondence, by telegraph or otherwise, respecting the Graving-dock at Esquimalt since July, 1874.

*Motion agreed to.*

#### CANADIAN PACIFIC RAILWAY.

##### MOTION FOR CORRESPONDENCE AND DESPATCHES.

Mr. DECOSMOS said, with a view to obtaining information with respect to the Pacific Railway, he begged to move that a copy of all correspondence between Her Majesty's Principal Secretary of State for the Colonies and the Dominion Government since 1871, respecting Imperial financial assistance in aid of the construction of the Canadian Pacific Railway, be laid before the House. He wished to ascertain whether there was any correspondence with respect to obtaining an Imperial guarantee to aid in the construction of the railway.

Mr. CARTWRIGHT said the only correspondence that he knew of was already in the possession of the House. It was that which took place between the late Government and the Secretary of State for the Colonies, at or after the time of the Washington Treaty, with respect to granting £3,600,000 sterling for the double purpose of aiding the construction of the railway and the enlargement of the canals.

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

Mr. DECOSMOS moved for a copy of all despatches sent, since 1876, to Her Majesty's Principal Secretary of State for the Colonies respecting the Canadian Pacific Railway, and especially a copy of all the despatches on which Lord Carnarvon's despatch of December 18th, 1876, is founded.

Mr. BLAKE said, in the absence of the hon. the First Minister, he was unable to say what answer should be given to the motion. He would, therefore, move the adjournment of the debate.

*Motion to adjourn debate agreed to.*

### THE NEWCASTLE FISH-BREEDING ESTABLISHMENT.

#### MOTION FOR RETURN.

Mr. BURK moved for a return, showing the title held by the Government to the land and other property connected with the Fish-breeding establishment at Newcastle, Ontario, with quantity of land so held; also the actual amount expended on buildings or other permanent improvements on said lands.

*Motion agreed to.*

### MONEY PAID TO C. J. BRYDGES.

#### MOTION FOR RETURN.

Mr. PALMER, in the absence of Mr. DOMVILLE, moved for a statement shewing the sums of money paid C. J. Brydges for the year ending 30th June, 1876, showing salary whilst Intercolonial Railway was under construction, and salary for management, also expenses of his offices at Montreal, Ottawa and Moncton and amount of his travelling expenses for same period.

*Motion agreed to.*

### SUPERANNUATION OF COLLECTOR OF CUSTOMS AT WHITBY.

#### MOTION FOR CORRESPONDENCE.

Mr. GIBBS (South Ontario) moved for copies of all correspondence relating to the superannuation of Wm. Warren, Esq., late Collector of Customs for the Port of Whitby, Ontario; also copies of Petitions, Inspectors' Reports, and Minute of Treasury Board, showing date of such superannuation. He said he desired to call the attention of hon. members to some facts connected with the superannuation of this gentleman, and thought he would be able to establish that a very grave injustice had been done to a worthy and efficient officer, as well as a most estimable citizen. Mr. Warren was a personal friend of the late Mr. Baldwin, from whom he received his appointment. He had held the office of Collector of Customs at Whitby for 32 years, and had discharged the duties honourably and creditably,

Mr. BLAKE.

and summary dismissal in 1875, without any cause being assigned, had occasioned a great deal of surprise. He (Mr. Gibbs) had yet to learn that, because a person had been in the public service for a large number of years, and simply on account of his arriving at a certain age, it was a sufficient reason for his being superannuated without a moment's notice, and without any investigation as to his fitness or unfitness for the duties of his office. By papers brought down, it would be seen that a petition emanated from certain persons in the town of Whitby, asking that another person should be appointed to the office of Collector, and stating that the memorialists understood that Mr. Warren desired to be superannuated. But, as soon as it was known that Mr. Warren had no such desire, another petition was sent to the hon. the Minister, asking that he be retained, and stating that the former petition had been signed under a misapprehension. On the 18th November, 1874, shortly after the second petition was sent to Ottawa, Mr. Warren addressed a letter to the Department, in which he stated that, although 74 years of age, he was as able to perform the duties of the office as he ever had been, and requested that he might not be superannuated for a few years. It was true that an Inspector, in August, 1874, reported that Mr. Warren was an able officer, but that "he was too old for the duties required of him;" but the people of Whitby, at a subsequent date, had expressed confidence in the Collector's ability to discharge his duties thoroughly. In a private letter to him (Mr. Gibbs), Mr. Warren stated that during the 32 years of his service, with the exception of four days' leave of absence in 1862, he had never been off duty for a single day. With regard to his physical condition, his eye was undimmed, and his ear neither dull nor heavy. Mr. Warren himself wrote that he was strong and active, and could walk 20 miles in as short a time as any man in Canada. While he had nothing to say against Mr. Warren's successor, he would take the opportunity of stating that, however efficient this gentleman might be, he believed that the duties of that office could not be more efficiently performed

than by his predecessor. He understood it had been urged by the late member for South Ontario, that Mr. Carson had claims on the Reform Party for services rendered during several elections in the riding, and, while he had nothing to say against the bestowal of a reward for such services, he held that a gentleman of Mr. Warren's position and standing, who had so long and faithfully performed the duties of Collector of Customs at Whitby, ought not to have been summarily set aside to make way for a political partizan. Members of both political parties in Whitby felt that a great injustice had been done this gentleman, and he considered it his duty to call the attention of the Minister of Customs to the fact. He desired, if it was possible, to have the injury which had been inflicted remedied. Perhaps, as had been the case with regard to a grievance mentioned in connection with the county of Victoria, Nova Scotia, the Minister of Customs had not had time to read the documents relating to this dismissal, but he was sure that, if the hon. gentleman had read them and paid them the attention they merited, he would have caused a special report to have been made him with reference to the manner in which Mr. Warren's duties had been performed and prevented the summary dismissal that had taken place. The first intimation Mr. Warren had received was contained in a telegram dated 2nd August, 1874, and this was followed by a letter, the only notice he had obtained of any charge having been brought against him. He trusted that the Minister of Customs would do Mr. Warren that justice which the circumstances of the case demanded.

Mr. BURPEE (St. John) said he did not know what papers could be brought down in addition to those which had already been brought down. Of course, if there were any others they would be submitted immediately. He had not a word to say against Mr. Warren's respectability or ability to fill the office, but, as the gentleman was over seventy-five years of age, it had been thought desirable to superannuate him. An Order in Council directed that officers, after they reached the age of sixty-five, had to be reported on

year after year—as the hon. member for South Ontario must know—in order to assure the Government that they were fit for active service. Mr. Warren's case was somewhat exceptional; while doubtless able to do indoor work, he was not in a position effectively to perform the out-door service frequently required of a Customs Collector in a small port, owing to advanced years; such collectors were often also obliged to act as preventive officers and landing waiters. Under all the circumstances, this gentleman's age and his thirty-two years' service formed a reasonable excuse for superannuation. Scarcely one out of fifty collectors in small ports were capable of performing their duties properly after they attained the age of seventy or seventy-two.

Mr. BOWELL asked if he understood that the Order in Council mentioned applied to the whole Civil Service.

Mr. CARTWRIGHT: That is the rule applying to all officers claiming superannuation.

Mr. BOWELL: But it appears that this gentleman never claimed superannuation.

Mr. CARTWRIGHT: All officers are entitled to superannuation.

Mr. BOWELL: That is another point.

Mr. CARTWRIGHT: It is precisely the point in question.

Mr. BOWELL said one thing was quite clear. It was necessary in the town of Whitby to provide a place for a political partizan, and it had been shown that a capable officer had been superannuated with this purpose in view. If the rule mentioned was carried out in all the Departments, why had a gentleman between 64 and 66 years of age been appointed recently to the postmastership of Port Hope, a position much more onerous than the Collectorship of Customs in the small town of Whitby. It was quite evident that the rule was not observed.

An HON. MEMBER: I deny it.

Mr. BOWELL asked who denied it. The gentleman who was appointed. He had a few moments previously

received a letter stating that, on the assessment roll, the gentleman appointed Postmaster of Port Hope represented himself to be between 64 and 65 years of age. He had nothing whatever to say against the respectability or the capabilities of this gentleman, but he did affirm that the law providing for the superannuation of members of the Civil Service had been most outrageously—if he might use the term—and repeatedly abused in order to make vacancies for those who had done political service on behalf of the Reform Party.

Mr. CARTWRIGHT said he believed that the Postmaster of such a town as Port Hope was not entitled to receive or claim superannuation. He had no personal knowledge with regard to Mr. Warren, but he thought that every hon. gentleman would agree with the remark made by the Minister of Customs—that at the age of 75 no gentleman, no matter what might be his physical vigour, could discharge the duties necessarily imposed on the Collectors of Customs at small ports, as efficiently as a gentleman sixty-five or seventy years of age. He feared that very considerable loss resulted from the fact that a very great number of these officers were far too old to fill properly the offices they held, and, if he was correctly informed, nearly two hundred Customs officers averaged something like seventy years of age. So far from being blameworthy as regarded superannuations, it was only a disinclination to swell the list that prevented the Government from superannuating a great number of other officers. If the Superannuation Act had been in force for twenty or twenty-five years, the diminution from death would by this time have balanced the increase of superannuated officers; but, as it was only introduced four or five years ago, it was quite clear that, as a large number of officers had been appointed at advanced periods in life, it was utterly impossible to avoid a considerable increase in superannuations from time to time. Mr. Warren's case must necessarily rest on his extremely advanced age, which rendered it impossible for him to discharge the duties of Collector of Customs under the circumstances mentioned.

Mr. BOWELL.

Mr. MITCHELL said he would like to know whether reports of Inspectors as to the fitness of this gentleman to discharge his duties had been received during the nine years previous to his dismissal; and also whether the Minister of Customs could give any information as to any particular falling off in the activity, mental vigour or physical powers of Mr. Warren during his last year of office.

Mr. BLAKE: It is well known that men grow more vigorous as they grow older.

Mr. MITCHELL said he thought the hon. gentleman's sarcasm was ill-timed.

Mr. BURPEE (St. John) said he had not examined the Inspector's reports during the past nine years. He did not think that Mr. Warren was taken by surprise. The matter had been talked of for several months prior to the superannuation, and he believed that Mr. Warren expected it. He held that this gentleman was a fit subject for superannuation.

Mr. GIBBS (South Ontario) said he did not know why it was urged that Mr. Warren was incapable of discharging the duties of Collector of Customs. There was a landing-waiter at the town of Whitby, and Mr. Warren's duties were confined to office work, though he was quite able to do a great deal outside if required. The statement he had read to the House was dated two and a half years ago, and it still held good. Mr. Warren had never had any intimation that he was going to be superannuated. Mr. Warren's letter to the Department was dated November, 1874, and the Treasury Board took action in the following July, very much to that gentleman's surprise, as it was not expected that, after the remonstrance and petition, signed by members of both political parties and sent in from the town of Whitby, testifying to his fitness and ability, the Government would have taken any action in the matter, at any rate until a special inspection had been made in this relation.

Mr. ROSS (East Durham) said he had never referred to this before. Whoever had written the letter had

done so because he himself was disappointed in not getting the office. He (Mr. Ross) did not lay any fault to the hon. member for North Hastings (Mr. Bowell), for his remarks. The gentleman who held the office was active, efficient and honest. He was a man who would not abstract the funds.

Mr. COOK remarked that perhaps the hon. member for North Hastings would favour the House with the date of the gentleman's birth.

Mr. BOWELL said the gentleman in question could do that himself. The hon. member for East Durham was entirely mistaken as to the person who wrote the letter. It was not written by a disappointed office-seeker, but by a gentleman who was of the opposite side of politics and knew he could not possibly get the position. He himself had never said anything against the character of the gentleman who held the office, but he had called the attention of the Government to the fact that, while they superannuated one man, they placed another in his position who was 64 or 65 years old.

*Motion agreed to.*

#### CARRYING MAILS BELOW QUEBEC IN WINTER OF 1876.

##### MOTION FOR RETURN.

Mr. BLANCHET moved for a return of the expenditure incurred by the Post Office Department for carrying the mails below Quebec while the Grand Trunk Railway was stopped by snow during the winter of 1876.

*Motion agreed to.*

House adjourned at  
Eleven o'clock.

#### HOUSE OF COMMONS.

*Tuesday, 20th March, 1877.*

The Speaker took the chair at Three o'clock.

#### THE VETERANS OF 1812-15.

Mr. ST. JEAN moved that the returns of the Militia Department showing the names of the veterans who had proved their right to partake in the sharing of the grant of \$50,000 voted

last Session in favour of militiamen of 1812-15 be printed for distribution among members of the House in order to complete the return submitted last year.

Mr. ROSS (West Middlesex) said the Printing Committee had not recommended the printing of this return, owing to the fact that it was almost similar to last year's return. If his hon. friend moved that the names of veterans not contained in the report of last year be printed, he did not know but that this would be printed, although he was under the impression that the Committee would abide by their recent decision.

Mr. BLAKE said it was within the competence of the Printing Committee to modify the return asked for, and grant only the portion of it which was really necessary.

Mr. VAIL said the report in question was very voluminous. The information desired could be obtained in a very few minutes by an examination of the papers which had been laid before the House.

Mr. TUPPER said he believed that a large number of persons, who thought their claims were as just as many that had been allowed, had failed to secure grants. Parties who were instructed to furnish certain evidence had been unsuccessful in obtaining grants after the required evidence was furnished; therefore, great necessity existed for the publication of the names of all who had participated in the vote. One Mr. Smith in his county made application in this relation, and was told to furnish evidence that he had been drilled. This was supplied, he believed, and then Mr. Smith was informed that the regulations of the Department did not permit a grant to be made under the circumstances. This was felt to be a great hardship, because a number of persons occupying precisely the same position were said to have been paid.

Mr. BLAKE said, as he understood it, the question was only as to the publication of certain additional names.

Mr. VAIL said it was quite true, as the hon. member for Cumberland (Mr. Tupper) had remarked, that a great deal of difficulty was experienced in

getting the names of persons fairly entitled to participate in the grant. The intention in the first place was that these should be only those who had served under arms. A number of applicants lived in Nova Scotia, and, as far as he could learn, none of them had so served, they had only been enrolled as militiamen. He was not prepared to say that one or two who were not fairly entitled to participation in the grant had not been placed on the list, but, as soon as the circumstances were discovered, payment was stopped. The matter was still under consideration. If they found that men in Ontario and Quebec who occupied the same position had been paid, of course the claims would be allowed. If paid at all, this must be done out of the grant for the coming year.

Motion referred under Rule 94.

#### PROCEDURE WITH GOVERNMENT ORDERS.

##### REMARKS.

Order 25 on the paper read.

Sir JOHN A. MACDONALD said they had been in the habit, as a matter of courtesy, of allowing the Government to stray over the orders commencing with the last and ending with the first. He would give hon. gentlemen opposite fair notice that they might find it to their advantage to insist on the rule that Government orders should be treated as were other orders, according to their regular precedence.

Mr. BLAKE said that, ever since he had been in the House, the rule on this subject had been the same. The hon. gentleman opposite, while he led the House for several years after Confederation, had always followed the present practice. He hoped that the custom would not be altered without reasonable notice.

Sir JOHN A. MACDONALD called attention to the 24th rule.

Mr. BLAKE said he was quite aware of the fact that this order had existed since Confederation. It had not been observed, however.

Sir JOHN A. MACDONALD said he did not then intend to press the matter.

Mr. VAIL.

Mr. BLAKE: I hope the hon. gentleman will give us two days' notice of his intention.

Sir JOHN A. MACDONALD: I have given full notice.

#### QUEBEC HARBOUR AND PILOTAGE ACTS AMENDMENT.

RESOLUTION CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the following resolution:—

“That it is expedient to amend the Acts for the improvement and management of the Harbour of Quebec, and the Pilotage Act of 1873, (1) By altering the rates payable on tow boats and steamers plying in or to the Harbour of Quebec, and making better provision for ensuring the payment of the Harbour dues; (2) By empowering the Harbour Commissioners to impose penalties not exceeding \$100, or imprisonment not exceeding sixty days, for infraction of their by-laws; (3) By enabling the Commissioners, in their discretion, to fine a pilot not exceeding \$100, instead of suspending or dismissing him for certain offences; and (4) By authorizing the Commissioners to substitute rates per ton, weight or measurement for those now imposed, or otherwise to commute the same, but not to exceed the amounts now authorized, except with the consent of the Governor in Council.”

(In the Committee.)

Mr. SMITH (Westmoreland) said he understood the changes contemplated had received the approval and concurrence of all the Harbour Commissioners. The latter had at present no power to fine pilots, and it was proposed to grant power to fine instead of suspending, if this was desired. Dues were now levied entirely *ad valorem*, and experience seemed to show that it was at least desirable to make some of them specific; they would, however, not be higher than those at present in force, and they would be subject to the approval of the Governor in Council.

Mr. MITCHELL said he would like to hear explanations with regard to the necessity of making these changes. The present law was adopted after very grave deliberation, and after months of negotiation. The President of the Council and the hon. member for Montmorency (Mr. Langlois) had taken very deep interest in the matter, and a delegation of pilots had, at the time,

remained in the capital for about two months; and he thought that an Act prepared with so much care should not be changed without substantial reasons. He particularly objected to a change in the tariff of charges for these reasons. The mercantile community of the city of Quebec, one of the chief commercial *entrepôts* of the country, had complained seriously and grievously at Boards of Trade and in the press of the system adopted with relation to the Harbour Trust of that city. He believed that the Government had not selected Commissioners who had the confidence of the mercantile community, and accordingly he would like the hon. member for Quebec East (Mr. Thibaudeau) to explain the reasons why these changes should at present be made.

Mr. THIBAudeau said he was not then prepared to do so. He would, however, be glad to comply with the request when the Bill came before the House.

Mr. CARON said he would like to know whether the Quebec Board of Trade had expressed their opinion on the subject.

Mr. SMITH (Westmoreland) said he was not aware of this being the case. He presumed, however, that the Quebec Board of Trade was cognizant of the changes proposed. At all events the Bill would be published and the public would have abundant opportunity to become acquainted with its details.

Mr. MITCHELL said no doubt the proposed legislation was introduced at the instance of the Quebec Harbour Commissioners. Still, someone ought to have been prepared to give to the House information on the subject. Commercial men were vitally interested in the pilotage system. It was very inefficient and was the cause of numerous suits and much loss of money. The law was by no means perfect. He would not oppose the proposition to grant power to fine pilots. If his hon. friend from Quebec East could not then furnish the information desired, they ought to defer consideration of the matter. He had suffered severe losses in connection with these matters, and the commercial community had also

suffered owing to the inefficiency of pilots and to the failure to punish them for neglect or ignorance.

Mr. SMITH (Westmoreland) said he understood that the changes proposed were unanimously approved of by the Quebec Board of Commissioners, and generally by the people of that city. He had heard of late no complaints regarding pilots, and the only change in this regard had reference to the imposition of fines. The toll on boats, he believed, was now one-tenth of one per cent. *ad valorem*, and he was informed by the Chairman of the Harbour Board that the change proposed in this respect would probably increase the revenue about \$4,000 a year. The tolls were to be imposed on weights and measurements, instead of on the *ad valorem* principle.

Mr. CAUCHON said there were two distinct propositions affecting two distinct interests; one concerned the improvement of the harbour, and the other the pilots. The President of the Quebec Board of Harbour Commissioners (Mr. Dobell) and Mr. Shehyn, the Vice-President, the Commissioners and the members of the Board of Trade were cognizant of these propositions, and, if they were opposed to their opinions and interests, they would have no doubt made representations in this connection. Besides, if this was the case, there was plenty of time for the Board of Trade to protest. There were difficulties connected with the collection of the revenue, because the meaning of the law was not well understood. In amending it in accordance with the resolution, it would be made clear and distinct. The pilots had not been consulted with regard to the clause affecting them, but they would have plenty of time to consider the question and petition against the Bill if they found that it was not agreeable to their sentiments. As regarded the other provisions, he might state that the President and Vice-President of the Board of Trade were in favour of them.

Mr. ROCHESTER asked who was responsible for the delays in loading vessels at the port of Quebec. The stevedores got possession of the material and the vessel, and often kept

her waiting several days through not proceeding with their work. Shippers often had to pay demurrage on this account. He would like to know whether the Harbour Commissioners were responsible for this.

Mr. SMITH (Westmoreland): I do not think they are responsible.

Mr. ROCHESTER said it would be a great boon to shippers if the Government would effect a reformation in that respect. He had frequently had to pay demurrage owing to those delays, and there seemed to be no redress. He believed there was a ring among the stevedores, and he thought the Government ought to interfere to correct the abuse.

Mr. MITCHELL said there was no provision in the law which gave the Commissioners power to deal with that matter. He would like to know whether the hon. the Minister of Marine and Fisheries intended to alter the rates payable by tow boats or steamers, by increasing or decreasing them, and also what "the better provision for ensuring the payment of the harbour dues" was. If his hon. friend stated that the authorities were favourable to the second and third clauses of these resolutions, he was satisfied on those points. He would not, however, consent to the fourth clause, even if he stood alone in his opposition to it. His hon. friend had not stated whether the rates under this clause would be increased or decreased by the proposed alteration. There had existed a provision for years with regard to the levying of dues on tonnage, which was an outrage upon the commercial and shipping interests of the country. He thought it was time it should be stopped, and while in office he had endeavoured to remedy the evil. He thought he had got the Harbour Commissioners in the position that all dues collected for the purpose of improving the harbour and protecting shipping would be applied in a manner that would prove beneficial. But that was impossible now, with the Commission constituted as it was. He (Mr. Mitchell) knew that Mr. Dobell had been overruled in the Commission on questions relating to improvements.

Mr. ROCHESTER.

Mr. CAUCHON: I do not deny that; but there is no difference of opinion in the Trust on this question.

Mr. THIBAUDEAU said the Bill had been drafted since he left Quebec, but he had every reason to believe that it was in accord with the wishes of the Harbour Trust. There were no less than six merchants on that Commission, and he thought the commercial interests were safe in their hands. The object of the Bill was to increase the revenue of the harbour. Since the passage of the Harbour Trust Bill the importation of goods from England *via* Portland had increased rapidly, and dues were only imposed on goods coming to Quebec by sea. It was sought, under the proposed amendments, to levy toll on goods coming from the United States and England *via* Portland and the Grand Trunk Railway, by which arrangement it was thought that the revenue of the port would be increased by about \$4,000. He was not prepared to give as full an explanation at this moment as was required, but he would consult his fellow-commissioners and would give further particulars at another stage. With regard to the pilots, it had been found inconvenient to deprive them of their branches for a year or eighteen months, and so take from them their means of earning an honest living. It was thought that the same object of making the men more careful would be secured by the imposition of a fine.

Mr. MITCHELL said he thought the explanation of the hon. member for Quebec East ought to convince the House of the impropriety of going on with the resolution. It had been stated that the object was to place a duty on goods coming by way of Portland. He thought this was misleading the House, as the resolution read:

"By authorizing the Commissioners to substitute rates per ton weight or measurement for those now imposed, or otherwise to commute the same, but not to exceed the amounts now authorized, except with the consent of the Governor in Council."

The principle of the measure, as stated by the hon. member for Quebec East, was unjust and unfair; it would be levying duties on parties who would not be benefitted by the improvements.

Mr. THIBAudeau said on the Commission there were Mr. Shebyn, another gentleman and himself, who were three of the largest importers by Portland, and they were quite willing to submit to the dues for the advantage of the Harbour Trust.

Mr. SMITH (Westmoreland) said that when the Bill was introduced, his hon. friend (Mr. Mitchell) could make his objections, and the House might perhaps sustain him. There could be no impropriety in allowing the resolutions to pass. He understood the Chairman of the Harbour Trust to say that they desired to levy a toll on goods going to the United States that crossed the harbour, but it would be for the House to say whether it would authorize this to be done or not.

Mr. MITCHELL said the whole southern portion of the Province of Quebec had its country produce brought across the harbour, and surely it was not intended that charge should be made for crossing.

Sir JOHN A. MACDONALD said he did not feel himself competent to discuss the merits of the resolutions, and, therefore, he would not do so. But he differed from the view taken by the hon. the Minister of Marine and Fisheries that the House would not be bound by the resolutions in any way. If this was so, there was no use going into Committee. The practice of the House was founded upon reason. Whenever a Bill affecting trade and commerce was brought up, the reasons for the proposed alterations must be discussed fully in Committee; and then, if the Committee thought it expedient to make the alterations, the resolutions were reported to the House, and the House concurred in them before a Bill, founded upon these resolutions, could be introduced. If those propositions were sustained, then the House had already affirmed the principle of the Bill founded upon them, and, consequently, could not throw out the Bill. There might be quibbles as to the details of the Bill, or a certain clause, providing the machinery for carrying out the Bill, might be attacked; but the House, if it adopted the resolutions,

was tied hand and foot to the acceptance of the Bill. If his hon. friend was not prepared to bring all his information down, the House should not be pressed to pass the resolutions.

Mr. SMITH (Westmoreland) said he was not prepared to controvert the doctrine set forth by the hon. member for Kingston, but he would ask whether that hon. gentleman undertook to say that every member was bound to every provision of the resolutions after they had been passed by the House. He did not think the action of any hon. member would be restricted by the passage of the resolutions. The House could affirm the principle that it was advisable that certain changes should be made; but any member could then object to any special clause of the Bill.

Mr. MITCHELL: Not if he agreed to the principle of the resolutions. He may object to details, but he is bound to the principle.

Mr. SMITH said he did not think every hon. member was bound by every statement in the resolutions.

Mr. MITCHELL said he understood that, unless a division was called for on the resolutions, every member was bound by the principle of the resolutions. If he called for a division, then he would have an opportunity, on the subsequent introduction of the Bill, to vote against any part of the Bill if he chose. He understood that the object of a portion of the resolutions was to empower the Harbour Trust to fine or suspend pilots, instead of dismissing them, for certain offences. The Act 36 Vic., chap. 54, contained a list of pilots' offences, which would be found as follows:—

“(1.) Commits any fraud or offence against the revenues of Customs or Inland Revenue, or the laws relating thereto;

“(2.) In any way, directly or indirectly, concerned in any corrupt practices relating to ships, their tackle, cargoes, crews or passengers, or to persons in distress at sea or by shipwreck, or to their moneys, goods or chattels;

“(3.) Lends his license;

“(4.) Acts as pilot whilst suspended;

“(5.) Acts as pilot when in a state of intoxication;

“(6.) Employs, or causes to be employed, on behalf of any ship of which he has the charge, any steamboat, boat, anchor-cable,

or other store, matter or thing, beyond what is necessary for the service of such ship, with the intent to enhance the expenses of pilotage for his own gain, or for the gain of any other person;

“(7.) Refuses or delays, when not prevented by sickness or other reasonable cause, to take charge of any ship within the limits of his license, upon the signal for a pilot being made by such ship, or upon being required to do so by the master, owner, agent or consignee thereof, or of any officer of the pilotage authority of the district for which such pilot is licensed, or by any other principal officer of Customs; subject always, in the case of a pilot for and below the harbour of Quebec, to the laws relating to the Corporation of Pilots for and below the harbour of Quebec;

“(8.) Attempts, upon being so signalled or required, to make any special bargain for salvage;

“(9.) Unnecessarily cuts or slips, or causes to be cut or slipped, any cable belonging to any ship;

“(10.) Refuses, when requested by the master, to conduct the ship on board of which he is into any port or place into which he is licensed to conduct the same, except on reasonable ground of danger to the ship; or

“(11.) Quits the ship which he has undertaken to pilot without the consent of the master, before the service for which he has been hired has been performed.”

The hon. the Minister of Militia would see that he had already the power to impose a penalty, as provided by the Act, for the commission of any of these offences, of \$200, with the liability also of suspension or dismissal.

Mr. SMITH (Westmoreland): Read Section 71.

Mr. MITCHELL read that clause as follows:—

“If any Pilot when on board any ship for the purpose of piloting her, by breach or neglect of duty or by reason of drunkenness, either

“(a.) Does any act tending to the immediate loss, destruction or serious damage of such ship, or tending immediately to endanger the life and limb of any person on board such ship, or

“(b.) Refuses or omits to do any lawful act proper and requisite to be done by him for preserving such ship from loss, destruction or serious damage, or for preserving any person belonging to or on board of such ship from danger to life or limb, he shall, for each such offence, be deemed guilty of a misdemeanour, and be liable to imprisonment for a period not exceeding twelve months, with or without labour; and, if a licensed pilot, shall also be liable to suspension or dismissal by the pilotage authority of the district for which he is licensed.”

Mr. MITCHELL.

He understood the hon. the Minister of Marine to state that the subject of the resolution was to enable the authority, in place of dismissing the pilot, to impose a penalty of \$100, although the Act he had just quoted imposed a fine of \$200. He knew he would be saying what a great many of his friends would not care about hearing, but he had had some experience of the inefficiency of the pilots of the St. Lawrence, and he felt it his duty to speak out. He strongly objected to the penalty being reduced from \$200 to \$100, especially considering the fact that complaints were increasing. There was as much drunkenness and want of experience now as there had existed ever since he knew anything about the matter; and, therefore, he believed the hon. the Minister of Marine and Fisheries slightly misled the House, he would not say intentionally, in stating that his object was simply to relieve the commissioners from the necessity of imposing greater penalties. If, as the hon. the Minister of Justice had said, the 70th Section was cumulative, he had no objection to go to that extent, but he did not think it was cumulative. Instead of the penalty being reduced, he would like to see it imposed with more force when necessary. His experience was that the clause as to the penalty had been a total failure.

Mr. CAUCHON said he thought the hon. member for Northumberland was mistaken in his remarks as to the pilots. The Bill was framed by him, and he was perfectly satisfied with the result of the amendments. He (Mr. Cauchon) maintained that the pilots of Quebec were as efficient as the pilots of any other port in the world. He did not think the hon. gentleman had been just to the pilots; there had been no complaints against them that he was aware of. He intended, as far as lay in his power, to keep the pilotage of Quebec as efficient as possible. He had brought in the Bill requiring seven years' apprenticeship, while, before, pilots had only to cross the Atlantic twice, and he had also required that they be educated fairly and know English; so that every attempt had been made in that direction, and if anything more could be done he was ready to do it. It should be remem-

bered that the pilots of Quebec had many difficulties with fogs and other things which pilots of other ports did not have.

Mr. MITCHELL said he was not responsible for the Bill, although he was in office when it was introduced. The Bill was a compromise. It was not such a one as the Department believed would make the system efficient, but it went as far as the Government could carry it.

Mr. CAUCHON said that the hon. gentleman, with the then Government, were responsible for the Bill, as they agreed to the amendments, which were adopted.

Mr. MITCHELL said the Bill was a compromise, and not one satisfactory to the Government of which he was a member.

Mr. BLANCHET said it was well known that the pilots of Quebec were daring, plucky, always ready to do their duty, and steady. It was also well known that the distance they had to make was greater than in any other port in the world.

Mr. MITCHELL: Do not say they are always steady.

Mr. CHEVAL referred to the fourteenth clause of the Registration Act of 1874, and asked why old vessels were not registered the same as new ones were required to be. He was part owner in a vessel, and under the new registration he had to pay \$245 for dues, where he formerly had only paid \$36.

Mr. MITCHELL said the hon. member appeared to charge him with having been responsible for the Act of 1874, whereas the present Government were responsible for it, the late Government having resigned in 1873.

Mr. SMITH (Westmoreland) said the Act would be found in the Statutes of 1874, but it was passed by the Dominion Parliament in 1873.

Mr. CHEVAL said the Act did great injustice. Under the old law, vessels of the same measurement were registered at the same number of tons; but a new steamer which would now be registered at 476 tons, would have been only 36 tons under the old arrange-

ment. Thus, it would appear that, when lock dues were paid by measurement, a new boat would pay four times the sum charged for an old boat of the same dimensions, which was undoubtedly a gross injustice. He did not know whether the Act had been passed to oblige the Richelieu Company, but it looked suspicious.

Mr. MITCHELL said the hon. member (Mr. Cheval) appeared to think there was something to be complained of in Section 14 of the Statute of 1874, which was passed in 1873, but reserved for the approval of the Imperial Government. The object of the clause was to assimilate the registration throughout Canada with the registration of the United Kingdom. He had no interest in the Richelieu Company, or in any member or stockholder of it, and, in submitting Bills for the consideration of Parliament, he had never been influenced either by private interests or the interests of corporations, but his sole object had been to make the legislation as complete as possible. The Act did not give any preference to old over new ships. It provided that, for certain purposes in Canada, every ship must be registered. Vessels were not required to be re-registered except they were about to proceed to sea, the object being that when vessels proceeded to foreign ports the measurement and registration should agree with that of the mother country. If the hon. member (Mr. Cheval) imagined that in submitting the measure he sought to serve any corporation or any individual interest, he was entirely mistaken.

Mr. CHEVAL said he did not accuse the hon. gentleman of doing so.

Mr. SMITH (Westmoreland) said the hon. member for Northumberland (Mr. Mitchell) had not fully apprehended the section he had quoted. Before the passing of the Act, vessels in Canada were measured under the rules provided by the Shipping Act of 1854. The Act passed by the late Government in 1872 provided that prospectively every ship should be registered according to the rules of the Merchant Shipping Act of 1854. But a vessel registered under the old

system did not require registration under the new law, consequently a vessel under the old registration had less tonnage than under the new. A great injustice had thus been done to owners of new vessels which came under the new system of registration, because they were registered at higher tonnage than old vessels of the same dimensions, and had therefore to pay more canal duties. Before the close of the present Session, he proposed to introduce a measure that should regulate the irregularity and injustice complained of.

Mr. MITCHELL said the law provided that, whenever a vessel proceeded to sea, it should be registered under the Act for the purpose of obtaining uniformity with British registration, and in process of time the whole tonnage of Canada would thus be brought in. The difference between the measurements under the old and the present law, especially in regard to sailing vessels, was not so great as had been indicated. He was not sensible of having defended a clause which was evidently bad. If this was the case, his hon. friend should turn to the hon. gentlemen whose devoted follower and blind supporter he (Mr. Cheval) was, for relief. These hon. gentlemen had been three years in power, and they could carry any measure they proposed. The law, which had been in force for three years, had only come into effect after the resignation of the late Ministry.

Mr. CHEVAL said the Minister of Marine and Fisheries had promised to amend the Act in the direction he had indicated was desirable.

Mr. MITCHELL said he withdrew opposition to the passage of the resolution.

Mr. BLANCHET: Do I understand that the right of suspending is granted by the Government?

Mr. BLAKE: No, it is not.

Resolution agreed to and ordered to be reported.

House resumed.

Resolution reported.

Mr. SMITH.

## TRADE MARKS ACT EXTENSION BILL.—[BILL No. 75.]

(Mr. Blake.)

THIRD READING.

Bill read the second time.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

## RAILWAY ACT AMENDMENT BILL.—[BILL No. 76.]

(Mr. Blake.)

THIRD READING.

Mr. BLAKE, in moving the second reading of the Bill, said it was introduced to remove a doubt existing as to whether the Provincial Railway Act extended to the case of a railway incorporated by the Provincial Legislature, crossing a railway incorporated by the Legislature of Canada. The 15th section of the Act related to crossings and the 16th Section provided for the hearing of parties concerned in such cases, and the report of the Privy Council thereon; but a doubt had been raised in the connection mentioned, and it was wished to extend the power given by law in this regard.

Bill read the second time.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

## SAFE CUSTODY OF PRISONERS BILL.—[BILL No. 77.]

(Mr. Blake.)

THIRD READING.

Mr. BLAKE, in moving the second reading of the Bill, said representation had been made to him on behalf of the Government of the Province of Ontario that there were several instances in

which, partly owing to extensive repairs being required, and partly to new structures being needed, common gaols in certain districts would become insecure and unfit for a time for the detention of prisoners. The Bill provided for the issue of a proclamation by the Lieutenant-Governor under such circumstances, declaring gaols temporarily insecure, and naming gaols in adjoining districts or places for the confinement of prisoners. After the publication of this proclamation in the Provincial and *Canada Gazettes*, such prisoners might be tried in the districts to which they might be removed, although Judges had the right to order their trial to take place in their own districts. In some cases, it might be possible to leave some prisoners in the gaols alluded to, though it would be desirable that serious criminals, and further committals should not be so confined, and provision was made for the transfer of the latter to secure prisons on order of the Lieutenant-Governor. Subsequent proclamation would be warrant for the re-transfer or transfer of prisoners to their proper gaols. The last clause provided that nothing in this Act should affect the previous Act of 1868, giving authority to the Government of Canada with respect to the cases of persons confined for high treason and felonies, if they thought proper to order the transfer of such prisoners from less to more secure gaols. He thought that this power should be preserved.

Bill read the second time.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

APPEALS FROM JUSTICES' CON-  
VICTIONS LAW AMENDMENT  
BILL.—[BILL No. 78.]

(Mr. Blake.)

SECOND READING.

Mr. BLAKE said the purpose of the Bill was to amend an Act which had been amended more than once. It

was intended to relieve some existing defects in the law. An attempt had been made last Session to remedy defects existing with regard to British Columbia; but he did not then propose to press this Bill beyond the second reading, in order that he might receive further information from British Columbia on the subject of appeals. The Bill of last Session provided for appeal to general Quarter Sessions, but it was found that there were no such Sessions in that Province, and therefore this provision was inoperative. When appeals were granted to the Supreme Court in Nova Scotia, no County Courts existed in that Province; but, as these Courts now existed there, it was proposed to give such Courts general and appellate jurisdiction over magistrates' orders. A clause also related to Manitoba. The Act, as it stood, provided that, unless otherwise directed in the special Act under which convictions took place, appeal was permissible. He had inserted in this Bill the additional words: "Or unless some other Court of Appeal have jurisdiction in the premises as provided by the Act of the Legislature of the Province within which such conviction takes place." It appeared to him that provision could more properly, in this as well as in other cases, be made by the Local Legislatures, and that it was desirable to infringe less on the apparent powers of these Legislatures in that particular. They had the power to put any law in force in Canada, but he thought the hon. member for Kingston would agree with him that, so long as the Local Legislatures carried out the laws and established the courts, it was convenient to adopt the general principle of permitting them to establish and organize courts. With this object in view, he had inserted the words quoted. The provisions of this Bill would cease to apply upon a law being put into force in any Province.

Bill read the second time.

IMPROPER USE OF FIREARMS  
BILL.—[BILL No. 79.]

(Mr. Blake.)

SECOND READING.

Mr. BLAKE said that, some years ago, the question as to whether any

legislation on this subject should be made had attracted the attention of an eminent legal member of the House in the early years of Confederation. The Bill then proposed, however, did not meet with favourable consideration. Representations had been made to him, in his official capacity, on several occasions, as to the expediency of introducing some repressive measure, and there could be no doubt that the practice of carrying fire-arms was becoming too common. He thought they were carried by two classes who ought not to carry them—the rowdy and reckless characters, and boys and young men. The revolver was almost part of their ordinary equipage. A proposal was made, if it was not improper to mention it, in the other branch of the Legislature, and now pending, with reference to an alteration of the law in this particular, but it did not appear that such extensive provisions as were there proposed might be fairly submitted to the House. Although a law on the Statute-book declared it a misdemeanor to carry several weapons, such as the dirk, knife, loaded cane, &c., yet they could not conceal from themselves the fact that the particular weapon referred to—the revolver—occupied a somewhat different position. It was used sometimes by travellers, sometimes by nervous people and good citizens; and what he was apprehensive of was this: If they passed a general law prohibiting every person from carrying revolvers, reckless characters, who intended violence, would not care about the law, and would carry small concealed weapons; while the sober, law-abiding citizen would be unprotected. The result might, accordingly, be worse than if they had no law at all. With these facts in view, he had endeavoured to form provisions which might meet the reasonable exigencies of the situation, as would be found to be the case in the first three clauses in the Bill. The fourth clause pointed to an entirely different question. The first clause provided that whoever should present a pistol, without reasonable cause, at anyone, might be bound over to keep the peace for six months; this was to apply when no unlawful intention was proved or presumed, to which cases subsequent

sections applied. While, not only could a pistol not be carried without some reasonable excuse, but, also, a person so bound over, if unable to give sureties, might be committed for a period not exceeding thirty days. The second case was that of a person arrested on a warrant for an offence, or while in the act of committing an offence, and he was made liable to a fine, or imprisonment not exceeding three months. That was calculated to strike the class of offenders who ordinarily carried fire-arms. The third section provided against a man having a pistol upon his person with intent to do injury to some other person, and a higher fine and a longer term of imprisonment was provided for. At the same time, however, discretionary power was reposed in the magistrate or Judge to infer whether the carrying of the pistol was *prima facie* evidence of the intent. It had occurred to him that in many cases it would be impossible to prove the intent until after the act had been committed, and it was not unreasonable to give the power to infer such intent, which power he did not think was likely to be abused. The fourth section dealt with an entirely different class of cases, but it was one which was felt necessary as a preventive measure. The whole community was shocked now and then by reading of deplorable accidents occurring through the practice, which he might call criminal, of persons pointing weapons, supposed to be unloaded, at others. It was important that this class of offences should be recorded on the Statute-book as criminal, as such a result would tend to check this dangerous practice. When once it was marked and stigmatized as an act of a criminal character, such accidents would not occur so frequently. The Bill made it a criminal offence, and affixed to it a moderate punishment. The last section provided for the procedure and mode of trial. There was also a section which provided for the destruction of the weapon found upon the party convicted.

Sir JOHN A. MACDONALD said he thought the first clause would be very hard to work. If a party had a reasonable cause to apprehend an assault or personal injury to himself or per-

sonal property, he ought to go at once and take proceedings before a magistrate, and have the party from whom he dreaded the injury held over in security for his good behaviour. This, he thought, would have the effect of inducing law-abiding men to lay aside their pistols, although they might have apprehensions of attack from some quarter. The rowdy element, the wilful law-breakers, would understand this, and would take advantage of it. There would be a greater inducement for that class to carry arms, and he really thought the law might have the effect of disarming the person who ought to be armed, and arming the rowdies. There was also another objection. The Bill provided that a party who had no reasonable cause to fear an assault, and who was found with a pistol on his person, could be bound over to keep the peace. Carrying a pistol was not a breach of the peace, and the man might still carry it after being bound over.

Mr. BLAKE: Under a subsequent clause it is provided that the pistol shall be destroyed.

Sir JOHN A. MACDONALD said, if the man got another pistol, and afterwards broke the law, his sureties could not be punished, because carrying a pistol was not a breach of the peace.

Mr. BLAKE said what was intended was that the breach of the peace should not be committed by carrying a pistol. The honest man who carried a pistol under apprehension of attack was not likely to commit a breach of the peace.

Sir JOHN A. MACDONALD said he thought the third clause went a little too far. It provided that:—

“Whosoever has upon his person a pistol, with intent therewith unlawfully and maliciously to do injury to any other person, shall be liable, on conviction thereof, to a fine of not less than fifty, or more than two hundred dollars.”

It must be proved that there was an intent to injure a particular person. How the fact of a man carrying a pistol could be *prima facie* evidence of intent to shoot a particular person he did not really see.

Mr. BOWELL: The clause makes it so.

Sir JOHN A. MACDONALD said it was creating an intent by law which might never have existed in the mind of the party arrested. He might intend to shoot another man, or another man's dog. As to the fourth clause, he agreed with the hon. the Minister of Justice with regard to its necessity, and did not think that the punishment was too large or introduced too soon. It was grievous to read in the newspapers of persons carelessly, mischievously, and wantonly pointing firearms without knowing whether they were loaded or not, and destroying valuable lives.

Mr. WALLACE (South Norfolk) said he thought if the punishment by fine was done away with altogether it would be better. The fine was no punishment to a rich man. He thought the Bill ought to provide for imprisonment in each case.

Mr. MACKAY (Cape Breton) said he would be very sorry to place such power in the hands of country justices because he thought it might be abused. He thought the power to fine or imprison should be in the Bill, but should not be absolutely compulsory on the part of the justice. He had not sufficient confidence in the discretion of this class of judicial officers in many instances to allow him to consent to place such extreme power in their hands.

Sir JOHN A. MACDONALD said the Bill mentioned “lawful excuse.” Suppose that, in a theatrical performance, one actor pointed a weapon at another, would that be a lawful excuse?

Mr. BLAKE: The actor must have a sham pistol.

Mr. BOWELL said this law put extraordinary powers in the hands of the magistrates. While he was convinced for many reasons that there was absolute necessity to prevent people from carrying firearms, still this measure amounted to total prohibition. According to the first clause, a man carrying a pistol must have a reasonable cause of fear of an assault. If he did not show such cause, he would have to give surety for six months. As pointed out by the hon. member for

Kingston, a man might still continue to carry a pistol, but, if he did so, would not the third clause apply? The Bill declared that carrying a pistol upon the person was *prima facie* evidence of intent to do harm.

Mr. BLAKE: It may be inferred; that is the language of the section.

Mr. BOWELL: Who is to judge?

Mr. BLAKE: The jury. With reference to what had been said by the hon. member for Cape Breton (Mr. Mackay) he might state the procedure was the same as that referring to offences against the person, of an injurious character. If the accused so desired, he could be tried only before the justice of the peace, but, if he objected to that tribunal, his offence was treated as indictable, and he was tried by a jury. That answered part of the difficulty that the hon. member for North Hastings (Mr. Bowell) had suggested. The hon. member for South Norfolk (Mr. Wallace) suggested that imprisonment only should apply to offences of this character, but he (Mr. Blake) thought that was not desirable, as it would alter the general principle of the law, were they to apply a less degree of elasticity to the punishment of such cases than was applied to other minor offences. If they were to suppose that only the rich man would be fined, and the poor man imprisoned, the former would be comparatively easily punished; but let them hope that the magistrates would not so forget their duty, and would apply the punishment with respect to the crime, and not with respect to the resources of the criminal. The suggestions of the hon. member for Kingston (Sir John A. Macdonald) were certainly of some moment. He had felt it very difficult to present to the House a measure which should be effective in the direction in which legislation was required, and which would not be open to some objection or other. But this was not a mere *brutum fulmen*, as the hon. member supposed. The object was that, when a person was unable to give a reasonable excuse for carrying a pistol, he should be bound over to keep the peace and destroy the weapon. If the man afterwards proceeded to break the peace, whether

with a pistol or not, they had his sureties to fall back upon. If he was a respectable person, he would no doubt give bail, but if a rowdy he would probably get a slight imprisonment. He (Mr. Blake) desired to go as far as possible to prevent apprehension on the part of nervous, timid people who had not such a well-defined cause of dread that they could go and swear an information and who would feel uncomfortable without a weapon. Many rightly entertained those apprehensions, and had not legal evidence to support them, and to swear out information would probably only result in greater malice on the part of their enemy at some future season. There might be times when a party would feel himself made powerless by the law unless there was some provision to enable him to arrest and punish a reckless, rowdy person carrying a weapon. The fact of a man having a pistol was not to be inferred, but it might be inferred as *prima facie* evidence of intent to do injury. Undoubtedly, legal, cogent proof of this would be required before the conviction. These were the reasons which induced him to submit a measure on this subject, but he admitted that it was a very difficult one to deal with. He did not intend to push it through now, and would take pleasure in receiving suggestions.

Sir JOHN A. MACDONALD said that, whereas, one magistrate might require absolute proof that the carrying of fire-arms was necessary, another might be satisfied with a reasonable excuse. The Bill would be wide enough to take in both. Much of our territory was on the outskirts of civilization, and it would seem that, for a man to carry a pistol there, he must have a reasonable excuse, just as he would in a city.

Mr. PALMER said he heartily approved of the object of the Minister of Justice, but there was one clause in the Bill which seemed an extraordinary one to him. The ordinary principle of criminal law was that no man was to be adjudged guilty until he had been proved guilty. But a section of this Act made certain things *prima facie* evidence of the particular fact, and then threw it upon the opposite party

Mr. BOWELL.

to disprove it. He had never before seen an attempt made to draw this distinction between these two points. He liked a rule of criminal law to be universal in its application. Notwithstanding the anomaly he had referred to, he heartily approved of the general principle of the Bill, as he did not believe it was necessary at all in this country to carry fire-arms.

Mr. MACDOUGALL (East Elgin) suggested that it should be provided that no person should be permitted to carry fire-arms unless he had a licence from the official duly appointed.

Mr. MASSON said he thought the whole difficulty would be met if a person could make his proof of necessity before the act rather than after it, as was done in France and some other countries. There, every person who feared for his life could make an affidavit before a magistrate or other authority, who would give him permission, if he saw fit, to carry fire-arms for his own protection.

Bill read the second time.

### SUPPRESSION OF GAMING HOUSES AMENDMENT BILL.—[BILL No. 80.]

(Mr. Blake.)

SECOND READING.

Bill read the second time.

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

### After Recess.

### INLAND REVENUE ACT AMENDMENT.

#### RESOLUTIONS CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the following resolutions:—

"1. That it is expedient to amend the Act respecting the Inland Revenue, and to provide for the imposition of a license duty of thirty dollars on each importer and manufacturer (not a manufacturer of beer, wash or spirits, or a rectifier of spirits) of stills, worms or other apparatus suitable for the manufacture of beer, wash or spirits.

"2. That it is expedient to fix the following as the fees payable by maltsters for licenses:—

"(a.) For a first-class license, which shall entitle him to work a malthouse having a capacity to produce 2,000 centals, and upwards, of malt during one month's working, \$200.

"(b.) For a second-class license, which shall entitle him to work a malthouse having a capacity to produce 1,500, and not more than 2,000, centals of malt during one month's working, \$150.

"(c.) For a third-class license, which shall entitle him to work a malt-house having a capacity to produce 1,000 centals, and not more than 1,500 centals, of malt during one month's working, \$100.

"(d.) For a fourth-class license, which shall entitle him to work a malthouse having a capacity to produce 500, and not more than 1,000, centals of malt during one month's working, \$50.

(In the Committee.)

Mr. LAFLAMME said the proposition was really to reach those who manufactured illicit stills. He thought the license duty of \$50, as originally proposed, was too much, and consequently he had changed it to \$30. As some difficulty had been raised with reference to the definition of the words "fermented tun," they were struck out. As altered, he did not think that the resolution was in any way objectionable. Under the similar system in force elsewhere, Excise duties were imposed to reach the illicit distiller. It was proposed to make four, instead of three, classes of licenses. The price of a first-class license was not increased; it remained at \$200. A holder of such a license must have capacity to produce 2,000 centals and upwards of malt during the month. It had been found that under the present system this duty was enforced on every maltster, and this was manifestly unfair. A person manufacturing 2,000 centals of malt during the month would be obliged to pay \$150 for his license; a person producing 1,000 centals during the same time, and not more than 1,500 centals, must pay \$100; and the fourth class license was fixed at \$50.

Mr. HOLTON: What is the estimated result of the change?

Mr. LAFLAMME said it might cause a slight decrease in the revenue. It was intended to meet the circumstances of the smaller brewers. Under this system, five or six brewers would take out first-class licenses, while, up to

the present time, the number of these licenses taken out was much larger.

Mr. MITCHELL said small brewers might remark: "Small favours thankfully received." This seemed to be a step in the right direction, as it relieved small men at the expense of larger ones.

Mr. HOLTON: It is a very desirable reform on the legislation of the hon. gentleman opposite.

Mr. MITCHELL: I am very glad to see any evidence of reformation among the great Reformers on the other side of the House. I have not seen much of it yet.

Resolutions *agreed to* and *ordered* to be reported.

House *resumed*.

Resolutions *reported*.

### ADULTERATION OF FOOD, DRINK AND DRUGS BILL.

#### FIRST READING.

House resolved itself into Committee to consider the following resolution:—

"That it is expedient to amend the Act to impose License dues on Compounders of Spirits, to amend the Act respecting the Inland Revenue, and to prevent the adulteration of Food, Drink and Drugs by adding the following words to the definition of adulterated Food or Drink, contained in the first section of the said Act:—Or from which any essential constituent part or ingredient has been in whole or in part abstracted."

(In the Committee.)

Mr. LAFLAMME said, according to the present law, adulteration was defined to mean merely the introduction of foreign ingredients, while food could be adulterated by the subtraction of ingredients. This resolution obviated the difficulty mentioned.

Resolution *ordered* to be reported.

House *resumed*.

Resolution *reported*, read the first and second times and *agreed to*.

Mr. LAFLAMME moved for leave to introduce a Bill (No. 86) To amend an Act to impose license dues on compounders of spirits; to amend the Act respecting the Inland Revenue, and to prevent the adulteration of food, drink and drugs.

Bill read the first time.

Mr. LAFLAMME.

### INSPECTION OF GAS AND GAS METERS ACT AMENDMENT.

#### RESOLUTIONS CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee of the Whole to consider the following resolutions:—

"1. That it is expedient to amend the Act to provide for the Inspection of Gas and Gas Meters, by repealing the 25th section thereof and substituting the following in lieu thereof:—

"25. It shall be lawful for the Inspector appointed under this Act, at the request of any purchaser or undertaker, who shall give twenty-four hours' notice, in writing, to the other party to the contract, at all reasonable times to enter any house or shop, store, yard, or other place whatsoever within his district, where any meter, stamped or unstamped, is fixed or used, and to remove such meter, doing as little damage thereby as may be; and if, upon examination and testing, it shall appear that any such meter is incorrect or fraudulent, such meter shall not be refixed or used again, unless and until altered and repaired so as to measure and register correctly and stamped.

"(2.) And the cost of such removal, alteration, repairs and stamping shall be paid by, and may be recovered from the party against whom the decision is given.

"2. That it is expedient further to amend the said Act by adding the following subsection at the end of section thirty-one:—

"(2.) Such tests shall be made at least once in each week, and in addition to such weekly tests, additional tests may be made when the quantity of gas made by any undertaker may be deemed sufficiently large to render such additional tests necessary; such necessity being determined by departmental regulations or order in that behalf.

"3. That it is expedient further to amend the said Act by adding the following subsections at the end of section thirty-five:—

"(2.) The fees so determined as payable for testing the illuminating power and purity of gas, when such tests are made in pursuance of any general regulations in that behalf, shall be paid by the undertaker.

"(3.) When any purchaser requires to have a special test made as to the illuminating power or purity of gas, the fees chargeable for such test shall be paid by the party who requires it to be made."

(In the Committee.)

Resolution 1 *agreed to*.

On Resolution 2,

Mr. LAFLAMME said the effect of the amendment was to abolish the daily test provided for in the Act.

Mr. MITCHELL asked if the amendment would give permission to

any gas inspector to enter his house and inspect his meter. If so, he would object to it.

Mr. LAFLAMME said the inspector would not visit the hon. gentleman's house unless he was sent for. If the hon. gentleman was satisfied with the quality of his gas, he need not trouble himself about the inspector.

*Resolution agreed to.*

On Resolution 3,

Mr. PLUMB asked the meaning of the word "undertaker."

Mr. LAFLAMME: He is the producer of the gas. He is so termed in the original Act.

Mr. MITCHELL said he would like to ask a question bearing on the first resolution. Would a neighbour, who was also a "purchaser" of gas, have the power to send an inspector into his (Mr. Mitchell's) house for the purpose of annoying him?

Mr. LAFLAMME said the hon. gentleman would see from an examination of the language of the Act and of the proposed amendment that the inspector simply went at the request of two parties—one the consumer and the other the furnisher of gas.

Mr. MITCHELL said that construction was a rational one, but an entirely different construction could be given to the law. He suggested that the words should be altered to make the meaning clearer.

Mr. MITCHELL said he wished the ambiguous phraseology corrected, as he did not want any person to come into his house from 7 to 10 o'clock.

Sir JOHN A. MACDONALD said, while the criticism of the hon. gentleman was hypercritical, the language, no doubt, could have the construction placed upon it which had been suggested.

Mr. LAFLAMME said he would be willing to amend the Act in the direction referred.

*Resolution agreed to.*

*Resolutions ordered to be reported.*

*House resumed.*

*Resolutions reported.*

## BREACHES OF CONTRACTS BILL.

[BILL No. 66.]

(Mr. Blake.)

### SECOND READING.

Mr. BLAKE said there existed upon the Statute-books of Ontario, Quebec and Prince Edward Island, laws passed before Confederation making breaches of contract criminal. But the view upon which those laws were founded were not now generally held. He saw no justification for holding ordinary breaches of contract on the part of servants to be criminal any more than any other breaches of contract, and that view had been adopted in England, and recent legislation had been in that sense. There was a later law in the Province of Quebec, making certain breaches of contract civil offences. It was not the intention of the Government to interfere with that law of Quebec, but it was, in a great measure, to remove well-founded doubts throughout the country, as to whether certain breaches of contract were crimes, that the present Bill was introduced. The first clause amended the laws of the Provinces, passed before Confederation, which made those breaches of service crimes, so that they would cease to be crimes. But the rest of the Bill provided that certain wilful and malicious breaches of contract were to be held to be crimes, and punished as such. That portion of the Bill was divided into three sub-divisions. The House would be asked to declare it a crime when any person had a reasonable cause for believing that the consequences of his breach of contract would be serious bodily injury, danger to human life, or destruction of valuable property. He need use no argument to enforce the statement that any wilful breach of contract involving such consequences should be treated as a crime. The second sub-division would refer to breaches of contract on the part of people who engaged to supply places with gas and water, and who wilfully and maliciously broke their contract, thus causing wide-spread inconvenience, and perhaps serious injury to health. Such a breach, he thought, they were warranted in stigmatising as criminal. The third sub-section

referred to breaches of service on the part of employés on railways on which Her Majesty's mails were carried, or on which passenger or freight trains were run. In these modern times, the enormous inconvenience of stopping the whole system of communication between one part of the country and the other was very apparent, and he was justified in holding that any man who produced that result by wilfully breaking his contract was guilty of a crime. The principle of that portion of the Bill was similar to the English Act. But he wanted to avoid class legislation, and therefore he had made the law applicable to others as well as to workmen engaged on railways. For instance, if a coal merchant agreed to supply the Gas Company of Ottawa with coal, and although he had the coal in his yard yet refused to deliver it at the price stipulated because the market price advanced, and if the city of Ottawa was left in darkness on account of the Gas Company not being able to get coal, then the contracting coal dealer would, by the law, be held liable as a criminal. The third section explained the meaning of the word "malicious." The fourth section gave the accused power either to be summarily tried or to have his offence treated as an indictable offence.

Mr. BROOKS said the Bill was one of the highest importance and would be approved by the House, especially after the occurrences of the past winter, when the whole of the business of the country was, by reason of a combination among certain classes of labour, suspended for a certain period. No one could disagree with the principles of the Bill, so far as that portion of legislation was concerned; but in Quebec there was an impression among some members of the legal profession that a practical difficulty might arise out of the title of the Bill, viz.: "An Act to repeal certain laws making breaches of contract for service criminal." Upon examining those laws, especially in Quebec, he found a portion of the laws to which the Bill applied in the Statutes of Lower Canada chapter 37, and referred to in Sections 3, 5 and 7 of the Bill. The Legislature of the Province of Quebec

Mr. BLAKE.

since Confederation had chosen to adopt new legislation, and had declared by an Act passed in 1871, and 33 Victoria chapter 20, the two first sections referred to in the present Bill repealed. But, on comparing the sections which had been repealed with the sections of the Act of the Local Legislature, he found that, as to the offence being declared a crime, there was no distinction whatever between the legislation. The second section of the Act, Consolidated Statutes of Lower Canada, merely declared that the party guilty of certain acts was liable upon conviction before a Justice of the Peace to a penalty not exceeding \$20. The seventh section of the Act would be repealed by the present measure. The preamble of the Bill declared that those breaches of contract were matters which should be considered as civil charges. No doubt, under the British North America Act, Provincial Legislatures had the right to legislate upon those subjects. There was a feeling entertained throughout the Province of Quebec that the declaration made in the Bill might seriously affect the working of the Masters and Servants Act, which, as far as it related to ordinary domestic servants, he considered to be one of the greatest importance. The penalty of imprisonment he deemed to be important in order to enforce the law, for without it the Act might as well be repealed. It was well known that servants were indifferent to being condemned to pay a certain sum of money, and it was only by having the summary means of punishing by imprisonment, as he believed they could do under the local law, they were able to compel the fulfilment of engagements. That applied particularly to farm servants, who were employed for, say, six months. It was well known that during a portion of the time the labour of the farm servant was of comparatively little value, while at another period that labour possessed great value; and if, at such time, the servant was able to leave, suffering no other penalty than a loss of wages, the employer would be placed at serious inconvenience. While there was no objection to the Bill, the title might raise apprehensions

that there might be a conflict of authority with Provincial Legislatures, the first section of the Bill repealing the sections of the Act which made the offences criminal. He referred to the matter in order that there might be no conflict of jurisdiction where Provinces had passed local Masters and Servants Acts, and that Parliament might not legislate in such a direction that the people could not obtain the remedy which they derived under local laws.

Mr. MACKAY (Cape Breton) suggested that provision should be made to include in the Bill arrangements, both written and verbal, and it should be made to include mail contracts.

Mr. IRVING said it did not appear to him that the Bill would be received by a large class of persons throughout the country with the same feelings of gratification with which it had been received by the House. If the Bill were passed in its present shape, it would hereafter receive an amount of consideration outside of Parliament of which hon. members would eventually hear something. As one familiar with that branch of law, he thought that the present laws upon the Statute-book were amply sufficient, for all practical purposes, and that, whatever objects were sought to be attained by the present Bill, the substitution proposed by the hon. the Minister of Justice for the present law was by no means satisfactory. As a matter of fact, in the cases growing out of the difficulty of which they had heard so much recently, those who broke the contracts, if they were broken in the sense in which the Bill before the House now proposed to reach them, could have been punished under either the Masters and Servants Act or under the provisions of the General Railway Act. He would have to draw the attention of the House to what some of those provisions were, and it would be found that those provisions, so far as the complexion that the debate had to some extent taken, owing to recent events, was concerned, were absolutely sufficient. The General Railway Act authorized every railway company to make by-laws for the regulation of conductors and other officers, and to

impose penalties for the contravention of those by-laws. It also said how offences against the by-laws might be proved, and then went on to say at section 7:—

“ If any officer or servant of, or person employed by any railway company, wilfully or negligently contravenes any by-law or regulation of the company lawfully made and in force, or any order or notice of the Board of Railway Commissioners, and of which a copy has been delivered to him, or has been posted up or open to his inspection in some place where his work or his duties, or any of them are to be performed, then if such contravention causes injury to any property or to any person, or exposes any property or any person to the risk of injury, or renders such risk greater than it would have been without such contravention, although no actual injury occurs, such contravention shall be a misdemeanour, and the person convicted thereof shall, in the discretion of the Court before whom the conviction is had, and according as such Court considers the offence proved to be more or less grave, or the injury or risk of injury to person or property to be more or less great, be punished by fine or imprisonment, or both, so as no such fine exceeds four hundred dollars, nor any such imprisonment the term of five years; and such imprisonment, if for two years or upwards, shall be in the Penitentiary.”

Therefore, if there was any breach of the rules of the company committed by any employé, there were punishments now to be enforced on the Statute-book which were ample and sufficient, and in some respects more severe than that proposed in the present Bill. If it was merely with respect to breaches of contract and the difficulties of recent events that the law was to reach, he thought he had shown that existing laws fully met the case. The law bristled with enactments which punished in every possible way which the ingenuity of law-givers and law-makers could devise the stoppage of, or interference with, trains or any offence of that kind committed by servants of the company or the class of persons mentioned in the Act. With regard to combinations of men or difficulties growing therefrom, the law said:

“ Whosoever in pursuance of any unlawful combination or conspiracy to raise the rate of wages, or of any unlawful combination or conspiracy respecting any trade, business or manufacture, or respecting any person concerned or employed therein, unlawfully assaults any person, or in pursuance of any such combination or conspiracy, uses any

violence or threat of violence to any person, with a view to hinder him from working or being employed at such trade, business or manufacture, is guilty of a misdemeanour, and shall be liable to be imprisoned in any gaol or place of confinement, other than a penitentiary, for any term less than two years, with or without hard labour."

There was another class of legislation of which, in the past, they had heard a great deal—the Criminal Law Amendment Act, relating to violence, threats and molestations; in which it was enacted that whenever a person used violence to any other person, or injured property, or intimated to such other person a threat to use violence towards him, or systematically followed such other person from place to place, or acted in a disorderly manner in such regard, or beset the house or place where such person resided or worked, or carried on business, or happened to be where any of these matters were done with the view of compelling any person to abstain from doing anything which he had a legal right to do, or to do anything which he had a legal right to abstain from, such person was liable to be punished in a very severe way by fine or imprisonment. This being the present condition of the law, he saw no useful end to be obtained by more legislation, and no reason for aggravating a certain class of men by now passing a law which, whatever they might say, or in whatever language it might be couched, was aimed at a particular class, in consequence of recent difficulties. Whatever were these events of which they had heard so much in the earlier part of the year, or whatever were the domestic difficulties between the Grand Trunk Railway and its men, the House was hardly in a position to pronounce conclusively or satisfactorily an opinion upon them, because they had seen nothing but the statements in the newspapers in this regard, and upon these, every one knew, under such circumstances, very little reliance was to be placed. But they did know, according to the newspaper view, that these men or their representatives were for three days in Montreal endeavouring to bring about a settlement; and they failed because their views were not even properly discussed. They also knew, the newspapers had stated

Mr. IRVING.

that, for many days, if not for many weeks before the strike took place, unless the men's views were to some extent met, a strike would take place; that the men complained of a breach of contract towards them; that they gave notice to the railway company that they were not prepared to submit to a reduction arbitrarily imposed; and that, if their demands did not receive something like satisfactory consideration, they would stop work. These facts were for some weeks notorious before the actual crisis was reached. He therefore maintained that it was difficult to say who was right and who wrong, not having any authoritative or proper evidence before them. Everyone must know that there were two sides to the question. Up to the period of time when the strike took place, much provocation was given; whether that provocation was justifiable or not and whether the railway company had unfairly endeavoured to induce the men to accept wages below what they ought to have been, they could not decide here. At the same time it was said—but it was only fair to say it was also contradicted—that, whatever reduction was made in salaries, 35 per cent. of that deduction would pass into the pockets of the heads of departments. Hence, he for one was not surprised that the men should have been nettled, and that they should have done, what would be done by every hon. member in the House, endeavoured to obtain the best bargain they could. Whatever might have been the difficulties, the House could not decide upon them. In one matter, however, they had the authority of certain remarks made in the other House—that the men, at all events, when the strike did come, were willing to carry the mails from one end of the country to the other, but the railway company would not accept their services even to that limited extent. In other railways, and notably in the case of the Great Western Railway, which to some extent, was as important as the Grand Trunk Railway, during the twenty-four years of its active operations, such matters as a strike or unheeded remonstrance to the authorities or conduct whereby the men were driven to desperation had never occurred, though

the changes of management during this period had been frequent. During this strike, he was informed, the acts of violence that had taken place had been very greatly exaggerated. The blue-book relating to disturbances on the Grand Trunk which had been issued might be read. In it, Mr. Coleman, the Crown attorney, dealt with this matter in these words:—"The reports of actual violence were much exaggerated." The Major-General—and it was gratifying to be able to refer to the report of a man who was above political influence and who belonged to a profession whose honour was as bright as their swords—in his report spoke of the matter as being magnified or exaggerated, and stated that the odium cast upon the local authorities, and, to some extent, on the militia, was undeserved, and that the men behaved as well as the circumstances permitted. It was probable that the authorities at Belleville and other places had been taken by surprise. This was no more than was likely. No member of the House had ever known of such an occurrence; the situation was novel and embarrassing for magistrates. Seldom did riots take place, even in England, as was the case at Bristol, but the magistrates were charged with having been to blame. Men had been arrested at some places along the line, and, notwithstanding that bail was refused, the company would not prosecute. The only inference to be drawn was apparently that the men were right and the railway wrong. This was the practical result, or else the company would have vindicated their position by pressing the prosecutions which had been instituted. He would allude to the difficulties of the position of the men, against whom this legislation was aimed. He, of course, referred more especially to the engine-drivers, who were skilled labourers, and to whom the term, men of science, was not too high a term to apply; who had sprung almost invariably from the position of labourers; who, by their attention to their business, by natural taste and adaptation for the work, and by the ability with which God had blessed them, had learned to manipulate the delicate

movements of the locomotive engines, and who had attained perfection in this relation by experience, by slow observation, and by long service. These men seldom acquired sufficient experience to manage a locomotive, and sufficient skill and ability to act properly under the difficult circumstances in which they were often placed, until they had attained middle age,—a period of life when, if thrown out of employment, it was not easy for them to turn round and get other employment. Men hardly knew what a complicated thing a railroad was. They hardly seemed to reflect that a railway, whether by day or night, was beacons and buoys from end to end by switches, and sidings, and whistle posts, and semaphores and parti-coloured lamps. It was one thing to manage an engine and another thing to manage a locomotive running at the rate of 40 miles an hour. A man might be a sailor and sail a ship, who was quite incapable of taking a vessel into port. To do so, he must know the way in which the harbour was beacons and buoys. These men, to some extent, resembled pilots. They acquired an experience and knowledge which was perfectly wonderful to the uninitiated. In the dead of night they approached towns at the rate of 40 miles an hour, with the glimmer of lights around them, with perfect confidence and great courage, while the lives of hundreds were depending upon their attention and fidelity. With regard to men of this character they were now called upon to legislate, and in relation to what they considered their dearest rights, which were to be twisted and tossed from one side of the House to the other with hardly a single voice raised on their behalf. These men were not only like pilots, but also, in some degree, like sailors, who went for long journeys, and who had always been a class which received and were entitled to the anxious and protecting care of Parliament, and hon. members ought to be more careful to refrain from driving them into hostility. Hon. members should remember how much they owed to these men for their ability and for their courage. Hardly a railway accident or collision took place but they gave striking examples

of heroism and bravery. Almost exactly twenty years ago, the Desjardins accident occurred, and it was as deplorable as the recent Ashtabula disaster; and then the engine-driver could have saved himself had he chosen to abandon his train, but instead he had stuck to his post and whistled to alarm the passengers, thereby enabling many to escape. The same thing had recently happened again, and such instances were frequent. Their conduct and courage had always been admirable, so that no class of men should stand relatively higher in the esteem of the country, and no men should be more particularly cared for. If they differed with their Superintendent and left one railroad, they could not get employment on another line unless they brought a certificate that they had not gone on bad terms. There was a combination and trade unionism on the part of their employers, quite as strict and stringent as any employés' trades union. Under such circumstances, they were obliged to leave Canada and go to the United States, though they had settled here and become attached to their work; although they regarded their employment and their engines with almost the same affection that the sailor showed for his ship or for the sea. If killed, compensation could not be recovered from their employers, though they were in no way to blame for the disaster. So, if, in a fit of spleen or temper, as had been charged — but which he did not admit to be correct — they had recently forgotten themselves, a blow should not be aimed at them for which there was no reason. If these men had broken their contracts, they were liable even to five years' imprisonment in the Penitentiary. But he did not believe that they would have been punished had the prosecutions been pressed, for the circumstances were such that no grand jury would have found true bills. He did not consider the Bill by any means perfect or satisfactory. He considered it, moreover, inopportune, because they were legislating under the influence of a panic, and it was unnecessary. There had been a struggle between labour and capital, and it was the duty of Parlia-

ment to protect the labourer against the capitalist as well as the capitalist against the workman. It was the duty of Parliament to erect such a tribunal that parties charged with and charging breaches of contract, could go before it and endeavour to bring about arrangements whereby the value of capital should not be injured on the one hand, nor the value of labour, which was of equal worth to the country, on the other hand. They had not in this House such a high opinion of the skill or ability with which railways were managed in this country as to take the statements of any railway men as absolutely correct. There was no such general confidence in Canada in railway management generally, and, although English newspapers contained constant reflections upon our railway management of Canada, yet every one knew that the management complained of was really that of men sent out from England, and not the management of the men of this country. In conclusion, he remarked that an Act of this kind was incomplete which did not provide some kind of conciliatory tribunal, and which did not declare that the breaches of contract for which those punishments were to be inflicted should be such that he who ran could read; that, if a workman should be punished for a breach of contract, it should be so clear that he could understand his liability, and remonstrate against difficulties which might arise without exposing himself to dismissal because he diffided. He could not allow a measure so unjust as this to go unchallenged, and he would take the liberty of dividing the House on the question. He moved:

“That the Bill be not now read the second time, but that it be read the second time this day three months.”

Mr. BLAIN said he hoped the House would pardon him for rising to say a few words on this subject. Before he left home a deputation of engineers, fearing that some such legislation as that proposed might be introduced, waited upon him and requested him to state their side of the case. He felt sorry that they had not a better representative, for he was not as well posted in regard to the matter as he would have liked, but with the indulgence of

the House he might be able to show that those men had a case as well as the Grand Trunk Railway Company. He could not help thinking that, if this strike had not occurred, this Bill would not have been brought forward; he therefore felt that, while the conduct of the managers of the road was fairly before the House for discussion, the conduct of the men and the interests of the public were also before them for consideration. To his mind, the Bill was a direct attempt to break up the association known as the Locomotive Brotherhood. It was not the duty of the Government to interfere with the management of the people, and the moment we struck off the right of the people, no matter in what walk of life, to combine, it was a curtailment of the liberty they were entitled to under the Constitution. The organization which, he had no hesitation in saying, the Grand Trunk was trying to destroy was one which had elevated the engineers, and enabled them to spend hundreds and thousands of dollars in aid of the widows and orphans of those who belonged to it. The association was founded on this principle: That no man should be a member unless he was thoroughly qualified in his trade, and was of a sober, industrious, and moral character. Every man could not become a member, and there were large numbers of persons connected with the trade, both in Canada and the United States, who did not belong to the association. It had been stated that the strike took place at the dictation of a man living outside the Dominion. He desired to disabuse the minds of the House on that point. The locomotive engineers in this country must themselves decide as to whether they should strike or not, and it was only after they had determined what course to pursue that the services of the head of the association were called into requisition. So, instead of this strike taking place at the instance of a foreigner, said to be antagonistic to the interests of the railway, it was at the instance of the men themselves, who felt they were called upon to strike in their own defence, and that of the association. The constitution of the society would show a great deal more than he had stated, and

would speak for the men with more eloquence than he could. In addition to the ordinary operations of the association, a life insurance branch had been established, whose disbursements, up to the present time, amounted to \$1,000,000. Considering the character of the society, and in view of all the circumstances, he had no hesitation in saying that it was not the duty of the House to attempt to break it up. When all the facts surrounding the case came to be examined, it would be found that the entire difficulty originated with the Grand Trunk Railway Company; and he might just remark here that, while the Bill made the men criminals for breaches of agreements, nothing was said about any punishment to be inflicted on the authorities of the Grand Trunk, no matter what violations of contract they might commit. The railway had systematically violated the contract entered into with the engineers, and it was that which caused the strike in January last. Prior to 1875, the men found it necessary to see the managers with regard to some disagreements. A conference was held, and, in March 1875, the following contract was drawn up and signed:—

“At a conference held in the General Manager’s office, with a deputation representing the enginemen and firemen of the Grand Trunk Railway Company, the following propositions, as a basis of payment of wages, were agreed upon:—

“*First.* That the rate of wages paid per trip and per day remain as at present, except in the cases referred to below.

“*Second.* That a list of names of first and second-class engineers and firemen be made up at once, and those found eligible for promotion on the 1st of April should be advanced at the proportion of one-fourth each, on the 1st of April, 1st of May, 1st of June and 1st of July, according to seniority. Also, that all first and second-class engineers and firemen not having completed their 12,000 miles on the 1st of April, to date the commencement of such mileage from the 1st of February; the 12,000 miles to be computed on the usual basis of trip mileage.

“*Third.* That one-quarter day be allowed to engineers and firemen coming on duty for a train which is cancelled after coming on duty.

“*Fourth.* That all way freight trains be paid at the rate of one trip and a quarter per trip, no allowance being made for detentions.

"*Fifth.* All special trains to be paid at the rate averaging between the time of the longest and shortest through freight trains, on a list to be made out from time to time.

"*Sixth.* All construction trains to be paid at the rate of \$2.50 for third class engineers, \$2.20 for second class, and \$2.00 for first class, per day of twelve hours. An allowance at the agreed detention rate being made per hour for all over twelve hours. All wood trains to be paid at the usual daily rate of twelve hours, with the *pro rata* allowance for overtime.

"*Seventh.* That trip tickets be signed on coming on duty, and all detention time be paid less one hour as usual, but the rate per hour for detention time to be, for third class engineers, 10c.; for second class, 9c.; for first class, 8c.; second class firemen, 7c.; first class, 6c.; all claims for detention time at the end of a trip to be made on a separate form for that purpose, to the foreman, who will consider and allow them on satisfactory evidence of their correctness.

"*Eighth.* That in case of engineers running to the Don, or immigrant shed, with stock or freight, one quarter day extra be allowed.

"*Ninth.* That \$2.00 be allowed per day for third class, \$1.90 for second class, and \$1.80 for first class engineers, for going to Stratford or Montreal, for engines which have been under repairs, and that no other shop time be allowed.

"*Tenth.* That the third class trip rates be altered, as follows: Montreal to Cornwall and back, passenger, \$2.80; Stratford to Fort Erie, freight, \$3.15; Toronto to Galt and back, mixed, including all extras, \$4.00; Montreal to Richmond and back, freight, \$3.80.

First and second class engineers and firemen, rates in proportion.

Signed on behalf of the whole staff of engineers and firemen employed on the Grand Trunk Road.

" P. M. ARTHUR,

" J. BIRSE,

" S. PHIPPS,

" R. LIDDELL,

" J. GERMAIN,

" J. FARNSWORTH.

" HERBERT WALLIS,

" Mechanical Superintendent."

Under the terms of this contract there were three grades of engineers and two of firemen, who were to be paid according to the terms agreed upon. As soon as the Grand Trunk, however, felt that they could strike a deadly blow at the association, they began systematically to violate the agreement. Within three months after the above contract was ratified, the railway authorities inaugurated another system, insisting that there should be four classes of engineers and three

Mr. BLAIN.

of firemen. Instead of giving to the public the advantages of the services of experienced men, who knew nearly every foot of the road from Montreal to Sarnia, they endeavoured to employ an inferior grade of engineers. Legislation which would enable any company to force upon the public an inferior class of engineers, especially when such large interests of lives and property were at stake, ought not to go upon the Statute-book. The men remonstrated against this violation of the contract, but, instead of giving them any satisfaction, instead of endeavouring to adjust the claims advanced, the managers of the company did everything in their power to carry out the system they had introduced in violation of the contract in order that they might dismiss first one man and then another, until they got rid of all their employes belonging to the Locomotive Brotherhood Association. When those difficulties had assumed a tangible shape, and when the men were making efforts to avoid a strike, the Grand Trunk authorities, instead of trying to arrange matters, insisted that they had a right to do what they pleased. Perhaps they had that right, but it could not be claimed that they had a right to violate a solemn contract. A difficulty was raised about the men seeing Mr. Hickson. Telegrams had to be sent to New York, deputations had to be sent from Toronto to Montreal, and every possible obstacle was thrown in the way of the men in their efforts to bring about harmony and reconciliation. But, even when the men found they were forced, in self-defence, to strike, instead of doing it at once, they informed Mr. Hickson that, unless their reasonable demands were agreed to, they would cease work at a particular hour. At a conference held in the Reading Rooms, Point St. Charles, Montreal, January 6th, 1877, between Herbert Wallis, Mechanical Superintendent, P. M. Arthur, G.C.E., and a delegation representing the engineers and firemen on the Grand Trunk Railway, it was resolved:

"That the agreement of March 1875, be considered binding, with the following modifications:

"*First.* That all engineers and firemen

respectively be divided into two grades, the rates of pay of each of the grades being the same as the present first and second grades in the service as already agreed upon in March, 1875.

"*Second.* That all shunting engineers be paid at the rate of one dollar and seven-y-five cents per day for the first year; after which, there being no serious report against them, they shall be advanced to two dollars per day if they remain on the shunting engines, and if they be put out on the main line, the rate of pay shall be first class.

"*Third.* That all engineers and firemen be advanced from second class rate to first class after they have worked in service one year.

"*Fourth.* That all men entitled to promotion from December 1st, 1876, date their promotion from the commencement of that month.

"*Fifth.* That all general cases of dispute, not decided by the Mechanical Superintendent, be arbitrated by a committee of engineers before the General Manager, whose decision shall be final.

"*Sixth.* That all men discharged by the Company be reinstated; also, that the conduct of all the men who left their work in accordance with general orders issued relative to the strike be overlooked, and all warrants issued against the latter men be withdrawn. This does not, however, refer to men having been guilty of personal violence.

"*Seventh.* That all road engineers doing shunting at terminal stations be paid at the rate of twenty cents per hour.

"HERBERT WALLIS,  
"Mechanical Sup't.

"Approved :

"J. HICKSON,  
"Gen'l Manager.

"Montreal, January 6, 1877."

It was not an exaggerated demand, but it was one which the company had now complied with. Instead of desiring to place the company to any inconvenience, the men stated to Mr. Hickson that they would strike at a certain hour, if their reasonable demands were not met. But the company made no arrangements, and Mr. Hickson sent out trains ten minutes from the hour when the men stated they must strike. The men were obliged to strike all together to a minute. As was shown by one of the men at a meeting in Toronto, if they had not done this, trains would have been wrecked, and, probably, hundreds of lives lost. The same difficulties which occurred at that strike would arise in any other case of a large strike, were it on the canals or in the Post Office Department. If the question of strikes was to be taken hold of,

no one class of men should be singled out. The country should know whether men, who chose to band themselves together for their mutual elevation and support, were to be subjected to such class legislation. He would be prepared to show, before a Committee, that the Grand Trunk authorities were the parties responsible for this strike, and not the engineers. If the responsibility of the strike rested upon the Manager of the Grand Trunk, then, instead of criminal laws being passed in order to degrade the men, criminal laws should be passed making the manager responsible.

Mr. MACDONNELL said the provisions of the Bill met with his entire approbation. He was greatly surprised to see the course pursued by the two hon. gentlemen who had preceded him. They belonged to the legal profession and it might be expected that they would pursue a very different course. The Bill, as far as the House was concerned in its consideration, had nothing to do with the Grand Trunk Railway, although the strike might have been the occasion of the Bill. But hon. gentlemen must know that it was a very obscure individual in Great Britain who gave rise to the Habeas Corpus Bill. The principles of that Bill were discussed without any reference being made to this individual, and so the principles of the Bill just proposed should be discussed without any reference to the Grand Trunk strikers. The House should consider the Bill apart from any occurrence whatsoever that might have suggested it. The Bill was worthy to be considered by the House. It proposed to punish any person, who, having a position of trust in which he had control over life and property, wilfully and maliciously betrayed that trust, whereby great injury to property and to life, and, perhaps, loss of life, resulted, as a criminal. Would the two hon. gentlemen who had previously spoken say this was wrong? Did they desire that these men should escape any punishment? The law said that malice must be proved. In legal language, malice was a condition in which a wrongful act was committed intentionally, without any good cause or justification. The hon. member for Hamilton said this was a struggle

between capital and labour. Labour was as much dependent upon capital as capital was upon labour, and this Legislature was bound to devise laws for the government and protection of both. The hon. gentleman said this law, if placed upon the Statute-book, would not touch the railroad engineers. Then, he virtually threw up his whole case. If the law would not apply to them, why complain about it? He would especially support the Bill for the reason that there was no law on the subject in Nova Scotia which met the case.

Mr. SCRIVER said he had listened with a great deal of surprise to the addresses of the hon. member for Hamilton (Mr. Irving) and the hon. member for West York (Mr. Blain) with reference to the conduct of the engineers of the Grand Trunk Railway. Their speeches certainly seemed like attempts at special pleading. He was not present as an apologist of the Grand Trunk Railway, nor of a body of men who had been spoken of as entitled to the respect and protection which they could fairly demand at the hands of this House. Had the hon. gentlemen forgotten the incidents of the strike? Judging by what the two hon. gentlemen had said, the engineers were injured innocents. They had suffered wrong at the hands of the Grand Trunk Company, but had themselves committed no wrong. It had evidently been forgotten that some of these men conducted themselves in a way which he did not fear to stigmatize as unfeeling and brutal. The hon. gentleman from West York cast the blame upon the Railway Company for not making provision for the strike. But the engineers gave Mr. Hickson no opportunity to do so. They gave him a very short notice that they were going to strike. He did all he could. He engaged men at the different stations to take the places of the engineers in case they should strike. But, in many instances, these men were brutally assaulted. The great fault he (Mr. Scriver) had with the men was that they were almost universally members of a great body, governed by an irresponsible head, a man who did not even live in the country. It was said that the strike was made by

**Mr. MacDONNELL.**

the engineers themselves. This might be the case, but it would not be denied that the hour of striking was fixed by this irresponsible head. A similar circumstance had occurred in the neighbouring country, where the engineers had struck on a line running from Boston to Portland, and this strike was arranged by the same man who had arranged the Grand Trunk strike. This strike in the United States was considered so important that it had attracted general attention, and the Railway Commissioners of Massachusetts had made a very thorough and decided report upon the question, recommending that legislative action be taken to prevent a recurrence of the evil. He heartily supported the Bill.

Mr. BOWELL said he must express not only surprise, but amazement at the speeches of the hon. members for Hamilton and for West York. If they had been on the stump, or speaking in the manufacturing workshops of Hamilton in view of the "toting" up of the voters after an election, then their object might be understood.

Mr. BLAIN: I have not one engineer in my riding.

Mr. BOWELL said those hon. gentlemen had certainly dealt with the subject in a manner that ill became those sent to a legislative body like this House to pass laws in the interest of the community generally. He had no desire to be considered the advocate or defender of the Grand Trunk Railway management in anything connected with its dealings with its men, and more particularly with the subject under discussion. But, when acts of a lawless character had been perpetrated in open day—and in the middle of the night—by a band of men, he was surprised that these acts should find defenders in the legislative halls of the country, and that those who committed them should be eulogized above their fellows. It was asked what had the locomotive engineers done that they were to be specially legislated against? He had no hesitation in saying that they, and those who aided them, had done almost everything they could do in violation of the law.

Mr. IRVING: Those acts were done by the bullies of Belleville.

Mr. BOWELL said, if the logic of the hon. gentleman was no more sound than there was truth in this statement, not much reliance could be placed on it. It ill became that hon. gentleman to make charges against respectable people when he knew nothing whatever of the circumstances further than what he had read in the newspapers and from other statements written under circumstances which he (Mr. Bowell) did not now desire to characterize. The engineers not only struck work, for which he was not going to find fault, nor would he argue that question, but they prevented other men from working; and many men who attempted to run trains were fired on with pistols by members of the Brotherhood, or by those who sympathized with the organization. And all this was done at the instigation of a man named Arthurs, who, when out of the country, was irresponsible to the laws of this country.

An HON. MEMBER: A Yankee.

Mr. BOWELL said whatever might have been the fault of the managers of the Grand Trunk Railway, they certainly did make an attempt to carry on the business of the road. They not only sent men from all parts of the country to the different stations to replace the strikers, but they actually put one or two engine-drivers upon the train leaving Belleville to act in the place of those who might desert their employment at nine o'clock, no matter what point the train had reached. At nine o'clock, some of the engineers not only stopped their trains, but in some instances uncoupled them from the engines, and left the trains upon the track and the passengers to the mercy and inclemency of the weather in mid-winter. The night on which the strike took place was during the most inclement season of the year; and cars filled with passengers, women and children, old and young, of all classes, were left during one of the most severe nights in the winter, for many hours, nearly for days, before the train could be moved; and yet those acts were justified by hon. members of the House, and the men committing such acts were eulogized as saints and martyrs for their

country. Not only so, but when a train was forced through by the aid of the military, and arrived at the station, the men were stoned, and attempts made to disable the engine and throw it off the track by means of sliding bars; and when they succeeded, with the aid of the volunteers stationed on each car, and by guarding it on all sides, the strikers again put something on the track and threw the engine off. The moment the men attempted to replace the engine on the track, they were fired at from behind the sheds. Yet hon. members justified the action of the men who committed those deeds. He had examined the Major-General's report, since it was referred to by the hon. member for Hamilton (Mr. Irving), but he failed to find in the report any such language as had been attributed to that officer. He could not understand how it would be possible for the Major-General to state that the reports were exaggerated, not having any knowledge of the matter further than the reports sent to him by the militia officers.

Mr. IRVING said that on page 47 it was stated that the whole affair had been magnified.

Mr. BOWELL said he admitted that the County Attorney said in the report that the actual violence was much exaggerated. But, when he informed the House that that gentleman was not at the station during the time when the worst outrages were committed, he might be excused for saying that he did not know what he was writing about. He might say more about that gentleman, but he would not do so. The objection that he entertained to the Bill before the House was that it appeared not to meet the object those hon. members who had taken part in the discussion seemed to think it was intended to meet. He did not understand the logical position of the hon. member for Hamilton (Mr. Irving), who stated that the law, as it stood, was not only more strict but provided heavier penalties for the commission of acts of violence than did the present Bill, and yet, at the same time, he appealed to the House in a pathetic manner to give the Bill the three months' hoist and keep the law

on the Statute-book, which he said would punish men more than the proposed measure. He objected to the Bill because it was not sufficiently stringent to suppress such acts of violence as those to which he had referred. What punishment could be too great for a man in charge of an engine and cars who, at the most inclement season, stopped the train in a snowstorm, and ran away with the engine, leaving men, women and children without fuel, and without the means of reaching the nearest station, 12 or 24 hours in the storm? The paltry punishment of \$100 fine or three months' imprisonment would not have that effect, and a term of five years in the Penitentiary would not be too severe for the perpetrator of such an act. Those men who had abandoned their engines and left the passengers as he had described, afterwards with pistols and bludgeons not only destroyed the property, but actually fired at the men who attempted to place the engines on the track after they had been thrown off, and any men who attempted to take an engine out of the yard. He would have expected that, when such a Bill as the present one was submitted to the House, the hon. member for Hamilton (Mr. Irving) would, in the interests of those whom he seemed to represent, have received it with pleasure; but the hon. member had denounced the Bill as class legislation, on account of the penalties it imposed, and yet he had read the present law to show how much more strict the punishments were under it. If he (Mr. Bowell) voted for the three months' hoist it would be for the opposite reason to that given by the hon. member for Hamilton, and he trusted that, if the hon. the Minister of Justice desired to meet those cases and to deal out due punishment to men who committed those acts of violence, he would so amend the law as to make its violation not probable in the future. It had been said that the people in the municipality of Belleville, and the magistrates there did not do their duty on the occasion referred to. It had also been asserted by many people that the volunteers did not do their duty. It was, however, very difficult for the volunteer force in Belleville to do its

duty upon that occasion, particularly as it appeared by the Brigade-Major's report and the report of the Commanding Officer that not only had the force no winter clothing, but no ammunition, although the Commanding Officer had applied to the Department over and over again and his applications had been neglected or refused. The only ammunition which the force had had for a long time was some for practice at their butts, which was purchased with their own money. It was true, and he said it with pleasure, that the Queen's Own of Toronto behaved admirably under the peculiar circumstances; they arrived between twelve and one o'clock in the morning, when it was dark, and they could scarcely see any one. They were stoned, all kinds of missiles being thrown at them, and were actually fired at from behind the sheds. Yet they behaved like old soldiers and veterans, and no words of praise and commendation could be too strong in regard to their behaviour. They were not better armed than the Belleville local force, but they were better clothed and they had ammunition with which to act,—which they did with decision. As soon as they mounted the engines and ran them down to the other station, the engines were permitted to go. But, as soon as the volunteers retired, other men along the line prevented the engines from proceeding. The strike extended from Island Pond to Sarnia, along the whole line, and yet the magistrates and the local authorities of Belleville had been denounced, not only by the press but by the public, because they were not able to combat those difficulties. The moment a train passed outside the limits of Belleville it entered another municipality, and if the Government—although they said they had no law to justify them in sending out the militia force and taking possession of the whole line—had acted with the same decision as did the authorities in Michigan under similar circumstances, and placed a guard of men on every train and forced its way through, there would have been much less difficulty experienced. He would, no doubt, be met with the objection that the law did not give the Government

Mr. BOWELL.

such power, but, in view of the peculiar difficulties which beset them, trains being scattered along the whole line, he was of opinion that the country would have justified them in any such action taken under the circumstances. The law should give power, if it did not at present do so, to the several Governments to take such steps under such circumstances as would effectually prevent such an outbreak. He knew that, under the present law, municipal authorities had the power to call out the military to suppress a riot; but, as the strike affected every municipality along the whole line in Ontario and Quebec, each municipality would have been compelled to call to their aid some military or other force to prevent the strike and the violence continuing. The Government sheltered itself under the Militia Law, and stated they had no power to take action; and it was amusing to read how the hon. the Minister of Public Works had instructed the Attorney-General of Ontario as to what he should do, and referred him to the law on the subject. The hon. Minister appeared to be not only active and energetic in his own Department, but even able to instruct the Attorney-General of Ontario as to the manner in which he should discharge his duties. He (Mr. Bowell) held the view—and everyone who had anything to do with the difficulties would come to the same conclusion—that the law should be so amended as to enable the Government, when such a strike took place, to call out not only the local forces, but the whole military force, in order to force Her Majesty's mails through the country. It occurred to him that some such provision was contained in the Post Office Act; if there was no such provision, the sooner it was inserted the better. Unless the hon. the Minister of Justice was prepared to so amend the Bill as to take that power, and to make provision for the condign punishment of men who acted as the Grand Trunk strikers and their aiders and abettors had done during the past winter, followed up as they had been, by similar acts in different parts of the continent, the Bill would be waste paper. The Bill appeared to be an attempt to place the engineers in a

better position than before, and, if the member for Hamilton was correct, a disposition was manifested not to punish them as severely as under the old law. It was true that some of the strikers were arrested and not punished. One was arrested in Belleville and sent to gaol, but he was not punished, because the men had such control over the managers of the Grand Trunk they dared not punish them. The company, having no power placed at their disposal, either by the Government or by the local authorities, to enable them to quell the riot, they had either to allow the road to be closed for weeks, perhaps months, or to come to terms; and the company had consequently to succumb to the strikers, who were led on by foreigners.

Mr. BLAIN said the demands were perfectly just.

Mr. BOWELL said he had always supposed that an employer had the right to engage men and retain them in his service so long as they were willing to remain and he was willing to pay them the money they asked. So soon as the employés became dissatisfied with their portions and could not accept the wages paid, they were at liberty to leave and seek employment elsewhere; but he (Mr. Bowell) had yet to learn that in this or any other civilized country men had the right to band together and demand from their employer such wages as they chose to ask, and, when their demands were refused, to stand at his door with pistols and prevent his work proceeding, their places being filled by other workmen. That might be the doctrine of the hon. member for West York, but it was one which would not be supported either by the House or the country. He hoped that in dealing with the question the Government would place a law upon the Statute-book that would prevent in the future any such occurrence as that which had recently taken place, which tended to the injury of the country, and that, in their own interests, the Administration would take power in that or some other Act to suppress a revolt—for it was nothing less—similar to that which had occurred during the past winter.

Mr. BABY said he rose to call the attention of the hon. the Minister of Justice to the point as to whether the Bill did not come into conflict with Provincial rights. There was at present a law in Quebec under which the Masters and Servants Act would be very effective. That law was found in the Consolidated Statutes of Lower Canada, the second and third provisions of which the hon. Minister of Justice repealed by the present measure. Those sections were amended by the Local Legislature of Quebec in 1870, and extended, and it was declared in that Statute that those, as well as other sections, should form part and parcel of the law. Many members of the Bar of Lower Canada thought the Bill would cause a conflict with local jurisdiction. The hon. the Minister of Justice had admitted that Provincial Legislatures had the right to execute laws in that respect, and, if such were the case, they could also enact penalties for infringements of the law. He hoped if the Bill passed the hon. the Minister of Justice would provide against any conflict of jurisdiction.

Mr. ROBINSON said his sympathies, not only from what he had heard from the hon. member for Hamilton (Mr. Irving), but from what he had previously known, were with the locomotive engineers and not with the Grand Trunk Railway Company, and, therefore, he would be very glad to vote for the amendment. Few hon. members had had a more extensive acquaintance with that body of men than it had been his good fortune to possess. As President of the Northern Railway for thirteen or fourteen years, he was naturally thrown into contact with these men. The society of engineers, which had hundreds if not thousands of members scattered over the continent, from Oregon to California and from California to Quebec, was a very numerous body, and held an annual meeting or convention in the United States or Canada. He had the good fortune to preside over an annual gathering of that respectable body of men while he held the office of President of the Northern Railway, and he never met a more manly, intelligent and respectable body of men than the Brotherhood of Locomotive Engineers.

Mr. BOWELL.

He believed that these engineers had as many lives perhaps under their charge, if not as valuable cargoes, as captains of steamships. The only difference between the two classes was that the captain of a steamer who brought his vessel safely through a tempest was praised, while the captain of the locomotive performed his perilous duties comparatively unnoticed. They certainly deserved the consideration, if not the sympathy, of the House. He believed that the whole difficulty which led to the strike was due to the treatment the engineers had received in 1875. This naturally irritated them, and he was convinced, after having perused the correspondence, that the one side was as much to blame as the other. The men had acted in a manly, straightforward common-sense manner, and the answers they had received had been curt and unceremonious. They were simply informed on one occasion that Mr. Hickson was in New York—no more. If the managers of the Grand Trunk Railway had shown a little more judgment, this serious trouble would have been avoided. To show that he was not alone in this regard, he would mention the fact that their case had been ably presented to the City Council of Toronto, composed of 27 or 30 members, who had concluded that the engineers had as much justice as had the company on their side. These men had made up their minds that they were being driven to the wall, and treated unjustly, and that they were fighting for their livelihood, without a chance of common justice or fair representation being afforded them. The Brotherhood was numerous and respectable. He thought they had acted as spirited men would under such circumstances. They had the sympathy of the Council and of the great majority of the people of Toronto, and he thought they should also have the sympathy of the country and of the House.

Mr. WHITE (North Renfrew) said that lumbermen engaged their employes at some distance from where they were to work, and frequently found it necessary to advance them money. The latter often deserted their employment, and it seemed to him that, unless there was some way other than that of

punishing such persons by a fine, as proposed in the Act, employers were exposed to serious loss. Imprisonment should be ordered if the fine were not paid.

Mr. MACDOUGALL (East Elgin) said he was rather surprised at the amendment moved by the hon. members for Hamilton and West York. He agreed that railway employes and engineers were, on the whole, a very intelligent body of men, who merited commendation for their industry. At the same time he was not prepared to say that if they engaged in lawless acts, their former respectability was any justification in this connection. The discussion had taken a wider range than the measure warranted. It did not propose legislation with regard to law-abiding but law-breaking citizens. Did the hon. member for Hamilton (Mr. Irving) mean to say that men guilty of acts mentioned in the Bill, would be justified in committing them? The hon. member for North Hastings (Mr. Bowell) had stated that on the occasion of the strike passengers were detained and their lives exposed to danger; and this he was sure would not meet with the approbation of hon. gentlemen opposite. If men were allowed to take the law in their own hands and settle their grievances as pleased them, on the same argument all the laws in the country might be abolished; and any license would be justifiable. When the men in question had read and pondered over the measure, they would be prepared to assent to its propriety. He held that the measure was not at all out of place. If men broke the law they should be punished, and if they suffered under grievances, they should appeal to the law. Innocent persons should not be compelled to suffer, as had been the case a few weeks ago. This law was necessary.

Mr. KERR said some such measure should be at once placed on the Statute-book. He sympathized neither with the Locomotive Brotherhood nor with the Grand Trunk Railway authorities. He considered that if any class of men had grievances there were legal means for obtaining redress. It would never do for the House, which

was the fountain head for the laws of the country, to countenance anything like a repetition of such conduct. He had not only been indignant, but humiliated to think that this was possible in Canada. Our laws were sacred, and they could not be broken with impunity. Within a few miles of Cobourg, near his own residence, a large train, filled with men, women and children, had been stopped at the dead of night, when the strike began, within a wood, at some distance from any dwelling house, and there they were left until morning, when they were driven to town. He was told that there were children and delicate females on the train whose lives were almost sacrificed that night, and he felt that, if there was not a law on the Statute-book to prevent or punish severely conduct of that kind, it was the duty of the Government at the earliest moment to frame such a measure, and he believed that such a measure was now proposed by the hon. the Minister of Justice. When the hon. member for Hamilton (Mr. Irving), was speaking eloquently, as he always did, he (Mr. Kerr) had hoped that he was the only hon. gentleman in the House who entertained such views as he had enunciated. When that hon. gentleman was followed by the hon. member for West York (Mr. Blain), he (Mr. Kerr), thought he was the last person who entertained such views; but he was amazed when that hon. member, to a certain extent, not only excused, but justified the conduct of those men. He did not care how respectable the strikers were. Respectability should never be pleaded when it set itself in defiance of law. He was rather in accord with the views of the hon. member for North Hastings (Mr. Bowell), when he denounced such conduct; and he was sorry that the highly respectable members for Hamilton and West York had seen fit to differ with the remarks of the hon. the Minister of Justice. He was sorry that the remarks of those hon. gentlemen would go abroad throughout the length and breadth of the country, because he feared they would have anything but a salutary effect. He was sure hon. members would agree with him that any attempt to break the law and order of the

country should be discountenanced. As a result of this evil example, the operations of the Midland Railway were stopped for a few days. A little strike was organized, and the consequence was that business and travel were greatly inconvenienced. Without setting his face against the Locomotive Brotherhood or in favour of the Grand Trunk Railway Company, he sincerely hoped that the House would declare that law and order must be maintained at all hazards. He hoped the amendment of the hon. member for Hamilton would get an infinitesimal vote and that the Bill before the House would be overwhelmingly sustained. It was just as much in the interest of the Locomotive Brotherhood that law and order should be preserved as it was for anyone else in the Dominion.

Mr. IRVING: The Midland people struck because you would not pay pay their wages.

Mr. ROSS (Prince Edward) said he thought the hon. the Minister of Justice deserved the thanks of all law-abiding people as well as of this House. He was surprised that hon. members, especially those for Hamilton (Mr. Irving), West Toronto (Mr. Robinson), and West York (Mr. Blain), should encourage such outrageous conduct on the part of the engineers as took place in January last. He hoped the hon. the Minister of Justice would make the law strong enough to punish those men. He agreed thoroughly with what the hon. member for North Hastings said. It would be a good thing if the law was strong enough to send the strikers to the Penitentiary for five or ten years, and he suggested that those hon. members who encouraged them should go to the Penitentiary along with them.

Mr. TUPPER said he did not think that the time spent in the discussion of this Bill had been lost. He was satisfied that hon. members would agree with him in the opinion that no question of a more delicate nature than this could come under the consideration of Parliament. Any question that touched the delicate relations of the employer and the employé, of capital and labour, was of very great

importance and required the utmost calmness in its consideration. The Bill before the House had been assailed on two grounds. It had been assailed by the hon. member for Hamilton in a very able speech, in which he attacked it as class legislation. He believed there was no hon. member in the House who would not agree with that hon. gentleman that class legislation was to be deplored, unless it was found to be absolutely necessary — that nothing but the most stringent necessity could warrant legislation which was intended, not for the general public, but was aimed at a particular class. Great as was the difficulty caused by the strike on the Grand Trunk, and unpleasant as were its consequences, he did not think that a sufficiently strong case had been made out to warrant class legislation. Then the Bill was very successfully attacked by the hon. member for Hastings on the stronger ground that, if such legislation were required, the measure was altogether insufficient for its intended purpose. It was one that would be viewed with great hostility by the class against whom it was levelled, and would have an exasperating influence upon them. But the Bill was also objectionable inasmuch as it would fail in the object it sought to attain. He thought it would prove just as obnoxious to the employer as the employed, and that it would be regarded as entirely inadequate by the persons whose interests it was designed to promote. What was the cause which induced the measure? A great artery of communication was interrupted, but, if the laws on the Statute-book had been vigorously enforced and the Government had been equal to the emergency, no necessity would have arisen for the legislation proposed. He had read the Bill with some care, and he failed to find anything except a number of provisions which appeared to him to be adequately provided by existing law. We had been voting \$1,000,000 annually for the last ten years to clothe the Government with power to deal with such emergencies, and it was a scandal and not at all creditable to the Government or the country itself that, after such an enormous expenditure of public money, the whole Government

Mr. KERR.

of the country should be paralysed by a mere handful of people who chose to take charge of the Grand Trunk Railway, to stop Her Majesty's mails, and to bring the whole business of the Dominion to a standstill. What did the Bill provide in order to meet such emergencies? The only important provision it contained was the following:

"Whosoever being under a contract of service or otherwise—

"(a.) With a railway company, bound, agreeing or assuming to carry Her Majesty's mails, or passengers or freight; or

"(b.) With Her Majesty, or any one on behalf of Her Majesty, or of the Government, in connection with a Government railway on which Her Majesty's mails, or passengers or freight are carried,

"Wilfully or maliciously breaks any such contract, knowing or having reason to believe, that the probable consequences of his so doing, either alone or in combination with others, will be to delay or prevent the running of any locomotive engine, or freight or passenger train or car on the railway;—

"Shall, on conviction thereof, be liable to be punished by fine not exceeding one hundred dollars, or by imprisonment for a term not exceeding three months, with or without hard labour."

Did that clothe the Government with any power they did not already possess? He asked the hon. the Minister of Justice and independent members of the House to follow him while he read the law now on the Statute-book. The seventeenth clause of the Act for the regulation of the Postal Service was as follows:—

"To obstruct or wilfully delay the passing or progress of any mail, or of any carriage or vessel, horse, animal or carriage employed in conveying any mail, on any public highway, river, canal or water communication, shall be a misdemeanour."

Was there anything stronger in the proposed measure than that, which characterized the very thing that took place as a misdemeanour? But how was that misdemeanour to be punished? On page 57 of the Statutes of 1875 they found the following provision:—

"And every such offence declared to be a misdemeanour by this Act shall be punishable by fine or imprisonment, or both, in the discretion of the court before whom the offender is convicted."

And the 30th section of the same Act provided:

"Any imprisonment awarded under this Act shall be in the Penitentiary of that part of the Dominion in which the conviction shall take place, if for a term of or exceeding two years; and if the imprisonment awarded shall be for a less term, it may be with or without hard labour in the discretion of the Court awarding it."

So that the existing law was more stringent and effective than that proposed by the hon. the Minister of Justice. The punishment in the measure before the House was a fine of \$100. Now, it was stated that the Locomotive Brotherhood had the means of ensuring to all parties engaged in the strike, the payment of a large salary down to the 1st of April; and he would like to know how much it would inconvenience the Association to pay fines of \$100 for fifty or one hundred of its members. The Government had every means at their disposal to prevent the stoppage of public business and to punish the offenders, but, after spending \$10,000,000 on the Militia, the country had the satisfaction of knowing that, when a detachment was required, the men either had no clothing or no ammunition. The existing law was sufficient for the emergency, and it was the fault of the Administration that it was not carried out; and the House was now called upon to cover up that failure by the enactment of a new law, which was to lead the people to suppose that existing legislation was not sufficient to meet the case. He did not wish to express a single word of sympathy for the parties engaged in this interruption of business; he did not go into the question of what grounds of complaint there were on one side and mismanagement on the other, but urged that the law on the Statute-book was sufficient for every emergency of the kind. As to the cruelty involved by the stoppage of trains between stations and at inconvenient localities, he wished to say a few words. He understood that the parties who intended to strike gave notice of their intention, and that notice was so precise as to state the very time at which the strike would take place. If he was correct in that, he thought it relieved the parties charged with cruelty of a great deal of the onus of that charge. A strike on a great line

of railway was different to a strike of any other kind, and in order to avoid the destruction of property and imperilling of life, it became necessary that the strike should take place simultaneously all over the line. If one train stopped and another ran, he could not see how collisions and destruction of property and endangering of life could be avoided; at any rate no such consequences could result if operations on the road ceased to move simultaneously. He did not offer this as any justification for the parties engaged in the strike, but he thought that to a certain extent what had been regarded as an act of great cruelty was a necessary and essential part of the course these parties had decided to carry out. After what had been stated it would be much better were further time taken to mature the measure. If it were necessary to deal with the subject at all, he believed it should be dealt with in a much more extended and comprehensive form than the proposed Bill provided, which would entirely fail in its object. Under those circumstances, whether the Bill was regarded as class legislation or as legislation unequal to the emergency, if such an emergency was forced upon the House, it would be well to take more time for its consideration. That should especially be done as the difficulty which the Bill was intended more particularly to meet had been tided over, and the Government had received a hint as to the necessity of having more efficient measures provided for the enforcement and administration of the present laws. The laws already on the Statute-book would be weakened by the Bill, while the House would be committed to class legislation. It would entirely fail to satisfy either employer or employées.

Mr. BLAKE said he would add a few words to what he had already said, before the debate closed. He would inform his hon. friend and the House that he would take a more convenient season, if the Bill received its second reading, to explain the details. He believed the difficulties mentioned by the hon. members for Sherbrooke (Mr. Brooks), Joliette (Mr. Baby), North Renfrew (Mr. White), and Cape Breton (Mr. MacKay), had been already met. They were ques-

Mr. TUPPER.

tions of detail which could not be explained now, but which, if not satisfactory, could be amended so as to meet the House in the particulars to which they referred. He would turn to the main attack made upon the Bill by the hon. member for Cumberland. He would commence by saying that the measure was not designed to meet all the difficulties in which the country found itself plunged by the Grand Trunk strike. The House might at once dispose of the consideration of the various questions to which the hon. member for North Hastings and other hon. gentlemen had alluded, as relating to occurrences in the strike, because the measure, whatever its merits or demerits, did not profess to deal, and in his opinion ought not properly to deal, with matters which were entirely foreign from those with which its provisions dealt. The Bill did not profess to deal even with a strike, or to interfere with the freedom of the employé to leave the service of his employer at any time when his contract had expired. It professed in general terms to say that, save under special circumstances, breach of service was not a crime. It professed to define certain breaches of contract, or in the event of certain breaches of service, when they involved consequences of such moment and were connected with such results as might, in the opinion of the Government, fairly be called crimes, to define and punish them as such. To deal with such a measure was an entirely different question from such as to how to avoid a breach of contract, or how to treat a riot, how persons obstructing railway engines were to be treated, how persons who made murderous assaults, as alleged, were to be treated, or how the militia of this country was to be called out in aid of the civil powers. Did the measure attempt to deal with all these questions it would be preposterous; it would be an absurd mixture of entirely disconnected matters. As had already been intimated to the House, the events which occurred subsequent to the strike were intended to be met, as would also appear by the notice upon the paper. The proposed legislation in the latter direction might not satisfy hon.

gentlemen opposite. It was difficult to satisfy them. With one breath they would say the pressure was too small and with another breath it was too great. He did not expect to satisfy them. What the House was dealing with at present was the simple and single question of whether it was fit to declare that breaches of contracts in general, whether of service or otherwise, should be regarded as crimes, and whether certain breaches of contracts should be declared as crimes, and certain punishment should be provided for them. The hon. member for Cumberland had referred to a clause in the Post-Office Act. He would yield with unfeigned deference to that hon. gentleman's legal powers of constructing an Act of Parliament; but he must confess that the hon. gentleman's construction of that clause had surprised him. He (Mr. Blake) had read it with great attention, and he did not believe it applied to this case at all, to the removal of an engine in any shape or way. So convinced was he of this, that a notice had been put upon the paper to so amend the Post-Office Act as would make that special clause applicable to that very class of cases. If there were, as he was aware there were, cases in which offences might come within the letter of his proposed Bill, but were punishable by another and more severe law, then, in such case, other laws would be expressly preserved. The Bill was expressly designed to preserve all punishments over all crimes which might otherwise, or by some construction, be comprehended within the offences punishable by the Bill; provided always, however, that no person should be punished twice for the same offence. He did not propose to discuss the respective attitudes of the Grand Trunk Railway or the locomotive engineers. He agreed with the hon. member for West York (Mr. Blain) as to the character of the rules of the Brotherhood of Locomotive Engineers. He felt it was his duty to see the rules, and so far as he had seen them, they appeared to be most wholesome and excellent rules. But with the use or abuse of the rules, or the utility of the organization—and he had no doubt it had been useful—or with its abuse, the House had

nothing to do. The question to be dealt with was whether the House was determined that breaches of contract, whether of service or otherwise, on a railway carrying mails, passengers and freight, where such breaches of contract were wilful and malicious, and when made with the knowledge or belief that the consequences would probably be of such a character as to stop or impede traffic—whether such breaches of contract were to be looked upon as crimes, punishable by a moderate punishment. The hon. gentlemen who objected to that proposition had, by their silence, admitted that the other classes of breaches of contract dealt with in the Bill, should be regarded as crime; as for instance, such a breach of contract as would deprive the city of Ottawa of water or gas for a day or night. Nobody had said a word about that. But he did not know whether such a thing as he had supposed with reference to the railway would not cause far greater inconvenience and difficulty to the public, and greater expense and damage to a company, than would arise in a case such as the latter. There was no attempt to interfere with the right of the employés to combine. His view was that employers and employés should stand equal before the law in that respect. It was one thing for the law not to interfere with any breach of contract when the loss was only a pecuniary one to the employer and employé, but it was another thing with the breach of contract involving serious inconvenience to the public, a probable danger to life, and great damage to valuable property. He saw no reason why such cases as those should be excepted, any more than those to which hon. gentlemen had not objected. He would declare that, in his opinion, it would not be right to permit another Session of Parliament to pass without some legislation directed to the prevention of such breaches of contract as those which had occurred on the Grand Trunk Railway. It was now said there was no breach of contract, that the men were not under contract. If it were so, then the law would not touch them. It was cases of breach of contract, and those alone, that the law was intended

to meet. He ventured to affirm that the intelligent employes of this country would not disapprove of the law.

Question *put*, and amendment *lost*, on the following Division:—

## YEAS :

## Messieurs

Baby	Little
Benoit	Macdonald (Kingston)
Blain	McDonald (Cape Breton)
Blanchet	Macmillan
Cameron	McCallum
Campbell	McCarthy
Caron	McQuade
Cimon	Masson
Cuthbert	Monteith
Daoust	Montplaisir
Desjardins	Mousseau
Domville	Pinsonneault
Ferguson	Plumb
Fraser	Pope (Compton)
Gaudet	Robinson
Gibbs (North Ontario)	Robitaille
Gibbs (South Ontario)	Rochester
Gill	Rouleau
Haggart	Stephenson
Hurteau	Thompson (Cariboo)
Irving	Tupper
Jones (S. Leeds)	White (E. Hastings)
Lanthier	Wood.—46.

## NAYS :

## Messieurs

Appleby	Hall
Archibald	Higinbotham
Aylmer	Holton
Bain	Huntington
Bannatyne	Jones (Halifax)
Barthe	Kerr
Béchar	Kirk
Bernier	Kirkpatrick
Bertram	Lafamme
Biggar	Lajoie
Blackburn	Landerkin
Blake	Laurier
Bolduc	Macdonald (Cornwall)
Borron	Macdonald (Centre Toronto)
Bourassa	MacDonnell
Bowell	Macdougall (E. Elgin)
Bowman	McDougall (S. Renfrew)
Boyer	McDougall (Three Riv.)
Brooks	MacKay (Cape Breton)
Brouse	McKay (Colchester)
Buell	McCraney
Burk	McIntyre
Burpee (St. John)	McIsaac
Burpee (Sunbury)	McLeod
Carmichael	McNab
Cartwright	Metcalfe
Casey	Mills
Casgrain	Mitchell
Cauchon	Moffat
Charlton	Norris
Cheval	Oliver
Christie	Paterson
Church	Perry
Cockburn	Pickard
Coffin	Platt
Colby	Pouliot
Cook	Richard
Costigan	Ross (W. Middlesex)
Coupal	Ross (Prince Edward)
Cunningham	

Mr. BLAKE.

Currier	Ryan
Davies	Scatcherd
Dawson	Schultz
Delorme	Scrifer
De St. Georges	Shibley
DeVeber	Short
Dewdney	Sinclair
Donahue	Smith (Peel)
Dymond	Smith (Selkirk)
Farrow	Smith (Westmoreland)
Ferris	Snider
Fiset	St. Jean
Fleming	Taschereau
Flesher	Thibaudeau
Flynn	Thompson (Haldimand)
Forbes	Trow
Galbraith	Vail
Gibson	Wallace (Albert)
Gillies	Wallace (S. Norfolk)
Gillmor	White (N. Renfrew)
Goudge	Workman
Guthrie	Wright (Ottawa Co.)
Hagar	Yeo.—125.

Bill read the second time.

House adjourned at  
Ten minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Wednesday, 21st March, 1877.

The Speaker took the chair at Three o'clock.

BOUNDARIES OF MANITOBA  
BILL.

## FIRST READING.

Mr. MILLS introduced a Bill (No. 87) Respecting the boundaries of the Province of Manitoba. He said the Bill made slight alterations of the boundary of the Province, but it would not either enlarge or diminish its area. The change was for the purpose of giving facilities for registering patents within the Province. The British North America Act authorized Parliament to make such alterations, with the consent of the Local Legislature. That consent had been obtained. A Bill had been passed by the Legislature which had received the assent of the Lieutenant-Governor, and, although he (Mr. Mills) had given notice of this measure some time ago, he had deferred taking further action until the local Bill became law.

Mr. SCHULTZ asked what would be the increase of the area of the Province as proposed by the Bill.

Mr. MILLS said there would be no increase. The Bill moved the eastern boundary a little further west and the western boundary was moved to correspond. There was practically no change in the area of the Province. They had adopted a boundary which neither divided the townships nor the sections. It was to avoid such divisions that the change was made.

Mr. SCHULTZ: Then it makes no division except as concerns the matter of registration in the Province?

Mr. MILLS: No.

Bill read the first time.

### PARLIAMENTARY REPRESENTATION COMMITTEE.

#### COMMITTEE APPOINTED.

Mr. CASEY, in the absence of Mr. DEVLIN, moved:

“That the following nine members, viz: Messrs. Devlin, Kerr, Kirkpatrick, Caron, Frechette, Gilmore, Costigan, Borden and the mover (of whom four shall form a quorum), be appointed to compose the Select Committee to enquire into and report on the practical working of the plan under which the people are now represented in Parliament; and of the systems which have, of late years, been adopted in other countries; with a view to remedy some of the alleged defects of the existing plan; as ordered by the House on Monday last, the 19th instant.”

Motion agreed to.

### FLOATING CORD-WOOD ON THE RIVER ST. FRANCIS BILL.

#### FIRST READING.

Mr. GILL introduced a Bill (No. 88) To regulate the floating of cord-wood on the River St. Francis. He said the Parliament of Quebec had passed an Act regulating this matter, but, as the stream was navigable in some parts, it had been thought advisable to apply to this House for legislation.

Mr. BLAKE said there was, of course, no objection to the Bill going to the first reading; but he might mention that a very large number of Bills had been passed by Local Legislatures to regulate, not merely the floating of cord-wood, but of timber down various navigable rivers. An important question was involved in such legislation, and some question existed as to the pre-

cise powers of the Local Parliaments in reference thereto. It was necessary that the matter should be well considered before the House passed any measure of this kind.

Mr. PALMER said the question involved in such legislation required very grave consideration. He had a motion on the paper in regard to such rights on a New Brunswick river, which he would discuss when the order was called.

Sir JOHN A. MACDONALD said the subject was one deserving of careful consideration. At this late period of the Session, however, the question could not very well be discussed at length. Next Session a Special Committee might be appointed to go into the whole question.

Bill read the first time.

### BILL INTRODUCED.

The following Bill was introduced and read the first time.

Bill (No. 89) To provide greater convenience and safety for passengers on railways in Canada.—(Mr. Trow.)

### WALTER SCOTT DIVORCE BILL.

#### SECOND READING ORDERED.

Mr. McCARTHY moved that Bill (No. 84) For the relief of Walter Scott be read a second time to-morrow. He said the report of the Select Committee had been presented to the House, and he supposed that it was necessary to make his motion in order that the Bill might go to its second reading.

Mr. SPEAKER said that he found on looking into this matter that, in the Peterson case, the procedure was really under the system previously adopted, of having the Bills referred to the Standing Committees after the first reading. Todd's "Private Bill Practice," which was written about that time, stated that Private Bills reported by Standing Committees were placed on the order paper on the day following the receipt of the report. He thought that, if this precedent was to be followed at all, it should be followed all through, and the Bills allowed to go for a second reading as a matter of course.

Mr. HOLTON said that practice had been changed since the volume mentioned was written.

Mr. SPEAKER said he was aware of that. He thought that if they were to follow the practice in the Peterson case, it would be better to follow the practice throughout. It was as well to have a distinct understanding on this point.

Mr. HOLTON said his impression was that Divorce Bills were purely and simply Private Bills, and must follow the rules respecting such measures. The rule formerly was to refer Private Bills to appropriate Committees after the first and before the second reading, but the House changed back to the old system of referring after the second reading. He thought Divorce Bills should be subject to the same rule.

Mr. BLAKE: Do I understand you to say, Mr. Speaker, that, following the practice in the Peterson case, the Bill goes on the orders for second reading without motion?

Mr. SPEAKER: Yes; that was the practice.

Mr. BLAKE said that the House could not act very well on a rule which was no longer in existence. Of course, the House might follow a precedent as far as it was competent to do so, if it were a convenient one; and they were not disposed, at any rate, not without enquiry and consideration, to say that it was inconvenient to follow this precedent. When they came to consider how the Bill was to take the next stage after the report of the Committee, he was afraid that, if the precedent turned out not to be supported by authority at all, they would not be called upon to follow it. If there were, as he did not conceive there was, any grounds whatever upon which a Bill could be placed on the order paper after reference without motion, he thought it was merely founded on the practice in one or two isolated cases. He thought the motion of the hon. member for Cardwell was a correct one. Of course, they had to deal with the difficulty in which they found themselves, but they ought not to repeat what he could not but regard as the mistake made in the Peterson case,

Mr. SPEAKER.

allowing the Bill to go on the order paper for a second reading, without a motion and without a general rule authorizing that procedure.

Sir JOHN A. MACDONALD said he quite agreed with the Minister of Justice. The hon. member in charge of the Peterson Bill had naturally moved for the successive stages, and the House had allowed it to pass, not being particularly interested in it. Thus, this case became a solitary instance of such action, as he understood it. He thought they had better keep to their rule, for fear of doing real injury to the party concerned in the Bill, and still there was a great deal of truth in the observation made by the Minister of Justice the other day, — that this was a judicial proceeding, and that it looked rather like an anomaly for them at the second reading to affirm the principle of a Bill before receiving the report of a judicial Committee on the facts on which it was based. Nevertheless, on the other hand, they had their own rules with regard to Private Bills, and the only consequence of passing the second reading then was, that every hon. member understood he was quite free to vote as he pleased regarding this class of Bills.

Mr. HOLTON said that the motion was only that the Bill be placed on the orders for second reading to-morrow.

*Motion agreed to on a Division.*

## MARY JANE BATES DIVORCE BILL.

### SECOND READING ORDERED.

Mr. ROSS (West Middlesex) moved that the Bill (No. 83) For the relief of Mary Jane Bates be read the second time to-morrow.

Mr. BLANCHET said, in his opinion, it would be more correct to move that the Bill be put on the order paper for the second reading to-morrow. The present motion implied an Order of the House.

Mr. BLAKE: So it is always.

Mr. BLANCHET said he did not like to be pledged to the second reading. He thought the motion should be altered as he had suggested.

Mr. HOLTON: It is the same thing.

Mr. SPEAKER: The same rule applies to all other orders.

Motion agreed to on a Division.

#### QUESTIONS PUT BY MEMBERS.

Mr. SPEAKER asked for an expression of opinion with regard to questions put by members, which were directed to stand—in this case owing to the absence of the Minister of Public Works.

Sir JOHN A. MACDONALD said he thought they should stand over, when they were not put in order to meet the convenience of the Ministry.

Mr. BLAKE said his own opinion was that they should be put over to another day, when the Government requested them to stand.

#### AUDIT OF ADVERTISING ACCOUNTS.

##### MOTION FOR ORDER IN COUNCIL.

Mr. PALMER, in the absence of Mr. DOMVILLE, moved for a copy of Order in Council of 17th December, 1875, relating to the superintendence and auditing of advertising accounts; also a statement showing how much advertising was not brought under superintendence and audit contemplated by Order in Council, by whom such advertising was ordered, and by whom done from 1st January to 31st December, 1876. He said he believed the motion was made owing to the statement in the report of the Secretary of State that a portion of the public printing had not been audited. It appeared to him that this required some explanation. He could not understand why such a course should be adopted.

Mr. BLANCHET said, if permitted, he would move in addition for a return with regard to the total amount of printing done; the names of persons to whom it was given; the conditions under which it was entered into, and the amount and value of work done.

Mr. SPEAKER: That relates to the printing of all the Departments.

Mr. BLANCHET said it might be included in the same motion.

Mr. BLAKE said it would be recollected that when his hon. friend from Temiscouata made a similar motion it was objected to, and the inconvenience of such a course pointed out.

Motion agreed to.

#### SALE OF POSTAGE STAMPS IN ST. JOHN POST OFFICE.

##### MOTION FOR RETURN.

Mr. PALMER moved for all communications received by the Postmaster-General or any other Department of the Government from the St. John Board of Trade on the subject of the sale of postage stamps in the Post Office at St. John. He said his constituents had considerable interest in this matter. The present Government, after opening the post-office in St. John had done away with the sale of postage stamps in it, and this occasioned very great inconvenience to the public—particularly as many residents of St. John were engaged in a seafaring life, and their wives and daughters were engaged in frequent correspondence with absent members of families. He had been told that postage stamps were sold in the Halifax Post Office. One person in St. John had offered, if a place were given him in the building, to pay for it and sell these stamps on the ordinary conditions. He understood that the St. John Board of Trade had made a representation to the Government on the subject, and he wished to know what action had been taken by the Ministry or the Postmaster-General in the premises. The space required in the post-office would only need to be something like 6 feet by 4 feet; no loss would be sustained by the Government, and the public would be greatly inconvenienced if this was granted.

Sir JOHN A. MACDONALD said the late Postmaster-General had revised the order of his predecessor in this respect. It seemed very absurd that the only place where postage stamps could not be obtained was the post-office. This was the cause of great inconvenience to travellers and to those who went to the post-office to learn what postage they had to pay. He never could understand why it should

not be the primary duty of the post-office to furnish postage stamps. He had always thought the order ill-advised, and he hoped the Postmaster-General would look into the matter.

Mr. HUNTINGTON said no course could be pursued by the Department with regard to any matter, which might not be the subject of criticism. The greatest advantage, perhaps, of the system now in force was its uniformity. He thought sufficient reason existed for the change that had been made in this regard. Objections had been made to the sale of postage stamps in post-offices; it took up a great deal of room, and it was very inconvenient. Strangers naturally stopped at hotels, and they did not generally post their letters. Occasional inconvenience might now be occasioned, but it was not sufficient, in his opinion, to justify a change. No representations had been made to him in this relation.

Mr. PALMER asked whether his information that postage stamps were sold in the Halifax post-office was correct.

Mr. HUNTINGTON said it was not. Employés had sold postage stamps in the office at Halifax, but the practice was felt to be objectionable. The postmaster there was, however, permitted to keep stamps in the office for the accommodation of strangers, but their sale in the building was in no way to be encouraged. They were trying to harmonize the system, and to make any change without good reason would be blameworthy. He was quite sure that if postage stamps were sold in all post-offices, the practice would lead to far more serious complaints than were now made.

Mr. JONES (Halifax) said the Postmaster-General was in error in thinking that the present arrangement was satisfactory. So far as he was aware, precisely the contrary was the case. He did not, however, blame the head of the Department for the arrangement, because he believed that it was one of those arrangements which were carried into effect on the recommendation of Post Office Inspectors. He remonstrated with the Inspector at the time the regulation was carried into effect, and pointed out the incon-

venience which was likely to occur, and, in fact, which had occurred not only to strangers to the city, but to those who were not familiar with business. People not in the habit of writing letters or receiving much correspondence would naturally think that by going to the post-office they could get the requisite stamps to despatch letters. There might be a great advantage in securing uniformity. He thought the hon. the Postmaster-General would admit that representations had been made to him from Halifax, at least, as to the inconvenience of the system now in force there. He was glad to hear the hon. the Postmaster-General state that the system was only tentative, and he had no doubt that, from the additional representations which would come in from all parts of the Dominion, the Department would revert to the old system, by which the public would be much better served.

Mr. HOLTON said the system of prepayment was of very recent origin,—hardly a year old; and it was since its introduction that the difficulty, if there were a difficulty, and the inconvenience, if there were an inconvenience, had been experienced, with reference to stamps not being sold within the walls of the post-offices. His own observations in Montreal, where a large new post-office had been recently opened, was that the public interest would be much subserved by facilities being given for procuring stamps within the post-office itself. They need not necessarily be sold through the post-office employés, as he could see very great objections to this being done. He did not know what the accommodation as to the sale of stamps was in large cities outside of Montreal and Quebec, but he thought there was room in each of those offices for a stamp office; and, he presumed, it was the same in Halifax, Toronto and many other cities. He was quite sure the hon. the Postmaster-General, now that his attention had been called to the matter, would make such enquiries as would lead him to adopt any modification of the arrangements which the public convenience might call for.

Mr. CURRIER said there were great complaints in Ottawa because postage

stamps could not be procured in the post-office. It was true, vendors were not far off, but it was really a great inconvenience to strangers, and particularly to ladies, to have to go outside the post-office for stamps. As to the post-office clerks selling stamps, he could not understand why the hon. member for Chateauguay (Mr. Holton) should object to such an arrangement.

Mr. HOLTON said the present system contemplated the avoidance to the largest extent possible of post-office employes handling money, and he thought that was a sound policy. He knew there were defalcations of all sorts and irregularities with respect to payments under the old system. The ordinary clerks of the post-office ought not to be vendors of stamps.

Mr. CURRIER said it was extraordinary that post-office clerks could not be trusted with a dollar's worth of stamps. They would have to buy them from the Government in the first place, and he presumed a business-like account could be kept between them and the post-office.

Mr. WORKMAN said he coincided with what had been said by the hon. member for Chateauguay (Mr. Holton), and the hon. member for Ottawa (Mr. Currier). He knew that a considerable amount of inconvenience existed in Montreal for want of a room in the post-office where stamps were sold. He hoped the hon. the Postmaster-General would receive the suggestions offered in the friendly spirit in which they were made. There was ample room in the large city office for a stamp room.

Mr. CARON said he concurred in the views expressed by the hon. member for Chateauguay. It seemed to him impossible to discover a reason for a system which obliged the public to go some distance from the post-office in order to buy stamps required for posting letters. That was a very great inconvenience, especially when the senders of letters were in a hurry. He knew that in the city of Quebec it was very difficult for strangers not acquainted with the city to procure stamps. Last Session he had an opportunity of bringing up the subject in a different form, and now, that this year there was an almost universal expres-

sion of opinion against the existing system, he hoped the hon. the Postmaster-General would consider the matter with the view of remedying it. Of course there were many offices where stamps were sold.

Mr. HUNTINGTON explained that he had referred to city offices.

Mr. PALMER said he thought stamps were sold in Charlottetown (Prince Edward Island) post-office.

Mr. PLUMB said much of the difficulty arose from people not knowing the number of stamps required; and then, after the fact had been ascertained at the post-office, the stamps could only be procured outside. Where letters could be registered, there, he thought, postage stamps ought to be sold. He trusted the suggestion so generally made would be adopted.

Mr. HUNTINGTON said he was very glad to hear the suggestions which had been made, as no doubt hon. members were better acquainted with the feeling in their respective localities than he was. The statement of the hon. member for Chateauguay showed a proper appreciation of the practical difficulties in the way of post-office employes selling stamps, and he agreed with him that such a system was not a good one. There was a manifest reason for this, as hon. members would at once see. As to the advisability of stamps being sold in city offices, he had no controversy upon that point. There was no rule of the Department against this being done, but the difficulty was that no appropriate place could be set apart in the large city offices without the room devoted to the public being seriously infringed upon, unless a large expense was incurred. But he hoped that a system so young and new would not be condemned because it was not thoroughly perfect.

Mr. POPE (Queen's, P.E.I.) said, at Charlottetown, stamps were sold in the post-office by the clerks, and this was a great public convenience. He did not see why the same practice could not be followed in other places.

Mr. ROBITAILLE said it was just as proper for clerks in city offices as it was for country postmasters to sell stamps.

Mr. BURPEE (St. John) said the gentleman in St. John who had been referred to was no doubt qualified for the duty, but he seemed to be under the apprehension that, if he sold stamps in the post-office, nobody else ought to keep them in stores, but his wishes in this respect could not very well be met.

Mr. FARROW said that the difficulty sometimes arose from postmasters in the country running out of stamps, and he suggested that other persons besides should have the right to sell them. He also recommended the American plan of stamped envelopes, as the mucilage on ordinary stamps was often inferior, causing the stamps to come off, and the letter, as a consequence, went to the dead letter office.

Mr. HUNTINGTON said this kind of envelope was being prepared.

Mr. DOMVILLE said that, in St. John, New Brunswick, a large flour firm dealt in stamps, which was a great anomaly. He did not wonder at efforts being made to have stamps sold in post-offices, for under the present system the mercantile community suffered much inconvenience.

Mr. PALMER said he agreed with the hon. member for Chateauguay that it would not be good policy for the post-office employes to sell stamps. Since the present Government had come into power, they had effected a great many reforms, and he hoped the convenience of the public would be still further met.

Mr. YOUNG said this was a question to which there were evidently two sides. He was afraid the hon. member for St. John had admitted too much in admitting that post-office employes should not be entrusted with the sale of stamps.

Mr. PALMER said the Government should not adopt that system if they could help it.

Mr. YOUNG said it had been generally admitted by hon. members that the system should not be adopted. But it should be borne in mind that the mere selling of postage stamps would not be remunerative enough for any private person to engage in it, but this

Mr. ROBITAILLE.

difficulty might be met by allowing the sale of stationery also in the post-office. He thought the inconvenience had been greatly exaggerated.

Sir JOHN A. MACDONALD said very unjust aspersions had been cast upon the character of post-office clerks, in assuming that they were not as honest as country postmasters.

Mr. BLAKE said country postmasters bought the stamps.

Sir JOHN A. MACDONALD said in like manner the receiving clerk could be made an agent for the sale of stamps. He could assure his hon. friend from Waterloo (Mr. Young) that the public inconvenience had not been exaggerated.

Mr. JONES (Halifax) said the sale of postage stamps should be under the direct control of the postmasters, by which arrangement the officials would be at hand during almost all hours. The proposition made by hon. members meant that the country would pay a considerable percentage to persons stationed in the post-offices to sell stamps. The work could be done more cheaply by the Government officials than by outsiders.

Mr. MACDONNELL said the argument of the hon. member for Halifax would apply to large cities where the salaries were sufficient to enable the postmasters to keep clerks and have their offices open day and night; but, in country offices where the postmasters were paid the trifling commission of 40 per cent. upon receipts, they all sold stamps at present. The offices could not be kept always open with clerks in attendance unless the Department adopted some other plan of paying postmasters in country districts than that which now obtained. The officers of no Department were paid so inadequately as those of the Post-Office. The answer always given to that allegation was that the revenue arriving from the Post-Office service was not sufficient to pay postmasters properly. But that was no valid argument. If it were applied to the Militia, Customs or other Department, and it were decided that the salaries of the officials should be paid in proportion to the income

of the Department, those officials would be paid quite disproportionately to other officials. The time had come when the claims of the postmasters should receive that attention from the Government which they deserved. The postmasters in cities and towns where the revenues were large were paid as well as other officials, but in country offices they were only paid a commission, and it would be inconvenient for them to be obliged to keep open their offices to late hours. The Post-Office was a Department which should not be dependent for the remuneration paid to its officers on the amount of revenue received. It was practically an institution for the education of the people. While the country postmasters were inadequately paid, receiving only \$200 per annum, they were obliged to attend to their offices during the day, and remain until a late hour during six nights in the week, to receive and despatch mails. The consequence of that insufficient remuneration was that scarcely a day passed but they heard of some defalcations in the post-office. While the positions of officials were such as to offer no consideration or inducement for men of ability and honesty to occupy them, the Post-Office Department would remain in its present unsatisfactory state.

Mr. HUNTINGTON said the departmental rule was that stamps should not be sold by employés of the Department. He relied for assistance in the administration of the Post-Office Department on the able assistants it possessed, and was largely influenced, as any hon. gentleman would be, by the wise counsels they sometimes gave. The Department did not propose that employés should sell stamps, but was quite willing that other persons should be in the post-offices to sell stamps. There was great force in the complaint of the hon. member for Inverness (Mr. MacDonnell), that country postmasters were, in many instances, an ill-paid class of men. While he desired that the officials should be better paid, the question was one of expense. Some people now thought the Post-Office service too costly. If, however, a thorough service was provided, the people would have to pay for it. There

was no difficulty in making it popular and in rendering it very convenient and useful.

Motion agreed to.

### FISHERY REGULATIONS IN RESTIGOUCHE.

#### MOTION FOR PAPERS.

Mr. PALMER moved for copies of the Commission or other document appointing John Mowat a Fishery Officer in the county of Restigouche, in the Province of New Brunswick, and also all regulations or instructions defining his powers or the limits of his jurisdiction, and all instructions, if any, to him to seize the boats fishing beyond three miles from the sea shore.

Motion agreed to.

### THE CASE OF DAVID H. WATERLEY.

#### MOTION FOR PAPERS.

Mr. PALMER moved for a copy of the Commission, or other documents, appointing John Dewe Post-Office Inspector, and also of all orders defining his duties and functions, and within what limits he was to exercise his said office; also copies of all instructions, if any, that he received from the Postmaster-General to make any enquiry into the conduct of David H. Waterley, a clerk in the post office at St. John, or to dismiss the said Waterley from his said office. He said this was a most painful case. When Mr. Dewe, Post Office Inspector, was at St. John, the postmaster there made a charge that Waterley had stolen money from letters in the post-office. An enquiry was refused Waterley, and he had written to the hon. the Postmaster-General asking that an investigation should be made. Subsequently, money was abstracted from letters, and a year afterwards another employé was prosecuted and convicted, and was now in the Penitentiary. Waterley was a young man, with a wife and two or three children, he had long been in the employment of the Government and bore a high character, and, except for the conviction of the other employé, his character would have been destroyed. He wished to know the authority under which action

had been taken in the case, for the Government had done enormous injury to a most worthy man.

Mr. HUNTINGTON said he had no objection to the first part of the motion. Mr. Dewe was appointed by Order in Council in the usual manner. The circumstances of the case in question were very painful. Money had been lost in the St. John post-office, and it was the duty of the Department to endeavour to stop the speculations. Mr. Dewe, the officer of the Department, went there and held an investigation, the result of which was that he suspended the gentleman, in whose interest the motion appeared to have been brought forward. That gentleman subsequently brought a suit at law against Mr. Dewe, and, while the suit was pending, it would be very improper to bring down copies of instructions. He ought to say a word in that connection in reference to the very delicate duties an officer like Mr. Dewe, who was a very distinguished and able officer in the Department, had imposed on him, and to ask for the suspension of the opinion of the House in regard to the case. It often occurred in the Post Office, as in trade, that the officers of the Department became aware that money was being stolen. It was not known who was guilty, and it was not impossible, for human judgment was not always infallible, that an Inspector might go too far in conducting his investigation, and might hit upon the wrong man. But Inspector Dewe had made a reputation for great fairness and skill in the discharge of his delicate duties, and it was not at all established that the present case was one for which he should be condemned. He was told, but he had no official knowledge of the fact, that the Court in which the case was tried had decided on some particular motion that the Inspector was not liable for any words uttered or deeds done while in charge of the post-office to any one suffering loss, as the person referred to in the motion was alleged to have suffered.

Mr. PALMER said the hon. the Postmaster-General was not quite correct as to the legal decision to which he had referred. It was that if

Mr. PALMER.

the Inspector held an inquiry which was distinctly authorized by law, then what was done in the course of that inquiry was privileged. Waterley was not allowed to make a defence. He was told: "If you stole the money, confess it; and we will forgive you, and not punish you." If that was what the hon. the Postmaster-General called an inquiry, he did not call it such. All he had heard respecting Mr. Dewe, was to his credit; except his action in the present case. He hoped the Government would send an official to St. John, to inquire into all the circumstances; and, if they did not disclose a case of the most terrible injustice, he would never say another word on the subject. The Inspector, thinking Waterley was the guilty party, told him he was the person who took the money, and he could prove it; and that, if Waterley would confess, the offence would be compounded. The young man, knowing he was not guilty, told the Inspector it was a mistake, and asked for an investigation, but it was refused. If the other employé had not been convicted, Waterley would probably have been compelled to enter a lunatic asylum. The young man could not go back with the feelings that he entertained, with the thought that, day by day, he might have to experience this same sort of treatment. He wished to say that he did not want any private instructions. The power of the Inspector depended on instructions; he could not hold an enquiry, except into some matters, unless it was founded on instructions. All he desired was the authority on which the officer acted.

Mr. BLAKE said he understood that legal proceedings were pending in this case. He did not know whether his hon. friend was professionally connected with that case or not.

Mr. PALMER: I am.

Mr. BLAKE said, as soon as those proceedings outside the House were completed, there would be no objection to the hon. gentleman, in his parliamentary capacity, moving for the papers. He thought the House would agree with him, however, that Parliament was not to be invoked for the production of papers for the further-

ance of the law-suit against a public officer. If the instructions were essential to the prosecution of this action or the defence of Mr. Dewe, the Courts were open to the hon. gentleman, and no doubt by process of law he could get whatever papers were material. But it was to the Courts the hon. gentleman should apply. Parliament was not to be made the handmaid of the ordinary Courts of Justice, and its proceedings were not to be used in order to facilitate the proceedings of such Courts.

Mr. DOMVILLE said he hoped the hon. the Minister of Justice would do everything in his power to put this action in a proper shape. The young man was very respectable, and, whether the charge was true or not, he had suffered a great deal of hardship. He was prepared to believe there was some mistake. Money had been lost since the young man left the office; in one case \$100 was missed. Mr. Waterley was debarred from obtaining any other employment while this charge was hanging over him, and he wanted a chance to refute it. He hoped the hon. the Minister of Justice would do everything he could to facilitate the case. If the young man was innocent, he ought to be cleared, and, if guilty, let him be punished.

Mr. PALMER said Mr. Waterley was charged with doing an illegal act, and he in turn declared that he acted under the direction of his superior officer. That left the young man in the position that he did not know whether the Government was responsible or not. He (Mr. Palmer) thought Mr. Waterley had a right to the papers under the circumstances. He denied that the papers could be obtained through the Courts. There was no power in New Brunswick to make an order on Ottawa.

Mr. BLAKE: That is the fault of the Local Legislature.

Mr. PALMER: I do not think that the Local House could alter it.

Mr. BLAKE: A commission could be issued.

Mr. PALMER: Yes, but what authority would it have to induce this Government to produce papers? A

public employé had been distinctly charged with a serious crime, and, when he came to Parliament to ask for papers necessary to show whether he was guilty or not, he was refused on the ground that he had a law-suit pending. He hoped the hon. the Minister of Justice would alter his mind on this point. He did not think that Mr. Dewe or any member of the Government ever intended to do Mr. Waterley any wrong; but, while admitting that, he thought Mr. Dewe had sacrificed the reputation of this young man to his own pride, he thought the officer had done very wrong, and it would be a crying shame if Mr. Waterley had to go down to his grave with this blot on his character.

Mr. BLAKE said he did not know what instructions there were, nor was he aware of their tenor or effect at all. His objection to bringing this down was on account of the general principle. If those who were interested in the young man had applied directly to the Government for the papers which they thought could properly be produced, the application would no doubt have been referred to him, and he would have considered it and acted in the spirit in which he generally acted in such cases, viz., to suggest the communication of anything which might fairly be communicated in order to assist the party to all he had a right to. That was the course which the hon. gentleman should have taken in his professional capacity, and he would suggest that he should adopt that course now. They would then get rid of an unfortunate precedent, as it was certainly not the function of Parliament to produce papers in this manner. The Government would consider the application, and would communicate such papers as were proper.

Sir JOHN A. MACDONALD said he thought the hon. member for St. John (Mr. Palmer) should be satisfied with the promise of the hon. the Minister of Justice, and should make application for the instructions in the manner suggested. He could quite understand and appreciate the position of the hon. the Minister of Justice that the House should not be made the means of eliciting evidence for law-

suits. He presumed there was some means by which papers could be obtained through process of court. The case was one of terrible hardship, but he was bound to state that he had been well acquainted with Mr. Dewe for a number of years, and he knew him to be not only a very able officer, but a most estimable man in all the relations of life. He was quite sure that, whether right or wrong, Mr. Dewe acted from a sense of duty.

Mr. MITCHELL said, with due deference to the hon. the Minister of Justice and the hon. member for Kingston, he begged to differ with them as to the rights of subjects in Parliament. He believed that the records of the Departments were open to the inspection of every man through his representative in Parliament. This House was the medium through which every subject of Her Majesty had a right to obtain such information connected with any of the Departments as might be fairly and properly communicated. The question was not whether the information could be given or not—the question was whether the hon. member for St. John had the right to apply for it in the manner that he did. He (Mr. Mitchell) held that the hon. gentleman had the right as a British subject to come and obtain the information he required through Parliament.

Mr. PALMER said he was quite satisfied with the hon. the Minister of Justice's proposition, and he would, therefore, amend his motion.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That an order of the House do issue for copy of the Commission or other documents appointing John Dewe Post Office Inspector; and also of all orders defining his duties and functions, and within what limits he was to exercise his said office.

## PACIFIC RAILROAD SURVEY EMPLOYÉS.

### MOTION FOR PAPERS.

Mr. COOK moved for copies of all papers, orders and correspondence with the Minister of Public Works, and the engineer staff of the said Department in connection with the engagement of employés for the Paci-

fic Railroad survey, and the routes (if any) they were instructed to take; also correspondence and orders from the same source to their agents in reference to the carrying of emigrants, Government employés and freight coming under the direct control of the Government by the Sarnia and Collingwood route since 1874.

Mr. DYMOND moved the adjournment of the debate.

Motion to adjourn debate *agreed to*.

## DEEP SEA WEIRS OR POUNDS.

### MOTION FOR RETURNS.

Mr. DAVIES moved for returns of the number of persons who have obtained licenses or permission from the Department of Marine and Fisheries to erect deep sea weirs or pounds for the purpose of capturing fish at the head-lands or capes of the Maritime Provinces. He said that a considerable population on the north and south shores of Prince Edward Island depended upon the deep sea fisheries as their principal means of subsistence. These fisheries were prosecuted by them in small boats and schooners, the latter being frequently fifty tons burthen. Great dissatisfaction prevailed among these fishermen, owing to the fact that an American firm had erected on the grounds—prior to Confederation—two pounds or fishing weirs, which were most destructive to fish in their operation, and last summer this feeling was intensified, owing to the erection of a pound at Cape George, a point contiguous to the Nova Scotia coast. It was understood that this had been done by permission of the Department of Marine and Fisheries. This was a subject of very considerable importance. The impression was that these pounds destroyed large quantities of what were termed mother fish while going to their breeding grounds. And it was well known that fish were less abundant there now than formerly. The general belief was, moreover, that line fishing did not decrease the quantity to any appreciable extent. For the establishment of pounds, a head-line was selected, a fence was run out for 400 yards or 600 yards into the sea; against this

Sir JOHN A. MACDONALD.

fence seines or nets were placed, large poles were driven down at the end of it, and fish while passing along the coast to their spawning grounds, struck the fence and followed it, being thereby entrapped in vast quantities. These pounds were the means of catching salmon, herring, codfish, haddock, bass and other fish, besides a multitude of the smaller species which served as food for the larger ones. Beyond doubt, our waters could be depleted of fish. They knew that the lobster fishery on the shores of the Bay of Fundy, in the United States, had been destroyed. Some thirty or forty years ago, large factories had been erected there for the curing of lobsters, and a large business was done. No attention was paid to the preservation of the fish during the spawning season, and the consequence was that these waters were fished out. These firms had consequently transferred their base of operations to the Gulf of the St. Lawrence and the shores of Nova Scotia. He was very glad to see that the Department was enforcing regulations as to the close season. These pounds ought to be prohibited absolutely. In confirmation of his views, he would read a few extracts from the works of an eminent author on this question. This matter had been brought under the notice of the American Government, and it was then found that great difference of opinion existed in this relation among fishermen. Those who owned pounds asserted that the quantity thus caught did not perceptibly diminish their numbers, and again, others affirmed the exact contrary, and also that, owing to this system, large numbers of fishermen had to take to other pursuits to make a living. The following Bill was therefore introduced into the House of Representatives by the Hon. H. L. Dawes, and became law on the 9th of February, 1871:

"Joint resolutions for the protection and preservation of the food-fishes of the coast of United States.

"Whereas, it is asserted that the most valuable food-fishes of the coast and the lakes of the United States are rapidly diminishing in number, to the public injury, and so as to materially affect the interests of commerce and trade: therefore,

"Be it resolved by the Senate and House of Representatives of the United States of

America in Congress assembled, that the President be, and he hereby is, authorized and required to appoint, by and with the advice and consent of the Senate, from among the civil officers or employés of the Government, one person of proved scientific and practical acquaintance with the fishes of the coast, to be Commissioner of Fish and Fisheries, to serve without additional salary."

Prof. Baird was appointed, with full power to prosecute investigations, and he reported:

"I also made the acquaintance of several gentlemen of literary ability and research, who had previously given much attention to the various questions connected with the fisheries, and who had in a measure become champions of the opposing sides, and obtained from them elaborate arguments on the subject. That of Mr. J. M. K. Southwick, of Newport, in behalf of the traps and pounds, will be found on page 76, and of Mr. George H. Palmer, of New Bedford, and Mr. J. Talbot Pitman, of Providence, as opposed to the continuance in the interest of the line fishermen, on page 88 and 196. As already stated, the objects of the investigation, as authorized by Congress, were, first, to determine the facts as to the alleged decrease of the food-fishes; secondly, if such a decrease be capable of substantiation, to ascertain the causes of the same; and, thirdly, to suggest methods for the restoration of the supply. A fourth object, incidental to the rest, was to work out the problems connected with the physical character of the seas adjacent to the fishing localities, and the natural history of the inhabitants of the water, whether vertebrate or invertebrate, and the associated vegetable life; as also to make copious and exhaustive collections of specimens, for the purpose of enriching the National Museum at Washington, and of furnishing duplicates for distribution in series to such suitable collegiate and other cabinets as might be recommended for the purpose."

The conclusion he came to was this:

"That, in regard to the decrease of the fish-bearing in mind that the present report has more particular reference to the south side of New England, and especially to that portion of it extending from Point Judith on the west to Mono Bay Point on the east, including Narragansett Bay, Vineyard Sound, Buzzard's Bay, Martha's Vineyard and Nantucket—I have no hesitation in stating that the fact of an alarming decrease of the shore fisheries has been thoroughly established by my own investigations, as well as by evidence of those whose testimony was taken upon the subject. Many persons are in the habit of considering that the fish supply of the sea is practically inexhaustible; and, therefore, that a scarcity of any particular location is to be referred rather to the movements of the fish, in changing their feeding grounds capriciously, or else in following the migra-

tion, from place to place, of the food upon which they live. This may be true to a certain extent, as we shall hereafter show; but it is difficult to point to any locality where, near the shores of the New England States at least, under the most favourable view of the case, the fish are quite as plentiful as they were some years ago; and still more, where, by their overlapping the original colonists of the sea bottom, they tend to render the abundance appreciably greater than usual. And, furthermore, if the scarcity of the fish be due to their going off into the deep waters of the ocean, it is, of course, of very little moment to the fisherman that they are as abundant in the sea as ever, if they do not come upon the grounds as will permit their being taken by his lines or nets. It is by no means to be inferred that as to the scarcity of fish that fewer are actually caught now than formerly at any time; the contrary, perhaps, being the case, since by means of the improved methods of capture, in the way of pounds and nets, an immense supply is taken out at certain seasons of the year, so as frequently to glut the markets. The scarcity referred to is better shown by the great difficulty experienced by line fishermen in securing a proper supply throughout the year on grounds where they were formerly able to catch all they needed for their own use and for sale. The evil effects of the state of things here indicated, are felt in many ways. Primarily on the part of many fishermen, resident on the coast, who have been in the habit of making a living by the proceeds of their occupation, not only supplying themselves with food, fresh and salt for the year, but also making a comfortable living by sales of their surplus. At the present time this resource is cut off to a great degree from this class of people in many places on the Massachusetts coast where, as on Nantucket, Martha's Vineyard, and elsewhere, the deprivation from the loss of profits by fishing is being most seriously felt. The result, of course, of the inability to make a living in this manner is to drive the line-fishermen to other occupations, and especially to leave the State for other fields of industry. In consequence the population is reduced, and the community feels this drain of some of its best material in many ways. Furthermore, property depreciates in value, farms and houses are abandoned, the average of taxation is increased, and many other evils, readily suggesting themselves, are developed. Again, an important stimulus to the building of ships and boats is lost in the decreasing demand for vessels of various grades; and, what is more important to the country at large, the training of skilled seamen with which to supply our national and our merchant marine generally is stopped, or more or less interfered with. It is well known that the line-fisheries, in their different manifestations, have always been looked upon as of the utmost importance in a politico-economical point of view, for

which reason bounties were paid by the General Government; and, although these have been lately withheld, it may yet be necessary to restore them in order to regain our lost ground."

The following was another extract:—

"It is an established fact that salmon, alewives, and shad, both young and old, have been caught on certain spawning beds, and after being properly marked and allowed to escape, have been found to re-appear in successive years in the same locality. The principle is rather more difficult to establish in regard to the purely marine fishes; but experiments have been made by competent men on our coast and elsewhere, which prove the existence of the same general principle in relation to them. Thus, I was informed by an intelligent fisherman living at Rockport, Massachusetts, that he had himself, on several occasions, marked young and old halibut, and during several seasons they had been re-taken on about the same grounds. A second law, equally positive, with a great variety of fish, is that they pass from their spawning grounds to the sea by the shortest route that will take them out into the deeper waters, where they spend the winter; and that coming and going to a given locality, they follow a determinate and definite line of migration. Having in mind these two propositions, we shall then better appreciate what takes place when fish are disturbed or caught up during the breeding season. Should nets be set along their line of travel before they have spawned, so that when they strike the coast they are immediately arrested, first at one point and then at another, running a continued gauntlet of dangers in their course to their final destination; and should an appreciable proportion of them be caught before the eggs have been laid or fertilized, it is very easy to see why the stock should rapidly diminish. It is not a sufficient argument in reply to this to point to the enormous number of eggs laid by a single fish in each season, amounting in some instances to perhaps from five thousand to hundreds of thousands, or even millions, since this immense fecundity is an absolute necessity to preserve the balance of life under water. The eggs and the young fish furnish the appointed food to an immense variety of animals, many species of fish as well as crustaceans and other animals depending entirely upon them for their support. As most fish require from three to five years of growth before they are capable of reproduction, and in many cases remain in the open sea until this period is reached, it will follow that for several years after the establishment of an exhausting fishery the supply may appear to be but little interfered with; since there are several successive crops of fish to come at the annual intervals, and not until the entire round has been completed do these injurious agencies begin to present the evidence of their severity. It is easy therefore to understand why, after five

or ten years fishing, the supply of fish in a given bay, or along a certain stretch of the coast, will be reduced to a very considerable degree, and although it may be perfectly true, that the sea is practically inexhaustible of its fish, yet if the fish of a particular region are cleared out, there is no hope that others will come in from other localities. It should therefore be understood the exhaustion of a local fishery is not like dipping water out of a bucket, where the vacancy is immediately filled with the surrounding body, but it is more like taking lard out of a keg, when there is a space left that does not become occupied by anything else. The principle may safely be considered as established that line fishing, no matter how extensively prosecuted, will never materially affect the supply of fish in the sea. As a general rule, fish, when engaged in the function of reproduction, will not take the hook, whatever may be their abundance; but, as soon as the critical season has passed, they feed very voraciously, and then can be readily caught by skilled fishermen. It therefore would be no evil should every full-grown fish, of three to five years old and upward, be lifted from the sea after the close of the spawning season, since the following year we may look for a new generation coming to exercise the functions of reproduction, and ample provision will thus exist for a renewed supply from year to year. As already explained, the case is entirely different when these first are caught before they spawn, all the evils that we have depicted following in the train of such thoughtless destruction, precisely similar to killing off all the mature hens in a farm-yard before they have laid their eggs, and then expecting to have the stock continued indefinitely. As well might the farmer expect to keep up his supply of wheat, year by year, while he consumed all his grain, reserving none for seed, and without the possibility of obtaining it from any other source."

Prof. Baird went on to say :

"In the event, however, of the refusal of the States to establish the very limited close time suggested, I would recommend the passage by the United States of a law absolutely prohibiting until further notice, the erection of fixed apparatus for taking fish, after a period of one or two years on the south side of New England and on the shores of Long Island, which constitute the spawning grounds of the shore-fishes referred to. Although this would be a serious blow to the pound and trap interest, yet the grace allowed would permit the owners to use up their material in the way of nets, and render the enforcement of the law less onerous. The restoration of fish to their original abundance would be thus accomplished in a much less time than by any merely palliative measures; and there no reason to anticipate that there would be in the meantime any material decrease in the supply or any rise in the price of fish to the consumer. There would still be

open to the fishermen the use of seines, gill nets, etc., which would capture fish in large quantity without overstocking the market; and the inducement to the use of the hook and line would furnish employment to large numbers of persons now needing it, while the markets would be more regularly and equally supplied. The wholesale cost of fish would probably be somewhat increased but the competition being distributed among a large number of persons would prevent an excessive charge by the retail dealers; and the only difference would be that a few men would not make large fortunes in a short time, as they are now in the way of doing."

In 1871, this enquiry was not completed; and in 1872, after another year's observation, Prof. Baird stated :

"In view, therefore, of all these facts, I have no hesitation in saying that all the arguments presented in the earlier part of this report, in favour of regulating the fisheries on the south side of New England by law, are enforced by the experience of the season of 1872; and that it is too evident that, unless some protective measures be adopted, the fisheries in these waters will be practically destroyed in a very short time. The result will, of course, bring it its own relief in time, since the cessation of trapping will permit the fish to recover their ground; but several years will be required for this, and, doubtless, as soon as there is any show of increase, the traps will be again brought into use. In consequence of an unavoidable delay in the publication of the present report, I have been enabled to include in it the results of inquiries respecting the fisheries on the south coast of New England, during the season of 1872; having revisited many of the localities of the investigations of 1871, and sending an assistant to others. I found what I had expected, that, with the exception of the scup, fishes of all kinds in Vineyard Sound and Buzzard's Bay were as much scarcer in 1872, compared with 1871, as they had been in that year compared with the preceding one. The testimony everywhere, with scarcely an exception, both from line-men and trappers, was that the whole business of the fishing was pretty nearly at an end, and that it would scarcely pay parties to attempt to continue the work on a large scale in 1873."

He supposed that we looked forward to the organization of a navy, but, unless our deep sea fisheries were protected, a valuable training school for seamen would be irretrievably lost. It was of very great importance that these fisheries should be protected. Every good fisherman earned from \$300 to \$500 a year. Unlike the farmer, everything that he consumed was taxed, and a fisherman earning \$500 a year would probably pay from

\$50 to \$60 a year in taxes on his provisions and clothing. It was therefore very necessary that these fisheries should be fostered. He hoped that the Department of Marine and Fisheries would give this matter full consideration. One of the pounds was erected in Prince Edward Island prior to Confederation by two enterprising Americans, men who had done a great deal for the fishing interest of the Island. But this was no reason why the fisheries should be destroyed. The pound put off Cape George was looked upon with great distrust. This was a prominent point where a multitude of fish passed, and it was asserted that mackerel and other fish struck the pounds and got frightened, and left the ground. Whether this was the case or not, he knew that mackerel were scarce last year. He hoped the Government would prevent more pounds being licensed.

Mr. SMITH (Westmoreland) said the subject was one of very considerable importance. The observations of the hon. member deserved consideration, and the gentleman he had quoted was perhaps the highest authority on the continent. There was no objection to the motion.

Mr. JONES (Halifax) said he thought the hon. gentleman had done great service in bringing this subject before the House. He was sure there was no question that could come before the House that deserved greater consideration at the hands of hon. members. They all knew the value of our fisheries and the efforts that were being made by the present Government, and that had been made by the late Government, to sustain them, in clearing the rivers and in affording food for the fish. The value of that great branch of our natural products was fully admitted, and, therefore, everything that tended to guard and protect the fisheries must be worthy of attention. He knew that, in his Province, steps had been taken to clear the harbours and rivers of all obstruction so that the fish might approach them. Everything had been done that was possible to prevent the fish being driven from our shores. He thought the Government should hesitate before

granting similar licences to those referred to by the hon. member who had just sat down.

Mr. FORBES said, when a trap had been set outside the harbour in his district, the prejudice against it on the part of the fishermen was enormous. The fishermen generally were hostile to it. There was nothing but a universal cry that it would destroy all the future prospects of plentiful fish. But a sudden change came over the people when it was observed that the trap did not have its supposed effect. In fact, it was discovered that bait for the deep sea fisheries could not be procured by other means than the trap. It was a known fact that fish, especially herring, did not frequent the Nova Scotia coast last year as they had done before; they had almost deserted the coast, and men with the old-fashioned nets could not catch anything for bait. During last year the trap had been placed near the headland, inside the bay, and the fishermen were supplied from it with bait. The consequence was that there was an increase in the catch of cod because the fishermen had the bait which was caught by the trap, which they otherwise could not have; and now the fishermen in his locality were largely in favour of traps, and last year he presented petitions signed by almost all the fishermen in favour of the traps for the purpose of catching bait. It was all very well to tell the House that Professor Baird and other parties were opposed to the setting of these nets, but it was a peculiar fact that the American Government had not acted upon their suggestions. These traps were up and down the American coast in all directions. If Canadians did not set traps to catch the fish the Americans would catch them. If there was a general law between both Governments to sweep away all these traps, then our fishermen would have the same chance as the American fishermen. He held that we had an equal right to use traps with the Americans. He was in favour of fostering the fishing interest, and one way in which this could be done was by encouraging the putting down of these traps. The two traps put down off Prince Edward Island before Confederation were

Mr. DAVIES.

objected to; but possibly they did not give the same accommodation to the deep sea fisheries as the traps in his locality did. There was a time when the harbours and rivers were rich in fish, but this time had passed, and fish were now getting scarce. He thought no better investment could be made by the fishermen than investing in these traps for the purpose of securing bait for the deep sea fisheries. Of course the traps must destroy some fish, and every appliance put into the water must destroy some. The prejudice against the traps was on the part of men who did not know their real value. He hoped nothing would be done to prevent the setting of traps until it was shown positively and substantially that the American Government would enter into an alliance or arrangement with the Dominion Government to stop the use of traps, but he very much doubted whether the good sense of the American people would allow them to do this. While all the information possible should be obtained, he thought a wrong would be committed in prohibiting the traps. Still, he believed they should be under control, and that they should only be set in certain places, which should be chosen by parties perfectly conversant with the habits of fish. He did not think it right, for instance, that traps should be set on spawning grounds.

Mr. PERRY said his experience was that the herring came down in the spring of the year, and, when they struck anything in their course, they would run into it in a body, and in this way they ran into the traps. The result was that the owner of the traps monopolized the whole bait, and men who fished in the ordinary way could catch very little. What was caught in the traps was used to catch larger fish, which were, in many instances, brought on shore merely for manure. The traps tended to divert the natural course of the fish, and, when this happened, the fish would not go to that particular ground year after year. He knew that herring had not been caught for eight or nine miles from these traps by the common nets. He knew from experience that, since these traps were set, the fisheries had largely decreased. The whole thing was a monopoly, and

enabled a few parties to get a larger amount of money against the interest of the general fishermen, who were not able to compete with the large merchants. He contended that it was wrong to lay these traps around Prince Edward Island. He hoped that some enquiry would be made, so that the small traders might not be imposed on by the large merchants. The traps had driven salmon and trout away from coming into rivers, and year after year they were decreasing in numbers. Fish should be caught after spawning, but the trouble was that the traps caught them before they had spawned. He had every reason to believe that the Department would not grant new licenses until they had made the necessary enquiries, and he had no doubt they would do everything in their power to protect the fisheries.

Motion agreed to.

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

### After Recess.

#### PRIVATE AND LOCAL BILLS.

##### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:—

Bill (No. 42) To authorise the town of Kincardine, in the county of Bruce, to impose and collect certain tolls, at the harbour in the said town.—(Mr. Gillies.)

Bill (No. 72) To amend the Act to incorporate the *Globe* Printing Company.—(Mr. Blain.)

Bill (No. 22) To incorporate the Dominion Grange of the Patrons of Husbandry.—(Mr. Rymal.)

#### PROTECTION OF BRITISH COLUMBIA MINERS BILL.

[BILL No. 68.]

(Mr. Bunster.)

Mr. BUNSTER, in moving the second reading of the Bill, stated that he had for some time been requested by the miners of British Columbia to bring this Bill before the House. They were

no insignificant body, as the House would see when he mentioned that British Columbia sent away more coal than any other part of the Dominion, in proportion to their exports, but the owners of the mines all lived in England, except a few, and they did not give proper ventilation to the mines or take proper precautions in leaving sufficient abutments to prevent the mines tumbling down. The Bill provided, as the miners desired, for the appointment of an inspector to be paid by the owners, so that it would not entail expense upon the Government. If they were left without that inspector they would be constantly liable to lose their lives. Several accidents had occurred, much to the detriment of mine-owners, who had, in consequence, not been able to fill their orders for coal. He hoped the Minister of Justice would see that this measure was necessary in the interests of humanity.

Mr. BLAKE said it had been his duty to inform his hon. friend the other day that he feared there were some grave difficulties in the way of of the House acceding to the Bill. There was nothing in the subject-matter or in the provisions of the Bill, which seemed to be connected with civil rights and police regulations, which would bring it within the jurisdiction of this Legislature, and another member from British Columbia had informed him that the view taken in the Province was that it was a matter for the Local Legislature, and that, according to his information, a Bill was being introduced into that Legislature this Session to accomplish the object. It appeared to him that, if they undertook the supervision of the coal mines of British Columbia as was proposed, it would be a serious infringement of local rights, and an extension of their jurisdiction beyond the powers which the Constitution had conferred upon them. Independently of this it appeared to him that the Bill had not complied with the orders of the House, since it proposed to exact a fee, and also fines and penalties, and it was neither initiated by a resolution nor were the clauses providing for the fine or penalty

Mr. BUNSTER.

introduced in blank. Under those circumstances, the Bill ought not to receive the assent of the House. He suggested that his hon. friend should withdraw the measure and leave the Local Legislature to deal with the subject, which seemed to be directly within its province.

Mr. MACKAY (Cape Breton) said there was a Bill on the Statute-book almost similar in character to the one before the House. He referred to the Steamboat Inspection Act. In that Act, the House took upon itself to legislate and direct how steamboats should be run, and how the boiler should be inspected, who should look after the machinery, etc. The right was conferred upon the Governor in Council to appoint inspectors of steamboats, who were Dominion officials. But, not only did the Government thus give the inspector control over the steamboats and vessels which were inter-provincial in their character, but also over those which plied in all the Provinces of the Dominion and upon the navigable rivers of the country. He failed to see how it was we could have jurisdiction in the one case and not in the other. It seemed to him that attempts were often made to shorten and to circumscribe the powers of this House, and to allow Local Legislatures to act in connection with matters which seemed to him to be purely within the province of this House. Where it was clearly and plainly the duty of Local Legislatures to pass certain laws, then nobody would wish to infringe upon their privilege; but, when it was doubtful whether those bodies had the right to pass such Acts, he thought they should assume that this House had control of the matter. He did not see that any good reason had been given why the House should not pass a measure of this kind, except the objection that the Bill had not originated in Committee. With all due deference to the opinion of the hon. the Minister of Justice, he must say that the Bill met his approbation. The Province of British Columbia did not hold the same position towards her mines as the other Provinces did toward theirs. The mines of Nova Scotia were entirely under the control, and were the pro-

perty, of the Province, and they had the right to appoint inspectors and persons to see that they were worked in such a manner, not only that danger should not accrue to the lives of the workmen, but also with a due regard to economy. But the mines of British Columbia were differently situated. They were not the property of the Province, but were the property of the the owners of the soil, and the Legislature of that Province had never attempted to interfere with the working of the mines. It would thus be seen that there was a great distinction between the position of the coal mines in Nova Scotia and those in British Columbia. He held that they had just as much right to enact laws for the protection of the lives of miners as they had to pass laws for the protection of people travelling on the railway trains. The same power that gave them the right to legislate in connection with boilers and steam machinery also conferred upon them the power to protect persons engaged in mining in British Columbia.

Mr. BLAKE said the subject of navigation and shipping, which, of course, included steamboats, was expressly within the exclusive legislative authority of this Parliament. He presumed that it was in view of that fact that the House had passed the law referred to.

Mr. DECOSMOS asked if the hon. the Minister of Justice had asserted as a matter of law that this House had no right to pass such an Act.

Mr. BLAKE: I do not assume to decide anything in this House. It is my duty to express an opinion, and submit it to the House.

Mr. DECOSMOS said he could not discover that this matter properly came within the rights reserved to Provincial Legislatures. He did not know any portion of the 92nd section of the British North America Act that assigned this matter exclusively to the Legislatures of Provinces.

Mr. MILLS said that, if the hon. gentleman looked at the latter part of the 92nd section, he would find it covered this case. The Local Legislature had clearly control over matters relat-

ing to the protection of life and property, and could make all regulations with a view to maintaining order and preventing disaster.

Mr. BUNSTER said the House would pardon him if he declined to do what the hon. the Minister of Justice wished him to do in this matter. He was sorry to find that any member from the Province of British Columbia had taken the liberty to go to the hon. the Minister of Justice and object to this measure, without being manly enough to come to him (Mr. Bunster) and ascertain whether the Bill could not be amended so that it might be allowed to pass. He knew that one hon. member was largely interested in the coal mines in British Columbia and did not want the Bill to pass because it would affect his own interest. He thought that was wrong. It was not a proper thing for that hon. gentleman to do.

Mr. BLAKE: The hon. member himself came to me.

Mr. BUNSTER: I came to know if you would allow the Bill to pass.

Mr. BLAKE: So did the other hon. gentleman.

Mr. BUNSTER: As I undertood it, the hon. gentleman went to the hon. the Minister of Justice in opposition to the Bill.

Mr. BLAKE: The hon. gentleman did not say one word in me in opposition to the Bill.

Mr. BUNSTER said then he misconstrued the language of the hon. gentleman. Reference had been made to the powers of the Local Legislature. Now, that body felt great difficulty in touching this question, because a large belt of land between Esquimalt and Nanaimo had been reserved for railroad purposes, and they refused to have anything to do with it. The Dominion had a great many valuable lands in that section, which would build the road in fact. He saw one hundred acres of land sold by public auction for \$35,000, which could not be bought today for \$135,000; and there was a great deal more land of that character. A large number of men were employed in coal mines, and accidents were occurring daily, owing to the absence of inspection. He was satisfied that

many accidents would be avoided, and many valuable lives saved, if the Bill was allowed to pass into law. He would like the hon. the Minister of Justice to inform him which was the proper and best way to bring down this matter, so that it could be acted upon by the House. The miners of the Province deserved some little consideration, and he hoped the hon. the Minister of Justice would take a more merciful view of the matter; and, if the Bill was not drawn in accordance with his wishes, he would do a great deal of good to British Columbia if he would introduce one which would effect the same object.

Mr. BLAKE said he would only be too glad to forward the prosecution of this or any other measure which he thought would be advantageous to the Province, if it came within the scope of Parliament. But, as he had already stated, he did not see his way clear to getting over the difficulty. It would do no good to pass that law in regard to a subject over which they had no jurisdiction. He suggested that the Local Legislature was the proper body to meet this question. The miners were represented there—probably not so ably as they were in this House, but their interests would, undoubtedly, be looked after.

Mr. MACDONELL said he hoped the hon. member would withdraw the Bill. The matter was clearly within the jurisdiction of the Local Legislature, and it would not be well for the House to interfere; especially when the rights of other Provinces had been recognized in this respect.

Mr. BUNSTER said he supposed, from what the Minister of Justice had said, he would be obliged to withdraw the Bill. While he did so, he would explain that, if the Local Legislature of his Province did not in the meantime take action with regard to the matter, he would next year again introduce it.

Order discharged and Bill withdrawn.

#### REPRESENTATION OF STOUFFVILLE ELECTORS BILL.

[BILL No. 70.]

(Mr. Metcalfe.)

SECOND READING.

Bill read the second time.

Mr. BUNSTER.

#### LARCENY ACT AMENDMENT BILL. [BILL No. 81.]

(Mr. Guthrie.)

SECOND READING.

Mr. GUTHRIE said the Bill extended the provisions of the Larceny Act to persons guilty of the fraudulent conversion of moneys to their own use, who were officers of Courts. It proposed to make it a misdemeanour punishable by imprisonment, for an officer of a Court of Justice who, by virtue of his office, collected or received moneys to which suitors were entitled, to fraudulently convert them to his own use, and refusal or neglect on his part to pay it over to the person entitled to it by law should be *prima facie* evidence of guilt. There was no reason why this should not be the law; and experience had shown that it was necessary. It was true that bailiffs and sheriffs gave security, but that of the former only amounted to \$200, and that of the latter, to \$4,000, while both classes of officers often held moneys far exceeding in value the amount of their bonds. The Bill was also in the interest of the officers concerned, because it would remove a strong temptation to misappropriate property entrusted to their care. He moved that the Bill be read a second time, and also that it be referred to a Select Committee composed of Messrs. Irving, Cameron, Macdougall (East Elgin), McCarthy, Fraser, Scatcherd, Brooks, Laurier, Appleby, McIsaac and himself. He would also remark that authority for the last, the *prima facie* clause, was to be found in a similar clause contained in the Post-Office Act.

Mr. BLAKE said the Committee should be careful to see that the terms of the Bill were applicable to the various Provinces, as he was informed that in Quebec a judicial deposit system was in force, the Government receiving the moneys in question and paying them out.

Mr. BROUSE would like to understand whether lawyers who collected money for poor clients and did not pay it over came under the provisions of the Bill.

Mr. SNIDER said, if lawyers were so included, he would have no objec-

tion to the Bill. His long experience showed him that lawyers were worse paymasters than any other section of the community. He did not favour class legislation. If the change he mentioned was not made, he was inclined to move a three months' hoist.

Mr. GOUDGE asked what officers were referred to.

Mr. GUTHRIE said he had reference to executive or ministerial officers of Courts of Justice. The law as it stood applied fully to the cases of lawyers to which allusion had been made; they could be most summarily punished. There was a general clause at the end which he was sure would include the great mass of cases; but he, for one, if hon. gentlemen thought that lawyers were not sufficiently included in the Larceny Act, was perfectly prepared to support any measure which would meet the case, as he believed there was nothing more desirable in the interest of the legal profession than that it should be purged of dishonourable members.

Bill read the second time, and referred.

## THE CIVIL SERVICE.

### COMMITTEE APPOINTED.

Order for resuming adjourned debate on Mr. Casey's proposed motion that a Select Committee be appointed to enquire into the present condition of the Civil Service, and the method of nominating and examining candidates for appointments, with a view to ascertaining whether better means cannot be adopted for securing the appointment of properly qualified persons, and the general efficiency of the service; with power to send for persons, papers and records; said Committee to consist of Messrs. Archibald, Aylmer, Charlton, Colby, De St. Georges, Kirkpatrick, Killam, Macdougall (Elgin), McDougall (Renfrew), Roscoe, Wright (Pontiac), Church, Paterson, Burpee (Sunbury) and the mover, of whom five shall be a quorum, and that said Committee have power to report to the House their observations on the subject referred to them, together with the minutes of evidence taken before them, read.

Mr. MITCHELL said he had moved the adjournment of the debate in order that he might express his opinion upon the question submitted by the hon. member for West Elgin (Mr. Casey.) He did rise for the purpose of opposing the hon. gentleman's motion, because he thought an enquiry into the condition of the Civil Service was one that might be prosecuted with advantage alike to the public and to those gentlemen who composed such a large portion of the population of this city. He knew that one of the great difficulties which Ministers and members experienced was the distribution of what they considered favours in the way of public patronage or appointments to office. While some men might look upon a position which gave the power of making appointments as a very desirable one, yet he, from several years' experience, knew that it was a position of exceeding great difficulty in making the selections and in resisting claims presented by supporters on the part of their own friends, who might or might not be fit for the office. His hon. friend had stated that the Civil Service was not in a satisfactory condition, and that there was a large number of persons who were unfit for the offices they held, and that it was desirable that the Civil Service should be purged by meeting, in some way, a difficulty which existed, not only as it stood to-day, but with reference to the future. He was not going to permit his hon. friend to make what he believed an unfair reflection upon the Civil Service of Canada. He had had some experience in relation to this matter. When he came into Parliament in 1867, he had to organize a Department. It formerly existed as a fragmentary portion of the Board of Works, and was looked upon somewhat as the fifth wheel of a coach. He recollected that several hon. gentlemen referred to the Department in terms something like that, but he believed they had lived to recant their opinions, whether they expressed them or not. To-day he might fairly challenge any hon. gentleman to say that the Department to which he referred, that of Marine and Fisheries, which he had the honour of organizing, and which was now so

worthily handled by the hon. gentleman who succeeded him, was not efficient or a credit to Canada. When he left the Department—and he believed the same state of things had continued—the various gentlemen who presided over the several branches and their subordinates were a credit to any Department in any country of the world; and, when the hon. member for West Elgin (Mr. Casey) made such sweeping charges as he had, he committed a very great injustice. In the other Departments, men were found who occupied high positions and who would have done honour to almost any position in any country in the world. There were men among them who had devoted their leisure hours to writing the history of their country; others had turned their energies and talents to the production of biographical works which were a credit to Canada; while others had specially devoted themselves to the study of financial affairs, so that they could assist the Ministers when they required information for themselves, or statistics and statements for the House at a moment's notice. He thought before the discussion was through, his hon. friend would retract the injustice his remarks had implied upon the Civil Service of Canada. He would challenge him to point to one single branch that was inefficient. That the Civil Service demanded some consideration in the matter of appointing, he would not attempt to deny. He could admit it might be possible to consider whether a better system might not be adopted, but he was not prepared to admit that the necessity arose from any inefficiency in the staff as it had existed for the last ten years. He was not going to say there were not drones in the service. Probably there were. Perhaps some of the men would be found, in the absence of their chiefs, loitering at the corners of the streets; but they were the exception. He would support the motion for a Committee, but not on the narrow grounds stated in the resolution. He would suggest that the view taken by the hon. member for Elgin would not tend to bring about that cordiality and coöperation between the staffs and the heads of the Departments which was so much desired. He

had no fault to find with the resolution in itself, only that it did not go far enough. He did not exactly gather what the scope of the investigation was to be. If it was proposed to adopt a system of competitive examinations, as in England, he did not think the condition of this young country was sufficiently advanced for such a system. We were not like England, where a class of men were educated and trained for the Civil Service from their boyhood. While he was prepared to admit that great evils had arisen from the present system of appointments, yet he did not think the difficulty was insuperable. When he was head of a Department, he laid it down as a general rule that he would not appoint a person to office where he did not think him fit. Of course he knew that Ministers would favour their friends, but of this he did not complain, so long as the public service did not suffer. He believed, as a rule, heads of Departments made appointments chiefly because of efficiency, rather than of party allegiance. Viewing the appointments for the last ten years, he could not say that the Civil Service had suffered from improper appointments to any appreciable extent. If his statement was correct, his hon. friend did not have much ground upon which to make the statement he had. While a Committee was moved for, it should be defined a little more clearly what was contemplated—whether it was proposed to adopt the English system in its entirety, or only a partial system of examinations, such as might be applicable to a new country like Canada. He was not prepared to say that it was necessary for a man to be able to write chapters of Latin and Greek, or to work out intricate questions in geometry or conic sections, in order to fit himself for a position in the Civil Service, as was required in England. This country was too young for such a system in its strict applicability. What he chiefly wished to call attention to was that the resolution did not go far enough, in that it did not ask for an enquiry into the question of the remuneration civil servants were entitled to. He did not ask that the Committee should recommend an in-

crease, for they could not do that constitutionally, but there were many ways of reaching the same object without violating the rules of the House. In 1873, the Ministers' salaries were increased from \$5,000 to \$7,000, and the members' indemnity from \$600 to \$1,000, and the salaries of the civil servants were increased from 25 to 30 per cent. When their salaries were fixed, labourers were only getting 80c. a day, and everything was cheap. But, although labourers' wages had risen to \$1.50 or \$2.00 a day in summer time, the salaries of civil servants had been increased very little. When this matter was discussed in 1873, it was agreed that \$75,000 should be appropriated in bonuses, pending the passage of an Act to be considered at the next Session of Parliament for the purpose of making a permanent advance. That vote was given to enable the Government to readjust the salaries, and it had been repeated for three years. Parliament at the time gave a guarantee that the salaries of civil servants should be raised permanently, and it was not right that the Government should not have yet brought down the Act authorizing the same. For 1876-7, \$35,000 had been voted for bonuses, but it had not yet been distributed. By their position, civil servants were prevented from entering into any other pursuit, and as they only had their salary to depend upon for a living, it was but right that their remuneration should be commensurate with their necessities. He trusted that the Committee would enquire into this matter.

Mr. McDOUGALL (South Renfrew) said what had been said by the hon. member for West Elgin (Mr. Casey) had been endorsed by the hon. member for Northumberland (Mr. Mitchell), who had indeed gone further than the other hon. gentleman had, for the hon. member for West Elgin had not applied the term "drones" to the Civil Service.

Mr. MITCHELL said he did not make use of this expression.

Mr. McDOUGALL reminded the hon. gentleman that he did. The remarks of the hon. member for West Elgin were such as any man of candour

and intelligence would make. It would be absurd to say that there was no room for improvement in the Civil Service, and there certainly could be no objection to a remedy being applied to the evil. His hon. friend had objected to competitive examinations.

Mr. MITCHELL: No; but only to the extent to which it prevailed in England.

Mr. McDOUGALL said, if his hon. friend from West Elgin had proposed a system cut and dried, there would have been no reason to ask for the Committee. It was very possible that a scheme suitable for England would have to be altered in its details for this country. According to the present system, members who did not nominate their friends for office laid themselves open to a charge of ingratitude, and those who were most pressing in their claims upon members for positions, or who had what was commonly called "plenty of cheek," were generally most unfit for the office. Of course, a member might refuse to make an unfit recommendation for office, but it sometimes required a great deal of moral courage to do so. It was maintained that there was a form of examination at present. He might fairly say that that examination did not trouble, to any great extent, the slumbers of any candidate for office. He might properly allude to the testimony of officials in Great Britain with regard to the competitive examination system. All there agreed that the system had proved a success; and that it had caused the Civil Service of Great Britain to be much improved. If it could not be shown that the adoption of the English system, or some modification of it, would not have the same results here as in Great Britain, then it might fairly be contended that it deserved a trial. If the mode of introducing persons into the Civil Service was by examination, it would tend to lessen party feeling in this country. He did not say that it would be advisable that all party feeling should be removed, which would indicate a want of interest on the part of the people in public affairs. There must always be a party of progress and a party of obstruction. No matter what might be

the certain special differences in various countries, there must always be two political parties. The feeling which arose in connection with legislation and administration were quite as strong as were required in this country. While the present system existed, namely, to appoint persons to office on account of their connection with one of the political parties, it was quite likely it would be forgotten that officials were employed merely for the good of the country and to carry on its affairs. Unfortunately in many cases people thought—it was true they were the ignorant portion of the community, but still a considerable portion—that a Government was instituted for the purpose of giving offices to their friends. A competitive system of examination would tend to abolish that system, and would, therefore, be productive of good. It was fair to assume that the persons employed to determine the merits of candidates and their character, would do service to the country. If that system were inaugurated, hon. members would be released from the claims made upon them in regard to appointments, for, although, in most cases, they bore them willingly, still such applications tended to diminish the usefulness of hon. members. As a supporter of the Government, he was, however, not so unreasonable as to imagine that, merely because he thought this system would be useful in the interests of Canada, it should be adopted at a moment's notice. It was a matter of importance that the system should be made as perfect as possible before it was adopted. At the same time, those hon. members who had confidence in the Government, must look to it to initiate the steps to carry it out. Unless the Government objected in principle to the scheme proposed, they should do what was in their power to have it placed in as perfect shape as possible, and made the law of the country. He trusted the question would receive the favourable consideration of the House.

Mr. AYLMER said that, as his name had been proposed as a member of the Committee, he would address a few words to the House on the subject under discussion. He had, in common with many hon. members, heard

opinions expressed at different times with respect to the working of the competitive examination system in England. He desired to call the attention of the House to a few points on which he had practically observed the working of the competitive system as applied to the English service. That system had been in operation in England for upwards of twenty years. When it was first adopted, it was predicted that the keen competition which would naturally follow from the introduction of the system would lead to great physical degeneracy in the candidates who would present themselves for examination. But the actual test had proved that such had not been the case. He had personally observed the working of the system more particularly in connection with two branches of the public service in England—the Royal Artillery and Royal Engineers, the cadets of which had to undergo a very keen competitive examination at Woolwich Academy. It had been found, he thought, since the plan of competitive examinations had been introduced, that the standard of education of the cadets had been very much improved, as also had the physique of the cadets. It might, therefore, be argued that this would be a good system to adopt in the selection of candidates for appointments to the Canadian Civil Service. What was more required than a system of selecting any exceptional ability in the candidate was some system which was more likely to exclude exceptional stupidity. There was one aspect in which the competitive system would prove a grievous hardship in this country. It had been found in England that the system almost restricted successful candidates to the sons of wealthy parents. In a country like Canada, it would be very wrong to legislate in favour of the rich people. The system of competitive examinations required a particular form of education, the expense of which only wealthy people were able to bear. When the competitive system was introduced in England it was expected that it would be otherwise, that the rich and upper and middle classes would be shut out by the

Mr. McDUGALL.

number of applicants which would come up from the lower classes to fill the public offices. It had been found, however, that only the wealthy classes were able to educate their sons to the point at which they were able to be successful in the examinations. He believed it was a fact that, out of a thousand or more men who graduated from Oxford and Cambridge and other English universities, not a single candidate ever presented himself at those competitive examinations. There was another point in connection with those examinations. It was well known that there was always a very large number of candidates in excess of the number required, who presented themselves for examination. The training which the men had received did not qualify them for any other position in life, and the unsuccessful candidates who did not obtain positions in the service were, therefore, unsuited to any practical purpose in life. The hon. member for South Renfrew (Mr. McDougall) had very properly remarked that it would be necessary to select only men of good character. Under a competitive system in this country this would be a matter of great difficulty. If the door was thrown open to open competition, there would be great difficulty in securing men of proper character, or at any rate, there would have been great difficulty in excluding men of bad character from competing at those examinations, for it was an easy matter to obtain a certificate of character. He did not pretend to be at all conversant with the Canadian Civil Service, but it appeared to him that no conspicuous ability was required on the part of the officials. It would be very objectionable to men educated to a high standard and submitted to a severe test, that they should be occupied with the routine work of the public offices. It would be likely to give the country a body of discontented men, who were dissatisfied with their positions, and who felt that their talents and education were being thrown away. No doubt many views might be taken of the question; those points had occurred to him, and as his name was suggested as one of the Committee, he had laid them

before the House. He trusted the Committee would be granted, because he thought the work marked out for the Committee to perform was very necessary, and he hoped their labours would meet with the approbation of the House.

Mr. SMITH (Selkirk) said he felt some disappointment on hearing from the hon. member for Richmond and Wolfe (Mr. Aylmer) that he thought a competitive system was only to guard against exceptional stupidity. He saw no reason why the Canadian Civil Service should not approach closely to, if not reach the standard of the Civil Service in England; and at all events the House should adopt means to elevate it to that position. He had heard two good authorities speak on the competitive system in England; one was a Commissioner of the Civil Service, who held a very high position in this country at one time; the other was the head of one of the public Departments, that of India, and he spoke in the highest terms of the system of competition adopted there and the results which had followed from it. The latter gentleman had been greatly prejudiced against the system in the first instance, but experience had established the fact that those who had been appointed to offices in India under the competitive system had proved to be quite equal to those appointed under the former system. They should endeavour to place the Civil Service of Canada in a creditable position—he did not mean to say it was not in a creditable position now—but they might very well take a leaf out of the practice in England in that respect, and take a step towards having the best educated men, all other things (character, of course) included, in the Civil Service of Canada.

Mr. CURRIER said the hon. member for West Elgin (Mr. Casey) had made the broad statement that the Civil Service as at present constituted was inefficient. He did not propose to discuss the question as to whether the system should be changed from what it now was to the competitive system, as it prevailed in England; nor did he propose to stand up as the champion of the Civil Service as constituted.

He had had considerable experience of members of the Civil Service since he had had the honour of a seat in Parliament, and, so far as he knew, they seemed to be efficient. They were also men of high attainments and education. Certainly, a great deal could be said against the present system of political nominations, but he did not see how it could be done away with in this country. The remuneration was not, perhaps, as well distributed as it ought to be, and it might be that the salaries were not high enough; but again, in view of the hardness of the times and the reduction in the cost of living, this was made more even. Their position was not so much affected in consequence as the position of business men; some of them were well paid, and others ill paid. They had been, moreover, disappointed, as bonuses had not of late been distributed, as was at one time intended by the House. He was very much inclined to believe that the Civil Service in Canada compared favourably with that of any other country. He did know what his hon. friend from West Elgin expected to do with the Committee, but he hoped, at all events, that it would be of some good.

Mr. CARTWRIGHT said the Government had no objection to granting the Committee. No doubt his hon. friend from West Elgin and the Committee would carefully consider the whole subject. He was not quite sure that the effects of the competitive system in England had been all the original promoters of that scheme claimed for it, though, doubtless, it tended to keep out of the Indian Civil Service, a great many of a class who ought never to have been found in it. Under the present system, no matter what Government was in power, a certain number would creep in, not so much on account of their own merits as the political influence of their friends; and if this went on beyond certain limitations, the efficiency of the service would always be very seriously impaired. Our service unquestionably contained many men who would do honour to any service in the world, though many of its members, in his opinion, could not obtain as good remuneration as they now received in any other employment. As to the statement that

Mr. CURRIE.

the faith of a Parliament was pledged to bonuses being given, he would observe, in the first place, that the condition of things in 1877 and 1873 differed very materially, since, under the operation of the statutory increase, almost every one of these gentlemen had received a large increase of salary,—\$200 or thereabouts, in most cases; in the second place, that the cost of living at present was not as great as it was in 1873; and in the third place, that almost every class throughout the country had suffered very much from the hardness of the times, being obliged, in a great many instances, to reduce their expenditure. Those who received fixed incomes had no great reason to complain of their salaries, in view of the present state of the public finances. When the Bonus Bill was introduced by the Government, a rather strong feeling was shown against the increase of Civil Service allowances; and, in deference to this sentiment, the Bill was withdrawn. No doubt the report of the Committee would be very interesting. Similar Committees had been granted in other countries with Parliamentary institutions, and the Government were not disposed to stand in the way of the appointment of this Committee.

Mr. MITCHELL said the point he had endeavoured to make was this:—When the bonus regulation was adopted, the salaries of Ministers was advanced from \$5,000 to \$7,000, and of members from \$600 to \$1,000; while Judges' salaries had been largely increased. If the hon. gentleman's argument with regard to hard times applied to the Civil Service, why should not a Bill be introduced to reduce the salaries of Ministers, members, and Judges.

Mr. CARTWRIGHT said this might be taken into consideration. The salaries of certainly nine-tenths of the Civil Service, it was to be remembered, had been added to by the statutory increase. While the Estimates were under discussion, many hon. gentlemen on the other side of the House seemed disposed to complain rather severely of the increase in this regard.

Mr. MITCHELL: Why should not the money, voted last year for bonuses, be distributed?

Mr. JONES (South Leeds) said that the Committee should define the difference between the inside and the outside services. He had always understood that the former were those employed in the city of Ottawa alone, but he found that many of them had received no bounty, and were not considered as belonging to the inside service.

Mr. WORKMAN said he hoped that the appointment of the Committee would be attended with beneficial results. The patronage system was a mistake, and its abolition would delight him. Members of Parliament, as a rule, were not best qualified to recommend parties applying for Government situations. He thought that the competitive system would work very well, though it need not be so stringent as it was in England. It would, certainly, be better than the present system. He was aware that the Civil Service in Ottawa was very efficient, but he would regret to see a great many members of the outside service placed in positions of trust at the capital.

Mr. CAMERON said that one of the greatest evils connected with the service was that the Civil Service Act was not strictly adhered to. When any particularly good appointment was to be made, somehow or other the regulations were violated and some political hack, or, at all events, some one aided by political influence obtained the berth. This ought not to be the case, for the result was to destroy the spirit of emulation and hopes of preferment among faithful and efficient officers. He was not a believer in the competitive system. He thought that, in England, in every Department where it was tried, it had proved a failure.

Mr. CASEY: I do not think that is the case.

Mr. CAMERON said his hon. friend had no doubt read a great deal about it, made a hobby of it, and considered it perfect; but all he had read had convinced him that the system had not improved the service. The great evil was the withdrawal of promotions to valuable positions from good officers. This was wrong and unjust.

Mr. CASEY, in reply to observations made, said he would not retract his opinion that the Civil Service was not as efficient as it might be, and sufficient reason existed in this respect alone for asking for the Committee. The hon. member for Northumberland (Mr. Mitchell) seemed to think that he had spoken slightly and almost insultingly of the members of the service. He had had no such intention. He quite agreed with a great deal that had been said about many members of the service, who would be a credit to any profession or Civil Service in the world. Efficient men would get into the service under the system of patronage, for the Government, guided by the instinct of self-preservation, would secure a sufficient number of employes to serve them with a moderate degree of efficiency. The average of the service was as high as that of any other country where the same system prevailed. It was much above the service in the United States, and probably even above the average of the service in England before the introduction of the competitive system. He did not think, however, and he had official documents to back up the assertion, that our Civil Service was equal to that in England at the present time. The report of the first Civil Service Commission spoke very plainly on the subject, indeed much plainer than he had done in discussing the Canadian system. It said:

“Those whose abilities do not warrant an expectation that they will succeed in open professions, where they must encounter the competition of their contemporaries, and those whom indolence of temperament or physical infirmities unfit for active exertions are placed in the Civil Service, where they may obtain an honourable livelihood with little labour and with no risk; where their success depends upon their simply avoiding any flagrant misconduct, and attending with moderate regularity to routine duties; and in which they are secured against the ordinary consequences of old age, or failing health, by an arrangement which provides them with the means of supporting themselves after they have become incapacitated.”

These were strong words, and although he did not wish to apply them to Canada, yet he maintained that, to a certain degree, the same evils existed here. In concluding this branch of the subject, he would merely

say that persons were not to blame, whether efficient or not, in accepting Civil Service positions for political reasons. It was to be expected that men would accept such positions when they were offered. He found fault with the system, however, which not only allowed, but had a tendency to promote, inefficient appointments. The present system of political patronage also had the effect of introducing more men into the service than were actually required. It was suggested that the Committee should enquire into the question of remuneration. The Committee could enquire into that matter as far as the existing state of things was concerned, but he did not think they could make any recommendation as to an increase in the salaries. In the lower ranks of the service he thought the salaries were insufficient, but the higher positions were amply remunerated. The evils connected with this matter of defective remuneration arose from the overcrowding of the service, which was a direct result of party patronage. Individually, he thought that the appointments should be left to a Board, not composed of politicians or selected for political reasons, which should select members of the Civil Service according to their qualifications and independent of their political proclivities. He hoped that the Committee would be able to consider and report a scheme for that purpose. His own opinion was that the system of competitive examination, which had proved so successful in England, was the best that could be adopted. It was suggested, however, that under such a system there might be some difficulty in excluding men of bad character from the service. He did not think this objection a very serious one. In England candidates were required to furnish satisfactory evidence respecting their character, and the Commissioners, acting in a judicial capacity, without any prejudices in regard to the parties under examination, could apply a much severer test of character than a man who had to select from his friends and supporters. He thought the chances of men of improper character entering the service were less under the competitive than the pre-

sent system. In his opinion, men who were educated sufficiently to pass the examination, were more likely to be of good character than men of less culture. As a rule, it had been found that men of good education were of good character. The hon. the Minister of Finance had said that he was not sure that the verdict of opinion in England was altogether in favour of competitive examination. In this connection he might cite a letter from the Marquis of Salisbury to the Governor-General of India bearing on the Indian Civil Service; and bearing date 24th February, 1876:

“With respect to the principle of competition itself, the evidence you have collected sufficiently shows that it cannot be disturbed without injury to the public service. The expressions of opinions which I have received from competent judges in England lead me to the same conclusions. Of its success as a mode of selecting persons to serve in the Indian Civil Service, there seems to be no reasonable doubt. The ability which it collects is not the same in kind as that which distinguishes the service appointed under the previous system, and there may be truth in the allegation for which some of your officers contend, that under it, instances of the most conspicuous ability are more rare. But this difference, so far as it exists, may be reasonably attributed to a different cause. Great powers are developed by great occasions, and these have been of very rare occurrence since the present limits of the Empire have been reached. On the other hand, it is generally admitted that, if exceptional powers are rarer than in olden times, exceptions of an opposite kind have almost disappeared. Some writers speak in their reports of the physical inferiority of the candidates selected under the new system. On this point a conflict of testimony exists. While the evidence of actual observers, supported by the comparative sick-leave statistics, appears to incline to the less favourable view, there are distinguished medical witnesses in England upon the other side. The question appears to require further examination. It is possible that sufficient weight in the competition has not been given to physical qualifications, but this charge, if true, would not be an objection to the principle of competition, but rather to the mode in which it is applied. On the whole, your Excellency's personal testimony, based on a wide experience of the public service, and the prevalent opinion among the officers whom you have consulted, sufficiently establish that selection by competition has been successful in furnishing an efficient Indian service, and whatever defects may be noted, are not such as to justify any fundamental change of system.”

That last sentence was an answer to

all the objections urged against the competitive examination system. The hon. member for Northumberland said that the intricate examinations of England would not be suitable to Canada. This was true enough. A mode of examination could, however, be adopted which would suit the educational condition of the country. The examination might go into subjects of a practical nature, and be so arranged that no undue advantage would be given to any class. In the part of Canada with which he was acquainted there was every opportunity for the poorer classes to obtain a good education, and many persons of humble parentage had become distinguished for their ability. Take the class of school teachers, for instance. They were, as a rule, not wealthy when they started in life, but it would be interesting to note how many school teachers had attained positions of considerable eminence in the country. One, at least, of that class was now in the Cabinet. If those men could take high positions in politics, he did not see that competitive examinations would at all interfere with their advancement. The Civil Service employé in India was not a mere copying or registering clerk, or a mere machine in the Department. He was a man to whom often judicial and diplomatic responsibility attached, and from whom a large amount of physical exertion in a trying climate was required. It was found, notwithstanding these high requirements, that the system of competitive examinations produced a much better class of men, physically and mentally, than could be hoped for under the patronage system. He had noticed that a discussion had taken place in the English House of Commons recently in regard to introducing this system of selecting candidates into the diplomatic service, which was admittedly the most difficult branch to apply it to. This fact proved conclusively that the system had worked satisfactorily in England. One of the objections raised by the hon. member for Richmond and Wolfe (Mr. Aylmer) was that the system give rise to a species of "cramping" which was not at all desirable. He had no doubt that evil

could be remedied by amendments in the system. Indeed, the English Civil Service Board was now engaged in considering such amendments. The hon. gentleman also urged that we did not require too highly-educated men in the service, since they would be out of place and discontented. There was a great deal of force in the remark. We did not want men too highly educated, but we wanted men as well educated as could be procured for the salaries paid. In the event of a re-organization of the service, it would probably be recommended that the purely mechanical work should be delegated to the men of inferior education, at low salaries; while men of superior qualifications would be entrusted with the more difficult or professional work of the Departments at higher rates of remuneration. His objection to the present system was that it not only, as a matter of fact, made the service less efficient than it ought to be, but that it could not be expected, however well carried out, to secure the men best adapted for the various positions. Whatever system was eventually adopted, it should be with the object of making the service a high class profession—one into which it would be as great an honour to be admitted as into the legal, medical and engineering professions. It should be made one which young men would find it advantageous to enter; one in which promotion would be by seniority and merit combined; one in which, not to speak of superannuation, they would be able to make provision for old age; and, in short, one in which the ability, enterprise and intelligence of the country could find as satisfactory an outlet as in any other walk in life. Those were his aspirations with regard to the future of the service. He had no unfriendly feelings towards those connected with it at present; his only object was to elevate and improve it. He urged the House to give the matter serious consideration, and to follow the example of our serious, matter-of-fact cousins in England in adopting a system which would undoubtedly work a vast improvement in the Civil Service of Canada.

*Motion agreed to.*

ELECTION LAW AMENDMENT  
BILL.—[BILL No. 49.]

(*Mr. Cook.*)

BILL WITHDRAWN.

Mr. COOK said, in 1874, the Government of the day thought it necessary to pass a law by which parties could vote without being intimidated, and for the better securing of elections from fraud. He believed at the time that the Bill was for the benefit of the object it had in view; but, when he came to think over the matter, he felt sure that it afforded great means to bring about a fraudulent election. As he had explained before, in reply to a question from the right hon. member for Kingston, if a member wished to attain his election by fraud, or a person was particularly interested in a particular candidate, it was quite possible for him to evade the law. The returning-officer was, generally, a man of respectable character, and had a high appreciation of his oath, and the fraud was possible without his connivance at all. A man on receiving the ballot paper in the envelope could put the ballot into his pocket and hand the envelope, without the ballot, to the deputy returning-officer, who would deposit it in the box. He could then go out of the polling booth and secure a party whom he wished to purchase, and give him the abstracted ballot marked. The man who had been purchased could enclose the marked ballot in the envelope, and return the first man his own blank ballot. By this means, a vote could be secured from the opposite side, making two upon a division. Supposing there were thirty polling places, and five votes were purchased at each, the result would be as follows:—One vote on the first ballot paper taken away would be lost, but the other four would be gained, which would on the whole make 120 purchased votes, which, upon a division, would be 240. He thought a change should take place at once. We were having constant elections from time to time. Since 1874 the aggregate number of elections was 74, being nearly one-half of the total number. In 1874, there were 28 elections; 20 of them being on ac-

Mr. CASEY.

count of decisions of the Courts. The Opposition gained one and the Ministry gained one, leaving the House the same at the close of the year as it was at the commencement. In 1875, there were 22 elections voided by the Courts, five members of the House accepted office, and one resigned, making 28 elections altogether. There was a Ministerial gain of three, and an Opposition gain of five, making a comparative gain on the whole for the Opposition of two. In 1876, there were four elections voided by the Courts, four members of the House accepted office, and three resigned, making eleven elections in all, on which the Opposition made a clear gain of six. In 1874-5-6 there was a gain for the Opposition of nine. The county of Charlevoix was just in the throes of an election, and it was possible that other elections would take place shortly. It was therefore important for the purity of elections that the law he proposed should be allowed to pass at this stage of the Session. He was satisfied that every hon. member would agree with him that the ballot system ought to be such that no advantage could be taken of it. He moved the second reading of the Bill.

Mr. BLAKE said he had always been of the opinion that the envelope was not an improvement, and that some scheme might be and ought to be devised by which the complication of putting the paper in the envelope—altogether separate from the difficulties referred to by the hon. member who had just sat down—could be removed. The difficulties of the ballot system had been especially brought out in one of the Australian colonies, where it was notorious, before the ballot was adopted in England, that fraud could be practised. He was entirely in sympathy with the effort made to effect a change in the depositing of the ballot. Although there would probably be some elections between now and the next general elections, yet the Government had not seen fit to accede to the proposal of making changes to Election Law piecemeal. When the Election Law was changed, it should only be after some well-considered and well-devised system had been presented. A convenient time for the change would be at the next Session of

Parliament, when the House would have derived much more experience of the working of the present law. He was, therefore, obliged to ask his hon. friend to adopt the same course as the hon. member for Megantic (Mr. Richard) had adopted—to have the order discharged upon the assurance that the Government were considering the matter, and that, if possible, a Bill to meet the difficulty would be introduced next Session.

Mr. CAMERON called the attention of the hon. the Minister of Justice to another grievance. In Ontario, there was a law that, when the majority was small, the votes had to be recounted by the County Judges before the official return was made. Had this law been in force in the Dominion he would have occupied his seat at least one Session before he did. It was not right that deputy returning-officers should be invested with such absolute powers as they now had. As a rule, deputy returning-officers were partizans—it was almost impossible to appoint non-partizans, and they should have their authority very circumscribed. As a rule, they were men of little education, and of no judicial experience of that character which was required to decide the really difficult question as to whether a ballot was properly marked or not. He had prepared a Bill which would hand that over to the County Judges in case of a close election; but, on the statement of the hon. the Minister of Justice that the Election Law would be amended next Session, he would withdraw it, with the hope that his suggestion would be acted upon.

Mr. BLAKE said he was glad to receive any suggestion on the Election Law, as it was a question of great difficulty. He should be glad if the hon. member for North Victoria (Mr. Cameron) would communicate the substance of the Bill to him if he did not introduce it.

Mr. CAMERON said the Bill was merely a transcript of the Ontario Act, with the necessary modifications to suit the Dominion Constitution.

Order discharged, and Bill withdrawn.

House adjourned at  
Ten minutes before  
Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 22nd March, 1877.

The Speaker took the chair at Three o'clock.

## MONTREAL HARBOUR TOLLS BILL.

## FIRST READING.

House resolved itself into a Committee of the Whole to consider the following resolution:—

“That it is expedient to amend the Act 36 Vic., cap. 61, respecting the Harbour Commissioners of Montreal, by repealing the existing Tariff of Tolls and Dues on vessels using the Harbour, and on merchandize and other things landed from or shipped on board such vessels, from the first day of April next, and substituting a new Tariff, which will then be submitted for the consideration of the Committee; and by giving the said Commissioners power from time to time to alter or modify the said Tariff with the consent and approval of the Governor in Council.”

(In the Committee.)

Mr. SMITH (Westmoreland) said the resolution contemplated two changes. The first related to the readjustment of the tariff for the harbour of Montreal. The most material change concerned dry goods. At present, at this port, these were subject to one-quarter of one per cent. duty on value, and the effect was said to have been to divert this trade from the St. Lawrence to other channels. The Harbour Commissioners, with the concurrence of the commercial community of Montreal, he believed, thought that in the interest of the city a change was necessary. It was proposed, in consequence, to alter the *ad valorem* to a specific duty, to be collected on weight or measurement. The other change would empower the Harbour Commissioners, with the approval of the Governor in Council, to change, modify, alter and re-alter the tariff as experience might suggest to be expedient and desirable. That this was really an improvement it was unnecessary to argue, in his opinion. It seemed too troublesome to require the Commissioners to come to Parliament to secure modifications in the tariff. The Harbour Commissioners, who represented the commercial interests of Montreal, and the

representatives of Montreal in Parliament approved, he understood, of the contemplated change.

Mr. MASSON asked why these propositions had not been submitted in the resolution.

Mr. SMITH said they were too voluminous. They would appear in the Bill.

Mr. MASSON said that the adoption of the resolution signified approval of its principle. Hence full details should be submitted to the House at the outset.

Mr. MACKENZIE said this approval was not obligatory.

Mr. MASSON said, if the present procedure was continued, there would no longer be any use in considering such matters in Committee.

Mr. MACKENZIE said, to his personal knowledge, within a couple of years back, the present tariff affected injuriously the commercial interests of Montreal.

Mr. HOLTON said this tariff was adapted to trade interests in Montreal when it first came into force many years ago. This state of things no longer existed, and the Board of Trade had not only asked for a change, but urged that they should have the power of changing the tariff when they deemed it necessary, subject to the approval of the Governor in Council. He thought that all interests were abundantly protected in the propositions submitted. This being of the nature of a local measure of taxation, he had some doubts as to whether it should be considered in Committee.

Sir JOHN A. MACDONALD said both tariffs, the present and the one proposed, might be printed in the Votes and Proceedings.

Resolutions agreed to, and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

Mr. SMITH (Westmoreland) moved for leave to introduce a Bill (No. 90) Respecting the tolls of the Harbour of Montreal.

Bill read the first time.

Mr. SMITH.

## GAMING HOUSES SUPPRESSION ACT AMENDMENT BILL.

[BILL No. 80.]

(Mr. Blake.)

THIRD READING.

House resolved itself into Committee of the Whole to consider Bill (No. 80) To amend the Act for suppressing Gaming Houses.

(In the Committee.)

Mr. BLAKE said he proposed to fill up the blank in the 4th clause with the words: "Not less than \$20 or more than \$100;" and to add to the clause the words: "And, in default of payment, imprisonment in the common gaol for a term not exceeding two months, provided always that such persons shall not be liable on trial to be examined under the 6th section of the Act by this Act amended."

Amendments agreed to.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendments read the first and second times, and agreed to.

Bill read the third time, and passed.

## INLAND REVENUE ACT AMENDMENT BILL.

FIRST READING.

Resolution declaring it expedient to amend the Act respecting the Inland Revenue, reported from Committee of the Whole on March 20th, read the first and second times and agreed to.

Mr. LAFLAMME moved for leave to introduce a Bill (No. 91) To amend the Act respecting the Inland Revenue.

Bill read the first time.

## GAS AND GAS METERS INSPECTION BILL.

FIRST READING.

Resolutions respecting the inspection of gas and gas meters, reported from the Committee of the Whole on March 20th, read the first and second times and agreed to.

Mr. LAFLAMME introduced a Bill (No. 92) Further to amend the Act to provide for the inspection of gas and gas meters.

Bill read the first time.

### INSPECTION OF STEAMBOATS ACT AMENDMENT BILL.

[BILL No. 83.]

(Mr. Smith, Westmoreland.)

SECOND READING.

Mr. SMITH (Westmoreland) said the Bill was to remedy certain defects and ambiguities in the law suggested by the practical working of the Act of 1868. The amendments were in the interest of the steamboat owners, who agreed with the provisions of the proposed measure.

Bill read the second time.

### WAYS AND MEANS—CONCURRENCE—THE TARIFF.

ADJOURNED DEBATE.

Order for resuming debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means, the motion of Sir John A. Macdonald in amendment thereto, and the motion of Mr. Orton in amendment to the said proposed amendment, read.

Mr. MOUSSEAU said that the readjustment of the tariff in such a manner as to protect, more efficaciously than was at present the case, our agricultural, mining and industrial interests, was aimed at in the motions of the hon. members for Kingston and Centre Wellington, then before the House. He was of the opinion, as an hon. member had already very properly remarked, that the question at issue was a national one. It was from this point of view that it should be regarded by the House and by the country. It was not one concerning which political parties should battle, but it was exclusively national; it should be debated with a view to the general public interests, and he demanded of the Government—at all events of the representatives of the Province of Quebec, who were members and supporters of it—and who had advocated protec-

tionist views, why a protective policy had not been adopted in the common interests of the Dominion. He had always understood that, under a constitutional régime, changes of Government only took place on matters affecting principles, in the best sense of the word; but hon. gentlemen opposite, since they had attained power, had utterly disregarded this rule. The body political resembled the body corporal; and when any of the parts of the human body were attacked by disease, all the rest suffered in consequence. This was equally the case with the body social; when any of the arteries of business—whether agricultural, or industrial—were disordered, the whole body also suffered. The great majority of the people of this country—even including the Maritime Provinces—felt that the only remedy for the present state of things was protection. Even the hon. members for Halifax and Cape Breton asked for protection. Almost every one admitted that protection was necessary, and there was great reason for it. Many circumstances and many facts proved that it was not only a political, but also in some sort a social necessity. In the first place a great crisis and a great depression was spread throughout the country, and had existed for several years. With reference to this crisis they had heard warnings from several public men, but notably from the Finance Minister when delivering his Budget speech in 1874-5, when, moreover, he demanded an increase of taxation to the extent of several millions. This crisis affected everybody; the farmers obtained less for their produce, and manufacturers everywhere within our borders had almost ceased to manufacture, or, at all events, they only turned out a small quantity of goods compared with their productions during former and more prosperous years. On every side, business was stagnant and unsound. On the other hand, the Government, in place of arresting the descent of the country into general bankruptcy, had done everything possible to make things worse, by increasing expenditure to an extravagant degree. These hon. gentlemen, on reaching the Trea-

sury benches, had fattened themselves at the expense of the public misery, and, above all, thrown fat things in the way of their friends. He was not the least in the world of the opinion that the Government was entirely responsible for the present sad condition of affairs. Governments were, and above all this Government was, far from being an instrument in the hands of Providence—unless indeed it was an instrument of punishment; but they could say without hesitation that the Government could have softened the blow, and ameliorated the present state of affairs. Yet nothing had been done since the Government had acceded to power. This was not the manner in which serious and real statesmen should have acted. These hon. gentlemen had done nothing either to prevent, resist or diminish the effects of the existing depression. During the space of nine years, ending on the 30th of last June—between June, 1868, and June 30th, 1876,—we had imported goods valued at about nine hundred millions,—\$398,718,133—and exported goods to a value exceeding six hundred millions — \$586,434,704. Thus the balance of trade against us during this period of time reached the figure of \$212,000,000. During the previous years, the balance of trade was also against us, but naturally not to so great a degree, as our population was not at that epoch of our history so large as it was to-day. The first cause of the present crisis was the extraordinary increase of imports over exports. Much had been said in reply to this, and it had been argued that the fact of a people or nation importing much more than it produced and exported was of no consequence, from the point of view of the political economist. This assertion, to a certain point, might be relatively true, but, nevertheless, strong proofs to the contrary, as far as we were concerned, existed. That allegation might hold true with regard to an old country, but in this country we could not heal the wound caused by such an excess of imports over exports without doing injury to ourselves. We had to pay, for the goods imported, the freights gained by our shipping classes, the money loaned to our country for public

improvements, and to our private citizens by English capitalists. These loans, coupled with the money brought here by immigrants, represented the balance against us of \$212,000,000. The time had now arrived when this debt was to be paid, and the money necessary had to be found. The consequent interest had to be paid, and the means to be collected together. He believed that the excess of imports over exports had now reached their highest point. One had only to look into the official *Gazettes* of the various Provinces to find an immense number of current bankruptcies. This was the case in all our Provinces, but particularly in the Provinces of Ontario and Quebec. These bankruptcies were occurring daily; and why? The reason was simple: During the past several years, the excess of imports to which he had alluded had existed, and goods were to a certain extent forced upon the merchants of the Dominion; men lived beyond their means; and, at the present hour, perhaps three-quarters or four-fifths of the property of the country was mortgaged against existing liabilities. We had, however, reached a limit in this regard—to a certain extent at least—and this was due to exhaustion of credit. So much for this state of things; and the sole remedy for it, in the wisdom of nations, as was shown by the history of all countries that had played an important rôle in the world, was protection. This was wise. Persons who for a long series of years had lived on means they had not really possessed were obliged to reduce their expenditure, and produce for themselves what they could no longer purchase elsewhere. All peoples who had attained a great degree of prosperity had reached it by means of protection. They always began their careers by this method which was so simple and so natural; and as much as this was possible they kept their capital at home instead of sending it abroad. They began by producing sufficient for their own wants, and, having reached this point, they began to sell to others. Such had been the case with England, and to such a policy was due its great good fortune and immense wealth. Capable of doing an extraordinary

amount of business and favoured by great cheapness of labour after having reached this happy point, England said in effect to the other nations of the world: "I can now enter into competition with any people; and, having found this out, I open my doors to you, and do you now open your doors to me." The hon. member for Terrebonne (Mr. Masson) had demonstrated the immense benefits which had accrued to France, owing to her protective policy, due to the great genius of Colbert. He would cite extracts from a remarkable work published by Mr. Cary with regard to the effects of protection in France:

"Colbert opened the way for the national labour in a manner at once wise and regular, and to his measures are due the facts that France ceased to be exclusively agricultural, and became enriched by the new value given to her land, and to the labours of her people."

And a little further on:

"Louis XIV might with truth and justice say that, in giving him Colbert, God had done much for the prosperity and glory of his reign. France might add that she owes to his wise counsels the wonderful development of her industry, and that this, in turn, owes to them the strength which now permits it to reduce the barriers by which it has been protected."—*Principles of Social Science, by Cary, vol. 2, pp. 46 to 47.*

Pierre Larousse, another author, went further and established the fact that duties were not properly speaking levied in the interest of the public Treasury, but in order to create, to encourage, and to protect national industries. He stated:

"Customs duties have for their object not the interest of the public treasury, but the interests of native agriculture, trade, and industry; they form not a tax but a premium of encouragement for native productions."—*Pierre Larousse—Sayings of the nineteenth century.*

He did not think it was in the least degree in the world denied or attempted to be denied, that protection had made France what she now was—powerful and prosperous. Protection had been followed by precisely the same effects in England, which had become prosperous only after she had recourse to this means, even to a most extravagant point; enormous penalties having at one time been inflicted on those who introduced foreign products into the kingdom. No one denied this. The

effects of the system in France had been splendid, and they had struck with admiration all those who were interested in this fine and great country. France had encouraged at any price, her silk and other manufactories, and her various interests, including those relating to agriculture. The result had been that she had made immense progress in these respects, even greater than the world had realized. Everybody knew of the terrible war in which she had recently been engaged, and of the milliards she had to pay; and yet, in 1875, so elastic and so supple was she in resources, and above all with reference to her agricultural and industrial interests, owing to an extraordinary and powerful protection, she had accomplished real prodigies. She had not only paid off her debt, but she had produced so much corn, and wine, and silk, that the English market had felt it. In this connection he had read a magnificent article in the *London Times* enumerating the extraordinary advantages enjoyed by France, and extolling the activity and industry, and economical spirit of the French people, and stating that if such a people would follow a proper policy during twenty years, they would become the first people in the world, and play in Europe the first rôle to which they had been accustomed. This was what one of the most powerful organs of public opinion in England said of France in 1875. And when the political economy and history of France was studied, this great prosperity and good fortune, and these great riches would be found to be due to the doctrines of the great Colbert. He had heard some hon. member during the debates on this subject last year say that France was become Free-trade, and that she was no longer Protectionist. This was not the case; but supposing that France had adopted the theories of free trade then she would only have done what England had done. Once having rendered herself capable of being mistress of the markets of the world, and once more able to proceed more cheaply than a great number of other countries, like England she would have consulted her own interests, and assured herself of the retention of her

superiority by saying to other countries: "I now open my doors to you; open your doors to me." In 1860, France, however, was far from becoming Free-trade. She negotiated a treaty, but, so far from an arrangement having been made for the free interchange of products with England, duties imposed by the terms of this treaty on certain English goods amounted to 40 per cent. He would read an extract from a paper written in this regard, exposing the advantageous results of the treaty as far as France was concerned:

"The Treaty (of 1860) confined itself to the removal of prohibition, which besides them had few defenders, replacing them by taxes which were extended to 30 per cent., that is to say, an excessive figure equivalent in the majority of cases to prohibition. \* \* \* With the exception of iron goods, which were taxed at the rate of seven francs per 100 kilogrammes and this represented about 40 per cent. on the price of the most ordinary qualities, the treaty was limited to laying down the principle that the duties to be paid on English productions entering France, should not exceed 30 per cent. \* \* \* The Anglo-French convention was followed by negotiations opened with the majority of the Governments of Europe. Between 1861 and 1867, France entered into commercial agreements, successively with Belgium, the German Zollverein, Portugal, Austria, and the Pontifical States. Each of these conventions stipulated for the exchange of reciprocal trade and navigation facilities, France conceding the lowered tariff which had been granted to England and obtaining a decrease of taxation upon her productions.—*Extract from an article written by C. Lavalée on Commercial Treaties and Customs Tariffs in the Revue des Deux Mondes.*

This Treaty was founded on Protectionist principles. Many articles were taxed thirty per cent. and others as high as forty per cent., and, in face of these facts, they were told to follow the example of the French people, that France had declared for free trade and submitted to the adoption of the English policy; and all this when in opposition, to the Protectionist tariff of that country, we had only a 17½ per cent. tariff. Protection had caused the good fortune and prosperity and power enjoyed by the the great and magnificent American Republic. He had already had occasion to cite words spoken by one of the greatest of American statesmen, and he would repeat them in the House.

MR. MOUSSEAU.

That great tariff which was termed the American system was adopted in 1824, after ten weeks of debate, in the course of which the most remarkable and the most eminent of the then American statesmen, such as Benton and Clay, and others of equal power had spoken. Several years later, a second and similar battle had taken place with regard to the same tariff, which many then wished to have remodelled. This was in 1828. Mr. Clay then said:

"Protection has been for the United States the sheet-anchor of its prosperity and the mainspring of its progress. The seven years which preceded the adoption of the protective tariff of 1824 have been most disastrous, while the seven years which have succeeded have been the most prosperous the United States ever witnessed. Protection for any country signifies prosperity."

It was important to go back to the period when the tariff in question was adopted—when this policy which was called the American system was inaugurated in the United States. That period resembled the time when the present Minister of Finance uttered his famous complaints, and had additional taxation to the extent of three millions placed upon the shoulders of the people of this country. In the United States in 1824, as in Canada to-day, great depression existed; trade was arrested; and, as in this country now, bankruptcies prevailed most extensively. Two, three, four, and even ten, occurred daily; and Congress then, as Parliament now, was called upon to render assistance to unfortunate debtors and defrauded creditors. With permission of the Speaker, he would read an extract from the speech of Mr. Clay when he made his motion in support of the great protective measure introduced in 1824 in the interests of the United States. It was delivered during the Presidency of James Monroe. This was what that great statesman then said, and his remarks were applicable to the present condition of Canada, and corresponded to the observations of the Minister of Finance in 1874:

"In casting our eyes around us, the most prominent circumstance which fixes our attention and challenges our deepest regret, is the general distress which pervades the whole country. It is forced upon us by numerous facts of the most incontestable character. It is indicated by the diminished exports of native produce; by the depressed

and reduced state of our foreign navigation; by our diminished commerce; by successive unthreshed crops of grain perishing in our barns for want of a market; by the alarming diminution of the circulating medium; by the numerous bankruptcies; by a universal complaint of the want of employment, and a consequent reduction of wages of labour; by the ravenous pursuit after public situations, not for the sake of their honours and the performance of their public duties, but as a means of private subsistence; by the reluctant resort to the perilous use of paper money, by the intervention of legislation in the delicate relation between debtor and creditor; and, above all, by the low and depressed state of the value of almost every description of the whole mass of the property of the nation, which has, on an average, sunk not less than about fifty per centum within a few years. This distress pervades every part of the Union, every class of society; all feel it, though it may be felt at different places, in different degrees. It is like the atmosphere which surrounds us: all must inhale it and none can escape from it. A few years ago the planting interest consoled itself with its happy exemptions from the general calamity; but it has now reached this interest also, which experiences though with less severity the general suffering. It is most painful to me to attempt to sketch, or to dwell on the gloom of this picture. But I have exaggerated nothing. Perfect fidelity to the original would have authorized me to have thrown on deeper and darker hues."

In a word, this description applied with perfection to this country; and from that time they changed the principle on which duties were levied in the United States. Previously, the Americans had imposed duties for revenue purposes; the securing of revenue was the great object in view, and protection was incidental. But, in framing the tariff of 1824, this principle was reversed, and protection was made the rule, revenue having become an incidental object. It was then stated:

"Revenue the object, protection the incident, had been the rule in the earlier tariffs; now that rule was sought to be reversed, and to make protection the object of the law, and revenue the incident."

And further:

"That the free-trade system, which is proposed as its substitute, ought really to be considered as the British Colonial system."

He did not believe that he was a false prophet, or that he spoke as a pessimist, when he said that we in this country had arrived at this state of things.

We had reached a point in our history which corresponded to the year 1824 in the history of the United States. Our debt had been largely added to; our public expenditure had been increased in the same proportion; we had imported more than we could pay for; and we were, in consequence, obliged to put an end to this state of things, and we should endeavour to find out whether we possessed the materials necessary to supply the goods which we had hitherto purchased elsewhere. With the aid of the arms of protection, we should keep amongst us capital and our population. It was worthy of remark that the struggle with regard to protection prevailed in the United States in 1828, in 1832, and in 1834. Renewed efforts were made on the one side to diminish the tariff, and on the other side to further increase it; and those who advocated absolute protection succeeded in carrying their point by an immense majority. With reference to a great variety of articles, the duties were advanced from 25 to 50 per cent. At the same time, several resolutions were adopted in State Legislatures in favour of the protection movement; and in these resolutions were to be found many arguments which applied perfectly to the existing condition of this country, and which ought to encourage the House to take advantage of our present misery to so re-adjust the tariff that it would tax more heavily what we could manufacture and even cheapen necessaries of life. They could justly modify the tariff in a protective direction, since Confederation had been accomplished. As he had already had the honour of saying in this Chamber, the demand for the introduction of a protective system had been made year after year. It had been urged that duties should be levied on foreign products and foreign manufactures we could ourselves supply, and above all that such duties should be applied on English manufactures. The reason therefor was very simple,—while a mere colony, we were assisted by English capital and aided by England, but, when Confederation was brought about, the situation was very different. England then said to the Dominion of Canada: "You can

now walk alone;" and from that moment we had conquered the right of levying duties on English as well as American merchandize. They heard the other day a philosophical and distinguished member of the Government say that England had marched with the United States in the history of protection; and Thierry, from whose work he had quoted, had perceived that, in England as everywhere else, the first principle forming the real foundation of her commerce and immense prosperity had been protection. Many people were of opinion that England owed this great prosperity to free trade, but the contrary was the case; England had reached the proud position of one of the first nations of the world in consequence of a protective policy, in consequence of her excellent seamen, and above all, in consequence of the discovery of the route by the Cape of Good Hope to the vast trade of the East. After the discovery by the Portuguese of the route to the East round the Cape of Good Hope, she managed, by her great length of sea coast, and by the great aptitude of her people for seafaring pursuits, to beat the Portuguese and Dutch in the struggle for the eastern trade; and this eastern trade filled the coffers of her merchants and her people with wealth. The magnitude of this trade enabled her to become a manufacturing country, and the wealth got by this trade gave her the capital required. She was more favourably situated than any other country for the eastern trade, so long as the bulk of it passed by the route of the Cape of Good Hope. She kept it yet, notwithstanding the Suez Canal; she opposed it because she knew it might give all the countries along the Mediterranean a fair chance for successful competition. Her wisdom, the great sagacity of Disraeli, prompted her to get the control of that great international highway. We, on this side of the waters, could never expect, at this stage of the history of the world of commerce, to grow into great wealth by such a stroke of fortune as the discovery of a new route of commerce from which we could exclude all others. We must, therefore, take the ordinary course, and protect our infant indus-

tries. When, in future times, the commerce of the East passed over our Pacific Railway, we would be prepared to do it or participate in it; and, by that time, we should, probably, have grown sufficiently into a manufacturing country, and should be able to cry "Free trade" with all nations. This, he should suppose, would be about the time the hon. the Premier's great grandson occupied his seat and his position in this House. Thus England had succeeded in becoming a great nation, and in monopolising the commerce of the east. Her coffers had been filled and, to a certain extent, her people had been millionaires. Then she became the first nation in the world—but this was not due to free trade. The present policy of England had not been adopted all of a sudden; the Imperial Parliament had not hastily opened the doors of England to the world, in connection with her present policy. War or struggles took place in the House of Commons before it was adopted, and very violent attacks were made upon the policy of Sir Robert Peel. He would read an extract from a remarkable letter, written on the 10th of June, 1848, to Lord John Russell, as follows:—

"The doctrine of free exchange or unrestrained competition between nations, may be said to constitute the entire basis of that legislation. It has long been maintained by a certain section of the modern school of political economy that this principle of universal competition is the true path to the material prosperity of nations; and after much contention this principle has been adopted by the British legislature. If, therefore, it is right, it must necessarily admit of receiving full effect; if it is wrong, the farther it is carried out the more disastrous must be the results.

"Now, it is obvious that this principle of competition is one derived from the notion of self-reliance or self-dependence. The State which adopts it necessarily presupposes that it is at least on a footing of equality with all others; for we cannot imagine any nation deliberately to expose itself to the rivalry of a neighbour its superior in all great branches of industry. No nation will, in fact, adopt it unless it expects to derive immediate advantage from the change, because the commercial spirit which necessarily directs the legislator upon this point is the one of all others which leads to speedy results; and this consideration ought amply to account for the rejection of our free-trade principle by the statesmen both of Europe and America. Our legislators considered,

whether justly or not I shall stop to enquire, that we had nothing to lose and everything to gain by a free competition with foreign States, while they seem to think they have much to lose and nothing to gain by a free competition with us.

"The capital employed in purchasing foreign goods for home consumption, when this purchase is made with the produce of domestic industry, replaces also by every operation two distinct capitals, but one of them only is employed in supporting domestic industry. The capital which sends British goods to Portugal, and brings back Portuguese goods to Great Britain, replaces, by every such operation, only one British capital, the other is a Portuguese one. Though the returns, therefore, of the foreign trade of consumption should be as quick as those of the home trade, the capital employed in it will give but one-half the encouragement to the industry or productive labour of the country.

"The British Government,' says M. Say, seems not to have perceived that the most profitable sales to a nation are those made by one individual to another within the nation, for these latter imply a national production of two values, the value sold and that given in exchange.' How far this remark may be applicable to the recent commercial policy of the British Government, I shall leave your Lordship to determine; but it is almost superfluous to observe that the opinions of these two authorities—and none higher can be produced in their respective countries—are obviously and necessarily inconsistent with the principle of free-trade, or universal competition. If the home trade is more advantageous than the foreign, why allow the latter in any instance to replace the former? For even if foreign nations, as was predicted, were to reciprocate with us, which they do not, the free exchange of our produce with theirs would, according to the opinions of Smith and Say, be only as advantageous as if an exchange took place within the nation itself.

"It is to be observed that the first victims of free-trade are the weaker and more dependent interests of the state, viz., our working classes at home, and our colonists abroad."

This applied to the false arguments used by Free-traders with regard to the balance of trade, and to those who treated lightly the matter of our purchasing elsewhere what we could easily manufacture to our great advantage at home. In fact, England had proclaimed free trade when she was sure that she could successfully compete with her neighbours; and even when she did so, the other nations of the world, by means of a protective policy, encouraged their industries and their manufactures, which else would have suffered severely from foreign competition. Poor families were now lacking

bread and employment in Canada; and they were obliged to leave the country and expatriate themselves, because the protective policy which the country had demanded had not been accorded by the Government. The legitimate complaints of these people and of these families were even turned into ridicule, and the cry for protection was disregarded, though for many people it meant work and bread. Many had spoken of the treaty negotiated between France and England in 1860, but since then Europe had returned to the protective system. And the present Chancellor of the Exchequer in England, Sir Stafford Northcote, had said at a great public meeting in England in this regard:

"I have come to the conclusion that those countries themselves are as deeply interested as England can be in the maintenance of a liberal policy, and that if we could only get out of the heads of these nations the idea that England was pressing this matter for English and selfish purposes, if we could only get them to look at the question from their own points of view, we might feel well assured that they would come to a right conclusion. It is not by dwelling on the increase of English exports that we shall disarm the prejudice of local coteries abroad. The facts mentioned by Mr. Grant Duff show the grave bearing this question has on commercial interests in this country. But the larger fact which advocates of free trade must bring home to the Continental mind is that these increases of English trade imply a vast increase to the trade of other countries.

"The sudden spread of representative institutions through Europe during the last twelve or fifteen years is suggested as the source of this renewed strength of this protection. 'Sinister interests' may have thus found voice, but it remains to be seen whether they have found also political power and permanent influence. No doubt in Italy Protectionist opinions have acquired a very alarming authority. In Austria too they seemed at the commencement of the year to be carrying all before them."

The Imperial Chancellor of the Exchequer endeavoured to make the European nations believe that England had adopted the Free-trade system for the good of other nations, but the fact was that this Minister was frightened at the policy of these other nations, and he did not wish Austria, France, and other countries, to adopt the principles of protection in order to prevent English products from reaching their

markets and entering into disastrous competition with their productions. The *London Times* stated in this relation :

“ It cannot be too often recalled that the interest of England in the progress of free trade, so far as she has a special interest, is solely due to the accident of her advanced manufacturing industry at the present time. The theory of free trade does not secure her any superiority over other nations.”

This was what the organ of public opinion in England said. There were two great reasons accounting for the position England held to-day. She possessed the commerce of the East, and owing to the enormous energy of her people and the cheapness of her labour, and coal and iron, she had the advantage over many other nations. These were the immense elements of her prosperity and superiority, and this enabled her to make disastrous competition with other nations and to open her doors to them. He would ask whether the Dominion occupied a similar position. We were a young colony, and almost a primitive people, and it was utterly impossible for us to imitate the policy of England; on the contrary, we should adopt a protective policy in order to furnish ourselves with what we required. This was an important debate as far as the interests of the country were concerned. This famous system of free trade had at length ended in frightening the English themselves. They were forced to come to the succour of workmen, and to endeavour to meet the disastrous competition to which they were exposed from France and the United States in their own market. The *London Times* on the 1st inst., mentioned the cry of distress raised by the people, but it did not dare to give the real reason for the inferiority of England in this respect. It did not desire to state why France and the United States were in a position to compete with England. It would not admit that England was absolutely a victim to the system of free trade—despite the fact that at the present hour the United States and France were selling their most important productions in the English market cheaper than they could be manufactured in England. The *Times* said :

MR. MOUSSEAU.

“ We hear ominous complaints that we are undersold in cheapness and surpassed in the excellence of our manufactures; there are numerous explanations of these facts, but none of them are satisfactory.

“ After all allowances are made, the manufacturers of arms in the United States are proved to be real competitors with us in the markets of the world. Nor is this the only branch of industry in which their rivalry is felt. Even in the matter of textile fabrics they are found to bid against us in neutral markets where no hostile tariffs yield any discriminating duties in their favour. That this should be the case in Canada may be partly explained by the contiguity of the Dominion, but it is true of more distant parts, where we might be supposed to have natural advantages.

“ We know that our markets are regularly supplied with articles manufactured in, and imported from the United States. A singular illustration of this successful rivalry has been recently forced upon the attention of all who are interested in current political events. The Porte has been providing for future contingencies by laying in supplies of arms and ammunition, and in order to obtain them has gone across the Atlantic. How are we to account for this fact, except upon the hypothesis that rifles and cartridges can be bought cheaper and better in Rhode Island than in Warwickshire? We may retain the command of the world in the manufacture of iron-clads, but we do not possess it in the manufacture of small-arms; and if we have lost it in the latter case, how long can we hope to keep it in the former?

“ The problem is, perhaps, political rather than educational, and it deserves the closest attention of those who are interested in the future well-being of the nation. It is most important because it is not to be denied that the advantage we have hitherto possessed in the command of cheap power naturally tends to diminish with coming years.”

This was the situation. Englishmen were always invoking these humanitarian authorities and these free-trade philosophers as a duty, but they dared not admit what was the real cause of the evil, or what was the real cause of the inferiority of England in this respect; but the world would draw the natural consequences from the facts, and everybody would agree with him that, if England to-day occupied such a position, it was because it was held that free trade should continue to perpetuity. France had been selling products of iron and steel in England at lower rates than they could be procured for and manufactured in her own market. He held that no lesson ought to be more instructive to the people of

this country than the lesson given in the above extract from the *Times*, the great organ of public opinion in England. He had, hitherto, spoken of disagreeable matters, but his topic would now brighten. He would show to the House that the doctrines he had enunciated were those which had been maintained by hon. gentleman opposite, and by means of which they had attained power; and with which—exhibiting an extraordinary degree of hypocrisy—they had carried the famous election in Montreal West in 1875. When it was seen that these were the doctrines of these hon. gentlemen, he thought it would be difficult for the great majority, if not all, at least of the hon. members from the Province of Quebec, to abstain from voting for the motions of his hon. friends from Centre Wellington and Kingston. He would read an article written by a young and distinguished Liberal, L. O. David, who had been a contributor to a journal with which he himself had been connected. This article was a portion of a lecture delivered on the subject of the necessity for protection to our national industries. The Liberals of the Province of Quebec had warmly embraced the Protectionist programme, and it had been proclaimed repeatedly on the hustings, at the doors of churches and at public meetings. It was enthusiastically adapted as part of the programme of the Parti-National—and it was declared, in this article, that the pursuit of agriculture alone would not suffice for a country like the Province of Quebec. The article concluded as follows:

“Agriculture could not suffice for us in a country where the climate was so severe, and the increase of population so extraordinary. It is impossible for a people, which, during one half of the year, eats what it has produced during the other half, to enrich themselves. The best proof that agriculture was not alone sufficient, was that French-Canadians by thousands left their homes every year to seek for employment from foreign manufacturers. Would they not remain in their own country if they possessed there what they sought elsewhere? People were required here, it is said, and this is no doubt the case, and this state of things will be much worse still in the future if this current of emigration is not arrested. But when are labourers needed above all in this country? During the summer, for three or four months; and is it to

be believed that the labour of three or four months, or even of six months, will be sufficient to support families possessing ten or twelve children? To keep these crowds of emigrants who are leaving us, provide manufactures and employment and you will have workmen; the prosperity of Lower Canada will be revived, our agriculturists will be more prosperous, and all classes of society will be richer and happier. \* \* \* Another picture which should alarm us to an equal degree, and give us a sorrowful impression as to our situation, is comprised in the comparison of our imports with our exports (the former, during the nine years ending 30th June, 1876, amounted to \$898,718,138, and the latter to \$686,434,704, giving a balance against us of \$212,293,434). The less we produce the more we consume. Our agricultural and forest products no longer sufficing to pay for our imports, we are obliged to pay for their excess over exports in gold. Having neither gold nor silver for the purpose, it is necessary for us to borrow it. We resemble the father of the family who is so senseless as to expend \$1,000 a year while he has only an income of \$500 a year; at the end of a certain number of years the sheriff seizes his property, and what becomes of him? He will go to the United States.”

The Nationalists had at length attained power, and on their wings the Government had acceded to office, but they had done nothing in the promised direction. The elections had been run on the protection question; and Mr. Joly, leader of the Liberals in the Province of Quebec, declared himself squarely in its favour. In the elections of 1871, 1872 and 1874, protection was the policy of the Conservative, Liberal and National parties in the Province of Quebec. Many of the Liberals had stated, during these elections, that the misfortunes of their Province were due to the fact that Sir George Cartier and Sir John A. Macdonald had not given protection to the industries of the country. Even in Quebec, during the Session of 1871, the hon. member for Arthabaska had discussed the question of protection, although this was useless and out of place, as the Local House of course did not control the revenue of the Dominion; and another hon. gentleman, on the opposite side of the House, had written letters on the same subject in favor of protection to a paper which he had had the honour of editing. In 1872, the discussion of this question was more apropos, as it took place during the Federal elections. In all counties and in all the parishes, the

Nationalists only advocated protection. The New Brunswick school question was touched upon, it was true, but the question which took the first place was protection. One of the finest speeches he had ever heard the hon. member for Montreal East deliver was given on St. James' Square, in front of St. James' Church, Montreal, at that time, and then the hon. gentleman declared in favour of protection and charged the responsibility for the serious emigration of the French Canadian people to the United States, and for the distress which seemed to afflict the Province, upon Sir John A. Macdonald and Sir George E. Cartier, because they had not granted the country protection. The hon. gentleman also assured the workingmen, who gave him a handsome majority at the election, that once on the floor of the House his eloquent voice would be heard in behalf of protection. Meanwhile, hon. gentlemen on the opposite side of the House seemed amused, but, if they voted against the motions before the House, the electors, when the elections again came on, would by no means forget their conduct. The most curious spectacle was afforded in 1875, when the election occurred in the constituency of Montreal West. Montreal West was opposed to the policy of the Government, but they did not wish to see Mr. Tom White returned; and what did the Government do? They knew that no advocate of their policy could be elected in the constituency, and there one of the great faults committed by the Administration was perpetrated. They had recourse to dishonourable and disgraceful tactics. The present representative of the constituency was brought out as a Protectionist candidate, and the electors were told: "Do not vote for Tom White; he is in Opposition, and if you vote for him you will not secure protection; but vote for Mr. Workman because he is a Ministerialist, and if you vote for him you will obtain protection and bread." This unworthy farce, this shameful piece of hypocrisy was carried to a conclusion, and the First Minister had lent himself to it in leaving it to be inferred that he (Mr. Mackenzie) was favourable to the news

Mr. MOUSSEAU.

expressed by his candidate. The hon. the Minister of the Interior had been, moreover, one of the speakers at the meeting of the Protectionist and Ministerial candidates. The manner in which this election was conducted was a great public scandal. What he reproached the Parti-National and the Liberal Party—as they called themselves—for was their having two different policies. In the country and in the town these policies varied. In the faubourgs of Montreal and in other cities, manufacturing centres, they cried *à tue tête* that Protectionists should be elected, and in the country they denounced protection on the ground that it would increase taxation. Their hypocrisy was extraordinary and a scandal. They should have been honest enough to express their opinions on all occasions. The very same persons who had advocated protection in Montreal, had in his own hearing condemned a Protectionist policy in the county of Argenteuil. He had heard the hon. member for Jacques Cartier say, in the course of a fine speech delivered in the county of Bagot last year, that the protective system was a bad one because it increased taxation; but, in the cities, these same gentlemen loudly maintained that protection caused prosperity and was a benefit. The policy was intended to flatter the ears of workingmen in the cities, and the other policy was designed to gratify the residents of the country. The same policy was pursued in the county of Argenteuil, when it was proposed to bring out Mr. Thomas White against the present member for that county. The same hypocrisy and the same disgraceful scandal was there exhibited in his own presence. The Nationalists had drawn the chestnuts from the fire, and those chestnuts the Liberals had eaten. They became indignant at this treatment, and the Liberals made of them, in consequence, Senators, Judges and employés, filling to repletion the public offices. The solid fact remained. The Liberals won the elections, though by false pretexes and by abusing the public confidence. Had anything so base—any tactics so discreditable—been shown in the political history even of the United States,

where so much immorality was displayed during electoral campaigns? He held that they were not even there equalled in enormity. What had been the policy of the Government in this regard? Since 1874, without reasonable ground, they had increased the taxes by three millions. It was true that the First Minister came to Ottawa to elevate the standard of public morality; this was the hon. gentleman's mission, but if the hon. gentleman could give no better examples than he had given of his intentions in this respect, the hon. gentleman had better abandon that doctrine. And the sooner the hon. gentleman did so the better it would be for the country. In the Province of Quebec they found themselves in a curious position, and he wished to know exactly what arrangements the Liberals had made with the National Party. Were they to be content with sending the latter to the Senate, or was the public confidence again to be abused? It could not be denied that the Nationalists, with the Liberals in their rear, had run the elections of 1871, 1872 and 1874, on false pretences; and they had conducted themselves in a demoralizing and dishonourable manner—both for the party and for the Government who approved of such a course being taken. An attempt had been made to frighten the people with the declaration that protection would increase prices. He was glad and proud that the Province of Quebec, which he had the honour to represent, had afforded a reply to this assertion. The French-Canadian Conservatives had supported great public enterprises. In 1871, one million had been voted by the Province, in rural constituencies, to the North Shore Railway; and later, as a loan could not be raised for the purpose in England, the Province had advanced several millions to provide the railway communication required. The agriculturists of the Province had supported this policy with pleasure. The generous and patriotic majority which had an eye to the public interests was opposed in this relation—by whom? By a small band of Liberals and Nationalists, who sought to frighten the Conservative electors with the phantoms of bankruptcy, of a public debt, and of

increased taxation; but this argument was worthless, and more, it was insulting to intelligent electors of the Province. The same policy was pursued in the past, when the old Province of Canada voted millions for railways. During the past twenty-five years this had been the cry of the Liberal Party, while the policy pursued by them during the past few years would lead to their overthrow at the approaching elections. The objections to protection did not appear to have any effect in the country. These objections were drawn from Adam Smith and Jean Baptiste Say. In illustration he would read the following:—

“It might be said, perhaps, with the support of Adam Smith and Jean Baptiste Say, let us makewar upon the views of exaggerated Protectionists; and also it was the maxim of every head of a family not to attempt to do at home what it would cost him less to buy. The tailor did not make his own shoes, but he bought them from the shoemaker. To this he would reply that, the proposition in the first place was absurd, that both Free-trade and Protectionist doctrines were exaggerated, and that the beggar did not purchase even what was fabulously cheap.”

The logical conclusion from free-trade theories would be that a country would never be able to manufacture for herself, she could never dream of doing aught save buying from others what she could make more cheaply for herself. The doctrines, both of protection as in the United States and of free trade as in England, were too often exaggerated. It was necessary to keep midway between the two extremes. Again, if money to buy from foreigners was lacking, a country was obliged to manufacture for herself, and we precisely occupied such a position to-day as regarded our economical and social system. From the Trade and Navigation Returns could be seen what extraordinary advantages this country would obtain from a serious protective system. We imported merchandize which we could manufacture, and of which we possessed the raw material in abundance. We imported over three million dollars worth of coal annually from Great Britain and the United States, while the Maritime Provinces had an immense supply of this valuable fuel; we could furnish from our own mines a

part of, if not all, the coal which we consumed. The hon. members for Halifax and for Cape Breton had voted against the motion of the hon. member for Hamilton, but he supposed they would vote for the motions of the hon. gentlemen from Centre Wellington and Kingston, unless, while they clamoured for protection for their own interests, they did not desire to extend reciprocal advantages to the Provinces of Ontario and Quebec. The question should be made a broad one, as it was properly to be viewed from a national standpoint. We imported goods to the value of many millions, all of which we could manufacture more cheaply than we could purchase them for, to the great advantage of the country besides. We had excellent iron—some of the finest in the world. By its manufacture we could give employment to our own people who required it so badly, and benefit the country, retaining our own capital in our midst; and yet we imported iron to the value of above seven millions of dollars. The manufacture of such a quantity would furnish bread for a very considerable number of families. Allowing from \$200 to \$250 for each family, it would give employment and support to members of from 17,000 to 20,000 families, comprising some 100,000 persons. All that was necessary was to place a sufficient duty on iron. We imported metals from the States to the value of \$1,594,637, and of pig iron we imported 623,847 quintals, or 311,922 tons, for which we paid \$570,648. By a judicious arrangement of the tariff, certain imports which injured our industrial and other interests would be diminished, a sufficient revenue derived, and the country made prosperous. If the matter was carefully studied, such a desirable result could be arrived at, and our manufactures would be suitably encouraged. Meanwhile, what were hon. gentlemen on the other side of the House doing? Did any one Minister rise and endeavour to show that the plan he proposed was impossible? Not at all. They, nevertheless, advocate free trade. They had studied the works of Adam Smith, John Stuart Mill and other free-trade writers, and, on their authority, they addressed the House. He, however,

Mr. MOUSSEAU.

desired to know exactly how much iron we used; how much we could make of it; how much we could produce of it; how many families the employment, thus afforded, would support; and how many manufacturers would be aided by a protective tariff in this connection. The calculation appeared to be very easy, and hon. gentlemen on the other side of the House, with the information at their disposal, could easily make it. But did any of these hon. gentlemen seek to supply such information? Certainly not. No one among them rose to show to the House that it was impossible to keep amongst us a large number of people, who, in default of work in their own country, were obliged to go to a foreign country in search of employment, if our manufacturers were assisted by a judiciously arranged tariff. The manufacture of the articles we imported would provide the employment so generally desired, and effect the results he had mentioned. We had raw material of the best quality, and of iron, in particular, we had some equal to any in the world. Nevertheless, hon. gentlemen opposite, owing to negligence, want of spirit and a lack of patriotism, did not wish to busy themselves with these questions, nor did they try to legislate in the interests of the country and introduce an intelligently devised tariff, which would be suitable to our condition, instead of being favourable to the interests of the United States and of England.

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

### After Recess.

Mr. MOUSSEAU said that, before the House rose, he had, by means of figures taken from blue-books, shown what benefits could be obtained from a protective system. He had also shown what was the American system adopted in 1824; that even in France and in England protective systems were in vogue in the infancy of their industries, and that, after pursuing wise and moderate, and sometimes even an extreme protective policy, which secured their own market to themselves and made

them prosperous, great countries gradually abandoned such a policy and adopted the doctrines of free trade pure and simple, as was the case in England. He had proved, he was certain, to the satisfaction of every one, that this country was ripe for protection. The hon. member for Kingston in 1872 had declared that the policy of his Government would be Protectionist, and, in 1871, both the Conservatives and Liberals and Nationalists in the Province of Quebec had adopted protection as one of the planks in their programmes. We had woollen and cotton manufactures, and it had already been shown that cotton could be manufactured with profit in this country, and much could be done in this regard if proper protection was granted. In Montreal, thanks to the spirit and patriotism of M. Victor Hudon, a cotton factory was established, and the cotton goods there manufactured were equal if not superior to those imported from England and the United States. There were also the manufactures of wood and wool, for which we possessed the raw material in abundance; and of which in the manufactured state we imported great quantities having an enormous value. In this country, during the past twenty-five years, a universal, a terrible and almost demagogic outcry had been raised by the Liberals against all taxation. He remembered the first Liberal political speech to which he had listened, and its character had frightened him. He heard of nothing but bankruptcies, ruin, taxation, imposts, misery, and the poor people. It was almost heartbreaking. Sir John A. Macdonald was pictured as a crocodile, who imposed oppressive burdens upon our people. During twenty-five years such things had been said of the Conservatives in this country; and it was the time today for the Liberal and Nationalist members from the Province of Quebec to show the sincerity of their past protestations, and to prove that they did not partake a little of the crocodile nature. Last year an enquiry had taken place into the agricultural interests of the Dominion. During this investigation his hon. friend from Chambly, who thoroughly understood

what those interests were, had given wise and practical testimony in this connection. It would be seen, on examination, that we imported tobacco to the amount of many millions of pounds; and it was to be remembered that to the protection of her agricultural interests, notably the cultivation of the sugar beet, France owed much of her good fortune. Those acquainted with the matter knew that the soil of the Province of Quebec, at least, was lessening in fertility. In consequence of the continued raising of cereals and hay the land had become impoverished, and it was requisite that a new system should be adopted, and that, by a species of rotation, the condition of the soil should be changed and rendered more fecund. By encouraging the cultivation of the sugar beet and other agricultural products this would be accomplished. A wise readjustment of the tariff would effect these, among many other beneficial results, and, instead of importing what we could easily and cheaply produce, we would raise them and add to the numbers and prosperity of our agricultural population, besides enabling the soil to be practically renewed and re-fertilized by the system of a judicious rotation of suitable crops. He respectfully submitted, further, that all this could be done if the tariff was properly arranged, without increasing the taxation of the country. Duties should be levied upon what we could produce, thus encouraging our mining and industrial interests, and, besides, on all articles of luxury. The people, as a consequence of such a system being adopted, would not suffer more from the burden of taxation, while they would draw from it immense advantages. Millions which were now sent out of the country to the benefit of foreign manufacturers and foreign peoples, would then be retained in our midst to the advantage of our own population. He would now turn to another branch of his subject. He liked, above all things, to return to a consideration of the attitude taken in this regard by the hon. member from Drummond and Arthabaska (Mr. Laurier), of whom everyone said he would become a Minister of the Crown in the future, when the Government

were able to relieve themselves of the presence of the President of the Council by sending him to Manitoba or somewhere else. He was sure that such a change would be hailed with pleasure by the House and by the country, and above all it would benefit the Administration. The hon. gentleman had taken a strong position with regard to the principle of protection, though his advocacy of it would be more efficacious and more prominent if the hon. gentleman would cross to the other side of the Chamber. In 1871 the hon. gentleman began his public career in the Provincial Parliament of the Province of Quebec, where, though his advocacy of the question could be attended with no practical effect, he saw a brilliant career before him, and he laid the base of the programme he intended to pursue in public life. The hon. gentleman then warmly and eloquently supported a protective policy, and he was sure that the hon. gentleman would now vote for the motions of the hon. members for Centre Wellington and Kingston. The hon. gentleman stated, in the speech he delivered on this important question in the Quebec Parliament:

“Whoever has reflected upon the situation of this country, otherwise than on paper and in his closet—whoever has been able to examine closely into the condition of our industrial and agricultural interests, at present vacillating and timid in their operations, and of our manufactures which are backward, must admit that the brilliant description of the proposer and the seconder of the address is only a mirage and not the reality.”

He stated further :

“The Ministry could admit with reason that it alone should not bear the consequent responsibility, but this responsibility rests upon the entire nation.

“The principal cause of the evils from which we suffer, is that, up to the present time, the production of this country has not been equal to its consumption.”

The hon. gentleman had correctly described the condition of the country and our needs, and he had, with reason, compared our present situation with that of the United States in 1824, as described by Mr. Henry Clay. Another hon. member, the gentleman from Megantic (Mr. Richard), had written articles on the subject of protection. In 1873 this hon. gentleman had argued that

Mr. MOUSSEAU.

by such policy we should endeavour to repair the disasters caused by our great excess of importations over exports, and in 1873 the hon. gentleman, on the eve of the opening of Parliament, stated :

“I conceive the difficulties which it is necessary for him to conquer; but, on the other hand, in taxing certain products exempted from imposts, the increase of consumption by the augmentation of population, or the improved condition of our industries, would produce, as it seems to me, sufficient compensation.

“This was, beyond question, proved to be the case in the United States, which have prospered while protecting their industries, and at the same time diminishing their debt incurred during the civil war at the rate of \$100,000,000 a year, without taking the interest account into consideration. We have lost, owing to our unwise policy in this relation, 75,000 consumers, who benefit by their presence the American Republic, without regarding the foreign immigration, which our system obliges to pass through Canada to settle over the border.

“Our policy, in my opinion, should be protection for every manufacture for which the raw material, is exempt from duties, or the levy of purely fiscal imports upon all foreign raw material, which we could advantageously manufacture; and low duties for every imported article which is to be consumed without being manufactured.”

The words used by the hon. gentleman were extremely wise and appropriate, and no doubt this hon. gentleman would also vote in favour of the motions of his hon. friends from Centre Wellington and Kingston. The hon. member from Megantic also wrote in this relation :

“Protection by lessening our fifty millions of importations, would leave in the country a balance in our favour, from which everybody would benefit. But the class which would be benefitted in the clearest and most general way would be the agriculturists, aside from the industries necessarily local and ordinarily of minor importance. Certain manufacturing interests belong to us, or could be located amongst us with advantage, viz., manufactures of wood, iron, wool, cotton, cheese, beet-root sugar, etc., etc. If there is one of these in connection with which cheapness might be a principle consideration, it is the iron industry; nevertheless, the United States have sacrificed cheapness in this relation in order to promote this important enterprise. As our position is somewhat identical with the United States, we have the same grounds for adopting such protection. If it is wished to form an idea of what has been the protection in the United States, let us

hear what Henry Clay states as one of their great illustrations:—"Protection has been for the United States the sheet anchor of its prosperity, and the main spring of its progress. The seven years which preceded the adoption of the protective tariff of 1824 have been most disastrous, while the seven years which succeeded have been the most prosperous the United States have ever witnessed—protection for my country means prosperity."

The hon. gentleman had evidently studied the question in the most thorough manner. And it must be admitted that to-day we had the same motives as the American people for adopting a protective policy. The Government had increased the tariff to a certain extent, but these changes had not been made in a judicious manner. He had combatted them, and he would still condemn them, not only in the House but also before the country. The choice of the articles on which the duties had been increased was ill-advised, and it was not made in the true interests of the country. The hon. member for Megantic had pronounced squarely on this question, and, despite a past vote, he appeared to be still a good Protectionist. He had not yet lost the hope of seeing the hon. gentleman pass to the other side of the House. The hon. gentleman had stated in this House, with reference to the changes in the tariff:

"He regretted he could not endorse the tariff of the Minister of Finance. Instead of taxing tea and coffee, the articles we cannot produce, the Finance Minister should have placed his duties on articles which could have been manufactured among us, in which case not only would a revenue have been secured, but our manufacturers would have that protection which they needed. He especially dwelt on protection to our agricultural products, which were essential to the opening of our country and was the prelude to our embarking, as we should do, in our manufactures. He combatted the arguments of the member for Bothwell; and, with regard to the position of the United States, held that without protection it would never have been the country it is to-day."

He might increase the number of such quotations in order that, if hon. gentlemen opposite voted against the motions before the House, which so vitally concerned the interests of this Dominion, the people of this country might see how they were betrayed by these men, who had, in truth, run and

carried elections under false pretences in the years 1872 and 1874. This had become a historical fact. This was what had been declared by the *Bien Public*, the organ of the Parti-National before its disappearance from public view:

"The resolutions adopted at a large meeting of manufacturers that has taken place lately in Toronto ask for the tariff to be raised to twenty per cent. on all goods manufactured in England and Ireland that can be manufactured in Canada, and that on all articles coming from the United States and other countries Canada should impose equal duties to those imposed on Canadian products going into the United States and other foreign countries. We accept these resolutions and do not hesitate to say that that should be the programme of every Government having at heart the prosperity of the country. It is this that everybody requires, except certain political men who sacrificed practice to theory. The Hon. Mr. Mackenzie has happily said the tariff should be modified in the Canadian interest, and we are sure he will keep his word."

If these hon. gentlemen, therefore, voted against the motion before the House, they did not have at heart the interests of the people. The motion of the hon. member for Centre Wellington was calculated to obtain reciprocity as one of its results, and it was well known how great an advantage the Reciprocity Treaty which was abrogated in 1865 had been to this country; and, if we could not secure a proper degree of protection, this motion was intended to open the way to the negotiation of a new Reciprocity Treaty. He was convinced that there was an intimate union and attachment between the Liberals and the Nationalists of the Province of Quebec. In a famous speech delivered by the Postmaster-General in 1869, under the auspices of an Agricultural Society, the hon. gentleman had developed his programme for the future, and the hon. gentleman, speaking of our relations with the United States and other matters, then said:

"The great commercial want of this country is a market for the surplus products of our industry. It was the theory of Confederation to supply this want, by opening up to us the markets of the sister Provinces. I am afraid the results thus far have not greatly increased our scanty manufactures. Our natural market is the American; and we do and shall suffer till we gain access to it; nor would a mere tem-

porary treaty, subject to the caprices of politicians and entangled with the embarrassments of British diplomacy afford a full remedy. Manufactures and commerce prosper under permanent as well as liberal arrangements, and it is in vain that you treat them with generosity to-day if there is apprehension that you may cramp them to-morrow. We require markets, but to confer their full benefits they must be permanent, so that capital may acquire confidence and seek permanent investments here. Without this state of things our trade must be limited and manufactures remain exotics among us; and, the exodus of our population remaining about equal to its increase, the progress of promise is not cheering. We ought to be manufacturers for this continent with our cheap labour, cheap living and wonderful natural facilities. We cannot compete against the distance, the skill, the capital and teeming labour of the old world, and there remains for us the comparative petty business of supplying our own sparse population in unhealthy competition with the great manufacturing industries of England and America; and it often happens in times of depression, when our struggling manufacturers most need encouragement and support, that we make a sacrifice market for those great countries to the ruin of our home trade."

He believed he had shown that it was possible for hon. gentlemen opposite to vote for the motion of his hon. friend from Centre Wellington. Frequently in the press, upon the hustings, and even in the *enceinte* of Parliament, hon. gentleman opposite had deplored the existing state of things, and particularly the emigration of French Canadians to the United States, which has continued for many years. And they had always held that, in order to bring these people back to their own country, manufactures should be established and encouraged; and that this was the only means of doing so, and of rendering the country prosperous. These hon. gentlemen, therefore, should not forget their past professions of faith, and should vote for the motions before the House. This was precisely the time when protection should be adopted; a crisis existed in the United States, and many of their countrymen who had emigrated to its manufacturing towns, were now in misery. They desired to return, and we had need of both population and manufacturers. And, in order to provide for our imperious necessities, a greater degree of protection and encouragement should be accorded to our suffering industries;

Mr. MOUSSEAU.

and, above all, an effort should be made to produce what was consumed in the country, to the greatest extent that this was possible. We should import as little as possible, and only, in this way, by the proper development of our great national resources, could we meet and satisfy the difficulties and exigencies of the present unfortunate situation of the country.

Mr. LAURIER said he would not attempt to follow the hon. gentleman through the whole range of his argument. Were it necessary, he could cap the quotations cited by superior and counter quotations. Every one must admit that the policy of the Administration was at once comprehensive, definite and clearly mapped out. The First Minister had declared over and over again that, though he was in principle a Free-trader, the theory of free-trade could not be adopted in this country in its entirety; and that we could not collect a revenue except by means of Customs duties. The exigencies of the tariff had already increased duties to 17½ per cent., and this was as much protection as was necessary for the manufacturer, and as much as the country could bear. What was the policy of the Opposition as revealed in the motions of the hon. members for Centre Wellington and Kingston? The least that could be said in this relation was that it was loose, vague and very faintly delineated. The right hon. member for Kingston said that the tariff should be remodelled so as to foster the agricultural, mining and manufacturing interests of the country. No one would say that these words did not sound well. But the country required something more. It required to know whether the means whereby this great result would be achieved were natural or magical. The right hon. member could not expect any member to pledge himself against the policy of the Government unless it was known what the policy to replace it was to be. Of course the result of the resolutions was a foregone conclusion—they would be rejected by a large majority. But, if the result was at all doubtful, or the balance of parties was not as it was, there would

only be a more forcible reason that the country should know at once the extent to which the Opposition committed themselves. But the resolution, and the arguments of hon. gentlemen opposite, had no principle. The resolution of the right hon. member for Kingston contained only one assertion, viz.: "That the financial policy submitted by the Government increases the burthen of taxation on the people, without any compensating advantage to Canadian industries." He (Mr. Laurier) took that assertion to be a fallacy and an error. There was no increase of taxation. The tariff was adjusted, but the taxation was not increased. There was an increase in some respects, but a decrease in other respects, and the tariff was not onerous upon the people. Hon. gentlemen opposite should not forget that some of the changes arose out of their own action. They should not forget that last year one of their own members showed there was a grievance as to the existing tariff on petroleum, that the interest was over-protected. It was in consequence of the representations of the hon. member for Stanstead (Mr. Colby) that the Government removed the duty on petroleum.

Some HON. MEMBERS: Hear, hear.

Mr. LAURIER said hon. members might say "Hear, hear," but this fact was to the credit of the Government, for it showed that they were ready to remedy a wrong whenever it was pointed out to them. But he was not at all surprised that hon. gentlemen regretted that justice had been done in the matter; gentlemen opposite always regretted something, no matter what was done or what was not done. Three years ago they regretted that the tariff was increased from 15 per cent. to 17½ per cent., although this gave some protection to our industries. Last year, every one expected that the tariff would be increased; but it was not, and the Opposition were loud in their regrets. He believed that, if the tariff had been increased, as was anticipated, the Opposition would have been equally loud in their regrets. And now, when the tariff was partly increased and partly decreased, the Opposition were, as ever, loud in their expression of

regret. The chief cause of their grief was the fact that they had to remain in the Opposition seats. He was quite sure that, if they were on the other side of the House, every thing, even though the same as now, would be the best in the world. The resolution of the right hon. member for Kingston, *in toto*, was loose and vague, and was prepared with a view to the possibilities of future contingencies—that was his candid belief. A policy of protection had never occurred to the right hon. gentleman during his long tenure of office. The present Government would not last forever. Like everything human, it would become a thing of the past; and, therefore, the right hon. member had so framed his resolution that his party would not be embarrassed when it came into power. The resolution would catch the wind, no matter from which point of the compass it came. It would not be difficult for the right hon. gentleman and his party to drive a coach and six through their resolution, and let the country have, on its basis, either free trade, protection, incidental protection or a revenue policy. The country had a right to demand more than this. It had a right to demand that the gentlemen opposite should state something definite as to the policy they would adopt when they came into office. He was justified in saying so, not merely on his own opinion, but on the opinion of a gentleman who was connected with the party of the hon. gentleman opposite, a gentleman whom they always justly held in high estimation. He referred to Mr. Thomas White, of the *Montreal Gazette*. At the meeting of the Dominion Board of Trade, which took place in 1874, a resolution was moved by Mr. Jas. McPherson (St. Johns, Q.), as follows:

"That a duty of 15 per cent. is fair and reasonable, and no disturbance of the tariff is at present desirable; but should a revision of the present tariff take place, it is resolved that the interests of our farmers be thoroughly looked after."

Mr. White then said:

"I rise to a point of order: Motions should be definite in their character. I submit this one is very indefinite. No one will deny that the interests of the farmer should be looked after. But the motion should be made in

such a way that we would understand what the mover meant by looking after."

The President of the Board of Trade, who was a Protectionist, said :—

" I must say I am pleased that Mr. White has raised the question of order, because the motion is too indefinite. It is necessary that, in passing resolutions, we should know what is meant by them."

He would not go the length of saying that the ruling of the President of the Board of Trade ought to be the ruling of Mr. Speaker in the present matter; but he would say that the Opposition ought to give a more exact definition of their policy. Perhaps the resolution was so worded to produce the result attributed by Talleyrand, when he said to his pupils: "Young men, remember that language has been given to men to conceal their thoughts." The Opposition said they were not going to announce their policy; that they could constitutionally refuse to do so. But this was not the language which the great Liberal-Conservative Party should use. The Liberal Party never shrank from declaring its policy, denouncing abuses and suggesting remedies; and it not only suggested but forced remedies down the throat of the Government which then existed. But, perhaps, it was not fair to expect gentlemen opposite to give the House their policy. He thought they had a very great reason why they should not. And the reason was that they had nothing definite; they had no policy. They had a high-sounding name, which they called the "National Policy." If the motion were to carry, and the Government were defeated, and the Opposition formed a new Administration, the very moment they attempted to carry out their National Policy, there would be a confusion worse than that at the Tower of Babel. Each interest would speak a different language which would not be understood by the other. Even now they did not agree. They had the name of a National Policy, but not the substance. The resolution of the right hon. member for Kingston proposed protection for three interests—the manufacturing, agricultural and mining. The resolution of the hon. member for Hamilton (Mr. Wood) threw over-

Mr. LAURIER.

board the agricultural and mining interests, and only advocated protection to manufactures. But, the moment the amendment to his own motion was made, the right hon. member for Kingston accepted the modification of his policy. The hon. member for Centre Wellington (Mr. Orton) then threw overboard the manufacturing and mining interests, and moved in favour of agriculture alone, and this was at once accepted by the Opposition. He believed that, were a resolution presented in favour of mining alone, it would be supported by the gentlemen opposite. The National Policy had not yet been hatched, and, if it had any basis at all, it was that the bread of the people should be taxed, and this was the remedy proposed for the evils of the present Government by the great Conservative Party, which professed to be the friend of the people. He could not speak for any Province but his own, but in Quebec the National Policy was held to be a mockery and a farce; it was an inhuman policy, in that it would make fuel and food dearer. The hon. member for Bagot (Mr. Mousseau) said his own immediate countrymen were willing to tax themselves, and this, unfortunately, was true. As to the charge of inconsistency against the Liberal Party of Quebec in this matter, Mr. Papineau was a Protectionist not so much from reasons of political economy as from political reasons. Our country was then struggling to obtain political liberty and responsible government, and the French Liberal Party proposed that we should close ourselves within our own limits and buy nothing from England. But now we were given most ample justice and the most complete liberty, and the result was that, in all this vast Empire over which the sun never set, there were no people more attached to British institutions than French Canadians. He held, however, that there were some industries which could not be established without the aid of legislative action. He said this openly and in the face of his own political friends. Then it might be asked why he favoured the policy of the present Government? His answer was that it was because

there was no necessity for more protection than we had. The party opposite did not so much want increased protection as to arouse the prejudices of the masses against the Government. It must not be forgotten that the tariff was adequate. We had a temporary deficit, it was true, but that would be met by increased economy. If the gentlemen opposite were in earnest they would point out the industries which wanted protection, but instead of that they did nothing but generalize. When they spoke of protection they had nothing unless they had everything absolutely definite. Free-trade was a principle, but protection was not a principle. When they asserted the doctrine of free-trade they were at once understood. They laid down the principle that all the relations of trade must be regulated by the same conditions. But protection could not be treated as a principle, as it did not carry with it any definite idea. It simply affirmed that certain branches of industry ought to be put beyond the ordinary rules of trade, and that the enhanced price of the article would be more than compensated by the addition to the labour of the country. He called upon the gentlemen opposite to show that 17½ per cent. was not sufficient protection. The country was extremely prosperous under the *régime* of the gentlemen opposite, but this fact was against the argument they now used, for the tariff then was lower than at present. But that was not all. His hon. friends from Terrebonne and Bagot, in fact all who had addressed the House on the Opposition side, had insisted upon a retaliatory policy. They declared they wanted reciprocal trade with the United States, but, if they could not obtain it, they wanted reciprocity of tariffs, whereby the duties imposed on American goods would be as high as those levied on Canadian goods entering the United States. If any measure could be calculated to do injury to this country that would be the very measure. Excess in anything was a bad thing, and protection was not an exception to the rule. Excessive protection to an industry would prove the ruin of that industry. He would quote the words of the hon. member for Stanstead, a Protectionist, who, in

referring to the petroleum trade, showed the results of excessive protection. They had it from hon. gentlemen opposite that undue protection would destroy the petroleum trade, and, further, that a duty which was estimated by the hon. member for Stanstead at 25 per cent. had completely destroyed the trade, which had been controlled by an organized "Ring." What was the remedy proposed by hon. gentlemen opposite? The Americans had to pay a duty on our refined petroleum of 40c. per gallon; the Canadian duty was 15c.; did hon. members opposite propose to retaliate? Did they propose that the Canadian duty should be increased from 15c. to 40c.? Instead of that, they proposed that the 15c. duty should be reduced by one half. That was how hon. gentlemen opposite practised retaliation. While they declared that the Government should adopt a retaliatory policy, yet in practice instead of asking that the tariff on petroleum should be increased to that of the United States, they asked that it should be decreased. If the protective duty of 25 per cent. on petroleum had destroyed that industry, what would be the effect of imposing a tariff on trade of 40, 50 or 100 per cent.? The effect would be that our industries would be completely annihilated. He could not understand the conduct of hon. gentlemen opposite when they believed the country would not see through such pleas. He supposed these hon. gentlemen would some day return to power, and how would they affirm the policy of retaliation? He asked them to point out how they would retaliate; would they retaliate on everything, petroleum included; would they exclude that article? It was quite evident that the retaliatory policy was simply a cry, something to suit their purpose for the time, but when they come back to power it would never be heard of again. That retaliatory policy reminded him of the old temple of Janus, the doors of which were open during war but closed as soon as war was over. If hon. gentlemen opposite came back to office, the doors of the retaliatory policy would be closed, never to open more. The

theory of retaliation, called a political policy, was a theory of the hon. member for Terrebonne (Mr. Masson) as he gave it the other day in his speech.

Mr. MASSON said it was not his policy, he gave it as the policy of Sir Alexander Galt.

Mr. LAURIER said the hon. member had, perhaps, quoted it as the policy of Sir Alexander Galt. When a man threw himself into the absurd there was no limit for it; because, at the same time, his hon. friend advocated that the Government of the day should not only protect the labour of the country, but should also give labour to the labouring class. The hon. member for Terrebonne (Mr. Masson) had enunciated, what was characterized afterwards by the hon. the Minister of the Interior as communism, a doctrine, which was not a new doctrine, but was found in the work of Louis Blanc. Such was contained in his work, published in 1848, called "The Rights of Labour." Englishmen were accustomed to say that if they scratched a Russian they were sure to find a Tartar, and if they scratched a Quebec Conservative they would find a Radical of the French school. Extremes always met. The hon. member for Bagot had used language which, for subversive doctrine, was quite equal to that used by the hon. member for Terrebonne. The hon. member for Bagot (Mr. Mousseau) had attacked the Bench of his country and had spoken of it in derisive and calumnious terms, and had applied to the Bench a term not found in the French language but invented by the French press of Lower Canada and applied to the judges. Any man who did not respect the Bench of his country, and who attacked it in such language, could not be proud of such institutions and would never deserve the name of patriot. The hon. member for Bagot had also charged the Government with fattening themselves and their friends on the substance of the people. They had heard such language used in Lower Canada for the last three years, but they never expected that such language would find its way into the House of Commons. He would not do the same injustice to the Conservatives as they, the Liberals,

Mr. LAURIER.

had to suffer every day. He would not say they were Communists, but Conservatives of Quebec would stop short of nothing to obtain position. They would tax the people's bread, they would attack the Bench, and the ferocity of a she-bear deprived of her cubs was nothing compared with that of the Tory party when deprived of the spoils of office.

Mr. DOMVILLE said the amusing speech of the hon. member for Arthabaska (Mr. Laurier) had no doubt placed the House in good humour to hear a few remarks justifying his vote the other night, as the hon. the Minister of Justice said, for economy. He wondered what the country would come to if it were deprived of the services of the hon. the Minister of Justice. As a humble merchant, who had endeavoured not only to benefit himself, but at the same time to advance the interests of the country, who had endeavoured to fructify the public works and to aid every enterprise that would advance the welfare of the Dominion, he had listened attentively to the defence of the Government policy, which was to do nothing. When the people, from Nova Scotia to British Columbia, read the daily press, they found nothing to encourage their drooping spirits, nothing to lead them to hope for better times. Did the leaders of the Government and the occupants of the Treasury benches consider they had no greater responsibility in administering public affairs than to create extra clerkships, to build canals, which could not be used to-day and never would be used, to import 50,000 tons of steel rails to lie rusting five years before they were wanted, and which probably would never be wanted? Did they call that a policy? Was that the object for which the Ministers were returned to Parliament, and paid \$7,000 or \$8,000 a year? The people were like the members of a family; they expected the head of the family to do something for them. If the Government were not able to give the people a word of consolation, they might at least have said: "My children, we can do nothing for you, but God bless you." While reviewing the state of trade, in his Budget Speech of 1876, the Finance Minister said:

"During the last few years, a very considerable number of persons had engaged in manufacturing enterprises for whom there was really no room; as was well said on a recent occasion, many of them possessed neither the brains nor the money to bring those enterprises to successful issue."

Surely it was bad enough for the hon. the Finance Minister to declare the people did not possess the necessary means, without stating that they had not the brains. Did not such remarks show the people they were reviled? They were twitted in these hard times—when every man was putting forth his energies to endeavour to be respectable, and meet his obligations as they became due, and to keep the country together—with the charge that they had not only no means, but no brains. Such was the consolation they received from the Government. The day might come when a Finance Minister with brains might come up from the people. Gentlemen opposite called themselves Liberal Reformers. In what were they Reformers? Were they not elected by the suffrages of the people, and yet they turned around and told those people who sent them to Parliament that they had no brains. But they did not make such statements on nomination day. Not satisfied with running down the manufacturing interests, the hon. the Finance Minister said:

"Everyone who knows much about the mode of carrying on banking is aware that banks, when they have accumulated large sums of money, are very apt to discount largely to men of straw."

The hon. gentleman talked about men of straw and insinuated that such was the character of men who were largely dealing with and trusted by the banks, and conducting the business of the country. This was an unjustifiable sneer. It was true that there were not many men of great wealth in Canada—practically none; but the business community as a class were honestly endeavouring to build up the industries of the country for those who might come after us, and did not deserve to be stigmatized as men of straw. If some of them failed, or even if the country lost the assistance of the hon. the Premier, the St. Lawrence would not cease to flow or the sun to shine. Why were the stocks of banks and joint stock com-

panies depressed and falling daily, every holder running to his neighbour asking what he thought of the situation and should he sell? The position of affairs, which amounted almost to a panic, was due to a want of confidence, not because bank stocks were not really worth as much to-day as they were last week. Stocks which were at 120 or 140 some time ago were, with few exceptions, selling below that figure to-day. It was want of confidence which produced the panic, and what was more likely to cause it than the language of the hon. the Minister of Finance, who threw distrust upon our institutions, who, in his Budget Speech, insinuated that our traders were unworthy of credit. That speech would travel far and near, and lead the people in England and elsewhere to be careful how they extended their credit to a nation which was represented to be in such a precarious state by such authority. The Finance Minister further said:

"You may trust the instincts of the people to acquire wealth, but the difficulty is to distribute it. We have seen enough in past times of the mischief which can be done by large corporations, or rather, by wealthy, unscrupulous men."

The hon. gentleman with one breath objected to men making colossal fortunes, and at the same time he talked about the banks dealing with men of straw. Which were preferable—the men of straw or those of colossal fortunes? If traders, manufacturers and others became rich, would it not place them in a position to help to open up more industries and increase the development of the country. Was there anything in the position thus taken by the hon. gentleman to encourage the people? The hon. gentleman declared that the formation of rings was a natural consequence of a high tariff, which was not proposed or advocated on the Opposition side of the House. The debates were filled with charges of impurity. The hon. the Minister of Finance said a man who made money would become dishonest, and yet, almost in the same breath, he declared that the men who did not make money were dishonest. Even if a man were a great statesman, according to the hon. gentleman, he must of

necessity become corrupt and dishonest. When the next election took place—when they were called to meet their constituents—there would be no subterfuge. Every man would have to point to the *Hansard* and stand by his individual conduct. For himself he would tell the people that he voted for this and similar resolutions, because the policy of the Government, which was not one which was calculated to benefit the country, was condemned by these resolutions. When the members of the present Administration were seeking office they proclaimed themselves Reformers. But had they fulfilled their promises? Had the expenses of the Government been cut down? No; on the contrary, they had been increased. The Baie Verte Canal, which was solemnly promised, had not been built. This work was alluded to at the opening Session of this Parliament in the Speech from the Throne, with a great flourish of trumpets, but year after year passed by and not only no effort was made to proceed with this desirable improvement, but it had been abandoned. He held that a promise should be kept inviolate, but here was a Government, composed of men who were supposed to be Reformers, which openly broke its word, even in this particular. The people of the Maritime Provinces, however, would no longer be satisfied with bare promises. They would inquire what the Government had done and intended to do for them. Some time ago it was stated that the people of the Lower Provinces could not trade profitably on account of the smuggling of American goods into the country. The New Brunswick Board of Trade memorialized the hon. the Minister of Customs as follows:—

“*The Hon. Isaac Burpee, Minister of Customs:—*

“The memorial of the Board of Trade of the city of St. John respectfully sheweth that on the borders of New Brunswick, from Calais to the Upper St John, large quantities of oil, cottons, woollens, and other American manufactures, teas and a variety of other articles are brought in systematically by traders or runners from the United States, acting in co-operation with persons on this side the frontier and delivered to them in their places of business free of duty.

“That all along the coast of the Bay of Fundy and its tributaries a large quantity of goods are landed from the United States, carried in the vessels running to and from

Boston and other adjacent American ports and paying no duties.

“That not only is the revenue very much defrauded, but the mercantile community are great sufferers thereby, and the evil has grown to such large dimensions that it seems to call for the most stringent measures on the part of the Government.

“Your memorialists would suggest among other remedies that might be assured to abate this evil that seizing officers be changed from one port to another every one or two years, and that active officers be appointed to travel through these districts as often as may be necessary, and endeavour to bring to punishment all engaged in a trade defrauding the revenue and evading the laws.

“And that instructions may be sent to all collectors of customs in the outports to use greater care in examining entries and promptness in collecting duties, and to report each case of fraud coming to their notice also.

“That appraisers from the large centres, well acquainted with their duties, be ordered to all the outports, to give such instructions to local officers as will ensure the thorough examination of all invoices and of all goods entered at these ports.

“Signed by the Committee.

“St. John, N. B., December 15, 1876.”

The hon. the Minister of Customs replied to this communication as follows:—

“From the positive manner in which your communication deals with the matter, we presume you have evidence and cases in point that you can give us, whereby we may be enabled to take such steps towards a definite investigation as will lead to the immediate prosecution of those parties whom you know are systematically engaged in delivering and receiving such merchandize without paying duty. We will be glad if you will give us a list of the cases, the merchandize so delivered and received, and the names of the parties engaged therein. In every case that has been brought under the attention of the Government, the parties have been dealt with as the law directs, and no effort has been spared to put a stop to such illicit trade when it has been found out.

“Your suggestions as a remedy for the evil have been carefully noted.

“The department, some time since, put in operation measures for the further protection of the revenue, and did, from time to time, extend their efforts as opportunity offers and the circumstances of cases will admit.

“I have the honour to be, Sir,

“your obedient servant,

“ISAAC BURPEE.”

They were coolly told to make out a case and then the Government would attend to it. That was not what the people expected. The Government should be able to grapple boldly with

such matters, instead of requiring those who complained to take the initiatory steps as suggested. It would seem that the hon. the Minister of Customs lost sight of the interests of the people in thinking of his own, or in consulting his own ease and convenience. One hon. gentleman stated that he believed in making hay when the sun shone. But the sun had not shone for the people since the so-called Reform Government came into power. In his Budget Speech the hon. the Finance Minister had to announce a deficit of \$1,900,000. In this regard he might point to the loss on the steel rail purchase, to the wasted expenditure on the St. Frances Canal, Mr. Edgar's expenses to British Columbia, and other matters, which, if added together, would make up this deficit. If the Government had adopted a judicious course this deficit might have been avoided. As he stated last year, he did not charge the hon. the First Minister with having acted corruptly in the steel rail matter—he was unwilling to believe the statement of partizan papers that the rails had been imported through a firm in which his brother was then a partner. He did the hon. gentleman the justice to say that he had simply made a bad bargain without the previous sanction of Parliament. The result was a deplorable one, entailing a loss far above a million of dollars. Rails were scattered in various sections of the country, and nothing but disaster had arisen from this large expenditure of money. Responsible firms to-day were offering to supply best Bessemer steel rails for £6 10s. to £7 per ton, and guarantee them, which was a reduction at the rate of nearly £4 sterling on the price paid for this unfortunate purchase; and some steel rails had been sold as low as £5 5s. of first quality. The Government, not content with the purchase just referred to, has also taken from the contractor on the Georgian Bay Branch, at excessive prices, iron rails which were of various patterns and of short lengths; in fact, "job lots," as they were called, and the bargain was therefore doubly unsatisfactory. Why was this purchase made? What had the Government done with all these rails? Had they built substantial railroads? Had they

built that line to the far West which was to be a boon to future generations as well as of great advantage to the present? From all that we could learn, nothing was being done towards the actual construction of the Pacific Railway proper; the location of the line, after enormous expenditure for surveys, was still undetermined, and the choice of the terminus on the Pacific Coast would seem to be delayed and held up, either as a bribe or a menace, to the various interests of the Province which will be directly affected thereby. From Lake Superior westward to Winnipeg, there seemed to have been the same want of decision and hesitation in the policy of locating the line, and, while out of the 50,000 tons of rails purchased in 1874, but 2,200 tons, representing about 25 miles of road, had been laid in that district, a vast outlay had been made in the attempt to secure the navigation of the "magnificent water-stretches" which could not be completed for several years, and which the construction of the railway would render utterly useless, if it should not previously be found utterly impracticable. The hon. the Minister of Finance told the House that, when he went to London, he found a great deal of difficulty in placing the loan of November, 1876. No doubt any one not conversant with financial operations would find a great deal of difficulty. In 1874, the Finance Minister went to London for the first time to borrow money. He pointed out that the resources of Canada were unbounded and that its credit was good. But the money-lenders and bankers of London asked why then he had spoken so gloomily about the finances of Canada in his Budget speeches, and he found that those speeches had had a depressing effect upon his negotiation. The Finance Minister had to deal with a syndicate composed of leading men in the city, such as Glyn, Baring, and others, and all his financial arrangements had been affected by his gloomy predictions in our House of Commons. Thus it turned out that for the loan of 1876 the money was got at 91 nominally, but in reality it only netted 89½. If the loan had not been placed in the market *en bloc*, if people had been asked to subscribe to it gener-

ally, it would doubtless have brought a much better price, although the Finance Minister said it would be doubtful whether as much could be obtained by that method as the price obtained by him. The Finance Minister asserted in the Budget speech that the 30-year loan of 1874 was more valuable than the 30-year loan of 1876 because it would mature two and a half years sooner. This he (Mr. Domville) thought, was a fallacy. Investors in London wanted to get bonds which ran for a long time, if they had confidence in the security, only wanting regular payment of the interest. The London genuine investors had more money than they knew what to do with. Failing to get a large interest for a small period, they would take a smaller interest for a long period. They wished to get immediate employment for the money, and in the end the transaction was a paying one. In fact, they took loans up as an investment, and not as a speculation. The hon. the Finance Minister said there was so much difficulty in placing the debentures, that one large firm took \$1,000,000, or so, to themselves. In other words, the Finance Minister said he was not able to place the loan except through the agency of the gentlemen in the city who were really dealers in securities. In point of fact, the bonds were never legitimately sold or placed on the market. In 1876, when the Finance Minister went to make another loan, he had his last loan staring him in the face, and the firms he had dealt with before, told him that, if he placed the new loan on the market independently of their aid, it would depreciate the market price of all the four per cent. bonds. He had to raise the money, and he was therefore in the hands of the banking firms. The money which was to be received for the loan of 1876, the Finance Minister said, was deposited with these gentlemen at four per cent. interest for six months, and perhaps longer. The money they were to pay him for the bonds they placed in their books to the credit of Canada, at four per cent. interest, with six, eight and nine months to pay. It was evident that the parties taking these bonds would not have borrowed the

Mr. DOMVILLE.

money unless they could have employed it profitably. There was every reason to believe that large amounts of it were re-lent to people in Canada at enormous rates of interest. The loan, in fact, was opened upon the following terms, as per prospectus:—

“ COPY of Prospectus, extracted from the *Times*, London, England.

“ Dominion of Canada loan for £2,500,000 four per cent. sterling bonds or inscriptions. Messrs. Baring Brothers & Co., and Messrs. Glyn, Mills, Currie & Co., the Financial Agents in England of the Dominion of Canada, are authorized by the Minister of Finance of Canada to receive applications for a loan of £2,500,000 sterling bonds or inscriptions, bearing interest from the 1st November, 1876, at the rate of 4 per cent. per annum, payable half-yearly on 1st May and 1st November of each year, at the offices of the said Financial Agents in London.

“ This loan is issued under the authority of an Act of Parliament of the Dominion of Canada (39 Vic., chap. 1, sec. 4) passed during the last Session. The object of the loan is partly to provide for the payment of debt maturing or redeemable in the course of next year, and partly for expenditure on Public Works.

“ The principal of the loan now offered is to be repaid in London in 30 years. A cumulative Sinking Fund of not less than  $\frac{1}{2}$  per cent. per annum will be employed in the purchase of the bonds or stock of the Loan, at or below par; the Government reserving the right to invest the Sinking Fund in other securities, if the price of the Loan should be above par.

“ The price of the subscription is 91 per cent., payable as follows:—

5	per cent.	on application.
15	“	on allotment.
20	“	on 31st January, 1877.
20	“	on 27th March, 1877.
20	“	on 25th May, 1877, deducting the half-year's coupons due 1st May, 1877, less Income Tax.
11	“	on 25th July, 1877.

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91 per cent.”

Those who took the loan therefore were not obliged to pay for it in cash, but in instalments, without interest, running over a period of nearly nine months, meanwhile receiving the accruing interest on the bonds at the rate of four per cent. per annum as clear gain. The Finance Minister permitted the subscribers to the loan, who chose to do so, to pay the instalments in advance, less interest at the rate of three per cent., and left the money on deposit in London at four per cent.

interest. The subscribers for these bonds, owing to the glut of the money market in London, could easily borrow upon them at one per cent. or one and a half per cent. per annum, and thus they could make a double profit. The loan was in fact sold for  $89\frac{3}{8}$ , while the quotations for the four per cents. of 1874 were  $94\frac{1}{8}$ , and while peculiar advantages were enjoyed by the subscribers for it in the way of rebate of interest, and an unprecedentedly cheap money market. The Finance Minister however asserted that the quotations for the loan of 1874 could not be stated as a price for the new loan, which was for a large amount, while the price was fixed for the stock of 1874 upon small or retail sales; "and that it was a well known fact in London, and he would imagine ought to be equally well known in Canada, that there are many stocks which a peremptory order to buy or sell even the small amount of £50,000 or £100,000 sterling would have sent the price up or down from one to two per cent. as the case may be." And this was his reason for not submitting the loan to public competition and for putting it into the hands of a syndicate; and he said also:

"As an appropriate illustration of the correctness of this view, I may state that one of the most important Australian colonies had occasion some time ago to negotiate a loan of £1,500,000. That loan was offered to the market by tender, with a sealed minimum. The tenders at or above the minimum only amounted to some £300,000. The minimum was then disclosed and tenders again invited, but only another £300,000 or £400,000 could be obtained. After many efforts to float it, the loan was finally withdrawn and the balance was taken up by the Australian banks, or private arrangements best known to themselves. I need not say that our case was directly opposite to this."

This might be an appropriate illustration of transactions of previous years, but we had a more appropriate illustrations of the correctness of an opposite view in the following extract taken from the London *Colonies*, a well known newspaper, dated February 17th, 1877:—

"The tenders for the South Australian Government four per cent. loan for £500,000 sterling were opened at the National Bank of Australia, London, on the 13th instant. There were 209 tenders amounting to £2,967,300 at prices ranging from  $96\frac{1}{8}$  10s. to £100. The average price for the £500,000

allotted is  $97\frac{1}{8}$  10s. to £100. Tenders at  $97\frac{1}{8}$  9s. and above, amounting to £483,500, are allotted in full, while those at  $97\frac{1}{8}$  8s. 6d. will receive about 53 per cent. of the amount applied for."

The point illustrated, therefore, was this. When this loan was asked for there were tenders for nearly six times the amount, so that instead of being sold at 91, as our loan was, with the deductions and allowances that he had stated, these bonds were placed openly in the market and there were tenders to six times the amount, the minimum tender being at  $96\frac{1}{8}$  10s. per £100. The Australian debentures of a similar kind were quoted in the open market at  $97\frac{1}{8}$  for a single debenture, while the whole new loan was awarded at  $97\frac{1}{8}$  and over; thus showing the fallacy of the Finance Minister's argument that the retail price of bonds could not be obtained for those offered at "wholesale" as he termed it, and the deduction ought to be drawn that the Finance Minister had improperly placed our loan. Instead of being thrown open to public competition our loan was given at a fixed price, practically below 90. The Finance Minister said it was with great difficulty that he could sell the large amount we asked for in London, that market not being prepared for it. He had given us quotations of loans of foreign States of various characters. Among them even Chilian bonds in order to justify his position. The fact remained incontrovertible that, while our 4 per cents. of 1874 were selling at  $94\frac{1}{8}$  at retail the Finance Minister sold those of 1876 at less than 90 by wholesale, and while the Australian 4 per cents. were selling at  $97\frac{1}{8}$  at retail the 4 per cent loan of that country was placed by open competition at  $97\frac{1}{8}$  at wholesale and was now selling at retail at  $98\frac{1}{8}$  to  $98\frac{3}{8}$  and over. Free trade was, no doubt, very desirable in theory, "but commerce, to be really free, must be free in all its branches. That enactment is but a deliberate injustice which sets only one class of producers free, and holds back the rest by a system of restrictions. If the English farmer be made to stand on a commercial equality with the Pole and the Russian he ought to be compensated by free access to all the products of the known world; whatever he can gain by free trade is the return made to

him for his otherwise reduced profits." It would be a glorious country if they could get along without the Government, without the Custom-house officers, without the tax-collectors, the doctor, or the lawyer, and if each one could deal with his neighbour without the intervention of the middleman. He would not join with any hon. member in this House in putting \$2 or \$3 a ton on coal, whether he supported the right hon. member for Kingston or the hon. member for Lambton. He did not believe such a duty would be for the benefit either of the country or the coal interest. But, if a moderate duty would be of benefit to the country by allowing the people of the Upper Provinces to send their cereals down to the Lower Provinces he might vote for that which would be an encouragement to inter-provincial trade, and an interchange of products was what built up a people. If they had to go to Glasgow for their ships or to California for their flour, the country would come to nothing. If they followed out the Free-trader's theory, they would not produce anything, because other places could perhaps produce to more advantage—though he denied that they could get better ships built in Glasgow than in Canada. They were to sit down and do nothing but watch their neighbours, and say: "Better times will come; we are Free-traders; we do not believe in protecting anything; it will all come right." It would all come right with a vengeance, as in the year in which people left New Brunswick for the United States because they found the mines and manufactures and industries of that country built up and flourishing because they had been protected, because there were 40 millions of people to interchange trade with one another; and they had not to look outside for very much because they always had a home market. A man in Massachusetts made the article of bobbins, for example, and could sell it to some one in another State because there was no barrier to keep it out. But the Lower Provinces had a barrier to keep them out. They could not send to the United States or to Canada. They had no medium of trade, no freighters, no means of sending their goods out cheap

Mr. DOMVILLE.

because there was a want of intercourse between the various Provinces of the Dominion. Free trade might be a very good theory, but they wanted something more practical; they wanted a bread and butter policy. A "fly on the wheel" was not motive power enough for them. They could not drive a steam-engine by it. Was it not a crying shame that coal should exist in the Province of Nova Scotia, with iron, limestone and fire-clay in close proximity, and yet that they should have to import their iron from abroad, besides clay and everything else. He had a few statistics on paper. At the end of the fiscal year 1875, the imports exceeded the exports by \$45,000,000. Allowing something for new shipping, they might assume the balance to be \$35,000,000 of excess of imports. Free trade could not be a very great boon when under its working they had to import so much more than they sent away, and he thought it was the duty of the Government to advocate a policy that would build up our Canadian mills and manufactories, and give us a larger population, that would keep our young men in Canada and enhance the value of our farms by giving a larger population to consume the products of the farm, and larger local markets. Let them induce capitalists to invest in Canada by a reasonable policy of protection—not a Chinese wall. We had the natural facilities, and it was only reasonable that we should use them in making some portion of what Canada now imported. Why should we have a large balance against us every year when a proper policy would prevent it? England sought free trade because she monopolized the markets of the world, and her capacity was beyond her requirements. Now, the case was changed, and we saw one of her leading steel makers opening a manufacture in the United States in order to benefit by its protection. France, whose policy was one of extreme protection, recuperated rapidly after the late disastrous war. Could she have done so under a free-trade system? In 1875, Canada imported ten millions of dollars worth of cotton manufactures; what a population it would have required to produce this large amount, and what a vast amount

of farm produce the operators and their families would have consumed in our own country. There was another difficulty in regard to our finances and our position. It was in the Budget statement, showing an alarming falling off in trade and increase in expenditure. He did not see how any one could go to England to borrow money with that Budget staring him in the face. The speech of the Finance Minister, emanating from such an important personage, permeated the country, and did an incalculable amount of harm. In 1875, the people of the Dominion imported 189,945 tons of iron, while the coal and the iron were here on the spot, but they could not get it mined because they had no market. The Americans smuggled across the border, and the Canadians could not compete, because the United States had been passing through years of disaster. The merchants could not pay their indebtedness at home, and so they did not care, provided they could realize on their stock. If only this \$10,300,000 worth of iron had been made in the country, it would have meant \$1,000,000 worth of labour and 150,000 tons of coal, and to have placed the iron in position, and to produce hollow-ware and machinery, &c., they would have doubled or trebled the quantity of coal produced; then Nova Scotia would not have been asking for protection, because she would have had a home market for her coal. He thought it was a fallacy, talking about sending coal to Manitoba or very far west, they might as well talk about sending it to British Columbia. They wanted to consume it as best they could; could they send it to Canada? No. What were they to do with it? Burn it. What for? To make iron. The duty should be placed on iron instead of coal, so that the labour and capital would be used to make the iron and mine the coal, and so that the people in Upper Canada and elsewhere could send their flour and other produce in exchange. That was trade. They would have steamers and sailing ships built to carry on the trade. Then the product of coal and iron would go to other countries, perchance to the West Indies and South America. There was \$60,000,000 worth of goods exported from the United States to South

America and the West Indies yearly. Why did they not go from us, or a part of them? It was not by subsidizing a steamer that they would open up that trade; it must be done by merchants who understood what was best for their interests, who were the pioneers of trade, and who, knowing what was best for them, could obtain the desired end. How did the Americans work up this West India trade? They started originally the trade from New Haven with a vessel of two or three hundred tons burthen, they picked up lard, flour, rocking chairs, fish, horses, hay, &c., in fact an assorted cargo of Yankee notions, so they loaded their vessel and ran down to the tropics and sold their goods. Then they loaded with molasses, sugar, and rum, because the ship had to come back. If, by any chance, she lost nine or ten thousand dollars in her outward cargo, coming home she made fifteen thousand dollars, or a profit of five or six thousand dollars. Instead of confining their business to one island, they went to a number of others, Jamaica, Santa Cruz and so on, and added more vessels to their fleet until there was no one that could compete against them, and thus became rich and held the trade to-day. It was not by sending an emissary that this could be accomplished. He remembered when the Canadian Government sent Commissioners in 1866 to the West Indies, they offered many inducements, but the merchants said: "We are willing to trade with you if you can compete." Thus they brought in the free-trade doctrine of buying from the cheapest place. Hon. gentlemen said that protection had killed the ship-building industries in the United States, but it was the war, not protection. All they had to do was to use such materials as the country afforded them, and let the Government allow a drawback for that portion of the ship for which they were indebted to their neighbours. It came back to the question of a policy which would enable them to trade with their neighbours. A few points as to the West India trade. He wanted to show how the want of a fostering care from the State might divert the channels of trade

and injure the mercantile community. In 1875, the imports of sugars into Canada were over 54,400 tons, in round numbers; whilst in 1876 they amounted to 50,700. Of that entered for consumption in 1875, about 22,200 tons came from Great Britain, 19,400 tons from the West Indies, and 13,000 tons from the United States. In 1876, it was quite reversed, inasmuch as 23,800 tons came from Great Britain, 19,300 tons from the United States, and 7,600 tons from the West Indies. Thus the West India direct trade fell off by some 14,600 tons, and Great Britain sent us 10,800 tons more, and the trade from the United States remained about stationary. In other words, the trade was diverted from the West Indies to Great Britain. Scotch sugar was made in Liverpool and Scotland, and contained 50, 60 and 65 per cent. of saccharine matter. It was a very pretty sugar to look at. The West India sugar was nearly doubly as sweet, but vessels which went to the West Indies from St. John, New Brunswick, with fish or lumber, had nothing to bring back, because we had no market for the sugars made there. They might continue their voyage to Boston or Baltimore with a load of sweets for the fineries, and then return in ballast to the Lower Provinces for another outward cargo to the West Indies. He proposed now to show that it was the mode in which the duty was levied which had caused the diversion of our sugar trade from the West Indies to Scotland and England. The *ad valorem* duty acted thus: If he wished to order a cargo of sugar at Porto Rico, he would have to pay duty on a value at port of shipment of 5¼c. to 5½c. per pound, viz., 1c. per pound, and 25 per cent. *ad valorem*; then he had to pay for the export duty, the labour, the cartage, the cooperage, and every possible expense that could be placed on the invoice, except the commission. That might amount to a duty of 2¼c. to 2½c. a pound, whilst the importer from the United States would only perhaps have to pay duty on a valuation of 5c. to 5¼c., in consequence of having purchased his supply in a market where values were depreciated from internal or other causes. Thus it became so uncertain what the direct importer

would have to compete with in regard to duties to be paid that he avoided the direct West Indies, which had so often placed him at a disadvantage with his neighbours. The result was that people would not import direct; they got their sugar from the United States or Great Britain, in consequence of the *ad valorem* duty. This discouraged the great direct import trade. As an illustration of the sugar duties, the following figures drawn from the past year's business clearly demonstrated how unfairly the *ad valorem* duty bore on the West India trade:—

SUGARS.—Duty paid from 1st January to 31st December, 1875. Equal to and above No. 13. Duty 1c. and 25 per cent. *ad valorem*. Totals, 56,992,542 lb., or 26,496 tons.

Value,	\$2,660,904.	Duty,	\$1,195,150.30.
		Specific.....	\$529,925 00
		Ad valorem.....	665,230 30
			<hr/>
			\$1,195,155 30
Value for duty,	\$5.02 =	\$2.25 duty.	

From Great Britain.—19,048,010 lb., or 9,527 tons. Value, \$927,715.

Duty, specific.....	\$190,480 10
Ad valorem.....	231,928 99

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Value for duty, \$4.80 = \$2.20 duty.

From United States.—24,053,046 lb., or 12,026 tons. Value, \$1,301,887.

Duty, specific.....	\$240,530 46
Ad valorem.....	325,471 40

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Value for duty, \$5.40 = \$2.60 duty.

From other ports, principally British and Foreign West Indies.—9,891,486 lb., or 4,925 tons. Value, \$440,307.

Duty, specific.....	\$ 98,914 86
Ad valorem.....	107,824 61

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Value for duty, \$4.45 = \$2.11 duty.

SUGARS, 1875.—Equal to 9 and not above 13. Duty, ¾ of a cent and 25 per cent. *ad valorem*. Totals, 19,672,768 lb., or 9,836 tons. Value, \$768,918.

Duty, specific.....	\$147,553 07
Ad valorem.....	192,224 00

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Value for duty, \$3.90 = \$1.72 duty.

Mostly from foreign countries, say—

United States (value)..	\$133,968 65
West Indies.....	184,471 29
Great Britain.....	11,337 13

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Above No. 9 and under 13. Totals, 17,557,790 lb. Value, \$550,020. Duty \$225,294.74. At reduced rate of duty, 25 per cent. and  $\frac{1}{2}$  a cent, from 11th April, 1875, say 8,777 tons, add 9,836 tons, total 18,613 tons.

Value for 1875, \$4.50; total tons, 54,975, something under 2c. per pound.

Value.	Quantity. Lb.	Duty.
\$4,368,690	89,356,257	\$1,975,736 06
438,228	11,214,155	193,667 42
72,441	1,850,957	27,365 50
<hr/>	<hr/>	<hr/>
\$4,879,359	101,421,369	\$2,196,768 98

1876 50,715 tons.

Value.	Quantity. Lb.	Duty.
	54,475 tons.	
\$4,916,279	108,950,179	\$2,172,490 97
+36,920	or +4,200 tons.	—\$24,278 01

Value for 1875, \$4.50 per 100 lb., duty under 2-12c. per pound.

Value for 1876, \$4.80 per 100 lb., duty 2-20c.

	From G't Britain. Tons.	From United States. Tons.	From W. Indies. Tons.
1876...	23,800	19,300	7,600
1875...	13,000	19,200	22,200
	<hr/>	<hr/>	<hr/>
	+10,800	+100	—14,600

Moreover, the present system discouraged direct trade with the West Indies. If the Government placed a duty on the lower grades of sugar, and placed white at a higher rate of duty, there would be some chance for this interest to revive. The tariff might be so arranged that the ordinary grades would pay sufficient duty to meet the demands of the revenue. But it would also have the effect of bringing the sugar straight to this country, instead of its going first to the United States or Great Britain to be refined. There was also another point. A great leakage occurred in the cargo during the voyage from the West Indies—from five to eight per cent., according to the place at which it was shipped. The duty had to be paid not only on the sugar itself but on that leakage, which was scarcely a fair arrangement. The hon. member for Brant referred in his speech the other night to the duty put on pig iron by the Government. But what was found on the schedule? When the hon. the Minister of Finance proposed to free shipping materials, anchors were left out, but pig iron was

put in their place. He came now to the question whether the proposed tariff would produce any more than, or as much revenue as, the present. He believed that it would produce less revenue. One effect would be that cigars would not be so largely made in Canada, because the tariff acted against the manufacturer. He believed that, when the Government met the House again, the deficit would be greater than the past year. The importations were nothing like what they used to be. Our steamers were returning only half loaded, and there was no prospect of early improvement. It was claimed that the farmers would suffer under a protective tariff. Now, if there was a re-adjustment of the tariff, if all branches of industry were enabled to produce and sell to the people that which they required the farmers must be benefitted to a certain extent. Although they might be taxed a little more, yet they would be enabled to take that which the manufacturers produced in exchange for what they grew, and the whole country would be benefitted. At present the whole Dominion was paralysed. Every one was at his wits' end, and there was no hope of improvement. Not one word of encouragement had dropped from the Government. They might go to their constituents and declare that the occupants of the Treasury benches were the right men to guide the destinies of the nation. But what would the people of his Province say? The first question would be, "What about the Intercolonial Railway?" Talk about economy and retrenchment. All along the line there was evidence of the reverse of those principles. They found here and there one station-master and two others to teach him his duty. There was an immense expenditure all round; fine houses had been put up and the locomotives were running into each other and smashing up. He would like to be able to return to his constituents and state that the policy of the Government was a wise one, but he could not do it. Their policy was directly opposed to the interests of the country. Reference had been made by an hon. member to the testimony taken before the Fraser, Reynolds & Co. Committee two years

ago. He felt bound to say that the action of the majority of that Committee reflected no credit upon themselves; it spoke for itself. Fair play as English speaking people would seem to dictate that we should do as we would be done by. For any wrong committed, the guilty parties should have been made to suffer the due penalty, but it was not right to endeavour, as the majority of the Committee had done, to make the case worse than it really was. He thought the House would say that in his remarks he had made no implication and cast no slurs on hon. members. If he had desired to adopt such a course he had affidavits in his pocket which he might have read in reply to the hon. member who had charged the Opposition with every kind of rascality and villany possible. It was not right that because they were in the minority that such reckless imputations as had formed the staple of many speeches of hon. members on the Government benches should be made. He hoped that hon. members would refrain in future from using such harsh terms, which only created bad feelings on both sides of the House, and led to scenes of confusion and disorder that should be deprecated and avoided. In view of all the points of the case, he should feel constrained to cast his vote on the amendment under discussion with the Opposition.

Mr. THOMSON (Welland) said he regretted to see so much of the time of this House taken up with sugar discussions; it was making a shop of Parliament; and, if absolute free trade and direct taxation existed, we would hear no more of such subjects here. He objected to the mercantile system as too cramped for the development of the productive interests of the country. The mercantile system was vicious, it made credit the rule and cash the exception; and should be overcome by a Dominion currency and direct taxation. The last loan made by the Finance Minister in England was made on scientific and proper principles, and was a successful loan; but, if we had an expansive national system of currency, emanating from the Government in this country, we should not need to borrow money at all abroad. In some respects the two

Mr. DOMVILLE.

parties in this House were much alike in their manner of dealing with the business of the country. However, he belonged to the Ministerial side, and was going to continue loyal to the Reform Party as the best. The great prairie basin of the North-West would be the centre of power and population. If Vancouver Island was made a free port, if the Government constructed the railway over the mountains at a cost of thirty-five millions, then our Pacific city would have a very large population within ten or twenty years, for, the Rocky Mountain section constructed from the prairies to the Pacific, private enterprise would soon cover the prairies from Manitoba to the foot of the mountains with several lines of railway, on the basis of land grants, without calling upon the Government for any money, and in twenty years there would be five millions of a population on those magnificent prairies. Canada, to hold her position alongside of the United States, must out-Herod Herod in activity, in progress and liberality, and boldness in legislation. He (Mr. Thomson) did not think the speeches of members ever reached the public through the press, the reporting was too limited. He thought the Ministers were too exclusive with their supporters, which took away that interest in Parliament which, otherwise, private members would enjoy. As to protection, as advocated by the Opposition, he considered it already as discounted by the people and dead; he, therefore, intended to continue his support to the Government and to free trade.

Mr. WRIGHT (Pontiac) said, as hon. members generally had taken part in the discussion, he thought he might be excused for expressing his opinion. The impression seemed to be—at least, it was outside the House—that they were discussing a question with respect to the relative merits of free trade and protection. Now, he had come to the conclusion that it was hardly such. As he understood the position taken by the hon. the Minister of Finance, we were, for a time, and for a time only, in temporary difficulties, and to over-tide and pass over that and to increase our revenue the hon. the Minister proposed the temporary

remedy of levying increased duties upon the articles which had been mentioned in his Budget speech. The Opposition said this could be done much better in a different manner. The Opposition did not particularize. It was the function of the hon. the Finance Minister, when he proposed to arrange the tariff, to give all the details as to how he proposed to raise the additional funds. The Opposition had nothing to do beyond laying down general principles, and they had done that. We were in a state of commercial depression; not only every industry, but every man felt it more or less. The Government said they were not able by legislation in any way to alleviate it. The Opposition on their side, without going into matters of detail, thought that it was possible to so rearrange and re-adjust the tariff as would both meet the requirements of revenue and at the same time tend to alleviate in some degree the general depression. The Opposition had not the information that would enable them to re-adjust the tariff, nor could they come down with the items or details of a fiscal policy; but they affirmed certain principles which he hoped they would go to the country upon; and, if they changed sides and occupied the Treasury benches, he believed they would carry out the principles which they had advocated while in Opposition, whether condemned for doing so or not. It had been stated that this policy was not agreed to in the Province of Quebec, but his belief was that the assumption was incorrect. He had no hesitation in saying that the Province of Quebec was in favour of the policy of Her Majesty's loyal Opposition, and not of the policy of the Government of the day. Coming to the Ottawa district and lumbering community, although he was not actually connected or interested in the trade itself, he thought he should say a few words with respect to the peculiarities of that particular business. The proposition which he ventured to submit to the House and the country, although it might not prove that protection would be a good thing for that particular interest of the Dominion, would show what protection had done with respect to the

United States. No one would dispute that our neighbours across the lines understood their business, and that during the last ten or fifteen years, in face of a great war and difficulties that would tend to destroy a nation, the United States had become prosperous, and the indications were that within ten or twenty years no nation of the civilized world had so far proceeded in the march of general prosperity. That had been accomplished under a system of protection. He asked free-trade advocates opposite if they could show a historical instance of a people, who formed themselves into a nation and became commercially prosperous, commencing on free-trade principles. He appealed to the collective wisdom of the country whether the four millions of people in Canada—and he was proud of being a Canadian, and thought everything that was possible to be done by man could be done by Canadians—with all their mental and physical superiority could commence where all the nations of the world had left off.

Mr. THOMSON (Welland): Yes.

Mr. WRIGHT said that was an utter impossibility. The immediate vicinity of the city of Ottawa was one of the centres of the lumber trade, including both square and sawn lumber, in which a large capital was invested. The manufacturers paid \$2 per thousand feet upon short lumber entering the United States. The result of that imposition was that four of our largest establishments—Messrs. Ritson, J. R. Cook, Eddy and McLaren—had transferred their business from Ottawa to Whitehall and Burlington, taking the Canadian timber to those points and there manufacturing it. Following the general principle of the United States, they manufactured the lumber and paid a duty of \$2 per thousand feet, and then they were entitled to a drawback of \$2 per thousand feet on sending our lumber back to Canada. The hon. member for North Norfolk (Mr. Charlton), who was the champion exponent of free-trade doctrines, was engaged in the lumber trade on the shores of Lake Erie; he was, however, not a manufacturer, but an exporter of the raw material to American manufacturers on the

other side of the Lakes, and therefore he, of course, wanted to run off as much of our raw material as possible. Some time ago there was a duty imposed by Canada of \$2 on each log exported. The hon. member for North Norfolk being a somewhat influential supporter of, at that time, an unreasonably strong Government, coolly proposed, in order to float his oak logs and staves from Norfolk to the other side of the river, to remove the duty and thus punish Canadian manufacturers. The consequence of the adoption of such a proposal would have been that, instead of the logs being sawn at Ottawa, the logs would have been taken to the United States and there manufactured. The matter was, however, compromised. That hon. member afterwards became a Free-trader, because he wanted to bring American lumber to Quebec to compete with that manufactured in Canada. The Dominion was only in its infancy in regard to manufactures. If by adopting the free-trade policy of the Government we would only encourage not exotics, but such articles as could be legitimately produced by the country, was there any article which was native to the soil or in which we had a better chance of competing with the world more than in manufactured lumber? There was no article which could be manufactured in Canada better than lumber, yet the manufacture was in the infancy. We did not manufacture lumber, though everything made of wood should be manufactured in the Ottawa Valley, and the people should not only obtain the value of the raw material, but also the profits from its manufacture. He believed the present policy of the Government was entirely erroneous. The hon. member for Arthabaska (Mr. Laurier) had taken exception to the action of the hon. member for Stanstead (Mr. Colby) with regard to the reduction of the duty on petroleum. They of the Opposition declared that, while they were Protectionists they did not require over-protection. That was a great mistake, and the Government was false to its political principles when they allowed what was not protection or free trade but simply a monopoly.

Mr. WRIGHT.

Mr. BROUSE moved the adjournment of the debate.

Motion to adjourn debate *agreed to.*

House adjourned at  
Ten minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

*Friday 23rd March, 1877.*

The Speaker took the chair at Three o'clock.

### MARTHA JEMIMA HAWKSHAW HOLIWELL DIVORCE BILL.

FIRST READING.

Mr CAMERON moved :

“ That Bill (No. 93) (from the Senate) For the Relief of Martha Jemima Hawkshaw Holiwell be now read the first time.”

Question *put* and motion *agreed to* on the following Division :—

YEAS :  
Messieurs

Archibald	Kirk
Aylmer	Kirkpatrick
Bain	Little
Bertram	Macdonald (Kingston)
Biggar	Macdonald (Centre Toronto)
Blackburn	McDougall (S. Renfrew)
Blain	MacKay (Cape Breton)
Blake	McKay (Colchester)
Borden	Mackenzie
Bowell	Macmillan
Bowman	McCallum
Brouse	McCarthy
Brown	McCraney
Buell	McGregor
Burk	McLeod
Burpee (St. John)	McNab
Burpee (Sunbury)	McQuade
Cameron	Metcalfe
Campbell	Mills
Carmichael	Mitchell
Cartwright	Moffat
Casey	Monteith
Charlton	Oliver
Christie	Palmer
Church	Paterson
Cockburn	Pettes
Cook	Platt
Davies	Plumb
Dawson	Pope (Queens, P. E. I.)
DeCosmos	Robinson
Dewdney	Rochester
Dymond	Ross (East Durham)
Ferris	Ross (W. Middlesex)
Fleming	Ross (Prince Edward)
Fraser	Schultz
Galbraith	Scrivner
Gibbs (North Ontario)	Sinclair
Gibbs (South Ontario)	Smith (Westmoreland)
Gibson	Thompson (Haldimand)
Gillies	Trow
Gillmor	

Goudge	Tupper
Guthrie	Vail
Haggart	Wallace (Albert)
Hall	White (N. Renfrew)
Horton	Workman
Kerr	Young.—94.
Killam	

NAYS:  
Messieurs

Baby	Harwood
Bannatyne	Holton
Barthe	Hurteau
Béchar	Jetté
Benoit	Jones (Halifax)
Bernier	Jones (S. Leeds)
Blanchet	Lajoie
Bolduc	Lanthier
Brooks	Laurier
Caron	Macdonald (Cornwall)
Casgrain	McDonald (Cape Breton)
Cauchon	McDougall (Three Riv.)
Cheval	McIntyre
Cimon	McIsaac
Colby	Masson
Costigan	Montplaisir
Coupa!	Mousseau
Outhbert	Pinsonneault
Daoust	Pope (Compton)
Delorme	Pouliot
Desjardins	Richard
De St. Georges	Robillard
Fiset	Robitaille
Flynn	Short
Fréchette	St. Jean
Gaudet	Taschereau
Gill	Thibaudeau.—54.

striking of the Committee after the first reading for the present, and a special rule might be made at the commencement of the next Session.

Mr. HOLTON said that it was disclosed in the previous discussion that a motion had to be made to bring the Bill reported back to the Orders. He thought it would be more convenient to follow the ordinary practice in regard to Private Bills.

Sir JOHN A. MACDONALD said he thought it would be well to make a special rule, as suggested by the hon. the Minister of Justice.

Mr. PALMER said he was in favour of adhering to the regular practice. It was the ordinary rule that the principle of a Bill was affirmed upon the second reading.

Mr. HOLTON said Private Bills were not affirmed until they came back from Committee.

Mr. PALMER said, if that was the case, it made little difference whether the Bills went after the first or second reading.

Mr. SPEAKER said, according to May, the second reading affirmed the principle conditionally.

Mr. KIRKPATRICK said it would be inconvenient to adopt a different practice every day. It was decided on Monday that the reference should be after the first reading, and it would be better to adhere to that practice now.

Mr. HOLTON said the hon. member for North Victoria (Mr. Cameron) could not get his Bill back on the Orders without giving two days' notice, which might take three weeks to reach. So convinced was he as to the correctness of the procedure he had recommended, that he would be much inclined to insist on that notice being given, in order to bring the Bill back on the Orders.

Mr. CAMERON said this was purely a question of practice, which ought to be settled uniformly. He would move that the Bill be read the second time on Monday.

Motion agreed to on the same division.

Mr. CAMERON moved that the Bill be referred to a Select Committee.

Mr. SPEAKER said he thought the understanding was that the House should adhere to the rule relating to Private Bills, and that the reference should be after the second reading.

Sir JOHN A. MACDONALD said his opinion was that the wish of the House was that such Bills should be referred after the first reading.

Mr. HOLTON said the matter was up for discussion the other day. It was found that the practice of referring after the first reading arose when the rules required the reference of all Private Bills after the first reading. He thought those Bills were especially of the nature of Private Bills and ought to follow the ordinary course.

Mr. BLAKE said the impression of the House seemed to be, that the House should not depart from the customary practice. His own opinion was that Divorce Bills were of an exceptional nature, and ought to be referred to Select Committees. It might be as well to continue the

POSTMASTER AT LITTLE  
NARROWS.

EXPLANATIONS.

Mr. CAMPBELL said he rose to a question of privilege. He had had occasion to complain of an injustice done to one of his constituents by the Government, who had removed him from the office of postmaster for political reasons. He had reason to believe that this gentleman had told him the truth, as he was a very respectable person; but, to his own great surprise, up jumped the Postmaster-General and stated that no such man had ever been in office under the Government. Mr. Speaker then requested him to withdraw his motion, and he had been laughed at by the House. He had been non plussed, but he did not imagine for a moment that a man holding such a high position as the Postmaster-General would come before the House and before the country and make such a bold statement unless supported therein by the facts. After submitting to this painful operation, he had gone to the Post Office Department, and he had not been there five minutes when he discovered, to his surprise, that such an officer had been appointed, and that such a post-office was in existence. He obtained the papers and waited for some time in the expectation that the Postmaster-General would not think it beneath his dignity to make the *amende honorable*, and say he had been mistaken, relieving himself of the responsibility and odium which had been thrown upon him. In the papers he found a petition from the inhabitants of the south side of Little Narrows, asking for the establishment of a way officer among them, and recommending this very postmaster for the appointment. There was also a letter from a then member of the Government, Hon. Wm. Ross, which he would read. It was as follows:—

“OTTAWA, 20th April, 1874.

“DEAR SIR,—I enclose petition for Way Office, South Side, Little Crossing, Victoria county—Malcolm Matheson to be Way Office Keeper. This office was promised by me, and I hope will be granted; line is already

Mr. CAMERON.

established, and postman passes tri-weekly on the road where office is required.

“Yours truly,

(Signed) “W. Ross.

“The Honourable

“The Postmaster-General.”

“MEMORANDUM.—Some time ago I recommended Malcolm Matheson to be Way-office keeper, South Side, Little Narrows, Victoria, Cape Breton, and afterwards desired it to be laid over for further information. Since then I am satisfied that the office is wanted, and that therefore I would recommend the appointment to be made, to be called Matheson's Way Office, if none other by that name.

(Signed) “W. Ross.”

There was also a letter from Mr. Woodgate, Post Office Inspector at Halifax, dated in July, as follows:—

“POST OFFICE INSPECTOR'S OFFICE,  
“HALIFAX, 27th July, 1874.

“SIR,—I beg to enclose a communication from the Hon. W. Ross, Minister of Militia, asking that the Way Office at South Side, Little Narrows, established at Malcolm Matheson's under your authority, No. 725, of the 25th of April last, may be transferred to John Matheson, the appointment of the former person having been made by mistake. I have informed Mr. Ross that the matter would be submitted to your decision.

“I have the honour to be, Sir,

“Your obedient servant,

(Signed) “A. WOODGATE.

“The Honourable

“The Postmaster-General,  
“Ottawa.”

On this letter was entered the following memorandum:—

(“No. 670.)

“Instruct Inspector to place this Way Office in charge of John Matheson, and explain to Mr. Malcolm Matheson that his name was inserted in the appointment by mistake, and that the P. M. G. hopes that the error has not caused him inconvenience.

(Signed) “W. H. G.

“31st July.”

Another letter had been written by Mr. Ross, when down to buy cattle and find out who had voted for and against him. He was informed that a neighbour had told Mr. Ross that this man, Malcolm Matheson, had voted against him. Thereupon, Mr. Ross wrote the following letter:—

“NORTH SYDNEY, July 17, 1874.

“A. Woodgate, Esq.

“DEAR SIR,—Some mistake was made by me in appointing Malcolm Matheson, way-office keeper, Little Narrows. I thought

that there was two places to be provided for, but now I find that John Matheson and Malcolm are for the same place. Please have Malcolm's appointment cancelled, and John Matheson's confirmed. Telegraph Elmsley not to make any mails up for Malcolm Matheson. When I go to Ottawa, I will then see what will be done to abolish Malcolm's appointment; unless you can at once deal with the case there. I heard at Baddeck that there was to be some new arrangement between there and New Campbellton, giving them two mails each week direct. I heard nothing of this, or any change up to the time of my leaving. If any changes are in process, please inform me what they are; but, in the meantime, confirm John Matheson's appointment.

"Yours truly,

(Signed) "W. Ross."

Mr. MACKENZIE said he rose to a question of order. It was utterly impossible to consider this a question of privilege. The hon. gentleman was taking up the whole time of the House.

Mr. SPEAKER said he had presumed that the hon. gentleman wished to make a brief personal explanation. This was not, however, a question of privilege.

Mr. BOWELL said that the hon. gentleman had accomplished the object he had in view. The hon. gentleman had moved for papers which the Postmaster-General said were not in existence.

Some HON. GENTLEMEN: No, no.

Mr. BOWELL said he begged hon. gentlemen's pardon. The hon. gentleman had gone to the Department and obtained the papers, which he had read to the House.

Mr. SPEAKER: The hon. gentleman has not correctly stated the case. The Postmaster-General did not say that there was no correspondence.

Mr. BOWELL said he had not said so; but the hon. gentleman stated he had asked for papers which the Postmaster-General had said were not in existence.

Mr. CAMPBELL said he had stated that the Postmaster-General said that there were no such papers.

Mr. HUNTINGTON said he dared say the pleasure of proving that the Postmaster-General had risen in his place deliberately and stated a falsehood was delightful to hon. gentlemen

opposite. He had informed the hon. gentlemen in the most courteous terms, that there was no such postmaster; and he had politely asked the hon. gentleman to come to his office next day in order that the hon. gentleman's misapprehension might be removed. The hon. gentleman came to the Department and got his information, and he had brought down the necessary papers. The hon. gentleman now charged him with falsehood, but he would inform the House that, when the hon. gentleman brought the matter fairly before the House, he was prepared to vindicate the case on its merits. He had told the hon. gentleman the exact truth, and he had treated the hon. gentleman as he was bound to treat every member of Parliament—courteously; but he was not bound to continue that treatment to the hon. gentleman, whether he knew how to reciprocate it or not.

Mr. MITCHELL said he only wanted to say one word on the subject.

Some HON. GENTLEMEN: Order.

Mr. SPEAKER said the hon. gentleman was out of order. It was never permitted to other hon. gentlemen to interpose on such a subject.

Mr. MITCHELL said that perhaps the Speaker was a little out of order himself in prejudging what he was about to utter. He had only wished to say that his old friend from Victoria, an honest and independent representative, as everybody knew, was difficult of hearing, and that the hon. gentleman often misunderstood what was stated in the House. The hon. gentleman consequently could not place himself as clearly before the House as his real talent and ability, under other circumstances, would permit. He would tell hon. gentlemen opposite that they woke up the wrong passenger when they attempted to compel him to refrain from speaking.

Mr. SPEAKER said the hon. member from Northumberland was entirely mistaken. It was highly improper for that hon. gentleman to interpose under such circumstances. As to the hon. gentleman from Victoria, he had extended to him (Mr. Campbell) the utmost possible latitude in consequence of the hon. gentleman's infirmity.

## THE DUTY ON MALT.

## QUESTION.

Mr. ROCHESTER asked when instructions had been issued from the Inland Revenue Department, placing the additional duty on malt. He had put this question a week or two ago.

Mr. LAFLAMME said the duty went into effect the very day when the resolutions were proposed to the House.

Mr. ROCHESTER said the reason he had enquired was that he knew instructions were sent from the Department dating the duty back to the 15th of February, instead of the 20th.

Mr. LAFLAMME said a letter had been received from the hon. gentleman with respect to some matter of this description.

Mr. ROCHESTER said he had written no such letter to the Department.

Mr. LAFLAMME said that the hon. gentleman's name was attached to such a letter received by the Department.

## WAYS AND MEANS—CONCURRENCE—THE TARIFF.

## ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright for the second reading of Resolution 1, reported from the Committee of Ways and Means, the motion of Sir John A. Macdonald in amendment thereto, and the motion of Mr. Orton in amendment to the said proposed amendment, *read*.

Mr. BROUSE said the county he represented being deeply interested in this question, he felt it his duty to make a few remarks. When the question of protection was before the House last Session he felt it his duty to vote for the motion of the hon. member for West Montreal, where he declared it to be the duty of the Government to support the manufacturing interests of the country. During the present debate, he had listened very attentively to see if he could ascertain any reason for supporting the motion now made. When the substantive motion of the hon. member for Hamilton (Mr. Wood), was brought before the House, he felt it his duty to record his

Mr. SPEAKER.

vote in favour of the principle of protection to our infant manufactures, under the circumstances in which they were placed. He would here premise by saying that in the abstract he favoured the principle of free trade. He desired to see commercial relations carried on between Canada and the United States properly and equally, but he was unprepared to say that he was a Free-trader when the American Government were not willing to extend like fair play to us. Therefore, he was strongly of the impression that the Government should so readjust the tariff as that the industries of this country should be protected. He might be asked to name the articles on which he would give increased duties. The two articles he would name especially would be those manufactured from iron and wood. It would be readily admitted that, if this country was to rise to its just position, it would have to be unwilling to bow down to its neighbours on every occasion. The hon. member for North Norfolk (Mr. Charlton) had said that, admitting that protection would bring a large new population into this country, say 150,000, yet that would be counterbalanced by the cost of protection to Canada amounting to \$19,000,000. But the hon. gentleman did not follow out his argument to its legitimate conclusion, for, if, according to the estimate generally laid down, each immigrant was worth on the average \$1,000 to the country, then the 150,000 would be worth, on the whole, \$150,000,000. A strong argument was made by the hon. member for Frontenac (Mr. Kirkpatrick) when he said that four or five lumber dealers in this city sent their lumber to the United States to have it dressed. Now, if a sufficient duty was placed on dressed lumber coming from the United States, the money spent on the dressing would be spent in this country. He was prepared to support any Government—he did not care what Government it was—which would, under existing circumstances, foster and nourish the manufactures of the country. But he was not prepared to go as far as the motion of the hon. member for Centre Wellington (Mr. Orton), in that it must be attached to the question proposed by the hon.

member for Hamilton. In his opinion the two questions were different, and while he was prepared to support protection to manufactures, he did not think the question of protection to farmers should be brought forward in the House. Were it not for the motion of the hon. member for Centre Wellington and the subsequent remarks, he would have remained silent in the debate. He represented a county which was manufacturing to a certain extent, and which was largely interested in agriculture. The county was peculiarly situated along the St. Lawrence, and was much interested in the question of tariff between Canada and the United States. He had ascertained certain facts in order to see if farmers required protection. It had been particularly represented that a duty should be placed on American corn. From a synopsis of returns on the subject, which he had prepared, it appeared that in 1875 we imported 12,203,447 bushels of grain, and exported 22,218,916 bushels; there being an excess of exportation over importation of 10,000,000 bushels. In 1876 we imported 12,837,648 bushels, and exported 29,006,361, leaving over 16,168,717 bushels of excess of exportation over importation. Much had been said about the advisability of placing a duty on wheat. He could not understand how wheat imported could affect the market in this country, since, practically, the Canadian market for wheat was in England, the same as was the United States market. We exported, last year, 3,000,234 bushels of wheat more than we consumed, and all the surplus went to England; and thus, any wheat brought into the country did not compete with the local market. The hon. member for Centre Wellington alluded principally to coarse grain. In 1875 we imported into Canada 294,623 bushels of coarse grain, other than of wheat or corn. We exported that same year, 11,386,747 bushels. In 1876 we imported 714,938 bushels of coarse grain, and we exported 15,287,000 bushels. The small amount of coarse grain was, probably, sent into the smaller Provinces, such as British Columbia; and he could easily understand how British Columbia would ask for protection to their farmers. But he felt sure the Ontario and Quebec

markets in coarse grain were not affected by importations from the United States. Stress had also been laid upon the necessity of imposing a duty on corn, and thus, by forcing distillers to use Canadian barley, to create a market for it. In 1875 we imported 3,679,746 bushels of corn, and we exported 2,080,090 bushels; and in 1876 we imported 3,635,528 bushels, and exported 2,047,040 bushels. Thus it would be seen that corn was the only grain of which there was an excess of importation over exportation. The argument was that if a duty of 10c., 15c., or 20c. a bushel was placed upon corn, Canadian distillers would use Canadian barley. He made bold to say that whiskey could not be made out of barley, but it could be made out of malt. He had letters from different distillers saying that the duty already on corn was extravagant, for on every bushel of corn used the distiller had to pay a total tax of \$2.70. He had addressed a letter to Messrs. Gooderham and Worts, in which he asked: "If 10c., 15c. or 20c. is placed upon corn, would you or could you use barley?" and the reply was: "It cannot be done." He also had a letter from Mr. Weiser, a large distiller, who paid between \$2,000 and \$3,000 a day for duty, and he was of the same opinion as Gooderham and Worts. If that argument was correct, and if hon. gentlemen could show him that distillers such as Gooderham and Worts and Mr. Weiser were satisfied that that could be done, he would vote for the amendment. But it could not be done, and it was useless for hon. members to attempt to throw dust in the eyes of the farmers by striving to show them that they would benefit in that regard. As to the statement of the hon. member for Carleton, who had declared that whiskey could be made from barley, he was satisfied that such could not be done beyond a limited extent. No doubt, with his teetotal views, that hon. gentleman would think it was a good way to get rid of the consumption of whiskey in the country. He agreed with the hon. member, and would go as far as he would in that direction, but, when men were licensed to manufacture a certain article, Parliament should

not turn round and tell them that they should not use a certain article in their trade when they would be crippled by the restriction. That would be a singular way to protect and foster the manufacturing interests of the country. The manufacture of starch was one of the interests in the county he represented, where there was the largest establishment of that class in the Dominion. He had been asked to support the motion submitted by the hon. member for Hamilton (Mr. Wood) and to declare that it was the duty of the Government to support the industries of the country. Hon. gentlemen opposite would move a resolution which would support starch manufacturers in this country, but they would afterwards submit a motion setting forth that a heavy duty must be placed on an article which entered into the manufacture of that starch. They would say that a specific duty of two cents should be placed on the corn which came in free from the United States, and they would afterwards turn round and say that a duty of 10c., 15c. or 20c. must be levied on every bushel of corn which entered into the manufacture of starch. The manufactory at South Grenville would not exist one week if the proposed resolution were put in force. It was important that they should consider the agricultural products of Canada and the market for them especially in view of the statement as to the large amount of products imported from the United States. During 1876 there were imported 1,225 horses, of which British Columbia took 728 and Manitoba 110, leaving 387 for other Provinces — the large Province of Ontario receiving only 174 — while we exported 4,100. Of horned cattle, there were imported 4,580, British Columbia taking 1,187, Manitoba 3,025, leaving 368 for all the other Provinces, while we exported 39,000. Of sheep, there were imported 8,690, British Columbia taking 8,409, and Manitoba 268, leaving all the other Provinces 13 — of which Ontario received three animals, of the value of \$7 — while we exported 242,438. Of eggs we imported 8,456 dozen, while the four villages along the St. Lawrence exported in 1874, 1,130,000 dozen, and the whole country last year exported 3,521,000

Mr. BROUSE.

dozen. Those were important facts. Hon. gentlemen opposite, when they referred to the products brought into the country, refrained from stating the exports. The Provinces of British Columbia and Manitoba no doubt imported largely of American produce, but the surplus products of the older Provinces found an outside market, for they produced far more than they consumed. In order to understand fully how far the question might affect the country they must consider individual cases. On a previous occasion, he had laid before the House the productions of the towns along the river St. Lawrence, from Brockville down to the Province line, a distance of 100 miles. He had obtained from the Hon. Clifford Stanley Sims, American Consul for the district of Prescott, a statement of the exports from that district during the years 1875 and 1876, the district comprising Prescott, Brockville, Cornwall and Morrisburgh. The statement was as follows :

DESCRIPTION.	1875.	1876.
Animals, live.....	\$325,282 03	\$ 516,170
Butter, eggs, &c.....	312,667 90	160,620
Furs, skins and hides	72,805 40	62,568
Grain .....	71,480 42	48,363
Household effects....	27,305 50	31,198
Lumber, shingles, laths, &c.....	1,510,046 02	1,412,096
Meat and poultry....	11,569 24	12,440
Miscellaneous .....	129,832 23	99,444
Products of the Mine..	5,779 50	1,228
Timber, logs, &c....	45,496 28	19,742
Wood .....	117,092 36	48,407
	<hr/>	<hr/>
	\$2,629,356 88	\$1,112,276

He asked the Consul what quantity of those products returned to this country, to which he replied nothing that he knew of. It was true that Canada paid a large amount into the treasury of the United States for placing those goods in the American market; but there was no other market open to us, and the great question with the farmers at present was how they could open the American market for the produce of our soil? That brought him to notice the question asked as to how we lost the free market of the United States that we once possessed, and whether hon. gentlemen opposite, or this Government, were responsible for it. He charged the Tory Party as being directly responsible for the abro-

gation of the Reciprocity Treaty with the United States, under which our products freely entered that country. When the United States was struggling for existence during the civil war, there was not a Tory in Canada who did not sympathize largely with the people of the South, and hoped that the Union would be broken up.

Mr. BOWELL: The member for Montreal West was a member of the party then.

Mr. BROUSE said a writer in the *New York Herald* said:

"It is unnecessary to revert to the acts of the Canadian Government, which made the Reciprocity Treaty unpopular with the people of the United States, and induced its abrogation."

This was the best authority he could submit to the House, and it stated a fact, he did not care who endeavoured to refute it. The country had suffered largely because of the action of the Tory Party and their sympathy with the Southern rebellion. The writer in the *New York Herald* further said:

"It is sufficient that, on this side of the line, we are willing to extend the hand of brotherhood to our neighbours for all commercial purposes, and to give to the industries of both countries all the advantages which we believe Free Trade would insure."

There was a large body of people in the United States who were anxious to give Canada reciprocity and to engage in commercial relations with her, and it was the duty of the Dominion Government to make every exertion to open the markets of the United States to our farmers. We should not, snail-like, shut ourselves into our shell, thinking we could live there without the surrounding people. We raised a large surplus of the products of the soil, and naturally looked to the other side of the line for a market. He was glad to say that a market for some of our produce, especially for beef, was being opened up in the mother country, and he believed Proscott was the first to send a consignment. A dealer there exported 500 head of cattle, distilled, and made from \$10,000 to \$12,000 profit by the transaction. The same gentleman was now negotiating for the purchase of 1,000 head, and he hoped he would be as successful as he was the previous year. He had given one rea-

son why we were compelled to pay so large an amount into the Treasury of the United States in the shape of export duties on our products entering that country, which reason would be sufficient to satisfy the majority of the people in this country; but there was still another reason. We possessed a key that would have unlocked the market of the United States—a lever that would have opened the door to our farming products—but he regretted to say that the right hon. member for Kingston, who went to Washington, gave away that power. He trusted that a better feeling might prevail between the two countries, and it was for that very reason that he favoured protection for our manufactures, especially on goods brought here which we ourselves could manufacture. But we could not produce the corn, and we must have it, and it would therefore be useless to injure ourselves by placing a large duty on it in order to injure our neighbours. He was willing to force the Americans, as far as was in our power, by placing a heavy duty upon their products imported here and protect our manufactures, for he believed we could not obtain free trade between the two countries if we became supine and allowed the Americans to bring manufactures into this country, while our people did not meet them on the same terms. He was, therefore, prepared to take that position in regard to manufactures, and, on the other hand, he was prepared to assist in every possible way to open the markets of the United States to our agricultural products. Thus, he would vote against the Government on the first question, and with them on the next. He was surprised last night to hear the reason given for his vote by the hon. member for King's, namely, that he would vote for protection because he had no confidence in the Government. When an hon. member of the Opposition rose in his place and gave that as his reasons for voting against the Government, he was not prepared to adopt it; and, while he would oppose the Government on the question of protection to manufactures, he did not consider that the two questions, manufacturing and agricultural interests, went side by side.

Mr. McCALLUM said he understood from the hon. member for South Grenville that he was in favour of protection to manufactures and not to agricultural interests, but Canadian farmers would not sanction such a policy. The hon. member had declared that we must not impose a duty on imported corn, that it was required for the manufacture of whiskey. If the hon. gentleman were an agriculturist, he would have known there were thousands of acres of land suitable for the growth of rye from which whiskey could be produced. Moreover, rye, owing to corn coming in free of duty, had never realized its proper value. The hon. member for South Grenville had stated that the right hon. member for Kingston was the cause of Canada losing reciprocity with the United States, and also that it was due to the sympathy of a portion of the people with the South during the American civil war. The large majority of the people of the Dominion sympathised with the Northern States at the beginning of the war; but, when they insulted the British flag, and took Messrs. Mason and Slidell from the *Trent*, there was a change in the feeling of this country, and it was somewhat strange that the hon. member for South Grenville was so cold as not to have changed his feelings. We found the Northern States more than sympathy, viz: the bone and muscle of our young men to fight their wars. As the representative of an agricultural constituency, and as an agriculturist, he (Mr. McCallum) affirmed that the interests of this country in regard to agricultural products had been injured by the existing arrangement between the two countries. Besides, it was offering a premium to our farmers to leave Canada and settle in the United States. Everyone would concur in the desire expressed by the hon. member for South Grenville that the population of the country should be increased. As the result of the existing arrangement, he, as the representative of a county close to the frontier, was able to state that if a farmer left the Dominion and went to the United States he had access to two markets for the productions of his labour—the American and the Cana-

dian markets. What the Canadian farmers complained of was that, in the case of a short crop in the United States and a large one in the Dominion, when we sent our products over the line a duty of 20c. or 25c. on the dollar was imposed on them. The House would agree with him—at any rate the agricultural members would—that if the farmer had a short crop he wanted a fair price to enable him to pay his hired help, his municipal taxation, his shoemaker, blacksmith, tailor, etc. But what was the fact? The very moment there was a large crop in the United States, the Americans swamped the Canadian markets with their grain. Men were leaving Canada for the United States in order that they might avail themselves of two markets. Under the present tariff we were losing a large number of farmers, and also young men who went across the border to engage in the various industries of that country. He thought he was speaking the sentiments of the agricultural population when he said they were in favour of more protection to the manufacturing and mining interests, and at the same time desired protection themselves against the unfair competition of our neighbours. The hon. the Minister of the Interior said in his recent speech:

“The Finance Minister set down the doctrine that the more we imported the better we were off. That might be true if what we imported were paid for.”

The pith of the hon. gentleman's argument was all in the “if.” There was an old saying that “if ‘ifs’ and ‘ands’ were pots and pans, what would tinkers do?” He had taken the trouble of collecting statistics which, in his opinion, would show that the excess of imports over exports were not paid for; and that the trade of this country was not in an encouraging condition, and had not been for some time. In 1851 the balance of trade against us was \$7,470,070; in 1852 it was \$5,979,856. He was speaking now of the two Provinces of Canada, and not of the Lower Provinces. In 1853 the balance against us was \$9,180,136; 1854, \$17,510,135; 1855, \$7,897,708; 1856, \$11,537,370; 1857, \$12,423,974; 1858, \$5,605,918; 1859, \$8,788,180.

Mr. BROUSE.

The only year in which he found there was not a large balance against us, was in 1860, when there was \$190,271 in our favour. But he would go a little further. In 1861 the balance against us was \$6,435,638; in 1862 it was \$15,004,508; 1863, \$4,132,970; 1864, and part of 1865, \$15,685,954; 1866, \$3,520,028; 1867, \$13,974,763; 1868, \$15,951,756; 1869, \$9,940,484; 1870, \$1,230,839; 1871, \$21,929,343; 1872, \$28,791,619; 1873, \$47,221,360; 1874, \$39,861,654; 1875, \$41,728,681; 1876, \$13,806,783. How were we paying those balances? The hon. the Minister of the Interior said they were made up by some kind of speculation; that what we exported came back to us in increased profits. This balance, he admitted, might be reduced by whatever profits our vessels made over and above their expenses, and that was all we had to pay the balance with; and he would venture to say that even the Minister of Interior would acknowledge that it was nothing like sufficient to pay this enormous balance against us, which, he considered, the country was mortgaged for. Was it not, therefore, the duty of the Government to foster and encourage the manufacturing, agricultural and mining interests in order that we might endeavour to keep our expenditure within the income, and keep our money in the country, instead of draining the gold of our country to pay these balances against us? Hon. members had tried to make out that protection had been injurious to the United States. He had taken some little pains to ascertain what were the real facts, and he had arrived at the conclusion that that country was not in the bad condition some hon. gentlemen supposed. The total balance of trade against Ontario and Quebec was \$365,635,477. For 17 years previous to Confederation there was a balance against Nova Scotia and New Brunswick of \$72,158,812, which made a total balance against the Dominion during the 25 years of \$427,794,269. The population of the United States was 40,000,000, while Canada could only lay claim to 4,000,000. The balance against that country during the same period was \$299,033,250, an average of \$11,961,430 per annum; while the average balance against the Dominion

with only four millions of people was \$16,711,770. Yet, in spite of those figures, we were told that Canada would be injured if she copied the United States. If the balance of trade against that country had been the same in proportion to population as it was against us, it would have been ten times as great annually, viz, \$167,117,700, or, in the 25 years, a total of \$4,277,942,690. But during the last few years the balance had been steadily in favour of the United States. For the last ten years there had been an actual balance in their favour of \$129,000,000, one effect of which had been to raise their currency almost to par. Moreover, the exports of the United States had increased from \$136,941,912 in 1850 to \$643,094,788 in 1875. Not only had the Americans prospered under a protective tariff, but they had been enabled in the face of a 17½ per cent. tariff to slaughter goods in our markets. Besides that, this extraordinary and energetic people could send their goods 3,000 miles across the ocean and compete successfully with the English in their own markets. Reference had been made to the Reciprocity Treaty. He thought that while that treaty was in existence the Americans had the better of us. From 1854 to 1863 the balance of trade in their favour was \$39,847,199. But reciprocity was undoubtedly favourable to this country, as we sent more free goods into the United States than were sent into Canada. In 1876 he found that the balance against this country, and in favour of the United States, was \$19,976,716. He asked the hon. member for Grenville a question in relation to this, but had received no reply. The hon. gentleman evaded the question, and it was to be inferred that he could not answer in such a way as to throw discredit on the protective system. About \$24,730,371 from the United States came free into Canada, and into direct competition with the Canadian industries in our own markets; and the tariff which allowed such a state of things could, he was sure, not be called a beneficial one. The people were suffering now on this account, and some remedy ought to be speedily adopted. It was desirable that our population should increase—

that we should bring immigrants to help to develop the resources of the country. He regretted that our population did not increase in the ratio which he should like to see. He did not wish to say anything disparaging to the hon. member for South Perth. The hon. gentleman should bring his influence—which was not small—to bear upon the Government to induce them to adopt a policy which would give employment to the immigrants the hon. gentleman was endeavouring to bring into the country. He was satisfied that, under the present circumstances, our immigration system only served as a feeder to increase the population of the United States to our own injury. He had statistics regarding the increase of the American population as far back as 1790, but he would only use them for the period between 1860 and 1870, when that country had gone through a great and disastrous war, which had cost 850,000 men their lives, 350,000 for the South, and 500,000 for the North. Despite this fact, between 1860 and 1870 the population of the United States had been increased 7,526,298, or twenty-four per cent., under the protective system. He wished to draw the attention of the Minister of the Interior to this circumstance. The hon. gentleman should feel proud to copy the example of such a people. He had similar statistics with reference to Great Britain dating as far back as 1811, but he would confine himself in this particular to the period between 1861 and 1871. In the former year the population of Great Britain was 29,296,946, and in 1871 31,628,338, the increase having amounted to 2,358,391, about eight per cent. He knew it would be said this was no argument, as emigrants had left Great Britain and gone to all parts of the world, and, further, that this country had so received an influx of population. This was the case, but he was sorry to say that we had been unable to keep these immigrants in the country. We, on the other hand, had in 1861 a population of 3,250,000, and in 1871, a population of 3,845,929, the increase being 595,929, or eighteen per cent. The number of immigrants from the United Kingdom and other countries which had come to the

Dominion during this period was 190,411. Subtracting this from the increase mentioned 405,518 were left, showing an increase during ten years of less than 12½ per cent., or less than 1¼ per cent a year. But anybody must know that our natural increase was much greater than that, only they left our country and went to the United States. These facts startled him. What was the cause of it? It was because we had no employment to offer to our own people, and artisans and others were obliged to seek for it in the United States. It was desirable to secure immigrants, but it was also desirable to furnish them with employment and keep them. These were some of the questions which should engage the attention of the Government; they should attempt to reduce the balance of trade existing against us, and to diminish the public expenditure. If any one, whether a farmer or engaged in any other occupation, lived beyond his income, the result was bankruptcy. And so it was with this country. We were rapidly, he was sorry to say, getting deeper into the state of bankruptcy. The Minister of the Interior had stated the other night that only three sheep were imported into Canada in 1876, but this was incorrect. The figures for importations in the returns were—for cattle during 1876, 6,367 in number and \$164,491 in value; for sheep, 11,856 in number and \$23,240 in value, and for swine, 10,419 in number and \$152,497 in value. We had also imported green fruits to the value of \$376,464. He was aware that duties of 10 per cent. were paid on these articles, but the United States charged us 20 per cent. for the same. The Minister of Finance appeared to have taken some trouble to fulfil the prophecy he (Mr. Cartwright) made in 1874. He thought he could tell the hon. gentleman how he could secure sufficient revenue without oppressing the people with taxation while he assisted our industries. We imported free goods to the value of \$32,269,761; goods paying five per cent. duty to the value of over \$4,133,000; and of goods paying 10 per cent to the value of \$2,191,762. Now, if the free list were charged 10 per cent., the five per cent. duties were advanced

to ten per cent. and the ten per cent. to fifteen per cent., the change would afford a revenue of \$3,542,647. He was aware of the fact that advance in duties checked importations, but, if they were reduced one half, the country would still materially benefit from the change, while our interests would at the same time be protected.

Mr. JONES (Halifax): The free goods in question are used by the manufacturers.

Mr. McCALLUM replied that 24 million of the free goods came into direct competition with our own industries as they were produced in this country, and chiefly products of the soil. In 1874, the Minister of Finance had predicted a deficit, and the hon. gentleman had then set to work to bring it about. They had now got it, and of course the world knew that the hon. gentleman was a prophet. If he could only see the means by which this result was reached, he could prove to the people of this country that the hon. gentleman had been ably assisted in his undertaking. Departmental expenditure had been largely increased since the advent of these hon. gentlemen to power; a large sum of money had been lost on the steel rail transaction, the interest on which was charged to revenue; a very considerable sum had been wasted in connection with the Georgian Bay Branch Railway contract; and over \$100,000 had been wasted with relation to the magnificent water stretches so often mentioned. The country would see that the Government had materially aided the hon. gentleman in making his prophecy of 1874 an accomplished fact.

Mr. SMITH (Peel) said the question before the House more especially related to the amendment moved by the hon. member for Centre Wellington in favour of protection for farmers. There were few hon. members who did not take a deep interest in this class of the community, and to them the farmers of Canada, and of Ontario particularly, owed a lasting debt of gratitude. It would, however, be noticed that only two or three members who were agriculturists had taken part in this discussion. He was prepared to grant that there was some reason for what

had been said on this subject. The farmers of Canada were certainly placed at a disadvantage. When they took grain to market, the merchant fixed the price; if animals, the purchasers generally set the price; and if the article was farm produce, the buyer usually did the same thing. Again, if they employed the lawyer or the doctor, they too followed the almost universal example in this particular. The farmers were placed at a decided disadvantage, and perhaps it was not to be wondered at that some gentlemen took such a deep interest in those who did not take an interest in themselves. As other hon. members had spoken with reference to their particular Province, he would speak as to Ontario. From that Province there were fifty-nine members who supported the Administration, and would always vote against a motion of want of confidence. He found that about thirty members of the House were following agricultural pursuits as a profession. Of these, a little over a half were from the Province of Ontario, of whom from 13 to 15 supported the Administration. It was extraordinary, therefore, under the circumstances, that hon. gentlemen opposite pressed their motion. Farmers did not understand how it could benefit them to have everything taxed. On account of the duty on petroleum the price had gone up from 20c. a gallon to 25c., 30c., 35c. and 50c. a gallon. Farmers understood too well that no tax which could be levied upon grain would put one cent into their pockets. The farmers might not interfere much in the business of the country, but they understood their own business too well to sanction such a proposal. He desired to call attention to the question of retaliation. If the Americans had built a Chinese wall against us they had also done it against every other country. In 1860, before they had entered into perhaps the greatest civil war which had ever occurred, they only had the paltry debt, for them, of \$6,000,000, but in four years it rose to \$2,600,000,000, which they determined to liquidate. The first step was to impose a heavy inland revenue tax, and, of course, as they taxed their own productions they had also to tax those productions which

were imported, otherwise their markets would be glutted with foreign manufactures. Canada was treated by the United States the same as any other country, but if we applied a special tariff to the United States that country would have the same right to apply a special tariff to us. If we made a general increase in the tariff, then we would have to increase the duty on articles coming from Great Britain, and that in spite of the fact that we exported our surplus to British ports. The farmers of Ontario neither wanted protection on one article or another, although, if it were necessary, in order to carry on the business of the country, to impose an increase of 20 or 25 per cent., they were willing to pay it; but they were not willing to pay it in order to benefit a few men who had made princely fortunes as manufacturers. The question of the canals came into the consideration of this subject. As was well known, our system of canals was the great highway from the West to the Atlantic. It was about 350 miles from Port Colborne to Montreal, in which distance there were 72 miles of canals, with 54 locks. But in order to reach New York from the West, there were 70 locks, in a distance of 350 miles, requiring about two weeks to traverse; while it only took three days to pass through the Canadian canals. The Government did not seem inclined to resign in accordance with the request of the hon. member for North Ontario (Mr. Gibbs), and he did not think there was any chance of their being voted out of office.

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

### After Recess.

### PRIVATE BILL.

#### THIRD READING.

The following Bill was considered in Committee of the Whole, reported, read the third time, and passed:—

Bill (No. 16) respecting the Beaver and Toronto Mutual Fire Insurance Company.—Mr. Bowell.

Mr. SMITH.

### WALTER SCOTT DIVORCE BILL.

[BILL No. 84.]

(Mr. Oliver.)

#### SECOND READING.

Mr. OLIVER moved that the Bill (No. 84) for the relief of Walter Scott, be now read the second time.

Question put, and motion agreed to. on the following division:—

#### YEAS: Messieurs

Archibald	Kirkpatrick
Aylmer	Little
Bain	Macdonald (Centre Toronto)
Bertram	McDougall (S. Renfrew)
Biggar	MacKay (Cape Breton)
Blackburn	McKay (Colchester)
Borron	Mackenzie
Bowell	Macmillan
Bowman	McOallum
Brouse	McCraney
Burk	McGregor
Burpee (St. John)	McNab
Campbell	McQuade
Carmichael	Mills
Charlton	Moffat
Christie	Monteith
Church	Oliver
Cockburn	Orton
Dymond	Paterson
Farrow	Pickard
Ferris	Plumb
Fleming	Pope (Queens, P.E.I.)
Galbraith	Rochester
Gibbs (North Ontario)	Ross (East Durham)
Gibbs (South Ontario)	Ross (Prince Edward)
Gibson	Scatcherd
Gillies	Scriver
Gillmor	Shibley
Goudge	Thompson (Cariboo)
Greenway	Thompson (Haldimand)
Hagar	Trow
Hall	Tupper
Higinbotham	Vail
Kerr	White (East Hastings)
Killam	—69.

#### NAYS: Messieurs

Baby	Gaudet
Barthe	Harwood
Béchar	Holton
Benoit	Hurteau
Bernier	Lajoie
Bolduc	Lanthier
Bourassa	Laurier
Caron	Macdonald (Cornwall)
Cauchon	McDonald (Cape Breton)
Cheval	MacDonnell
Oimon	McGreevy
Oostigan	Masson
Oupal	Montplaisir
Currier	Mousseau
Outhbert	Quimet
Daoust	Pinsonneault
Delorme	Pope (Compton)
Desjardins	Richard
De St. Georges	Robitaille
Domville	Short
Donahue	Taschereau
Fréchette	Thibaudeau.—44.

Bill read the second time.

MARY JANE BATES DIVORCE  
BILL.

[BILL No. 85]

(Mr. Trow.)

SECOND READING.

Mr. TROW moved that the Bill (No. 85) for the relief of Mary Jane Bates, be now read the second time.

Question put, and motion agreed to, on the following division:—

YEAS :

Messieurs

Archibald	Kirk
Aylmer	Kirkpatrick
Bain	Little
Bertram	Macdonald (Kingston)
Biggar	Macdonald (Centre Toronto)
Blackburn	Macdougall (EastElgin)
Blain	McDougall (S. Renfrew)
Blake	MacKay (Cape Breton)
Borden	McKay (Colchester)
Borron	Mackenzie
Bowell	Macmillan
Bowman	McCallum
Brouse	McCraney
Buell	McGregor
Burk	McNab
Burpee (St. John)	McQuade
Burpee (Sunbury)	Mills
Cameron	Moffat
Campbell	Monteith
Carmichael	Norris
Charlton	Oliver
Christie	Orton
Church	Paterson
Cockburn	Pickard
Cook	Plumb
Cunningham	Pope (Queen's, P. E. I.)
Dymond	Robinson
Farrow	Rochester
Ferris	Ross (East Durham)
Fleming	Ross (West Middlesex)
Forbes	Ross (Prince Edward)
Galbraith	Scatcherd
Gibbs (North Ontario)	Scrifer
Gibbs (South Ontario)	Sibley
Gibson	Sinclair
Gillies	Smith (Peel)
Gillmor	Thompson (Cariboo)
Greenway	Thompson (Haldimand)
Guthrie	Trow
Hagar	Tupper
Haggart	Vail
Hall	Wallace (Albert)
Higinbotham	White (East Hastings)
Kerr	—88.
Killam	

NAYS :

Messieurs

Baby	Hurteau
Bannatyne	Jetté
Barthe	Lajoie
Benoit	Lanther
Bernier	Laurier
Blanchet	Macdonald (Cornwall)
Bolduc	McDonald (Cape Breton)
Bourassa	Macdonnell
Boyer	

Caron	McDougall (Three Riv.)
Cauchon	McGreevy
Cheval	Melsaac
Cimon	Masson
Costigan	Montplaisir
Coupal	Mousseau
Currier	Ouimet
Cuthbert	Palmer
Daoust	Pinsonneault
Delorme	Pope (Compton)
Desjardins	Richard
De St. Georges	Robillard
Domville	Robitaille
Fréchette	Roy
Gaudet	Short
Gill	St. Jean
Harwood	Taschereau
Holton	Thibaudeau—52

Bill read the second time.

WAYS AND MEANS—CONCURRENCE—THE TARIFF.

DEBATE RESUMED.

Mr. CARON said the discussion upon the important subject before the House had extended over such a period of time, and the great principles which now divided the political parties of the country had been so ably discussed by leading men of both sides that he did not think it would be proper for him to speak at great length. Indeed, he should have hesitated in addressing the House at all had it not been for certain statements which fell from the hon. member for Drummond and Arthabasca (Mr. Laurier), which he could not consent to see go unchallenged and uncontradicted to the country. His hon. friend had intermixed his speech with anecdotes and sayings from great men, which greatly added to its attractiveness. He told of Talleyrand telling a young man that words were given to man for the purpose of disguising thoughts. He had no doubt that these famous sayings of the distinguished Frenchman must have flashed through the mind of the his hon. friend when he stood on the floor of this House to deliver his speech in opposition to protection. He must have remembered the eloquent speeches which he made on so many occasions before the people, on the hustings and when he sat in the Local House, in favour of that measure which he was now opposing, and well might he have feared that this celebrated saying might be interpreted as applying to himself. When the hon gentleman was in the Local House, he became

the eloquent champion of protection. He followed the programme laid down by the National Party, to which the hon. member at that time belonged, and the last plank in whose platform, one to which they adhered long after the others were given up, was protection to native industries. That was well known in the Province of Quebec; it was well known at the public meetings which the hon. gentlemen addressed: it was well known that one of the great accusations members of that party levelled at the Government of the day was that they did not favour protection. But that party had to give up their protection plank just before it was swallowed up by the stronger, more energetic, more determined and experienced party, the Rouge party of Quebec, which, for a time, had made use of the National Party for the purpose, no doubt, of getting rid of their compromising antecedents and to place before the people, at the election of 1872, what they supposed to be the banner of the new party. If it became necessary to establish beyond a doubt what the party was with whom the hon. member for Arthabaska formerly acted, he would quote a few extracts from *Le Bien Public*, which was founded and supported by the Liberals of Quebec. On the 10th May, 1874, the prospectus of that paper was published, and he would take the liberty of reading the following portion of it.

“ On comprend que sans l'industrie la fortune publique n'aura jamais de fondement solide dans ce pays, que le commerce et l'agriculture languiront et que le peuple manquant de travail continuera d'émigrer d'un pays, qui pourrait faire vivre des millions d'âmes. Qui veut la fin veut les moyens; on comprend aussi que la protection, mais une protection sage et modérée créera l'industrie en ce pays, en nous rendant capables de soutenir la concurrence contre les produits dont les étrangers inondent nos marchés.”

This was from the prospectus of the newspaper which was going to unite the parties of Quebec, and whose teachings the hon. member for Arthabaska was one of the first to adopt. On the 23rd April, the editor or proprietor of *Le Bien Public*, writing from Ottawa under the title of editorial correspondence, said:

Mr. CARON.

“ Nous sommes dans la semaine des manufacturiers, ils arrivent de partout pour plaider la cause de la protection, avec des projets et des résolutions préparés avec soin. Ils sont décidés à frapper un grand coup car il se sentent supportés par l'opinion publique.

\* \* \* \* \*

“ Les rapports qui ont été lus constatent que partout et dans presque toutes les branches, les besoins sont les mêmes et ils démontrent qu'avec un peu de protection, notre industrie prendrait d'immenses proportions.”

On the 25th April, he wrote:

“ Comité industriel.—L'enquête qui se poursuit en ce moment annonce une idée générale et complète de nos manufacturiers, des causes qui arrêtent leur développement et des remèdes qu'il s'agirait d'apporter à la situation. La plainte universelle provient de deux choses différentes: La différence énorme qui existe entre le tarif américain et celui du Canada, qui nous exclut pratiquement des Etats-Unis, tandis qu'il invite la concurrence américaine au milieu de nous. Ainsi la plupart des produits manufacturés sont frappés d'un droit de 35 par cent, à leur entrée aux Etats-Unis, tandis que ce droit n'est que de 15 par cent à leur entrée en Canada. En outre, pour maintenir les prix chez eux, les Américains nous envoient et vendent à sacrifice le surplus de leur production, ce qui fait à nos industriels une position de dépendance intolérable. 2o. Les manufacturiers anglais, ayant la main d'œuvre à plus bas prix et un marché plus étendu et produisant d'un autre côté un article inférieur sous bien des rapports, peuvent faire à notre industrie une concurrence sérieuse. Une taxe un peu plus élevée donnerait aux Canadiens le contrôle de leur marché, leur permettrait de fabriquer sur une plus grande échelle et de fournir l'article à plus bas prix que maintenant. Il y a bien quelques autres obstacles soumis, ceux-ci sont les principaux et ils pourront être guéris de la même manière en portant à 20 et 25 le droit de douane prélevé sur les marchandises à leur entrée dans le pays.”

Now when it came to the question of what amount of duty it was necessary to impose, he would, perhaps, not be ready to go as far as this paper, which was the exponent of the political views of the hon. member for Arthabaska. It seemed beyond a doubt that the great Free-traders of Quebec, who now sat upon the right of the Speaker, at the time when they found the existing newspapers were not adequate to the promulgation of their doctrines, or to elucidate their views, and determined to establish *Le Bien Public*, were all agreed that protection was for the best interests of the

Dominion. At that time, as indeed he was to-day, the hon. member for Arthabaska was one of the promising members of his party, and occupied a seat in the Local House. It was then that he became the eloquent champion of protection, and not only accused the right hon. member for Kingston of being to blame for not raising the tariff, but, no doubt blinded by his zeal, he went so far as to blame the Local Government for not affording the local industries protection. The hon. gentleman must have been very zealous when his present leader, the hon. the President of the Council, stated in the *Journal de Quebec* that he ought not to be so violent.

“ M. Laurier, a cru devoir déclarée à deux ou trois reprises que les hommes de son origine étaient commercialement et industriellement inférieurs aux autres races. S'il a raison, ce n'est pas en le disant qu'il améliorera leur sort, mais en leur donnant l'exemple par des œuvres.”

The President of the Council or some one acting under the hon. gentleman's authority had written as above stated in the *Journal de Quebec* with regard to the position taken by the hon. member for Arthabaska on that occasion. This was in answer to the eloquent address of his hon. friend on the floor of the Local House demanding protection. The President of the Council told the hon. gentleman that, whether he was right or wrong, a mere statement of the case would not do, but the hon. gentleman should give an example, put his shoulder to the wheel, and tell them what he proposed as a protective policy. When his hon. friend from Arthabaska, the previous evening, had accused the Opposition with having no policy in this regard, he could not help calling to mind the forcible lesson given him on that occasion by the hon. the President of the Council, his present leader, who told his hon. friend that he had no policy, and that he should define what protection he proposed. His hon. friend, however, then occupied a proper position. It was not the duty of an Opposition to do the work of the Government and form their policy; but if the Government felt that they were unable to meet the exigencies of the situation, the Opposition would willingly cross the floor of

the House and undertake the responsibility of framing a policy. The hon. member at the period referred to was not alone. Very many eminent members of the party to which the hon. gentleman belonged also advocated protection. And his hon. friend who had recently become Minister of Agriculture had at that time at a public meeting held in Quebec spoken in favour of protection. This meeting took place on the 28th of March, 1872, and the hon. gentleman then declared :

“ Our manufactures, our different industries, which could so easily be developed, did not meet with sufficient protection. Perhaps, in answer to this, may it be said, there is among the people a certain impulse towards progress, a growing spirit of enterprise is to be found among us. Yes, gentlemen, hunger and misery often will goad men to superhuman efforts.”

At that time it was not a question of protection alone, but to what extent this policy ought to be carried to establish on a permanent and firm basis our growing industries, to increase the spirit of enterprise which was being exhibited; and the hon. gentleman was dissatisfied with the Government of the day, as shown by these extracts from his speeches. These hon. gentlemen were also at the time assisted by their present leader, the President of the Council, who was a member of the Protectionist school. With regard to the meeting of the National Board of Trade at St. Louis, when the establishment of a Zollverein between Canada and the United States was discussed, the President of the Council declared, in an article in the *Journal de Quebec* dated 18th January, 1872, that such a system—which would provide for uniform laws with reference to Customs duties—would be most disastrous for this country; that it would be equivalent to annexation; that it would strike a fatal blow to our growing industries; and that it would place us in such a position that it would be impossible to compete with the Americans. If, with equal duties with the United States, which had grown powerful and rich from year to year under the protective system, this would be the case, how could we compete with this powerful, rich and prosperous nation when our tariff was lower

than theirs, preventing us from entering into their market and making of our own, for them, a slaughter market? This was impossible. He had shown, he believed, that these hon. gentlemen who seemed to be so indignant to-day at any proposition for protection, were, when in Opposition, strong advocates of such a policy. He had been greatly astonished to hear the hon. member for Arthabaska express himself in such severe and bitter terms against the Province of Quebec, he one of her most gifted sons. This was not the first occasion on which the hon. gentleman had adopted such a course. The hon. gentleman had said that the credit of the Province was rotten, and that, owing to the building of the railways, which were indispensable to the requirements of the Province, it was bordering almost on bankruptcy. The hon. gentleman also paid the French Canadians the distinguished compliment of being inferior to other races, as far as commerce and manufactures were concerned.

Mr. LAURIER: That is not the case.

Mr. CARON said he was perfectly open to conviction. But, if his hon. friend had not said so, he should have contradicted the statement long ago. This language had not caused the hon. gentleman to be favourably considered in many parts of the Province.

Mr. LAURIER said that, in the speech in question, he had attacked the educational system of the Province of Quebec; and if he was still a member of the Local House he would do the same thing again.

Some HON. MEMBERS: Hear, hear.

Mr. LAURIER: Yes; I would.

Mr. CARON said he accepted the explanation of his hon. friend. He had obtained his information on the subject from one of the articles of the President of the Council, who published in his paper so slanderous a statement against the hon. gentleman. French Canadians, according to the hon. member for Arthabaska, might, perhaps, not be as eminent as many hon. gentlemen who sat on his side of the House; but, nevertheless, their representatives occupied a position which entitled them

Mr. CARON.

to respect, they being in possession of the confidence of the people who sent them to the House. His hon. friend, last Session, had declared that the Local Legislature of their native Province was degraded and tarnished. He was grieved to hear this expression. He was certain, at all events, that the hon. gentleman had not been treated by the Province in such a way as to warrant him in using such language. His hon. friend had expressed himself astonished at a phrase used by the hon. member for Bagot (Mr. Mousseau), and he accused him of wanting in respect towards the Bench. The expression of his hon. friend from Bagot (*jugerie*) the night before might not have been classical, but his hon. friend had not been lacking in respect towards the Bench. More respect had never been shown by any party towards the Bench and those in authority than had been exhibited by the Conservative party. The hon. gentlemen opposite since they reached the Treasury Benches had become very particular in this regard, but he remembered a memorable occasion in the summer of 1873, when such respect had not been shown towards one much deserving of it. His hon. friend had stated that the Opposition desired to secure reciprocal duties without reciprocity; how was it possible for us to obtain reciprocity from the Americans, when the present tariff was so favourable to their interests, opening our markets to them without getting from them the benefit of reciprocity for our goods; his hon. friend said that the difference existing between our various interests would prevent the making, by the Opposition, of a satisfactory tariff; but in 1858, the Conservative party had adopted what was known as the protective tariff of Sir Alexander Galt. The Conservative party had then showed their readiness to deal with this question in a proper manner. Of course, he might not occupy a position similar to that of his hon. friend from Arthabaska, whose seat was gradually approaching the Treasury benches. He might not be able to speak as his hon. friend had assumed to do on behalf of the Province of Quebec; the distance which separated them might be great, but he was astounded to hear his hon. friend

declare that the principles he (Mr. Laurier) advocated were those of the Province of Quebec. He would like to know whether the hon. gentleman had been absent from the Province of Quebec for a long time? One would fancy that he had not taken the trouble to ascertain the feeling of the people. When he said that that feeling was opposed to protection, was it in the commercial cities, in the Boards of Trades, in meetings where people were called upon to select members to this or the Local House? It could not be, for in every case where the people of the Province of Quebec had expressed any opinion on the matter, it was universally in favour of protection. It would be impossible to suppose it otherwise, when the manufactories and sugar refineries had been closed, and hundreds, nay thousands of skilled artisans had been forced to leave the country, as also many business men. The hon. member had said that protection would increase the price of bread. On the contrary, it would not do so comparatively, but would give the people more money to buy bread with. How was it possible for the men, who had been thrown out of employment by the closing of factories and refineries under the present system, to buy bread for their families? It was also said that the Conservatives, when they were in power, had not attempted to increase the tariff beyond 15 per cent. But every business man knew that 15 per cent. in those days was a far better protection than 17½ per cent. now. Not only so, but with this ample protection the late Government reduced the burden of taxation by \$1,000,000 per annum, while now we had a deficit. He did not pretend that 17½ per cent. was not sufficient protection for many articles, but he did contend that the Government should have the pluck to take the matter into their own hands and frame a tariff so that industries could be fostered and protected thereby. He could not help alluding to a remark of the hon. member for Arthabaska (Mr. Laurier), who insinuated that his hon. friend from Bagot (Mr. Mousseau) was like a fat woman, while he himself, thin and delicate, was modestly compared to the first Napoleon. That comparison

should be carried a little further, and the fat, healthy, jovial woman, whom his hon. friend from Bagot represented, could be likened to a healthy policy of protection, while the delicate and thin and sickly-looking young man compared to Napoleon personified the starving policy of free-trade.

Mr. CAUCHON said it was somewhat strange that they should again have to fight the battle of free trade and protection when the question had long been settled by the political economists of the two greatest nations in Europe—England and France. Free trade, no more than protection, would save the country from its own follies in over-buying or over-producing, but free trade was the best position for a country to be in when there was a commercial calamity, as the people were allowed to buy in the cheapest market and sell in the dearest market. The great financiers were for the most part Free-traders, although they agreed to the imposition of duties for revenue purposes. The occasion was a very favourable one for the Opposition to advocate protection, which they had never advocated before. It was a good policy on their part, as all industries were affected by the universal depression, and they could thereby arouse the prejudices of the masses in their favour. Free trade was a settled principle. It was the true foundation of the relations between nation and nation, its effect being to equalize somewhat the necessities of life by placing it within the power of a country to sell in the dearest and buy in the cheapest market.

Some HON. MEMBERS: What is protection?

Mr. CAUCHON said protection was no principle at all but a contrivance by which the few were made rich at the expense of the many. The hon. member for Terrebonne (Mr. Masson) had said that was no party but a national policy.

Mr. MASSON: I did not say that.

Mr. CAUCHON said the House knew that the Oppositionists were not Protectionists before. It had been said that he (Mr. Cauchon) was a Protectionist. He would challenge any hon.

member to point to anything that he had said or written—and he had written volumes for the press—during 36 years of public life, which showed that he favoured protection. The two or three lines which had been referred to were written by somebody else. The hon. member for Terrebonne (Mr. Masson) had told the House that it was necessary to protect the articles that we could produce. What were those articles? If there was sufficient protection we could produce all possible articles. But with what success for the consumers, the masses—that was the question. The question was limited to the articles we could produce at a cheaper rate than our neighbours, and in that case what was protection, if not the enrichment of the few at the expense of the many? Deficits which had a temporary cause demanded temporary remedies. To employ other means would be to go beyond the end required. Those temporary measures meant the construction more slowly of public works for which there was no immediate necessity, and to exercise all possible economy in the administration of public affairs. The House had heard a great deal about incidental protection. But that protection was not a principle; it was simply a consequence which resulted incidentally from the increase of the tariff levied by the necessities of the public service. A tariff was not made to create incidental protection; it was made to obtain a revenue, and, if the tariff had for its effect the incidental protection of certain industries, it was so much the better for the manufactures. The consumers submitted to that state of things, not because they wished to increase the profits of manufacturers, but because they knew that the State had need of a revenue, and that the consumers were bound to contribute according to their means. If the country really wished protection it was a different matter. Then, a tariff would be raised, not to obtain a revenue—that would be imperilled—but to encourage manufacturers. He had said that it would place the revenue in peril; he meant that such a protective tariff would wipe out the revenue derived from articles imported,

Mr. CAUCHON.

the object being to supply those articles by others made by Canadian manufacturers. The same hon. member had reproached the hon. the Premier for having supported Mr. Workman against Mr. Thomas White in the Montreal election. If the hon. member had accused the hon. the First Minister with having spoken in favour of protection in Montreal and free trade elsewhere, he could understand the point, but he had not adopted that course, in order not to expose himself to the danger of infringing on the truth. The complaint was that the hon. the Premier had sustained a friend against a political adversary. Both candidates were in favour of protection, but the one supported the general policy of the Government, while the other denounced it with extreme violence. What should the hon. the First Minister have done? Surely supported his political friend. If the logic of the hon. member for Terrebonne (Mr. Masson) was worth anything, it would lead him to reject from the ranks of his party the hon. member for Queen's (Mr. Pope), who was elected as a Free-trader, and who should vote against the proposition of his leader. The hon. member for Terrebonne (Mr. Masson) said also that the Opposition were anxious to increase the productive power of the people. Was it not rather the consuming power that they should wish to see increased? What advantage would be gained by increasing the power of production, if consumers were wanting? The power of production would never be wanting while the consumption required the products. It was necessary, then, in the first place to increase the consumption. It was not by increasing, by means of additional duties, the price of products, that the people would be enabled to increase the consumption. Let the consumers buy in the cheapest market and they would increase the consumption. If, on the contrary, they increased the load of duties, they stimulated production, it was true, but they increased the quantity of goods thrown on the market and the equilibrium was disturbed. In such a state of things bankruptcies arose, the markets were overcrowded, and strikes occurred. That was the com-

mercial history of such times in all countries. Undoubtedly the man who earned more could pay more. But that was not the question. It was necessary at first to know whether the workingman with increased wages could buy more of the necessaries of life than if his wages were less and those articles cheaper. It was said that after the American war a gentleman could make the trip to Europe, buy his clothes and have money to spare on the amount which would have been expended on similar clothes purchased in the United States. That anecdote described very well the state of commerce as affected by the two principles. He read in the *Nouveau Monde* a correspondence which occurred in 1871, between Mr. Stuart Mill and a distinguished American, on the occasion of a discussion which took place between the former and Mr. Horace Greely. Mr. Mill had written to the Liberal Club of New York, that, if the wages were higher in the United States than in England, the cause of it was due to the fact that the American Republic possessed more lands to be disposed of, which were fertile and adapted to colonization, than Great Britain had, and therefore offered greater advantages to immigrants. Mr. Horace Greely, in discussing this letter of Mr. Mill, remarked that Canada possessed more extensive tracts of land adapted to colonization than was found in the United States, and that, notwithstanding, the wages in Canada were lower than in the States. Mr. Henry D. Lloyd, secretary of the league of New York Free-traders wrote then to Mr. John Stiles, distinguished, it appeared, as a Political Economist, and as being also familiar with Canadian affairs, in order to obtain his opinion on the subject of controversy. How did Mr. Stiles reply, who evidently was a zealous partizan of protection? That the facts are in favour of Mr. Greely. That the United States cannot pretend to a national superiority over the British Colonies on this continent; that the Province of Quebec, it is true, has long and cold winters, but yet not more so than some of the States of the Union; that in that Province the farming products are

always abundant and certain; the water power most abundant and the mines very valuable; that the Province of Ontario has a shorter winter, a milder climate, a fertile soil which yields wheat equal in quality to the best wheat of the Genesee Valley, etc.; that as an agricultural country the Province of Ontario is superior to all the New England States, and is not probably inferior to any part of the continent of America; that the Maritime Provinces are more endowed by nature than are the States of New England; that on extending his examination to the North West Country, he found that the Red River and the Saskatchewan districts would form four or five larger States, possessing superior prairie lands, excellent coal and gold mines, and agricultural advantages equal to those of the North Michigan, Illinois, and Minnesota States; that beyond the Rocky Mountains there was British Columbia abounding in gold mines, and also containing the best and most extensive coal mines which they had discovered as yet in the declivity of the Pacific; that British Columbia possessed a superior soil, a splendid climate and an abundance of fish; that in every respect this colony could contrast with California, Oregon, and the territory of Washington; that nature had done as much for the Canadian colonies as she had for the United States. Mr. Stiles referred to free trade as affecting this country, and he said that it was a question very attractive in theory but not adapted either to the present generation nor to the succeeding one, and that emigration from the colonies had been caused either by certain political causes or by want of sufficient protection. Unfortunately for the partizans of protection, these foregoing facts which were set forth in order to sustain Mr. Greely were, for the most part, without foundation, and he (Mr. Cauchon) asserted, without fear of contradiction, that it was not true that the agricultural products were always abundant and sure in the Province of Quebec. The soil and the climate of Ontario are very favourable to agriculture, but compared with the vast prairies of the West—whither the largest portion of emigration was directed—it was a mere garden. Those States

where the climate is cold were not the most prosperous of the Union; and wages were not there the highest, and emigration to the West was greater from those States than from Lower Canada. Again, it was not true that we had more land fit for colonising than they had in the United States. We did not possess the twentieth or even the fortieth part of what they possessed. The United States had every variety of climate, all kinds of natural products in abundance, and open ports all the year round; and thus, with those resources, that country necessarily attracted to it the mass of emigrants. We had, it was true, Manitoba and our North-West Territories, but they were only just beginning to be opened for colonization, and, most unfortunately, the grasshoppers had been making terrible ravages in the country. Although we trusted that this plague was only temporary, yet the distance of that district from the settled portions of the Dominion rendered it unfavourable. We had, indeed, fertile territories, but they were not continuous, according to the account of them, as he (Mr. Cauchon) understood, from the pamphlet on the subject by the Archbishop of Manitoba, and were situated far to the north of the fertile prairies of the United States. Again, the comparison of British Columbia with California—the finest and most fertile of all known countries—contained statements most exaggerated and without proof. British Columbia hardly possessed any good land for agriculture; it was very mountainous, while the miners had not discovered enough gold to induce them to remain there. Mr. Stiles told us that our inferiority was the result of the protection which existed in the United States and of the want of protection in Canada. If this were so, how had it happened, that our fellow-countrymen emigrated to the United States at the time when the American tariffs were low and returned, as many as could, at the time when the prohibitory tariff was being enforced? Hence they must conclude that the principle of protection was not the cause of the difference to which Mr. Stiles referred, and he had not done justice to Mr. Mill, who only sought the truth.

MR. CAUCHON.

The United States had every variety of climate, all kinds of produce, an uninterrupted navigation, and, besides, a protective tariff, and yet they were experiencing at this moment a most formidable commercial crisis, due principally to excessive speculation and production, stimulated beyond all calculation by the prohibitory tariff of which he was about to speak. The factories had been closed and workmen had been cast out by hundreds of thousands upon the streets in New York and other cities. The United States became rich inspite of themselves; the resources of the country were so great that it was impossible almost to escape prosperity. He would quote some extracts from a book written by Prof. Leoni Levi, to show what the effect of protection was on the manufactures of England before free trade was adopted. That gentleman said :

“The beau ideal of the Government at that time seems to have been to exercise a certain paternal superintendence over the transactions of society, to endeavour to repair by artificial means the shortcomings of private industry, and even to hamper or interfere, if need be, with the management of business, with a view to the advancement of certain interests which were deemed deserving of public support. Fortunately, the advocates of such measures did not always succeed. For a considerable time a tax was levied on all stuff made of cotton or of cotton and linen mixed; but complaints were made against such a tax. The Manchester manufacturers and Glasgow operative weavers strongly urged the repeal of all duties on manufactures, and called upon Parliament, as Heaven's Trustees for the nation, not to strangle an infant industry. The petition was successful, and the duties were repealed. Would that the woollen manufacture had been left as free from legislative interference as the cotton has been. The cotton manufacture was not born under an atmosphere of protection, was never the petted child of the Government or Parliament, and yet grew and prospered most vigorously. The woollen, the object of so much care, was for years weak and slow in its progress. Nothing could have been more suicidal than the action of the woollen manufacturers. They were not content to shut out all woollen goods from the English market; they went much farther. The long-stapled or English combing wool being superior for some manufacturing purposes to that of any other country, the most severe laws were passed, prohibiting the exportation of English wool. Nay, more. An Act was passed in 1788, prohibiting the exportation of live sheep;

imposing all kinds of restriction on the carriage of wool from one part of the country to another, and even prohibiting sheep-shearing within five miles of the sea. This was, indeed, carrying the protection policy to its legitimate results; but what were the consequences? Trade and industry were hampered and misdirected; the interests of the consumer were disregarded, in the vain hope of favouring the producer; and even the processes of agriculture were unduly interfered with, so that blunder was heaped upon blunder, producing in the end nothing but disappointment and loss. To some extent the policy of obtaining, free of duty, the raw materials of industry was acknowledged and acted upon. Indigo, cochineal and logwood necessary for dyers were allowed to come in free, and the duties on oak and bark were lowered. But the prohibition of foreign goods was very general, and bounties were freely given to encourage the exportation of British manufactures. These were the times when apprenticeship was everywhere prescribed, when workmen were kept by force in the country, and when the combination laws were in full operation."

Mr. PLUMB: How long ago was that?

Mr. CAUCHON said he was reading to prove that, if the principle, was bad when carried to extremes, it must be always bad. The only difference was that carrying it to extremes made it a little worse.

Sir JOHN A. MACDONALD: It is always bad to shave your head in order to cut your hair.

Mr. CAUCHON said that remark was very witty, but it was not well understood. Mr. Levi proceeded to say:

"The London merchants started from the first cardinal principles of trade that foreign commerce is eminently conducive to the wealth and prosperity of the country, by enabling it to import the commodities for the production of which the soil, climate, capital and industry of other countries are best calculated; and to export, in payment, those articles for which its own situation is better adapted; that freedom from restraint is calculated to give the utmost extension to foreign trade, and the best direction to the capital and industry of the country; that the maxim of buying in the cheapest market and selling in the dearest, which regulates every merchant in his individual dealings, is strictly applicable as the best rule to the trade of the whole nation; and that a policy, founded on these principles, would render the commerce of the world an interchange of mutual advantage, and diffuse increased wealth and enjoyments among the inhabitants of each state."

That was the true principle. If we

could produce cheap, we should do so; but if, by producing dear, the people were taxed and forced to pay one dollar for what could be got now for fifty cents, he did not think the industries of the country would be at all benefitted. Such a system would only create wealth for some few individuals, at the expense of the masses. It was argued that it was perfectly right for large countries like England and France to adopt free-trade policies, but that it would never do for a poor country like Canada. He did not place much faith in such an argument. If the principle was good in itself it must always be applicable, or *vice versa*. To sell dear and buy cheap was the best method of trading, and such a system would soon make a poor country rich. The same arguments used here to-day were brought to bear against free trade in France and England. It was always stated that ruin would follow any departure from Protectionist principles—that the country would be inundated with the products of other nations. In a measure, that was the fact; but, while the country overflowed with foreign products, native industries were flourishing, and the people were generally prosperous. Sir Robert Peel, referring to England's free-trade policy, made the following remarks:—

"I have no guarantee to give you that other countries will immediately follow our example. I give you that advantage in the argument. Wearing with our long and unavailing efforts to enter into satisfactory commercial treaties with the other nations, we have resolved at length to consult our own interests, and not to punish other countries for the wrong they do us, in continuing their high duties upon the importation of our products and manufactures, by continuing high duties ourselves, encouraging unlawful trade. We have had no communication with any foreign Government upon the subject of these reductions. We cannot promise that France will immediately make a corresponding reduction in her tariff. I cannot promise that Russia will prove her gratitude to us for our reduction of duty on her tallow by any diminution of her duties. You may, therefore, say in opposition to the present plan, 'What is this superfluous liberality, that you are going to do away with all these duties and yet you expect nothing in return?' I may, perhaps, be told that many foreign countries, since the former relaxation of duties on our part,—and that would be perfectly consistent with the fact—foreign countries which have benefitted by our relaxations, have not

followed our example, but have actually applied, to the importation of British goods, higher rates of duties than formerly. I quite admit it. I give you all the benefit of that argument. I rely upon that fact as exclusive proof of the policy of the course we are pursuing. But what has been the result upon the amount of your exports? You have defied the regulations of these countries. Your export trade is greatly increased. Now, why is that so? Partly because of your acting without your wishing to avail yourselves of their assistance, partly because of the smuggler not being engaged by you in so many continental countries whom the strict regulations and the triple duties which are to prevent the ingress of foreign goods have raised up, and partly, perhaps, because these very precautions against the ingress of your commodities are a burden, and the taxation increasing the cost of production, disqualify the foreigner from competing with you. But your exports, whatever be the tariff of other countries, or however apparent the ingratitude with which they have treated you, your export trade has been constantly increasing. By the remission of your duties upon the raw material, by inciting your skill and industry by competition with foreign goods, you have defied your competitors in foreign markets, and you have been enabled to exclude them. Notwithstanding their hostile tariffs, the declared value of British exports has increased above 10,000,000 pounds during the period which has elapsed since the relaxation of duties on your part. I say, therefore, to you that these hostile tariffs, so far from being an objection to continuing your policy, are an argument in its favour.

Sir Robert Peel had been a Protectionist himself, but by long reasoning, by the operations of a mighty rival, he arrived at the conclusion that free trade was the true policy. He would now give some figures to show the result of such a policy in England and France. The latter country was not so advantageously situated as England, but that she had prospered would be shown by the following figures: In 1860 the imports were £47,740,000 and the exports £79,920,000, but under the free trade system the imports increased to £89,000,000 and the exports to £91,000,000. The following statement would show the yearly differences:

TRADE OF FRANCE WITH FOREIGN PARTS.

Years.	Imports.	Exports.
1716 to 1720..	£3,696,000	£4,852,000
1736 to 1739..	6,708,000	7,796,000
1749 to 1755..	11,020,000	13,668,000
1764 to 1776..	13,336,000	15,668,000
1784 to 1785..	22,708,000	19,756,000
1786 to 1787..	24,156,000	20,916,000
1789	23,680,000	17,920,000

1792	£36,776,000	£32,040,000
1793	12,196,000	14,200,000
1800	13,004,000	10,864,000
1801	16,796,000	12,216,000
1810	13,440,000	15,040,000
1812	10,280,000	15,320,000
1815	8,000,000	16,880,000
1820	13,400,000	21,720,000
1825	16,000,000	21,840,000
1829	19,320,000	20,200,000
1830 to 1839..	21,300,000	21,160,000
1840 to 1849..	32,800,000	32,120,000
1850 to 1859..	47,740,000	79,920,000
1860	75,892,000	91,086,000
1861	97,694,000	77,054,000
1862	87,947,000	89,709,000
1863	97,057,000	105,704,000
1864	101,128,000	116,969,000
1865	105,672,000	123,538,000
1866	111,741,000	127,224,000
1867	121,063,000	113,038,000
1868	132,148,000	111,597,000
1869	126,126,000	122,199,000
1870	111,259,000	114,406,000
1871	135,729,000	114,624,000
1872	137,898,000	147,160,000
1873	142,171,000	151,492,000
1874	148,720,000	155,110,000
1875	146,891,000	160,886,000

The following figures exhibited the trade of England with foreign countries dating back as far as 1763:—

Years.	Imports.	Exports.
1763	£10,429,000	£13,027,000
1764	9,614,000	14,627,000
1765	9,910,000	12,608,000
1766	10,359,000	12,162,000
1767	10,971,000	11,987,000
1768	10,653,000	12,872,000
1769	10,644,000	11,473,000
1770	11,002,000	12,142,000
1771	11,441,000	14,629,000
1772	12,056,000	14,096,000
1773	10,154,000	12,874,000
1774	11,899,000	13,810,000
1775	11,998,000	13,033,000
1776	10,180,000	11,551,000
1777	10,339,000	10,722,000
1778	8,933,000	10,080,000
1779	9,888,000	11,894,000
1780	9,956,000	11,364,000
1781	11,094,000	9,258,000
1782	8,216,000	10,422,000
1783	11,510,000	12,613,000
1784	13,493,000	13,167,000
1785	14,267,000	13,666,000
1786	13,615,000	14,317,000
1787	15,582,000	14,317,000
1788	15,842,000	14,817,000
1789	15,416,000	16,845,000
1790	16,390,000	17,636,000
1791	17,190,000	20,016,000
1792	17,037,000	22,095,000
1793	16,972,000	17,734,000
1794	15,539,000	22,633,000
1795	20,100,000	22,231,000
1796	22,422,000	25,130,000
1797	17,900,000	23,881,000
1798	25,122,000	27,317,000
1799	24,067,000	29,557,000
1800	28,258,000	34,382,000
1801	31,786,000	Records not complete for these years.
1802	29,826,000	
1803	26,623,000	
1804	27,830,000	

1805	£28,561,000	£38,077,000
1806	26,900,000	40,875,000
1807	26,734,000	37,246,000
1808	26,796,000	37,275,000
1809	31,751,000	47,371,000
1810	39,302,000	48,439,000
1811	26,510,000	32,891,000
1812	26,163,000	41,717,000
1813	Records destroyed by fire.	
1814	37,755,000	45,494,000
1815	32,987,000	51,610,000
1816	27,432,000	41,654,000
1817	30,834,000	41,818,000
1818	36,885,000	46,471,000
1819	30,777,000	35,211,000
1820	32,472,000	36,424,000
1821	30,838,000	36,655,000
1822	30,531,000	36,966,000
1823	35,798,000	35,357,000
1824	37,468,000	38,423,000
1825	44,209,000	38,871,000
1826	37,814,000	31,537,000
1827	44,908,000	37,181,000
1828	45,167,000	36,813,000
1829	43,995,000	35,843,000
1830	46,300,000	38,272,000
1831	49,728,000	37,164,000
1832	46,611,000	36,451,000
1833	45,944,000	39,667,000
1834	49,365,000	41,619,000
1835	49,029,000	47,372,000
1836	57,296,000	53,294,000
1837	54,762,000	42,069,000
1838	61,258,000	50,062,000
1839	62,048,000	53,234,000
1840	67,493,000	51,406,000
1841	64,444,000	51,634,000
1842	65,253,000	47,381,000
1843	70,215,000	52,279,000
1844	75,297,000	58,584,000
1845	85,298,000	66,111,000
1846	75,934,000	57,787,000
1847	90,922,000	58,842,000
1848	93,547,000	52,849,000
1849	105,884,000	63,596,000
1850	100,469,000	71,368,000
1851	110,485,000	74,449,000
1852	109,331,000	78,077,000
1853	123,099,000	98,934,000
1854	152,592,000	97,184,000
1855	123,660,000	116,701,000
1856	172,544,000	139,220,000
1857	187,844,000	146,174,000
1858	164,584,000	139,782,000
1859	179,182,000	155,693,000
1860	210,531,000	164,521,000
1861	217,485,000	159,632,000
1862	225,717,000	166,168,000
1863	248,919,000	196,902,000
1864	274,952,000	213,620,000
1865	271,072,000	218,832,000
1866	295,290,000	238,936,000
1867	275,183,000	225,803,000
1868	295,460,000	227,778,000
1869	295,460,000	237,106,000
1870	303,296,000	244,134,000
1871	330,015,000	223,066,000
1872	354,693,000	256,257,000
1873	371,287,000	255,164,000
1874	370,082,000	239,558,000
1875	373,939,000	223,465,000

but, if this were true, England at the present moment would be utterly ruined, while the fact was, that her wealth was increasing at the rate of at least £100,000,000 sterling per annum. The history of the United States proved the advantages of free-trade. In spite of its immense resources, its trade had scarcely increased since a protective policy was adopted. The following figures showed how the trade of the United States with foreign countries stood between 1855 and 1876:—

Years.	Imports.	Exports.
1855	£53,710,147	£45,606,146
1856	64,673,098	58,587,380
1857	72,589,230	61,213,283
1858	54,862,228	56,669,615
1859	69,027,779	61,021,260
1860	73,670,024	69,495,011
1861	63,424,213	78,119,693
1862	39,459,327	40,219,209
1863	50,548,320	55,761,010
1864	65,699,761	49,070,797
1865	47,640,451	55,131,746
1866	91,174,784	73,282,098
1867	82,360,159	66,890,921
1868	69,509,842	53,808,408
1869	83,661,276	72,211,029
1870	92,475,517	105,903,860
1871	108,298,755	118,195,710
1872	114,502,161	112,361,676
1873	128,406,108	125,319,015
1874	113,481,268	117,256,608
1875	166,600,905	109,613,805
1876	92,128,038	116,022,858

The trade of the United States remained almost stationary under the protective system. The population of England was 31,857,338; her imports amounted to £373,939,000 sterling and her exports to £223,465,000 sterling. The population of France was 36,120,000 and in 1875 her imports amounted to £146,891,000 and her exports to £160,886,000. In 1875 the population of the United States was estimated at 41,675,000, and her total trade then amounted to £216,000,000, against over £600,000,000 sterling on the part of England. The American people were very energetic and enterprising, but under free trade, France had made greater advances than they had. The United States could not enter into serious competition with England, and the general result was strongly in favor of free trade, which was the only system we ought to adopt if we wanted to become a prosperous nation. This question was settled long ago; a revenue tariff was all very well for every one knew that they must make

The hon. member for Bagot appeared to think that, if the balance of trade continued against a country for a long time, it was ruinous to its interests;

sacrifices in order to meet the public expenditure, but a real protective tariff would not be borne by the people. The hon. member for Bagot had said that the people of Quebec were not afraid of taxation. This might be true with regard to railways which benefitted the country, but they would never tolerate a tariff drawn so as to enrich merely a few men in the business centres. The Government was accused of living at the expense of the people, but one thing was certain, that, if they changed places with the hon. gentlemen opposite, the position of things in this regard would not be changed. Those hon. gentlemen did not care for the money of the people. The present difficulty was only temporary, and it was only necessary to bridge it over. The truth was that our market had been over-stocked with our own productions, and to this the existing trouble was due. To every branch of industry this remark applied. In the United States, under the protective system, a similar state of things existed, and, having over-stocked their own market, they made of Canada a slaughter market. If the United States wished to prosper, they would find that they must return to their old policy.

Mr. BLANCHET asked whether the House was to understand that the hon. gentleman had stated that there was free trade in France.

Mr. CAUCHON said they had comparative free trade in France. It was like England, and in England, there was not quite free trade. Both countries had a tariff for revenue purposes. There was a free-trade treaty, however, between England and France. Coincident with the disappearance of the prohibitory tariff was the great increase in business.

Mr. BLANCHET said there was not free trade in France. In that country they had protection to an industry in which the hon. gentleman himself had an interest, namely, ship-building. By the papers just brought down to the House, it appeared that the French Government refused to take off the duty of 40 fr. per ton upon vessels constructed in Canada, as they wanted their own shipping interest protected.

Mr. CAUCHON.

Mr. CAUCHON said the difficulty was when England obtained the treaty with France it had neglected to include the colonies, and France did not care to extend it to Canada now as we had placed heavy duties on their wines, &c.

Mr. ROCHESTER said he would reiterate what he had before stated, that our tariff ought to be framed with a view to incidental protection. The farming, as well as the other interests, was entitled to protection. Canada was adjacent to a country where every industry was protected by a duty or received an encouragement to export in the shape of a bounty. He would approve of free trade if it were adopted on both sides. But free trade did not consist in there being duties on one side of the line while there were none on the other. A vast extent of our country was suitable for the growth of coarse grain, which we grew in some instances better than wheat. But Indian corn was an article which was not raised to any extent in Canada, although it was in the United States. Corn was imported into Canada for the purpose of making whiskey. If the Government had put on a duty of ten cents a bushel on corn they would have raised a little more than the amount of taxes that the Finance Minister had chosen to put upon the coarse grains. It had been said that whiskey was not made out of Indian corn. It was a fact, however, that very good whiskey could be made from corn, and when American corn was brought into Canada it displaced so much Canadian coarse grains. A few years ago, rye was the principal grain used by distillers for the manufacture of whiskey. With reference to the brewing business, he would take the opportunity of saying that he had no interest in the trade, and had not had for nine years; therefore he spoke only from a desire to see the general good prevail. Men would take stimulants, and, as beer was much less injurious than whiskey, a wise Government would encourage the manufacture of the former rather than of the latter. But the two cents a pound placed on malt would prove most disastrous to the brewers. He had received the following letters from gentlemen in Toronto on the subject:—

"TORONTO, Ont., 20th March, 1877.

"JOHN ROCHESTER, ESQ., M. P.

DEAR SIR:—I am sorry to inform you that I am going to shut down the last day of the present month. I find it hard to get in enough cash to pay the duty, and an increase in the price of ale is out of the question. Whiskey is king and beer is unquestionably on the decline, and will continue to diminish so long as the present foolish and unwise legislation is persevered in. Surely corn can stand the tax much better than any article that should be fostered in the country, and is in all civilized countries in the world. I think the Government will yet rue the day, and that before long, for the course they have pursued in the matter. I hear that other brewers here are completely disheartened and intend shutting down at once.

Yours truly, etc.,

"E. O'KEEFE."

TORONTO, Ont., 21st March, 1877.

"J. ROCHESTER, ESQ., Ottawa."

DEAR SIR:—Is there no prospect of the tax upon malt being removed? We have been brewing now for about three weeks under the additional burdens, and we are quite satisfied it is useless to go on any longer. We have decided upon stopping next Friday. We had plans, specifications, and everything prepared for the erection of a lager beer brewery, upon which we propose to expend \$15,000, believing that it would be the policy of the Government to encourage the manufacture and use of light beverages, but finding their policy so directly opposed to what we had just reason to believe would be, in the best interests of the country, we can only see one course left, that is to stop all expenditures at once, stop the business and leave the country, the government of which seems so blind to its own interests and the interests of its people.

"Yours truly, etc.,

"COSGRAVE & CO."

Both Mr. Cosgrave, of Toronto, and Mr. O'Keefe were strong supporters of the present Administration. He had received other letters from some of the largest concerns in Montreal, within the last day or two, stating that they had advertised their property for sale. The increase of 1c. a pound might seem a little to some gentlemen, but, when they found it meant 72c. a bushel, or 100 per cent. over what it had been, and what any other country levied, they would see its importance. They all believed the United States was taxed as heavily as any country in the world since her internal war, but, while they put a dollar a barrel duty

on beer, ours now amounted to about two dollars. This was another deadly blow at the farmers, because a number of these breweries would have to shut down. If they could not get up the price of ale, which he did not think they could, then the Government, by this unwise policy, would succeed in making honest men dishonest, in making brewers use an article in beer which ought not to be used. This was a very serious thing, for, if the Minister of Inland Revenue had forty Brunels under him and forty others under them, the brewers could make beer, and defy them to detect anything deleterious in it. He knew enough about the business to know that. But he believed the brewers of Canada had never done it. It had, however, been done in other countries, because other ingredients could be got cheaper than malt and hops. At the rate which had been paid for malt in this country, however, there was no ingredient that he knew of which it would pay to substitute; but, when the price was increased 100 per cent., it was a different thing altogether. A finer or a more honest and straightforward class than the brewers of Canada they could not find. But now, after having expended their lives and the little they had got together in building up good establishments where they might manufacture their ale, these were to be thrown upon their hands, and they were to be debarred from carrying on their business. The Government had no compunction about granting a license, and then passing a prohibitory law and saying they should not brew. He was not there as the representative of the brewers, but as any other hon. member, elected not only to look after the interest of his constituents, or to legislate for the county of Carleton alone, but for the Dominion of Canada. He hoped that, even yet, the Government would see their way clear to make some change in this matter. He suggested that they should put a duty on corn, which, he thought, would raise the revenue by \$50,000 more than they expected to derive by this additional tax on malt. It was often asked what they proposed to put a duty on. He was in favour of doing just as they did in the United States. It had been asserted that we

imported nothing from the United States in the way of cattle, sheep and horses. He thought that was a mistake. He found that in 1876, 6,397 horned cattle were brought into the Dominion, at a cost of about \$164,000; 1,571 horses, at a cost of about \$75,000; and 11,856 sheep, at a cost of about \$23,000. In 1875, 125,000 swine were imported, at a cost of \$350,000. Did it seem right that silks, velvets, jewellery, pianos, and such aristocratic articles should pay 17½ per cent., while the poor man's sugar was taxed 45 per cent., his molasses, 25 per cent.; his oil, 25 per cent.; his tobacco, over 100 per cent.; his butter, 4c. per lb.; his cheese, 3c. per lb.; and so on. Upon what principle was our tariff got up? Was it that the poor and middle classes who consumed quantities of sugar, &c., should pay what ought to be paid by ladies and gentlemen who wore silks, velvets, fine cloth and jewellery, and played on pianos? Was it that the poor man's molasses should pay three-fourths as much per cent. *ad valorem* as the rich man's sparkling wines? He thought the Finance Minister might take a hint in the way of protecting our farmers, and he thought he could raise the revenue without doing injustice to any one party in the community. An anonymous communication had appeared in one of the city papers, telling the Ottawa members that, if they voted protection, woe betide them. He had stated the other day that he thought the writer was an American. He signed himself "Ottawa Valley." He tried to show that protection would be an injury to the farmer and the lumberman. The author of that communication belonged to a lumber firm in this city, and did not want protection. He was connected with a saw-mill and a flour mill in this city, and that establishment imported a large amount of Indian corn from the United States, costing them a little less than 1c. a pound, while they sold it for more than 1½c. a pound, making a profit of from 65 to 70 per cent. This was the disinterested gentleman who wrote over the signature of "Ottawa Valley." He did not go so far as to say that the Government ought to take the duty off pork, but he hinted very strongly at it. He (Mr. Rochester) consumed

Mr. ROCHESTER.

a good deal of this article during the year but he thought the duty was light enough, and that in fact the protection was hardly sufficient to allow our farmers to compete with the United States in the raising of pork. Our farmers could raise pork, but it was impossible for them to do it as cheaply as it was done in the United States. In regard to manufactures, we had a nation of forty millions of people along our border, and their manufactures, which were many years senior to ours, had succeeded. It was true that they had been put to their wits' end, but necessity was the mother of invention, and hence the prosperity of the United States. Besides, the Americans were sending their goods to England and competing with English manufacturers on their own ground. The *London Lumber Trade Journal* contained an article recently which stated that English manufacturers were talking seriously of protection. If that was the case, was it any wonder that the manufacturers of a young country like this should ask for protection against the United States. The Americans were a very ingenious people. By their practice of making tools for every description of work they undertook, they were able to manufacture at 50 per cent. less cost than people who did not pay so much attention to the preliminaries. This fact, in a great measure, explained why they could export their goods into Canada and undersell, despite a 17½ per cent. tariff. Yet hon. gentlemen agreed that we wanted no protection. He had never heard such an insane argument. With regard to the lumber interests, he contended that we laboured under serious disadvantages as compared with the United States. The Americans had the benefit of our rivers and canals for floating their lumber, but they imposed a duty of \$2 gold on the products of our forests. It had been charged that the hon. member for Kingston was to blame for this state of affairs—that we would have been in a different position had the Washington Treaty never been consummated. The hon. member for Kingston, however, had pointed out that there were complications between the United States and Great Britain, and that it was necessary

that both sides should make concessions, as Canada had been protected by the mother country, and the hon. gentleman was perfectly right in attaching his signature to that treaty. But the trouble was that the convention had not been carried out by our neighbours. By it the Federal Government of the United States had to urge upon the State Governments the necessity of granting to Canadian bottoms the right to pass through American waters. This privilege had never been allowed, and it was thought that the State Governments were to blame. But it appeared that the Federal Government had the regulation of this matter, and they had prohibited all foreign vessels from passing through the First Collectorial District of New York. In support of this position he cited a letter from Mr. B. H. Bristow (*Hansard*, 187*c*, page 391). In this connection he would also read the following letter which contained information of interest on this point:—

To the Editor of THE CITIZEN :

“SIR,—On my return home, after an absence of a few days, I notice in Mr. Mackenzie's reply to Dr. Tupper's speech on the Budget, that he taunts the late Administration for the manner in which they bartered away our canals to the Americans; and I would like to call the attention of Mr. Mackenzie, as well as every member of Parliament, to a few facts.

“The Washington Treaty provides that we give the Americans the use of our St. Lawrence and other canals, and in return for this, the United States Government agree to use their influence with the State Governments, to grant Canadians the similar use of their canals. Now, Mr. Editor, the State Governments say they have no laws to prevent our going through their canals, provided we comply with their rules and regulations, and to substantiate this, they allowed a number of Canadian vessels to pass through the Whitehall Canal in the spring of 1875. But the owners of these barges were informed by the Collector of Customs of the District of Champlain, that through instructions from the Secretary of the Treasury at Washington, they are forbidden to continue such trade, as the revenue laws of the United States would not permit it, for, he further stated, a foreign vessel could not carry foreign goods or merchandise from one district into another. To explain this, I would state that each State is divided into collecting districts; for instance, the district of Champlain extends from Rouse's Point to a point midway on the Whitehall Canal, at which point another district commences; and a vessel having to enter at the first port of entry must enter in

the district of Champlain, and, according to the above interpretation of the revenue laws, cannot go out of that district with her cargo. Now, Mr. Editor, I would ask you what this has to do with the Washington Treaty? The United States Government is not debarred from carrying out their part in the Treaty by the State laws. Even this can be got over by paying the duties at Rouse's Point—as I am under the impression that their Act reads that foreign vessels cannot carry foreign goods from one district into another—for we will readily see that the moment the duties are paid that they become American goods. But Mr. Editor, this is not the only objection they make. They say that there is nothing said in the Treaty about the Hudson River, and consequently they cannot give that up to us; that they are willing that we should go to Troy or Albany, but no farther. Of course, this means that we are debarred from our lumber trade with New York city, and that we cannot get to their coal regions, which effectually debars us from the trade altogether. Now, this is the standpoint on which I consider our Government ought to take them on, for I would like to have any one show me where Sir John, or any of our representatives, ever mentioned the Richelieu or Ottawa Rivers in the Treaty; and if the Americans can get out of their part of the bargain on this ground, why cannot we do the same? Now, Mr. Editor, I for one do not wish to drive the Americans from our waters, but I do think they ought to give us what they get, when we consider that not more than five years ago there were between 2,000 and 3,000 canal men employed in this trade, with at least 350 barges and forty or fifty steamers, while last season, all told, forty barges, four steamers and about 150 men did all the work, and were only employed half the time at that. I am quite well aware that our worthy Minister of Customs, as well as his efficient Deputy, are thoroughly conversant with this subject, and can properly lay it before Parliament, should the Hon. Mr. Mackenzie so desire it, and in fact Mr. Burpee went so far into the matter last summer as to draft a motion in Council to the effect that, unless the Americans gave us what they asked that we would not allow them to come past the foot of Chambly Canal, that is, that they would not be allowed to enter the Richelieu River on the same grounds that we could not enter the Hudson. And, Mr. Editor, I have it from the best authority that Mr. Mackenzie objected to this on the ground that the Richelieu River is a canal, it having been dredged. Consequently, we have no rivers in Canada of any importance, all the principal ones being canals. You will hear from me again on the subject of registration.

“Yours, &c.,

“FORWARDER.”

Those facts were worthy of the most serious consideration. We could send our lumber to Albany in Canadian bottoms, but then were

obliged to transfer the lumber to American vessels to be sent down the Hudson to New York. The Government ought to try to remedy this state of things. It was not enough for hon. gentlemen opposite to allude to the Washington Treaty in reply to such remonstrances. He believed that the country was fully satisfied with this treaty; but it had not been carried into effect. If it was in force, Canada would have nothing to complain of.

Mr. MACKENZIE said this matter was not pertinent to the discussion. If the hon. gentleman would only set a day for a debate upon the Washington Treaty, he would be gratified. Meanwhile he could only state that the Government had done everything in their power to carry the provisions of this treaty into effect.

Mr. ROCHESTER said he was very glad to hear it, and he was certain that this news would be gratifying to the House and the country. He hoped that the Government would push their negotiations to a conclusion. It was not agreeable to be told, as had been the case with himself a short time ago by Americans, that they had always the best of the bargain relative to treaties they had made with England. The speech of the hon. member for North Norfolk (Mr. Charlton) on this subject had surprised him. He was astonished to learn from the hon. gentleman that our industrial productions during the past year nearly by a million exceeded in value those of 1875. The *Journal of Commerce* in this relation said:

“The debate on Sir John A. Macdonald’s amendment to the resolutions of the Government embodying their fiscal policy has brought forward several gentlemen who have not hitherto taken a prominent part in the discussions in the House. Mr. Dalton McCarthy, the new member for Cardwell, and Mr. Charlton, member for North Norfolk, spoke on opposite sides, and, if we may judge by the array of figures quoted by both gentlemen, they have made considerable preparation. On subjects such as that under consideration, figures are indispensably necessary, but great care must be taken to subject them to the closest scrutiny, as they are often misleading, and not unfrequently used to establish the foregone conclusions of the speaker. Mr. Charlton, who is a strong Free-trader, asks the question: ‘Had we

Mr. ROCHESTER.

anything to complain of at the present as to the state and development of our manufactures? In 1875 the exportation of domestic manufactures was \$2,293,000, and in 1876 it had increased to \$3,164,000: surely an increase of 38 per cent. in one year was a satisfactory exhibit for any industry to make, and he ventured to say that in no other country, whether Free-trade or Protectionist, could be shown a better exhibit.’ Now we are ready to admit that the figures cited by Mr. Charlton are correct, and that the deduction from those figures appears to be plausible and calculated to support that gentleman’s free-trade argument; but we must, at the same time, deny that they convey an accurate description of the real facts. It was, no doubt, convenient to compare the year 1876 with 1875, a year of greatly reduced exports, instead of with 1873; but Mr. Charlton, when he undertook to deal with the exports of manufactures, in order to establish their development, ought to have gone a little more into detail, and to have shown in what branches of our infant manufactures there was such great prosperity. Not having been satisfied with the general statement of Mr. Charlton, we have endeavoured to ascertain for ourselves what particular trades are in such a flourishing condition as that which he has indicated. The export of extract of hemlock bark was \$230,229 in 1875, and \$373,258 in 1876. In 1873 it was only \$106,000. Now it is at least open to grave doubt whether the increased export of this article is advantageous to our interests. A few years ago there were urgent representations to the Government to endeavor to restrain its exportation by a prohibitory duty. It may well be doubted whether this increase of about \$150,000 is a subject for congratulation. Then there is an increase in the export of iron and hardware of nearly \$100,000. In the years previous to 1876 no distinction is made between ‘pig and scrap iron,’ and ‘iron and hardware,’ so that no fair comparison can be made, but of the \$292,211 exported in 1876, no less than \$196,928 was ‘pig and scrap;’ and we must own that we should have thought it a much greater subject of congratulation to the House and the country if Mr. Charlton had been able to shew that our pig and scrap iron had been used at home in our domestic manufactures. Wood manufactures are better classified in 1876 than in former years, and we are, therefore, unable to institute a comparison on any article but that which is probably the most important, viz: ‘sugar boxes.’ In wood goods generally there is no material difference between 1875 and 1876, but in both years there is a lamentable falling off from 1872 and 1873. Advertising, however, to Mr. Charlton’s years, sugar boxes were \$288,630 in 1875, and \$205,168 in 1876. In 1873 they were \$712,101. It will be borne in mind that Mr. Charlton’s aggregate increase of exports was \$871,340. We have accounted for \$244,060 under the heads of hemlock bark and iron. The great item of

increase is in leather and its manufactures. These were \$1,105,981 in 1876 and \$527,348 in 1875, or an increase of \$578,633. In this article there has been a great improvement in the classification, as until 1876 it was all classed as 'leather.' Of the large quantity exported in 1876 no less than \$956,379 was 'sole and upper leather,' and, we confess, as in the case of pig and scrap iron, we doubt whether the country is to be congratulated on sending off the raw material of a very important manufacture. The total amount of boots and shoes exported in 1876 was \$83,279, but we have no means of instituting a comparison between the exports of this article in 1876 and those of former years. There was also an increase in grindstones in 1876 over 1875 to the extent of \$23,196, that utensil being an entirely new article of export, not having been noted at all until 1875, when it was \$2,559. We now come to 'sewing machines'—the value of which in 1875 was \$254,510, and in 1876, \$305,749, an increase of \$51,239. As a slight drawback to this increase we may notice that the average values in 1875 were about \$2 each machine higher than in 1876, while in 1873 both the number and average value was considerably higher than in 1876. We have more than accounted already for the aggregate increase of exports in 1876 over 1875. We cannot undertake to go through the whole list, but in some items there was a falling off, as in books, which were \$45,634 in 1875 and \$20,579 in 1876; gypsum or plaster, \$49,809 in 1875 and \$32,063 in 1876. On the other hand, woollens were \$17,954 in 1875 and \$45,249 in 1876. It must, however, be noted that in 1873 the export of gypsum was \$121,220 and of woollens, \$52,780. We shall not weary our readers with any more details, but we trust that we have established our point, which was that, by wholly omitting details, Mr. Charlton gave a completely false coloring to his picture of 'the state and development of our manufactures,' and that the result is anything but 'a satisfactory exhibit.'"

The exportation of extract of hemlock bark, as business men knew, was extremely detrimental to the country. To obtain these exports a very large number of valuable hemlock trees had to be felled for the purpose, and thousands of acres of ground were denuded of these trees, to the number of two or three millions a year. The *Journal of Commerce* went on to say:

"On another point Mr. Charlton made some remarks which would have been appropriate had they not been tinged with party spirit. The acquisition of British Columbia and of the North-West Territory has been a heavy strain upon the resources of the Dominion—that all must admit. It may be that the acquisition was premature, but there can be no doubt whatever that the

political party in Ontario, with which Mr. Charlton is identified, was specially responsible for the early acquisition of the present Province of Manitoba and of the North-West. There was a serious division of opinion among the small population of the territory on the subject—the minority, composed chiefly of new immigrants, being favourable to the union with Canada, while the majority, consisting of the native population, giving a decided preference to the old Hudson Bay Company's régime. All the negotiations were conducted in concert with the Imperial Government, and with their entire concurrence, and the Canadian Government had no reason whatever to apprehend the serious outbreak which afterwards occurred. Nothing is easier than to find fault, and Mr. Charlton, who complains bitterly enough of fault-finding with the present Government, is but too ready to imitate the example of those whom he condemns. On the whole, the Manitoba difficulties were dealt with most prudently and successfully, and with no considerable expenditure of money. The North-West having been acquired, the consolidation of the Dominion by the incorporation of British Columbia became almost a necessity. Had it not taken place the annexation to the United States of the territory west of the Rocky Mountains could hardly have been averted. We have no doubt that Mr. Charlton would have solved the difficulty by leaving British Columbia to its fate, but the statesmen of his party have not ventured to take that line. Their complaint has ever been that the Canadian Government did not accept the terms proposed by British Columbia, viz: the immediate construction of a stage road, and the expenditure of not less than a million per annum on a railroad. Had such a proposition been entertained by Canada, there can be little doubt but that it would have been assailed with not less vigour than was the scheme that was actually adopted. While we see much to object to in Mr. Charlton's speech, the notice we have taken of it is proof that we consider it deserving of public attention."

Mr. SPEAKER said it was laid down in *May* that extracts from newspapers or other documents relating to the debates in the House could not be read by hon. members.

Mr. ROCHESTER said that in this respect he had only followed the example of many other hon. members, and particularly the President of the Council.

Mr. SPEAKER said it was clearly out of order.

Mr. ROCHESTER said the hon. member for Arthabaska (Mr. Laurier) had stated that the poor people of Montreal were suffering fearfully, and buying coal by the pound and wood by the

stick. What was the reason of that? Was it not because the manufactories were closed and business was at a standstill?

Mr. LITTLE said that no apology was necessary from him in addressing the House, as he represented one of the wealthiest and most populous agricultural constituencies in the Dominion. Many hon. members on the Ministerial benches had said that protection was not needed by the farmers; indeed the hon. the Premier himself said that the farmers could take care of themselves. It had also been said that the American produce coming into Canada did not materially affect our market. He thought otherwise, and believed that protection was required by the Canadian farmers just as it was by the farmers of the United States. Whatever difference of opinion there might be as to protection and free-trade, there existed no difference as to the desirability of having reciprocity, though the roaring speech of the Minister of Justice at Aurora implied that some Canadians were averse to it. However, now those who were foolish then had become wise, for all the country was in favour of reciprocity—but the Government could never secure it by its present policy. If, however, we had protection even to a limited extent, we should be much more likely to secure better terms with the United States. If protection was good for the American farmers and manufacturers, it was good also for us. But the Government was careless, and was playing into the hands of the American people. The hon. the Minister of the Interior remarked that the agricultural products imported into Canada from the United States did not tend to injure the Canadian farmer. On looking at the returns lately brought down to the House, he found that last year there were imported into Canada from the United States,—1,895 horses, value \$92,770; 5,864 horned cattle, value \$162,446; 30,195 swine, value \$364,600; 11,344 sheep, value \$22,358; all these were imported at only 10 per cent. duty. There was also of flour to the value of \$1,897,146, and meal to the value of \$493,988 imported free; whilst our Canadian live stock had to pay a

duty of 20 per cent., our wheat 20c. per bushel, and our flour 20 per cent. for admission into the American markets. Was it not a fact that Canada had enough and to spare both of stock and flour? Why, Canada exported no less than 229,922 of live-stock valued at \$1,826,172, with produce such as wool, hides, butter, cheese, &c., to the value of \$12,700,500; and agricultural products, grain, &c., to the value of \$17,258,358; thus the farmers had great cause to complain of the high duty Canadians had to pay in the United States, and the low duty the Americans had to pay here. Not only did the farmers object to the policy of free-trade, but they also objected to the extravagance of the various Departments. Did they not all know that, regarding the hon. the Minister of Public Works, the purchase of 50,000 tons of steel rails would never have been made, if the firm of Fairman, Cooper & Co., with his brother as a partner, had never existed? The idea of purchasing rails before a mile of the railway was located was absurd, and the country lost a million dollars by it. Then, again, giving a contract for the Georgian Bay Branch Railway survey and construction to Mr. Foster, allowing that person to withdraw from the contract, and absolutely paying him some \$100,000 for committing a breach of the bargain—paying him for a survey at the rate of \$500 per mile—was a waste of money. Besides, it was folly to construct the transit line before the main railway was located, for where could we tell at what place the connection would be made. He would also remark upon the carelessness of the hon. the Postmaster-General, who, in that regard, was unlike his predecessors in office. For instance, a few weeks ago, he made an enquiry if that Department was going to adopt some plan whereby registered letters could not so easily be tampered with, and if recompense could not be allowed to parties who thus suffered loss. The hon. the Minister answered in a very curt way that one letter was under his consideration and nothing could be done as to recompense. The fact was that 54 registered letters had been abstracted last year, five of which were in his (Mr.

Mr. ROCHESTER.

Little's) own county, at a loss of from \$3 to \$15 each. He held, that since the Government constituted themselves the mail carriers of the Dominion, and asked an appropriation of \$1,769,800 for this year's service, they should be held accountable for any loss that was sustained, else what was the use of registration? He thought the Government was prone to blunder. But the hon. the Finance Minister was looked upon by his party as possessing the ability of a Galt and the genius of Sir Francis Hincks. The hon. the Minister of Finance was fond of borrowing, but never was a loan effected on worse terms. The people blushed at the thought of how low the credit of Canada had fallen in the London market, when the hon. the Finance Minister sold our bonds last year at about 90c. on the dollar, and lost £50,000 sterling in borrowing £2,500,000. Why the county treasurer of Simcoe never did any thing so bad as that; the county debentures never were sold at less than 98c. on the dollar. The hon. the Finance Minister had better step out and let a county treasurer step in and regulate the Department. Then, there was the hon. the Minister of Immigration, who spent last year in his Department more than \$286,000, and only about 25,000 emigrants came out, of whom upwards of 6,000 returned to Europe, most of them to the British Isles, disgusted with the country because they could find no work, our mills and manufactories being idle. And, to cap the climax of folly, absolutely the Government sent 234 emigrants back to France at a cost of \$5,000. He (Mr. Little) held that it was the duty of the Government in inducing emigrants to come here to find them work instead of throwing them on the municipalities for relief. The times were undoubtedly bad; but the Government should rise to the occasion and adopt better measures for the country's welfare, and endeavour to lessen the distress. That could not be done by a rest-and-be-thankful policy. With regard to the manufacturing interests, he held that there was a very close affinity between the manufacturing and agricultural interests. If one prospered the other was not far behind. Every farmer

was better off having carding, flour, saw and shingle mills in his locality, but such must be in running order, in full blast, to be of service. Well, nearly all these were shut down, and the Americans flooded our markets with products, taking away our people's gold that should remain in the country. He did not believe the statement of the hon. the Minister of the Interior, that the more we imported the richer we should be, even if we did not export so much. That was another instance of that hon. Minister's fallacies. He could not help contrasting the present position of the country with that when the right hon. member for Kingston was at the head of affairs. Then there was a good time for the town and country, for the farmer, manufacturer, mechanic and the labourer. Let them look at the picture now; hear the cries of thousands for work; view the tramps begging from door to door; find out the amount of taxes that were paid by municipalities for the support of the poor, and then let them consider whether there was not reason to believe that this at all events was partly owing to the present Government. He hoped, however, that a good time was coming. The people were tired of waiting, and would soon release the country from its bad position. They required protection at the hands of the Government of the day, and asked Heaven to protect them against the Government which was plunging the country into ruin.

Mr. BORRON said the issue really before the House was not between free-trade and protection, but between protection as it was at present and protection as the hon. gentlemen opposite wished it to be. The Government had expressed no intention of taking away from any industry that amount of protection already received under the tariff. The amendments moved by the right hon. member for Kingston and the hon. member for Centre Wellington (Mr. Orton) plainly meant an increase of the tariff, or in other words, an increase of what they were pleased to call "protection." He was aware that some hon. gentlemen might deny this and assert that "re-adjustment of the tariff" or "an arrangement of the

tariff of Customs duties" did not necessarily imply an increase. He knew that these phrases were ambiguous and might be perverted so as to mean anything or nothing. Fortunately, however, where words failed to bind, actions might be appealed to. In voting as they did for the amendment of the hon. member for Hamilton (Mr. Wood) the Opposition committed themselves to the view for which he (Mr. Borron) contended. That amendment was couched in these words:—

"That inasmuch as it has been deemed necessary to raise an additional revenue, it is the opinion of this House that the interests of the country would be better served by imposing additional duties upon such goods and wares as may be produced in Canada; thereby affording increased protection while securing the additional revenue required."

The Opposition voted for that amendment almost to a man, and no further proof was needed that the phrases "readjustment of the tariff" and "to arrange the Customs tariff," in the amendment of the right hon. member for Kingston and the hon. member for Centre Wellington respectively, really and truly meant an increase of the tariff; the hon. member for South Norfolk (Mr. Wallace) had said, that "Government was a system of protection," that it was the duty of every Government "to protect the weak against the strong, the right against the wrong." He entirely agreed with that hon. gentleman. He (Mr. Borron) held that, whatever other functions or duties a Government might be justified in assuming, the first, the most sacred and important duty was, the maintenance of the just and equal rights and liberties of the people. That was his firm belief, and it was in the light of that great fundamental principle that he proposed to treat the question now before the House. Taxation could hardly be a blessing under any circumstances, although hon. gentlemen opposite would have the country believe that they could so adjust or readjust it as to benefit every one. It was, at best, in his opinion, the lesser of two evils. There were two systems or modes of taxation, called direct and indirect. The direct mode of taxation was adopted in our corporations and municipalities, and was well enough

understood by the people generally. It was, in his opinion, the most just, if not the only just system of taxation. It was urged, however, by opponents that it was or would be impracticable to levy and collect the Dominion taxes in that way; even that it would be impossible. It was asserted that the people, and the working classes especially, were not provident enough to set aside out of their weekly or monthly wages, the sums required to satisfy the demands of the tax gatherer when he called. If this were so, the fault, if any, was in the people and not in the system. The other mode of taxation, the indirect, was the system under which the revenue was obtained when levied on the commodities produced abroad. The tax was paid by the merchant who imported or brought them into the country. It was regulated according to a list or tariff approved by Parliament, and the duties imposed were called Custom duties. On most manufactured goods or articles, the present duty, as hon. members knew, was  $17\frac{1}{2}$  per cent., or, in other words,  $17\frac{1}{2}c.$  on the dollar. When levied on the commodities produced in the country itself, such as spirits, beer or tobacco, the duty was called an Excise duty and was paid, in the first place, by the distiller, brewer or tobacco manufacturers to the Government. Both those taxes, however, were ultimately paid by the consumer. So long as the article taxed was grown or produced abroad, and either was not—or could not be—produced in the country itself, such as tea for example, the duty could be fairly collected, and all went into the Treasury. As regarded those articles, like spirits or beer, which, when imported from abroad, paid Customs duties, and when manufactured at home, as they could be, paid a corresponding Excise duty, was there any material loss, unless from smuggling, sustained by the revenue? But it was a very different thing when commodities manufactured abroad were called upon to pay Custom duties when brought into the country, and the same things were permitted to be manufactured in the country itself without paying any corresponding Excise duty whatever. The whole bearing of that important

part of the subject could not be made plain to those classes in the country not actually engaged in commerce, unless illustrated by some familiar example. He would take hats, for instance, and suppose that a Montreal merchant imported a lot from England which cost him, landed at Montreal, \$1 each. He would be obliged to pay to the Collector of Customs there  $17\frac{1}{2}$  per cent. Customs duties on the value, or  $17\frac{1}{2}$ c. on the dollar, and as each hat cost a dollar, it would bring the duty to just  $17\frac{1}{2}$ c. bringing the cost of each hat up to \$1.17 $\frac{1}{2}$ . Suppose he sold them to a country store at a profit of 10 per cent., or 10c. on the dollar, the price paid by the country storekeeper would in that case be \$1.28 for each hat. Then suppose that the country storekeeper added 20 per cent., the price would come \$1.55, at which price the hats were finally sold to the farmers, fishermen or miners, who wore them and were called the consumers, for, if they lived long enough, it was to be hoped they would wear the hats out and in due time want others. Now the consumer, it would be observed, paid the first cost of the hat, the tax or duty, the profit of the importer or wholesale merchant and also the profit of the country storekeeper; all these items being included in the \$1.55 that he was finally charged. He would now further suppose that the number of hats required for the whole Dominion was one million annually, and, as there was as yet no hat manufactory in this country, that the whole had to be imported from England. The revenue from one million of hats imported would be \$175,000. Suppose now, that some enterprising individual who understood the business and knew that hats could be made in Canada at the cost or rate of one dollar each, established a hat manufactory. He accordingly set to work and made, say 100,000 hats the first year, on which he cleared \$17,500 profit. The importation from England would fall from one million hats to 900,000, and the revenue from \$175,000 to \$157,500 next year. Our enterprising manufacturer would perhaps take in a partner or two, and increase the number of hats to 200,000, the profit on which at  $17\frac{1}{2}$ c. each

would be \$35,000. The quantity of hats imported would fall to 800,000, the Customs duties on which would amount to \$140,000. In the meantime there was no reduction whatever in the price paid by the consumer—he was paying the tax or duty all the time—but, instead of going into the public Treasury as it should do, it was going into the pocket of the manufacturer. Thus the manufacturers went on from year to year increasing in numbers and extending their business until the account stood thus:—Hats imported from England, none; revenue therefrom, nothing; hats manufactured in Canada, one million; manufacturers' profit, \$175,000; price of hats to the consumer, still \$1.55 each. This example would serve to illustrate and show three things; first, the principle of indirect taxation, "incidental protection" so called; second, the operation by which certain hat manufacturers (infant manufactures) had been benefitted and fostered and enabled to realize a splendid income; lastly, it lay bare the process of "incidental spoliation" by which the Treasury had been robbed of \$175,000 annually, and for which the people at large had been taxed without receiving any corresponding benefit or advantage whatever. He (Mr. Borron) contended that what was true of one million of hats, was equally true of \$70,000,000 worth of goods and articles produced annually in the mills and factories of Canada at the present time. It had been shewn in the case of the hats that, so long as the manufacturer did not glut the market, the price of the hats was just as much as if they had been brought from England and paid  $17\frac{1}{2}$ c. on the dollar Customs duties. So in like manner was the price of this \$70,000,000 worth of manufactured articles increased by  $17\frac{1}{2}$ c. on the dollar to the Canadian purchaser or consumer, that was, to the farmer, lumberman, fisherman, miner, shipbuilder and others, numbering nine-tenths at least of the whole people who thus paid a tribute of \$10,000,000 annually to support, and in some instances doubtless to enrich, those so-called infant industries, to foster and "protect," which was the declared object of the leaders and framers of the

“Great National Policy.” With respect to the woollen manufactures, he observed from the Census Returns for 1871 that the sum paid in yearly wages was \$917,827, that the value of the raw material was \$3,217,068, and value of the articles produced, \$5,507,549; that the loss to the revenue on this commodity alone amounted at 15 per cent. to \$826,132, or, as nearly as possible, nine-tenths of the whole yearly wages were incidentally paid by the people of Canada. It was really just the same as if a bonus or bounty of \$826,132 was paid continually out of the people’s money to those manufacturers. From the Census Returns relating to cotton factories it appeared that the yearly wages amounted to \$129,400, that the raw material cost \$462,000, that the value of the articles produced was \$781,800, showing a loss to the revenue of \$127,270 yearly, or again nearly nine-tenths of the whole amount paid for labour. That was one of those manufactures that was generally believed to be suffering most severely, but that belief was not borne out by the facts. On referring to the Trade and Navigation Returns it would be found that the quantity of raw cotton imported in 1871 was 2,246,005lb., valued at \$340,901, whereas in 1876 it was 5,527,428lb. valued at \$660,983, clearly proving that the production of these cotton factories had actually doubled itself in five years. This he would say was a symptom indicative of decided prosperity and not distress. He could not help feeling some surprise and indignation in view of the facts stated that manufacturers should come to Parliament demanding that additional duties should be imposed upon such goods and wares as they might produce, thereby affording them increased protection. It was charitable to suppose that they were blinded by self-interest; that, while keenly alive to the advantage of any increase of the tariff to themselves, they failed to perceive the grievous wrong they were inflicting on the people. It was so one hundred years ago, according to Adam Smith, and it seemed as if it was so now. That manufacturers were still keenly alive to their own interests was proved by the way

in which they had treated the application of the distressed coal miners of Nova Scotia, asking that a moderate duty might be imposed on coal. These poor miners had as good a claim to protection as any manufacturer in Canada, yet how were they treated by those men who had been preying on the miners and other consumers for years? Why, they were told that the manufacturers might be disposed to agree to a duty of 50c. a ton upon soft coal as a part of a “protection” policy, under which the duty on manufactured goods should be increased from 17½ to 20 per cent. As the quantity of coal imported from the United States was 625,203 tons, the sacrifice those gentlemen proposed submitting to, in aid of their suffering fellow countrymen, and to prove their consistency as “good Protectionists,” would be \$312,601, as against which they modestly asked an increase of 2½ per cent. duty on manufactured goods, equivalent, on the goods manufactured in Canada, to a tax on the miners and other consumers of, probably, from one to two millions of dollars. That was, they were willing to pay \$312,600 with one hand if they could get back from one and a half to two millions with the other. Surely godliness was profitable unto all things, but especially to the manufacturers. He would now briefly examine the amendment of the right hon. member for Kingston, in the light of the conclusions he had arrived at. But he would say, in the first place, that the hon. member for Drummond and Arthabaska (Mr. Laurier) was mistaken in ascribing any merit to the hon. member for Stanstead (Mr. Colby) as having brought about the reduction in the duty on coal oil. As far as he remembered, the hon. member for Carleton (Mr. Rochester) was the first to call attention to the hardship and injustice of the then existing high duty on petroleum, and it was generally believed and expected that there would be a reduction before the hon. member for Stanstead brought forward his motion last year. Indeed he considered that the hon. member for Stanstead had not acted with consistency in reference to that matter, for, first of all, he had voted for the hon. member for King-

ston's motion, in favour of protection ; and, after being defeated on that question, he picked out the one article in the tariff that was most obnoxious to the people of the Maritime Provinces, and proposed to reduce the protection on that article. He contended, therefore, that any credit that was due was due to the Government and its supporters, and not to the hon. member for Stanstead or the Opposition. The amendment of the right hon. member for Kingston called upon the house to express its regret "that the financial policy, submitted by the Government, increases the burthen of taxation on the people, without any compensating advantages to Canadian industries." Now, in reference to this part of the amendment, he would observe that, in imposing a tax upon tea and upon malt, the Government had not done so without a compensating advantage ; whereas the hon. member for Kingston would confine the advantage to one particular class, namely, the manufacturers. The Government having, imposed a tax which would fall on the people, very properly considered it their duty to accompany it by a compensating advantage which would benefit the whole people. That it had done by largely reducing the duty on petroleum, the effect of which had been greatly to reduce the price of coal oil to the people. The rich might light up their mansions with gas or with wax tapers, but petroleum or coal oil was the light of the people at large ; and the reduction in the price of that now almost indispensable article would be a boon to all, but more especially the working classes. The right hon. member for Kingston had further called on the House to express the opinion that there should be "such a re-adjustment of the tariff as will benefit and foster the agricultural, mining and manufacturing interests of the Dominion." He (Mr. Borron) had already endeavoured to show that re-adjustment of the tariff with the view to benefitting and fostering manufacturing industries although called "protection" was really legalized spoliation, and class legislation in its most specious form. That the right hon. member for Kingston might enrich one class of industry at the expense of the peo-

ple generally, on the plan of robbing Peter to pay Paul, he fully admitted. He could as soon believe, however, that the right hon. leader of the Opposition had discovered the philosopher's stone and could convert at will all the base metals into gold, as he could believe in his ability to benefit and foster the agricultural, mining and manufacturing industries of the Dominion by any re-adjustment or increase of the tariff. He had been connected with or engaged in mining pursuits for twenty years, during the greater portion of which period the right hon. member for Kingston had been in power, and he was not aware that during all that period anything had been done to protect or aid the miner. He would not trespass longer on the patience of the House at that late hour, but would vote against every resolution or amendment which had for its aim and object the increase of what hon. gentlemen opposite were pleased to call "Protection."

Mr. MONTEITH said 2,500,000 of the population of Canada were engaged in agricultural pursuits. He had been connected with farmers for forty years, and he thought he might presume to know something of their wants ; and his opinion was that their great want was protection. They wanted the Canadian markets for Canadians. Our neighbours across the border, while ready to take advantage of the facilities we afforded them for trading, yet refused to admit our farmers to their markets on an equal footing. In consequence of this patent inequality between the farmers of the two countries, large numbers of our agricultural population were leaving Canada to take farms in the United States in order that they might have the advantage of two markets. When the Americans could bring their goods here in the face of a 17½ per cent. tariff, and undersell our manufactures, it was nothing but right that the Government should so remodel the tariff as to give an efficient protection to native industries. The duty on those articles produced in Canada which suffered from the unfair competition should be raised. The salt interest was one that particularly required protection. It gave employment to a large number of peo-

ple, and it was not right that we should allow it to suffer when it might be made prosperous by a little protection. The farmers were undoubtedly favourable to the policy enunciated by the hon. member for Kingston. Last year a Committee was granted to inquire into the cause of the depression in the agricultural interest. Circulars were sent to leading farmers in all parts of the Dominion and a great deal of valuable information was obtained in response thereto. Another Committee was appointed at the same time to investigate the general depression of trade. As an illustration of how the present Government treated the farmers, he might state that the evidence taken before the Depression Committee, which was very voluminous, was printed in book form and was widely circulated; but the evidence taken by the Agricultural Committee was only partly printed and was not nearly so widely published. He received one copy of the latter, while he had about a dozen of the more bulky pamphlet of the former. He did not think the Government were doing their duty towards the farming population, who were seven-eighths of the community and the mainstay of the country. At a meeting of the South Huron Agricultural Society, held recently, the following resolution was unanimously adopted:—

“That the Directors of the South Huron Agricultural Society see with much regret, that the American Government still continues to place restrictions, in the shape of high Customs duties, on all Canadian farm produce entering the United States, and we humbly submit that the policy of our Government, which admits American agricultural produce into Canada on more favourable terms than we are permitted to enter their markets, is unjust to the agricultural interests of this Dominion; while, as farmers we are willing to pay, and do pay, at least our full share of the burdens of the country, encourage manufacturers, and, when necessary, fight the battles of the country, we think it only simple justice that we should have the benefit of our own markets.”

He did not think he was mistaken in declaring that that resolution expressed the sentiments of the bulk of the agriculturists of Canada. If they did not receive protection from the present Government, he thought the time was coming when better men

would control the affairs of the nation, and who would see that the interests of the farmers were not overlooked in their fiscal policy.

Mr. PLATT said he could not agree with the policy of the Government. The imposition of a higher duty on malt was not required by the exigencies of the revenue, nor was such a duty likely to have the beneficial results which some parties seemed to think. It was a step directly opposed to the temperance cause, as an increase in the price of beer meant an increase in the consumption of whiskey, which was admittedly more hurtful in its effects than beer. It was useless to assert that the price would not be advanced in consequence of this move of the Government. The cost of manufacture would be increased, and there must be an effect on the consumer, either in the way of a higher price or a poorer article for the present price.

Mr. POPE (Queen's, P.E.I.) said that, at this late hour, it was not his intention to occupy much of the time of the House. This important question had been fully and ably discussed on both sides, and he had no doubt every hon. member had his mind made up as to how he would vote. He, however, must say that he was what was termed a Free-trader, as he believed were most people in the Maritime Provinces. He thought that 17½ per cent., with the cost of importation, amounting to 5 per cent. more, was sufficient protection for Canadian manufactures. A revenue must be raised, and if, under a protective policy, the duty on many articles was to be reduced to favour the manufacturer, the amount of such reduction would have to be made up on other articles, these additional duties would have to be paid by the general consumer, the agriculturists and others receiving no compensation in return, whilst the manufacturers would be placed in a position to form rings or monopolies, and demand much more for their goods than the same description would cost if imported under a fair revenue tariff from England or the United States. They had a striking example of the effect of protection in the late coal oil combination of Ontario. The Province of

Prince Edward Island, from its isolated position and small population, could not possibly become a manufacturing place to any extent,—shut out as it was nearly half the year from all parts of the world. The people there had to depend upon their rich lands and valuable fisheries. The mackerel fishery was the most valuable and many of the people engaged in it. The United States offered the only market for those fish, and there they were admitted duty free under the Washington Treaty. The fishermen, or many of them got their supplies from the traders, who as a rule, had all their business relations with the United States, whence they imported what they required to carry on their business, and in return they forwarded their fish for sale. The same applied to Nova Scotia and New Brunswick—the coal region perhaps excepted—and any legislation that would disarrange this business would do a serious injury. While he was prepared to vote against all amendments and resolutions which favoured protection, he felt equally bound to vote against the increase of duties proposed by the Government as bearing particularly hard upon the working and poor man, more particularly at a time of great depression, such as now existed, when he felt that the Government should do all in its power to relieve the labouring classes, instead of putting increased burdens upon them. He had always thought that it required a great deal of financial skill and ability to undertake the responsible task of Finance Minister, but, when he heard the speech of the hon. the Finance Minister, he changed his mind. What did it amount to? Why, he told the House in the first place that there was a deficit of nearly two millions during the past year, that the expenditure would not be so large this year, and that if an increase in the tariff amounting to \$500,000 or \$700,000 were made, it would be sufficient for all purposes; and to raise that amount he proposed to double the tax upon malt and to add two cents per pound on tea, when the poor man already found it hard to get even the necessaries of life. He believed that any common-place school boy could have arranged the tariff in a much more intelligent and reasonable

way to raise the required amount. Although the general taxation in other places was much higher than here, in no country in the world was there such an extravagant duty upon malt as that now proposed. The hon. member for Hamilton (Mr. Wood) read a letter from some friend of his, which, as he stated, he felt sure would convince every hon. member of this House of the justness of this tax; and, as he (Mr. Pope) did not think it possible that any two minds could conceive the grand idea of this particular tax, at the same time, he must give the hon. member's correspondent the credit of originating it, and of influencing the Finance Minister—who this correspondent was, the House had not been told. Further than that, he once was connected with a brewery—the chances were that he was driven out from some establishment, and, by way of injuring his former employer, suggested this tax, and succeeded—backed by the strong influence of the hon. member for Hamilton—in dictating the policy of the Government. The average cost of barley was about 70c. per bushel, and the tax amounted to 72c. a bushel. The result of the tax would be that it would affect the price of barley to the farmer. It would drive many of the brewers to make an inferior class of ale, would increase the price so as to drive the labouring classes, who were the principal consumers of beer, to drink more of deleterious whiskey. He would much rather support the Finance Minister in doing away with the liquor traffic altogether. As regarded the tea question, it was well known that the more wealthy class took coffee for breakfast, dined late, and, perhaps, took another cup of coffee; whereas the labouring and middle classes had tea three times a day; consequently, the greater portion of the increased tax would fall upon those least able to bear it. If a larger revenue were wanted, why not put the additional duty on brandy, spirits of all kinds, high-priced wines, broad-cloths, silks, satins, velvets, ribbons, feathers, etc., so that it would be paid by those who could best afford to pay it. So far as his Province was concerned, they wanted reciprocity

with the United States; and if a hostile tariff, discriminating duties, or a general readjustment, would attain that object, he would willingly go for any or all of them, believing that the interests of the Province and of the Dominion would be best served by so doing; but, at present, he must say he saw no reasonable prospect of obtaining reciprocity.

Mr. GAUDET said, despite the long discussion which had taken place on this important question of protection or free-trade, he could not allow this occasion to pass without making a few observations on the points at issue. He was far from pretending that he could add anything new of any great value to what had been said; but a protective tariff would be favourably regarded in the Province of Quebec, and this project had been advocated warmly for several years by the Liberals. But how could this be accomplished, since to-day they did not bring pressure to bear upon the Government with the view of securing protection? He was glad to see that protection was demanded for the agricultural interests and farmers, a class to which he had always been proud to belong. He asked permission to thank the hon. the mover of this amendment, in the name of the county he had the honour to represent, for his good intentions with regard to the interests of farmers. It would be wrong to refuse this protection to agriculturists as well as to any other class that requested it. Misery was extending its effects everywhere, in the cities as well as in the country; and he declared, without hesitation, that the Government did not pursue a proper policy in refraining from doing more on public works than was being done—in order to afford employment to those who had nothing to do, and who were now bewailing their unhappy fate. It was during such years of misery as this that the works which were considered necessary in the interests of the country should be pressed forward with vigour. Independently of the services which would thus be rendered to the suffering classes of the community, the Government would reap a great advantage from such a course owing to the reduction of wages. He knew he would

be told that the finances were not in a sufficiently prosperous condition to permit them to do more, and that the deficit of the present year, amounting to some two millions, had been due to a certain extent to the prodigality shown in previous years; but he thought that the people throughout the Dominion would look with a favourable eye upon a loan being effected for a certain sum, in order to construct indispensable public works, which would have as its result the relief of misery. Had not the Government on their accession to office hastened to levy three millions of additional taxes in order to create new offices with high salaries attached for their friends. He thought he was in a position to say in the name of the farmers of the Province of Quebec: "If you do not wish to do anything to aid us in sustaining the sufferers from this state of things, at least do not refuse to give us proper protection, which will enable us to furnish work to those who have it not, and who are crying of hunger." He would go farther and say that, during the past several years, the Government had expended large sums to bring out immigrants who had not given full and entire satisfaction. They had thus augmented considerably the number of the country's poor, which they left to-day in charge of the residents of the country. As a Government, their share of aid only consisted in taking care of those who occupied the prisons and penitentiaries; the rest was left to the charge of the people. In terminating his remarks, he was not prepared to say that he would vote for an increase of duties upon articles which we could not produce in sufficient quantity for consumption, nor was he more willing than the hon. member for Drummond and Arthabaska to tax the bread of the poor. It seemed to him that the agricultural interests could be protected without going so far as this. The hon. member, while refusing all protection, said he did not wish to tax the bread of the poor man, but the hon. gentleman appeared eager to bring about such a state of things as would prevent the poor having any bread to eat. He did not hesitate to say that it was better for a poor man to pay twenty cents for

his loaf of bread when in employment, than to pay only fifteen cents when he had nothing to do. It appeared to him that one need not be extremely intelligent to understand this matter. The hon. gentleman was one of those who had advocated protection during several years past as a means of rendering the Dominion prosperous; and, nevertheless, to-day the hon. gentleman pronounced against it. The hon. member for Bagot, in his able speech on this subject, seemed to wish to hasten the entry of the hon. member for Drummond and Arthabaska into the Ministry. His hon. friend must permit him to differ with him in opinion. He thought that, in the interests of the hon. member for Drummond and Arthabaska, it would be much better if the hon. gentleman would take a few years more in order to mature his ideas on the question of protection. Before entering into a Ministry, the hon. gentleman should know what views he should entertain with regard to this important matter. As a means of protection, they should diminish the Excise duty on Canadian tobacco, or increase the duties on foreign tobaccos, in order to encourage the production of this article, which was raised in this country with great success. Further, was it just that the Canadian farmer should pay to the American Government 20 per cent. for the privilege of selling his stock and produce in the United States, whilst the American farmer coming into our markets had only to pay a duty of 10 per cent? There was, besides, a good way of protecting the agricultural interests, which would be to pass a measure to prevent the exportation of manure from our cities to the United States, as was mentioned to be the case by the hon. member for Chambly before the Special Committee appointed last year in the agricultural interests. This exportation was injurious. Having made few observations, he would state that he would vote for the amendment of the hon. member for Centre Wellington, and for any other amendment having for its object the procuring of a reasonable degree of protection.

Question put, and amendment to the amendment (Mr. Orton) negatived, on the following Division:—

## YEAS :

## Messieurs :

Baby	McDonald (Cape Breton)
Benoit	McDougall (Three Riv.)
Blanchet	McKay (Colchester)
Bowell	Macmillan
Brooks	McCallum
Brown	McCarthy
Bunster	McGreevy
Cameron	McGregor
Campbell	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Moffat
Costigan	Monteith
Coupal	Montplaisir
Currier	Mousseau
Cuthbert	Norris
Daoust	Orton
DeCosmos	Quimet
Desjardins	Palmer
Dewdney	Pinsonneault
Domville	Platt
Donahue	Plumb
Farrow	Robillard
Fraser	Robinson
Gaudet	Robitaille
Gibbs (North Ontario)	Rochester
Gibbs (South Ontario)	Ross (East Durham)
Gill	Roy
Haggart	Schultz
Harwood	Stephenson
Hurteau	Thompson (Cariboo)
Jones (South Leeds)	Tupper
Kirkpatrick	Wallace (S. Norfolk)
Lanthier	White (East Hastings)
Little	White (North Renfrew)
Macdonald (Cornwall)	Wright (Ottawa Co.)
Macdonald (Kingston)	Wright (Pontiac).—74.

## NAYS :

## Messieurs

Appleby	Irving
Archibald	Jetté
Aylmer	Jones (Halifax)
Bannatyne,	Kerr
Béchar	Killam
Bernier	Kirk
Bertram	Lafamme
Biggar	Lajoie
Blackburn	Landerkin
Bolduc	Laurier
Borden	Macdonald (Centre Toronto)
Borron	Macdonnell
Bowman	Macdougall (East Elgin)
Boyer	McDougall (S. Renfrew)
Brouse	MacKay (Cape Breton)
Buell	Mackenzie
Burk	McCraney
Burpee (St. John)	McIntyre
Burpee (Sunbury)	McIsaac
Carmichael	McLeod
Cartwright	McNab
Casey	Metcalfe
Casgrain	Mills
Cauchon	Oliver
Charlton	Paterson
Cheval	Perry
Christie	Pettes
Church	Pickard
Cockburn	Pope (Queen's, P. E. I.)
Coffin	Pouliot
Cook	Power
Cunningham	Ray
Davies	Richard
Dawson	

Delorme	Roscoe
De St. Georges	Ross (West Middlesex)
DeVeber	Ross (Prince Edward)
Dymond	Ryan
Ferris	Scatcherd
Fiset	Scrifer
Fleming	Shibley
Flynn	Sinclair
Forbes	Smith (Peel)
Fréchette	Smith (Selkirk)
Galbraith	Smith (Westmoreland)
Gibson	Snider
Gillies	St. Jean
Gillmor	Taschereau
Goudge	Thibaudeau
Greenway	Thompson (Haldimand)
Guthrie	Trow
Hagar	Vail
Hall	Wallace (Albert)
Higinbotham	Wood
Holton	Workman
Horton	Yeo
Huntington	Young.—113.

Question put, and amendment (Sir John A. Macdonald) *negatived*, on the following Division:—

## YEAS :

## Messieurs

Baby	Macdonald (Kingston)
Benoit	McDonald (Cape Breton)
Blanchet	McDougall (Three Riv.)
Bowell	McKay (Colchester)
Brooks	Macmillan
Brown	McCallum
Bunster	McCarthy
Cameron	McGreevy
Campbell	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Moffat
Costigan	Monteith
Coupal	Montplaisir
Currier	Mousseau
Cuthbert	Orton
Daoust	Quimet
DeCosmos	Palmer
Desjardins	Pinsonneault
Dewdney	Platt
Domville	Plumb
Donahue	Hobillard
Farrow	Robinson
Fraser	Robitaille
Gaudet	Rochester
Gibbs (North Ontario)	Roy
Gibbs (South Ontario)	Schultz
Gill	Stephenson
Haggart	Thompson (Cariboo)
Harwood	Tupper
Hurteau	Wallace (South Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)
Lanthier	Wright (Ottawa Co.)
Little	Wright (Pontiac).—70.

## NAYS :

## Messieurs

Appleby	Jetté
Archibald	Jones (Halifax)
Aylmer	Kerr
Bannatyne	Killam
Barthe	Kirk
Béchar	Lafamme
Bernier	Lajoie
Bertram	Landerkin
Biggar	Laurier

Blackburn	Macdonald (Cornwall)
Bolduc	Macdonald (Centre Toronto)
Borden	MacDonnell
Borron	Macdougall (East Elgin)
Bourassa	MacDougall (S. Renfrew)
Bowman	MacKay (Cape Breton)
Boyer	Mackenzie
Brouse	McCraney
Buell	McGregor
Burk	McIntyre
Burpee (St. John)	McIsaac
Burpee (Sunbury)	McLeod
Carmichael	McNab
Cartwright	Metcalfe
Casey	Mills
Casgrain	Norris
Cauchon	Oliver
Charlton	Paterson
Cheval	Perry
Christie	Pettes
Church	Pickard
Cockburn	Pope (Queen's, P.E.I.)
Coffin	Pouliot
Cook	Power
Cunningham	Ray
Davies	Richard
Dawson	Roscoe
Delorme	Ross (East Durham)
De St. Georges	Ross (W. Middlesex)
DeVeber	Ross (Prince Edward)
Dymond	Ryan
Ferris	Scatcherd
Fiset	Scrifer
Fleming	Shibley
Flynn	Sinclair
Forbes	Smith (Peel)
Fréchette	Smith (Selkirk)
Galbraith	Smith (Westmoreland)
Gibson	Snider
Gillies	St. Jean
Gillmor	Taschereau
Goudge	Thibaudeau
Greenway	Thompson (Haldimand)
Guthrie	Trow
Hagar	Vail
Hall	Wallace (Albert)
Higinbotham	Wood
Holton	Workman
Horton	Yeo
Huntington	Young.—119.
Irving	

Question put, and motion agreed to, on the following Division:—

## YEAS :

## Messieurs

Appleby	Jetté
Archibald	Jones (Halifax)
Aylmer	Kerr
Bannatyne	Killam
Barthe	Kirk
Béchar	Lafamme
Bernier	Lajoie
Bertram	Landerkin
Biggar	Laurier
Blackburn	Macdonald (Cornwall)
Bolduc	Macdonald (Centre Toronto)
Borden	MacDonnell
Borron	Macdougall (East Elgin)
Bourassa	MacDougall (S. Renfrew)
Bowman	MacKay (Cape Breton)
Boyer	Mackenzie
Brouse	McCraney
Buell	McGregor
Burk	McIntyre
Burpee (St. John)	

Burpee (Sunbury)	McIsaac
Carmichael	McLeod
Cartwright	McNab
Casey	Metcalfe
Casgrain	Mills
Cauchon	Norris
Charlton	Oliver
Cheval	Paterson
Christie	Perry
Church	Pettes
Cockburn	Pickard
Coffin	Pouliot
Cook	Power
Coupal	Ray
Cunningham	Richard
Davies	Robillard
Dawson	Roscoe
Delorme	Ross (East Durham)
De St. Georges	Ross (West Middlesex)
DeVeber	Ross (Prince Edward)
Dymond	Ryan
Ferris	Scatcherd
Fiset	Scrifer
Fleming	Shibley
Flynn	Sinclair
Forbes	Smith (Peel)
Fréchette	Smith (Selkirk)
Galbraith	Smith (Westmoreland)
Gibson	Snider
Gillies	St. Jean
Gillmor	Taschereau
Goudge	Thibaudeau
Greenway	Thompson (Haldimand)
Guthrie	Trow
Hagar	Vail
Hall	Wallace (Albert)
Higinbotham	Wood
Holton	Workman
Horton	Yeo
Huntington	Young. 120
Irving	

## NAYS:

## Messieurs

Baby	McDonald (Cape Breton)
Benoit	McDougall (Three Riv.)
Blanchet	McKay (Colchester)
Bowell	Macmillan
Brooks	McCallum
Brown	McCarthy
Bunster	McGreevy
Cameron	McQuade
Campbell	Masson
Caron	Mitchell
Cimon	Moffat
Colby	Monteith
Costigan	Montplaisir
Currier	Mousseau
Cuthbert	Orton
Daoust	Ouimet
DeCosmos	Palmer
Desjardins	Pinsonneault
Dewdney	Platt
Domville	Plumb
Donahue	Pope (Queen's, P.E.I.)
Farrow	Robinson
Fraser	Robitaille
Gaudet	Rochester
Gibbs (North Ontario)	Roy
Gibbs (South Ontario)	Schultz
Gill	Stephenson
Haggart	Thompson (Cariboo)
Harwood	Tupper
Hurteau	Wallace (South Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)

Lanthier	Wright (Ottawa Co.)
Little	Wright (Pontiac).—69.
Macdonald (Kingston)	

Resolution 1 read the second time and agreed to.

Sir JOHN A. MACDONALD said he hoped the Government would not force the other resolutions through, as it was nearly three o'clock in the morning.

Mr. MACKENZIE said he thought the resolutions might be allowed to pass, as the subject had been fully discussed. If desired, amendments could be offered at another stage. While, however, he desired to go on with the resolutions, he did not wish to do anything like forcing them. But he really did not think it was reasonable to ask that there should be more lengthy debating.

Sir JOHN A. MACDONALD: It is three o'clock.

Mr. MACKENZIE: If the hon. gentleman takes the responsibility of bringing on another debate, he himself will be to blame.

Sir JOHN A. MACDONALD: I will endeavour in every possible way to prevent that.

House adjourned at  
Fifteen minutes before  
Three o'clock.

## HOUSE OF COMMONS.

Monday, 26th March, 1877.

The Speaker took the chair at Three o'clock.

## BILLS INTRODUCED.

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

Bill (No. 94) To provide for the employment, without the walls of common gaols, of prisoners sentenced to imprisonment therein.—(Mr. Blake.)

Bill (No. 95) For the repression of betting and pool-selling.—(Mr. Blake.)

Bill (No. 96) To amend the Post-office Act, 1875.—(Mr. Blake.)

MARTHA JEMIMA HAWKSHAW  
HOLIWELL DIVORCE BILL.

[BILL No. 93.]

(Mr. Cameron.)

SECOND READING.

Mr. THOMPSON (Haldimand), in the absence of Mr. CAMERON, moved the second reading of the Bill.

Question put, and motion agreed to, on the following Division:—

YEAS :

Messieurs

Archibald	Dittle
Bertram	Macdonald (Kingston)
Biggar	Macdonald (Centre Toronto)
Blackburn	Macdougall (East Elgin)
Blain	McDougall (S. Renfrew)
Blake	Mackay (Cape Breton)
Borden	McKay (Colchester)
Borron	Mackenzie
Bowell	McCraney
Bowman	McGregor
Brown	McLeod
Burk	McQuade
Burpee (St. John)	Mitchell
Burpee (Sunbury)	Moffat
Carmichael	Monteith
Cartwright	Norris
Charlton	Oliver
Christie	Palmer
Church	Paterson
Cockburn	Pettes
Coffin	Plumb
Cook	Pope (Queen's, P.E.I.)
Cunningham	Robinson
Davies	Rochester
DeCosmos	Roscoe
Dewdney	Ross (East Durham)
Dymond	Ross (West Middlesex)
Ferris	Ross (Prince Edward)
Fleming	Scatcherd
Flesher	Schultz
Forbes	Schultz
Fraser	Scrifer
Gibbs (North Ontario)	Shibley
Gibbs (South Ontario)	Sinclair
Gibson	Smith (Peel)
Gillies	Smith (Westmoreland)
Gillmor	Thompson (Cariboo)
Goudge	Thompson (Haldimand)
Greenway	Trow
Guthrie	Tupper
Hall	Vail
Higinbotham	Wallace (Albert)
Horton	White (East Hastings)
Kerr	Wood
Killam	Workman
Kirk	Young.—91.

NAYS :

Messieurs

Baby	Harwood
Béchar	Holton
Bernier	Hurteau
Blanchet	Jetté
Bolduc	Jones (Halifax)
Bourassa	Lajoie
Boyer	Lanthier
Brooks	Laurier

Sir JOHN A. MACDONALD.

Caron	Macdonald (Cornwall)
Casgrain	McDonald (Cape Breton)
Cheval	MacDonnell
Cimon	McIsaac
Colby	Masson
Costigan	Montplaisir
Currier	Mousseau
Cuthbert	Quimet
Daoust	Pope (Compton)
Delorme	Richard
Desjardins	Robitaille
De St. Georges	Roy
Domville	Stephenson
Flynn	St. Jean
Fréchette	Taschereau
Gill	Wallace (S. Norfolk).—48.

Bill read the second time.

PACIFIC RAILWAY ROUTE IN  
BRITISH COLUMBIA.

QUESTION.

Mr. DEWDNEY asked whether it was the intention of the Government to locate the whole line from Burrard Inlet to Tête Jaune Cache before selecting the route through British Columbia, for the Canadian Pacific Railway.

Mr. MACKENZIE: I am not able to answer that question at the present time.

PURCHASE OF OLD RAILS FROM  
THE INTERCOLONIAL.

MOTION.

Mr. DOMVILLE asked for the names of those parties who purchased old rails or other old materials from the Intercolonial, and who were owing for the same on the 30th June, 1876; also value, quantity and description.

Mr. MACKENZIE: I think this is not a fair question to put. It is quite impossible to answer such a question. The proper mode to obtain this information is to place a notice on the notice paper and move for a return. I could not answer a question of that kind.

WINDSOR BRANCH RAILWAY.

QUESTION.

Mr. GOUDGE asked whether, in the matter of the transference about to be made of the Windsor Branch Government Railway to the Western Counties Railway of Nova Scotia, it was provided that the tariff of rates

for both passengers and freight upon this branch should not exceed those charged for like goods and distances upon the Intercolonial Railway; also whether the privileges of ships and shippers doing business at the railway wharf should be as heretofore.

Mr. MACKENZIE: The hon. gentleman will see from the Statutes of 1876 that there is no such reservation made by the Act or by Orders in Council transferring this branch to the Western Counties' Railway. The tariffs of rates for passengers and freight are, of course, subject to the approval of the Government when these are submitted. The privileges of ships and shippers are similar privileges—whatever they were—which were enjoyed under the Nova Scotia Statutes, at Richmond Station. My hon. friend will find that the Act of 1874 continues whatever privileges existed to the company after this transference.

Mr. GOUDGE said the railway wharf he referred to was the railway wharf at Windsor.

Mr. MACKENZIE: I think that there is nothing about the railway wharf at Windsor in the Statute or the Orders in Council.

#### L'ANSE ST. JEAN LIGHTHOUSE.

##### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to build a lighthouse at L'Anse St. Jean, on the River Saguenay, in order to guide vessels entering L'Anse St. Jean.

Mr. SMITH (Westmoreland): It is not the intention of the Government to build a lighthouse there at the present time.

#### FISHING REGULATIONS IN CHICOUTIMI, SAGUENAY, AND CHARLEVOIX.

##### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to repeal the regulations which prohibited, within the counties of Chicoutimi, Saguenay and Charlevoix, fishing in the lakes before the first of February.

Mr. SMITH (Westmoreland): It is the intention of the Government to communicate a regulation requiring a close season there. They hope to be able to allow people to fish in December, and also in January.

#### NAVIGATION ON THE NORTH SHORE OF THE ST. LAWRENCE.

##### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to build new lighthouses on the north shore of the St. Lawrence, between the Seven Islands, as far as the Straits of Belleisle, with the view of rendering navigation safer.

Mr. SMITH (Westmoreland); I may say to my hon. friend that we have no intention of doing so at present.

#### L'ANSE ST. JEAN WHARF.

##### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to put in the Supplementary Estimates a sum of \$1,000, for the construction of a wharf at L'Anse St. Jean, on the River Saguenay.

Mr. MACKENZIE: The estimates will be down in a few days and my hon. friend can then observe whether there is any such item in them or not. We have not considered that particular point up to the present time.

#### THE WASHINGTON TREATY AND BRITISH COLUMBIA.

##### QUESTION.

Mr. DECOSMOS asked if any negotiations had been opened with the United States since the last Session of Parliament with the object of extending the 21st Article of the Treaty of Washington of 1871 to British Columbia; if not, was it the intention of the Government to urge Her Majesty's Imperial Government to do so?

Mr. BLAKE: No such negotiations have been opened and, in the present state of the arrangements, consequent upon the Treaty of Washington it is not thought convenient at this time to consider whether such negotiations should be opened.

## THE LATE NORTHERN RAILWAY COMMISSION.

### QUESTION.

Mr. DYMOND asked whether any communication had been received by the Government from any member of the late Northern Railway Commission, or from the counsel representing the Crown before that Commission, with reference to the non-examination of the Hon. John Beverley Robinson, M.P.; and if so, what was the nature of such communication.

Mr. MACKENZIE: The Chairman of the late Committee writes the following letter to the Secretary of State:

"TORONTO,

"26 Wellington-st.,

"Saturday, March 17th, 1877.

"Hon. R. W. SCOTT, Q.C.,

"Secretary of State, Ottawa,

"DEAR SIR,—Seeing from the proceedings in Parliament that Mr. Robinson has complained that he was afforded no chance of giving any explanation as to the charges of having had his election expenses paid by the Northern Railway Company, and of having overdrawn his account, I deem it my duty to state that Mr. Robinson was afforded every opportunity, but that he never presented himself for examination (as Messrs. Edgar and Lockhart Gordon did), although the Attorney-General gave his partner, Mr. McWilliams, to understand more than once that every facility for explanation would be afforded him. I enclose herein the original subpoena with the memorandum of the clerk who tried to serve him, to show that he was much in our thoughts; and I will further state that I told Mr. McWilliams (who attended as counsel on behalf of the city of Toronto, at every meeting) at the very outset that the Commissioners were prepared to examine any party who wished to be examined or had any explanation to make, regardless of politics or any other circumstance, it having been most unfairly insinuated that the Commissioners would make distinctions in favour of supporters of the Government.

"I am, yours, &c.,

"LARRATT W. SMITH,

"Ex-chairman N.R. Commission."

I will also read the following letter from the senior counsel:—

"TORONTO,

"21st March, 1877.

"Hon. R. W. SCOTT,

"Secretary of State,

"Ottawa.

"MY DEAR SIR,—I understand that Mr. Robinson is supposed to have had no opportunity of giving evidence before the Northern

Mr. BLAKE.

Railway Commission in regard to those statements made by Mr. Cumberland which affected Mr. Robinson. Having been senior counsel for your Government in the matter of the Commission, I think it my duty to say that the supposition is a mistake. It was intended to examine Mr. Robinson as a witness, and a subpoena was issued to procure his attendance. Mr. Robinson was not examined because, subsequently to the facts having been obtained from Mr. Cumberland's evidence, it was intimated, on behalf of Mr. Robinson, that the statements made by Mr. Cumberland were correct, and that he (Mr. Robinson) did not wish to be examined. Mr. J. H. Cameron was counsel for the company in the proceedings under the Commission, and in the discussions which took place on one or more of the applications for delay, which he made, he had mentioned Mr. Robinson's absence from the city, but after Mr. Robinson's return, Mr. Cameron, at one of the meetings of the Commission, stated to me in answer to an inquiry on my part, that he had communicated with Mr. Robinson, and learned from him that Mr. Cumberland had related the facts correctly, and that he (Mr. Robinson) had nothing to add. To avoid any possible misunderstanding, however, I spoke to Mr. McWilliams, also on the same point, at a subsequent meeting, and he also stated that Mr. Robinson did not desire to be examined. I thought that, under these circumstances, there was no necessity for asking the Commissioners to compel his attendance. Mr. McWilliams is Mr. Robinson's law partner, and attended professionally on behalf of the firm, at the various meetings of the Commissioners, Messrs. Robinson and McWilliams, being solicitors for the Toronto Corporation, who hold stock in the Company, claiming on that ground the right to be present."

There is the following endorsement on the copy of the subpoena which was issued:—

"Attended at Mr. Robinson's house to serve him on the 23rd October, 1876, when I was informed that he was not in; I attended at his office in the City Hall again on the 24th October, 1876; not in.

(Signed) "C. W. THOMPSON,

"17th March, 1877."

Mr. BOWELL: Who signed the last letter?

Mr. MACKENZIE: The letter is signed—"Oliver Mowat."

## THE LONDON EMIGRATION AGENCY.

### QUESTION.

Mr. WHITE (East Hastings) asked whether Mr. Dore had been permanently appointed Emigration Agent in

London, or whether the appointment was provisional or temporary, and whether any commission or letter of appointment had been issued or directed to him as Emigration Agent, or whether any other person in England or elsewhere had been promised the appointment of Emigration Agent at London, or of Agent-General there.

Mr. BURPEE (St. John) said Mr. Dore was only acting temporarily as Agent. No appointment had been made there as yet.

### THE GREAT SEAL OF NOVA SCOTIA.

#### QUESTION.

Sir JOHN A. MACDONALD asked whether the Government was aware that the Courts of Nova Scotia had decided that the late Great Seal which had been in use since December, 1865, was illegal, and if so, whether the Government contemplated dealing, or whether they had any power to deal, with this matter.

Mr. MACKENZIE: I have merely to say that we have no official knowledge of that matter, nor any knowledge of any kind about it. I may add that no communication has been addressed to the Government on the subject.

### THE FISHERY COMMISSION.

#### MINISTERIAL STATEMENT.

Mr. SMITH (Westmoreland) said his hon friend the member for Northumberland (Mr. Mitchell), asked the other day if the Fishery Commission, provided for under the Washington Treaty, had been appointed. The Government were not in a position to make any announcement at that time; but he could now state that Sir Alex. T. Galt had been appointed to represent Canada and that the Commission was now complete. The other Commissioners were the Hon. E. H. Kellogg for the United States, and Mr. Delforse, Belgian Minister at Washington.

### PIERS AT BAIE ST. PAUL, MALBAIE, AND EBOULEMENTS.

#### MOTION FOR RETURN.

Mr. CIMON moved for a statement showing the quantity, quality and

dimensions of timber supplied by Mr. Adolphe Gagnon for each of the piers at Baie St. Paul, Malbaie and Ebolements, in the county of Charlevoix, and also the price per foot paid for such timber during the fiscal year 1875-76.

*Motion agreed to.*

### ORDNANCE PROPERTY AT QUEBEC.

#### MOTION FOR RETURN.

Mr. CARON moved for a statement showing:

1st. The instructions given and to whom given for the division of the Ordnance property at Quebec, known as the Cove Field;

2nd. The cost of dividing, also for advertising, and of selling the same;

3rd. The names of the parties receiving such sums of money, the amount received by each of them, and the reason of such appointment;

4th. The amount of such sale, the names of the purchasers, the amount paid by each on each lot, and the balance remaining unpaid.

Mr. MACKENZIE said he would suggest that the words "and the reason of such appointment," be struck out. He must decline giving the reasons for the appointment of an officer.

Mr. CARON said there could not be much to conceal.

Mr. MACKENZIE said he did not know that there was anything to conceal, but he objected to the principle of giving such reasons.

*Motion, as amended, agreed to.*

### LACHINE CANAL STAFF.

#### MOTION FOR RETURN.

Mr. CARON moved for a statement showing:

1st. The names and salaries or wages of each officer composing the Government staff of the Lachine Canal, for each of the years 1875-76 and 1876-77;

2nd. The amount of contingencies in connection with said staff for each of these year;

3rd. The dates of appointment of each such officer.

*Motion agreed to.*

## THE DISMISSAL OF WILLIAM COLWELL.

### MOTION FOR RETURN.

Mr. DOMVILLE moved for all correspondence, telegrams, and orders in connection with the dismissal of William Colwell, Locker in the Custom House Department, St. John, New Brunswick; also, all papers, telegrams, and correspondence, in connection with the investigation carried on by Inspector Cudlip, together with his report thereon, date of dismissal, copy of medical report as to his health after examination; a statement of all other official appointments which were offered him, copy of letter addressed by Commissioner Johnson, at Ottawa, to the Department of the Minister of Justice recommending him for an appointment; together with a statement of the fund from which the sum of one hundred dollars was paid him; of the grounds for such payment and the account to which such payment was charged in the Public Accounts. He said, if there were any merits in this case, the motion ought, properly speaking, to have been made by some hon. member representing the city or county of St. John. The only reason why he took it up was because he had been requested to do so, and that he felt it only right that every New Brunswicker should receive that justice which was due to him. Mr. Colwell was suspended on the 10th July, 1875, by the Collector for depositing the keys of the warehouse with a person not connected with the Department, and for "being guilty of conduct unbecoming an officer of the Crown." It might hardly be well to place before the House the papers which had been placed in his (Mr. Domville's) hands, as very serious charges were preferred therein against gentlemen in authority, and they censured a Minister of the Crown. He thought they were proper for the consideration of a Committee, which, although it was late in the Session, he hoped might investigate the matter. Mr. Colwell's explanation was to the effect that on the day on which his offence was committed he was suddenly taken sick and had to go home. He left the keys with the per-

Mr. CARON.

son in charge of the warehouse, expecting a locker to arrive shortly afterwards and take them to the Custom House. Through some mischance or other, the locker did not put in an appearance, and hence the keys were taken by a private person. He (Mr. Domville) thought some allowance ought to be made when an officer was sick. After having been treated in this way, however, on the 29th October Mr. Colwell received a letter from Mr. Johnson, Deputy Minister of Customs, intimating that the hon. the Minister of Justice would get him employment in the North-West. Mr. Colwell came to Ottawa and received \$100, and was told that he would get employment if he went out to Manitoba. After thinking the matter over, he came to the conclusion that it would be unwise to go to that Province without having employment beforehand, and he informed the hon. the Minister of Justice of his decision. Mr. Colwell then claimed that he was locked up in a room until he should return the \$100, but, although he (Mr. Domville) could not vouch for this extraordinary proceeding, yet he had the satisfaction of knowing that the money was not returned. It appeared very strange that a person who had been dismissed the service as an unfit person in July should, in October, be offered employment and receive a donation of \$100. Mr. Colwell was advised to go home, and an investigation was had into the causes of his dismissal. No evidence of material consequence was given against him. One or two men swore that he was a little addicted to liquor; others, who had known him for ten years, declared they had never known him to be the worse for liquor. Mr. Colwell was anxious that the matter should be thoroughly investigated, and that the administration of the office in St. John should also be inquired into. He claimed that all sorts of improper things were done there. He (Mr. Domville) held in his hands the order of the Collector to exchange teas, and Mr. Colwell stated that one man was allowed to go to the warehouse and get his teas as he pleased, and that, when he remonstrated and refused to cover up things, this charge of drunkenness was preferred against him.

He found that there was really no substantial charge against the man. Before he asked for a Committee to investigate the matter, he must see the papers.

Mr. BURPEE (St. John) said there was no objection, of course, to the papers in connection with the transaction coming down to the House; and they would be brought down as soon as possible. Without entering into the particulars of the case, he would say that, soon after Mr. Colwell was suspended, the Inspector was instructed to examine his case, which he did, and reported adversely to him. Mr. Colwell subsequently came to Ottawa, as he said, to refute the charges made against him, and he was told that if he could establish his innocence he would be reinstated or given another situation. A very full investigation was again held in St. John by Inspector Cudlip, and the report, which was very voluminous, would show that the Government had acted as it was bound to do. He did not wish to make the matter worse than it was, but he must say that it was the most exceptional case of the kind he had met with. He was sure his hon. friend, when he saw the papers, would agree that the conduct of Mr. Colwell was such as could not be overlooked. He (Mr. Burpee) held in his hand a communication from Mr. Johnson, denying that he had officially recommended Mr. Colwell to a situation in the Department of Justice, or any other Department. And, further, there was no payment of \$100 made to him on account of any public fund, nor was there any such payment charged in the Public Accounts.

Mr. PALMER said he had never heard of the case until it was brought up in the House, and he had nothing whatever to do with it. Of course, Mr. Colwell had a right to select his own representative in Parliament, and no doubt his hon. friend from King's (Mr. Domville), with his great pertinacity, would attend to the matter.

Sir JOHN A. MACDONALD called the attention of the hon. the Minister of Customs to the statement of Mr. Colwell that he got a letter from Mr. Johnson to the Department of Justice,

recommending him to a position in Manitoba; and to the fact that Mr. Johnson only denied making an official recommendation. If Mr. Colwell was dismissed for dereliction of duty in St. John and soon afterwards got a recommendation for a position in Manitoba, there must be something wrong.

Mr. BURPEE (St. John) said he knew of no official recommendation.

Mr. BLAKE said he had an indistinct recollection of an application being made in Ottawa by somebody from New Brunswick for an appointment in the North-West, but his terms were such as could not be agreed to by the Department. His recollection was that the conversation was with some person other than Mr. Colwell. He certainly never offered to give the appointment to Mr. Colwell.

Sir JOHN A. MACDONALD suggested that the hon. the Minister of Justice should make an investigation for anything bearing on the matter.

Motion agreed to.

## THE ALASKA BOUNDARY LINE.

### MOTION FOR RETURNS.

Mr. ROSCOE moved for copies of all letters from Government officials in British Columbia to the Government in respect to the escape of the prisoner Martin on alleged United States territory; also of a demand made upon Mr. Buck to pay duties to the United States Custom House Officer. He said two Sessions ago, when he moved for returns as to the boundary line between British Columbia and Alaska, he made the prediction that, if the question was not soon settled, there would probably arise a difficulty between the British Columbia and United States Governments; and his prediction had been verified. During last summer two difficulties had arisen, both of which showed the importance of this question. A Canadian officer was coming down the Stikeen, near the boundary line, with two prisoners, who managed to escape, assaulting the constable first, however. One was recaptured and taken back and punished for the assault and the attempted escape. The other could not be touched, on the ground, as was alleged; that he made his escape on

United States territory, that was to say, north of the boundary line, the 49th parallel. That boundary line was settled by treaty between Russia and Great Britain in 1825, and was confirmed in 1825 by the Treaty of Washington. The boundary line at that point was held to be a range of mountains extending by the coast, but as there was another range of mountains fifteen miles away from the coast, it was extremely desirable that there should be no dispute as to which range of mountains was meant. Where Martin escaped was beyond the range. The United States officials absolutely refused to entertain the notion of giving him up, they holding that he had escaped while in United States territory, and, therefore, beyond British jurisdiction. The other case related to a Custom-house on the river, placed there during some gold mining operations. The Collector from Victoria was sent up to fix upon some spot. He went beyond the range of mountains and established a Customs station, leaving an officer there. That was in 1874. In 1875, this officer, on the part of Canada, and Major Berry and General Howard, commander of the Alaska forces, on the part of the United States, fixed upon a particular spot, about two-and-a-half miles above the range of mountains. It was agreed that this point should be considered as the boundary line, until the question was definitely settled; and here the Canadian Customs officer fixed his tent. For two years he lived on that spot. Last Session, he (Mr. Roscoe) brought the matter before the House as to building a suitable residence for the officer, the Collector at Victoria having strongly recommended that this should be done, especially as it would only cost \$500. As he (Mr. Roscoe) understood it, the proposal was agreed to; but, as yet, nothing had been done, and last summer the officer was ordered to go higher up the river. At the interview referred to, when the temporary agreement as to the boundary line was made, there was present Mr. Buck, who heard what was said and understood what was agreed upon. So last summer he built a store within the British line, costing \$4,000, for the purpose of trading with the

Mr. ROSCOE.

Indians. But no sooner had the Canadian Custom-house officer removed from the spot than the United States authorities said if Mr. Buck did not withdraw, all his stock would be seized if he did not pay United States Customs duties. The value of his stock was about \$3,000. He (Mr. Roscoe) wanted to know what action the Government proposed to take in the matter. He understood there were letters on the subject by the Circuit Judge and by the Collector at Victoria, which were considered important.

Mr. BLAKE said the hon. gentleman would find, when the papers were brought down, that the Government had given the matter their earnest attention. But the correspondence was in such a condition that it was not in the public interest that even the small portion asked for should be brought down; and, upon the whole, it was perhaps better that no statement should be made, except that the Government had been diligent in asserting what they believed to be the rights of Canada, that nothing had been conceded which could be fairly maintained, and that efforts had been directed to obtaining a settled boundary line; and, pending that, the maintenance of the existing state of things; and, failing that again, the Government had directed an officer of their own to make such a general examination as would verify them in the position which they thought they had a right to take. Two questions were involved: One was the boundary line, and the other was the navigation of the Stikeen, and there were many important points connected with the latter. It was very difficult to determine whether the point where Martin escaped was above or below the boundary line, and any information on this point would be welcome to the Government, as would also any information of a definite character regarding the location of the Custom-house referred to. The Government had not supposed that any agreement had been arrived at. He asked his hon. friend to withdraw the motion.

Mr. BUNSTER said that when the Custom-house office at Stikeen River moved back, the American officers took

advantage of that circumstance to advance what they claimed to be the boundary line.

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

## SUPPLIES FOR THE MOUNTED POLICE.

### MOTION FOR RETURNS.

Mr. STEPHENSON moved for returns showing by whom the pork stuffs supplied to the Mounted Police Force in the North-West Territory and Manitoba were furnished; the quantity and description of such stuffs supplied; the prices asked as well as the prices paid therefor; the point from where they were shipped and the cost of conveyance per 100 lb. to the point of their final destination; also, all correspondence shewing whether such stuffs were called for and supplied by tender publicly advertised; together with copies of any notices for tenders, as well as all tenders received since the establishing and locating of said Mounted Police Force in the North-West Territory and Manitoba. He said he submitted the motion in the interests of the country. It was the policy of the late Government that all contracts should be given out by tender, and when supplies were required the tenders should be advertised for. In this case, he was given to understand large sums of money had been expended without tenders being invited. The Public Accounts showed that large amounts were annually expended on the Mounted Police Force in the North-West. They found that while the expenditure for the volunteers in Ontario and the other Provinces was constantly diminishing, the expenditure on the North-West Police was regularly increasing. While he had no objection to the maintenance of the Mounted Police, he held that the Government should carry out the policy advocated by their party when in Opposition. Those hon. gentlemen were violating their pledges in every shape and form, and in the present case he was led to believe that a prominent supporter of the Government had secured a contract without tenders having been invited. Mr. Miller obtained his contract because he

was a Government favourite and a warm supporter, and that at prices beyond those paid in the West. The western portion of Ontario was the pork-producing portion of Canada, and the people could not understand how a gentleman not directly in the trade, and not living in the district where pork was produced, could have obtained the contract.

Mr. BLAKE: Where does he live?

Mr. STEPHENSON said the gentleman lived in Ingersoll. The people living in the pork-packing section of the country had been unjustly treated, in that advertisements calling for tenders had not been published and tenders invited. If such was true, the public should know the reason why it occurred; if it was not true the facts should be made known to the people. The transaction was a violation of the principles promulgated by those hon. members when in Opposition, and if they had violated those principles in that respect, as in many others, the country should know the facts, so that the people when called on to vote could vote intelligently and give reasons for their votes.

Mr. BLAKE said he had received from the Secretary of State, who had charge of the Mounted Police, the following information:—

“The first detachment of police (about 150) was sent to Manitoba upon very short notice, in September, 1873, and during the winter of 1873-74 was supplied from the Hudson Bay Company's stores, I believe at rates similar to those charged the militia. When the force was recruited to its full extent for the journey to the Rocky Mountains (May, 1874), an agent was sent to Chicago and St. Paul to purchase such articles of provisions as it was considered could be purchased in the States at cheaper rates than in Canada; the bacon required was obtained at St. Paul, Minnesota, at 12½c. per pound, American currency. 25 bbls. of pork were also purchased there at \$19.50 per barrel, American currency. The pork (bacon) required for the force on its return from the expedition in 1874, was obtained in Winnipeg, Manitoba,—tenders were called for by public advertisement. On the 16th April, 1875, Mr. Nixon was instructed to communicate with the Commissioners and purchase, amongst other things, sufficient bacon for two divisions (100 men) for six months. He had represented that he could purchase them cheaper than at a later day. The bacon for 1876-77 was included with other articles for which tenders were called,

but, owing to complaints as to the quality of the pork purchased in Manitoba, a supply was obtained in Ontario—Ingersoll; with the addition of freight charges to Manitoba, this bacon cost about two cents per pound more than the tenders for supply at Winnipeg. Small quantities have at various times been purchased from storekeepers in Manitoba, but the above mentioned include all large quantities. The bacon required for the force in the southern parts of the Territories has been supplied by Baker & Co., of Fort Benton, Montana, either under contract, or at prices certified by the Assistant Commissioner of the force. It will require some little time to obtain a statement of all the prices and quantities."

Mr. SCHULTZ said, that in the matter of the supplies to the Mounted Police, under the most favourable circumstances, there must be very great expense, owing to the remoteness of the posts where a portion of that force was stationed, while he was glad that the motion of his hon. friend from Kent allowed him an opportunity of speaking generally on the subject of the contracts for these supplies. In the absence of the Minister in charge of the Department, he would only allude generally to the enormous sums which the supplies for a portion of this force cost. In the Public Accounts for last year, it was shown that one firm, J. G. Baker & Co., had received from the public purse \$127,668.92, for various purposes connected with the North-West Mounted Police; and among the items which made up this enormous sum, there was \$30,438.29 for provisions, \$31,428.25 for forage, \$707 for horse-shoes, and \$1,342.32 for medicines and medical comforts. Now the accounts did not, of course, show to what particular posts these supplies were furnished, nor was there any way of ascertaining, definitely, the number of men for whom these supplies were provided. However, as the establishment of Messrs. J. G. Baker & Co. was in the Bow River country, and as the force maintained last year at or near Fort McLeod seemed to have been about 120 men, it would appear that, if these supplies were for them, they had entailed a cost of about \$250 per man for provisions.

Mr. BLAKE said that the supplies were for the southern district, about two-thirds of the whole force. -

Mr. BLAKE.

Mr. SCHULTZ said that he had no means of knowing this, and that it would, of course, alter the *per capita* estimate; but, even if there were the number stated by the hon. the Minister, the cost would still be very great. For provisions, they would still have a cost of \$150 per man; for forage, supposing the number of horses to be equal or somewhat in excess of the number of men, they would have \$140 per horse. In the matter of these supplies generally, it was to be regretted that tenders were not, in every case, asked for. J. G. Baker & Co. might be a very respectable firm. He had no reason to doubt that fact; and it might be also, notwithstanding the enormous cost of that which they furnished, that the Government might have done the best that could have been done under the circumstances; yet the principle was a false one. Tenders should be asked for the furnishing of the supplies for the Mounted Police, not only in Montana, the nearest place they were attainable at, but Manitoba should be given a chance to compete, and also the principal cities of the Dominion; and, in this way, Canadian products might, possibly, be used, and some of our own people have a chance of participating in the supply of that for which the Government seemed to have paid J. G. Baker & Co. the enormous sum of \$127,668.92.

Mr. BLAKE said the House would remember that he was obliged to state last Session that the vote for the North-West Mounted Police for the previous financial year had been very much under-estimated, and a large portion of the vote which he asked for was taken in point of fact for arrears. His hon. friend from Lisgar, if he investigated the subject, would find that the amounts covered more than one year, and therefore his calculation as to the *per capita* cost was incorrect. The cost of supplies in that distant region was very great, and the cost of forage was enormous. There was great difficulty in obtaining supplies and the water communication had to be largely used in transportation. The season was very short, and it would be necessary to make a special contract in advance in order that the period of high water might be made

available for the transport of these supplies. He quite agreed with the general principle that proposals for tenders should be as widely spread as possible, but his hon. friend from Lisgar would find that, in order to supply this force at that distant point, it would be found extremely difficult to ask persons from remote parts to tender when they were not aware of what the means of communication were, or by what mode supplies should be sent. Under such circumstances the figures would be either extravagant, or they would be founded on guess work at the present time, and for some time to come. He hoped that the expenses for forage, either this or next year, would be very considerably reduced by the establishment of some settlers, at any rate in the vicinity of the post, who would grow supplies of that description. These might be sold at enormously remunerative rates if raised on the spot, and at the same time the price would be much cheaper than if purchased in a remote part of the country.

Mr. POPE (Compton) said his hon. friend had very properly made this motion. He had no doubt that the Minister of Justice was doing the best he could in the public interests in securing these supplies; but he (Mr. Blake) could not be surprised if the House and country were not exactly satisfied with the very large expenditure which had taken place in connection with this force. Whether a right or wrong course had been pursued, the country would have been better satisfied if all parties in it had had a chance to compete for the furnishing of these supplies. He, moreover, took exception to what the Minister of Justice had stated. He knew that the firm of Baker and Co. were very respectable and wealthy, but this firm did not produce these supplies. They had to buy them, and other respectable firms lived in their city as well as a long way from that section of the country. It would have been much better if the hon. gentlemen opposite had acted up to the doctrine they had always laid down. These hon. gentlemen had insisted upon the late Administration tendering for such things on all occasions, and they (the Opposition) felt that this matter was not in the position it should occupy.

Mr. BLAKE said he ordered the supplies to be tendered for, but, on the statement of the Assistant Commissioner, who went down there to look after it, and in consideration of the time and circumstances besides, he had taken the responsibility of acting as he did. The Assistant Commissioner had informed him that a loss instead of a gain would be sustained if tenders were called for.

Mr. POPE said he understood this. His hon. friend no doubt thought he had acted in the best interests of the country.

Mr. BLAKE: And I know it now.

Mr. POPE said the best proof of this would have been to have asked for tenders. Even the Assistant Commissioner might be mistaken, although he had great confidence in that gentleman's judgment. It would have been much the safer course to have advertised for tenders. This was always the proper way to act under such circumstances. This was one of the reasons why they felt that there should be an investigation. Great care should be taken even by the Minister of Justice to refrain from putting himself in a false position. This service had cost a very large sum, and more per head, as the Minister of Finance had told them, than the soldiers of the United States.

Mr. CARTWRIGHT: I said the very reverse.

Mr. POPE: I understood my hon. friend to say so.

Mr. BLAKE: He said that this mounted force cost about the same as the American foot soldiers.

Mr. POPE: My hon. friend will admit that they cost about \$1,000 per man.

Mr. CARTWRIGHT: I remember the conversation alluded to. My statement was that the cost was rather less than more than the cost of the United States soldiers. I was referring to them generally and not to the cavalry force. As a matter of fact, deducting the arrearages paid, the cost does not quite amount to \$1,000.

Mr. POPE said the cost was very large at any rate. He found one item in one corner of the Estimates and

another in another corner relating to this force, and he felt that this was done with something like a purpose. The Government evidently did not like to show the House in one lump sum the great cost of the force. His hon. friend had done well in moving for the papers.

Mr. SMITH (Selkirk) said no doubt there had been a feeling of disappointment among the people of Manitoba, owing to the fact that they had not had an opportunity for tendering for these supplies. However, they were not aware of the circumstances explained by the Minister of Justice. He believed they were satisfied with the general system of getting supplies by asking for tenders throughout the country. This was perfectly fair. He did not doubt that the Government would give them an opportunity of tendering in the future for these supplies, as this was expected; and, if they could get equally good terms as could be got elsewhere, they would have the contract.

Mr. STEPHENSON said he would like to add that these supplies were not all obtained in this country. He believed that they should be obtained among our own people. He did not think that this money should be sent into a foreign country. He was surprised that so flimsy an excuse should have been offered for the violation of an established principle, which was a correct one. When the papers came down they would be able to place the matter before the country in a proper light.

*Motion agreed to.*

#### REPAIRS TO BREAKWATERS ON THE SOUTH SHORE OF THE ST. LAWRENCE.

##### MOTION FOR INSTRUCTIONS.

Mr. ROY moved for copies of all the instructions given to Mr. Kingsford, of the Department of Public Works, and of all reports and correspondence in relation to repairs and other work done on the Breakwaters at L'Islet, Rivière Ouëlle, Rivière du Loup and Rimouski, on the south shore of the St. Lawrence, Province of Quebec; also a statement showing the amounts

Mr. POPE.

expended for such work or repairs on each of the said Breakwaters.

*Motion agreed to.*

#### ROYAL CANADIAN INSURANCE COMPANY BILL.—[BILL No. 57.]

(Mr. Jetté.)

##### SENATE AMENDMENT AGREED TO.

Amendment made by the Senate to Bill (No. 57) To authorise the Royal Canadian Insurance Company to reduce its capital stock, and for other purposes, *read the first and second times, and agreed to.*

#### LOSS OF A MAIL BAG.

##### MOTION FOR RETURN.

Mr. McKAY (Colchester) moved for copies of all correspondence between the Postmaster-General and the Post Office Inspector at Halifax and other Post Office officials, with reference to the loss of a mail-bag between Truro and Halifax, on or about the 14th December last, and which contained two or more registered letters containing sums of money, with all correspondence with reference to the loss of said money. He said the mail that was sent from Truro on the 14th December, according to all accounts, never reached the office in Halifax. It contained several registered letters, amounting to some \$114. If he was correctly informed, the Post Office officials at Halifax never reported the lost bag until one of the parties who had mailed a money letter enquired what had become of it, and then it was discovered that the mail had been lost. He was aware that the Government were not liable for the loss of money in the mail, but Post Office officials were liable to the Government, and such investigation should be held in this matter as would bring the fault home to the guilty party. Even if the money was not stolen in Halifax, the Postmaster was guilty of gross carelessness in not reporting the loss.

Mr. HUNTINGTON said there was no objection to the papers being brought down. The facts were as the hon. gentleman had stated, but there was a dispute as to where the bag was lost, whether the blame attached to the

conductor who carried the mail or the baggage-master who received it. The hon. member seemed to censure the Postmaster at Halifax, but the information the Government had received from the Inspector was to the effect that one of the clerks at Halifax had neglected to report the circumstance. The Postmaster never had his attention called to the matter until one of the parties who had mailed a money letter made enquiries concerning it. The facts, however, could be more completely discussed when the papers came down. He need only now assure the House that every possible means were being taken to ferret out the circumstances under which the bag was lost.

*Motion agreed to.*

#### COTEAU AND PROVINCE LINE RAILWAY AND BRIDGE ACT AMENDMENT BILL.

##### FIRST READING.

Mr. CURRIER moved the first reading of the Bill (No. 98) (from the Senate) To amend the Coteau and Province Line Railway and Bridge Act.

*Bill read the first time.*

#### DEPARTMENTAL PRINTING.

##### MOTION FOR RETURN.

Mr. BLANCHET moved for the amount in detail of departmental printing of each Department respectively, the names of the persons or parties who made such printing, with the names of the parties who have such printing not yet finished, with the conditions entered into, and the amount in value of the work yet to be done. He said that a great amount of printing was being done for the Department of Agriculture. Hon. members had been kept busy sending pamphlets to their constituents in regard to the North-West Territories. While this expenditure might be of great service, there ought to be some limit or check on departmental printing. He had no objection to the Government giving certain patronage to newspapers, providing they were not owned by members of Parliament. That was perhaps the only way in a new country, where the newspapers had many

difficulties to contend with and met with little encouragement, in which the press could be in a manner sustained. But, as he said before, there ought to be some limit, and the accounts and expenditures should be under parliamentary supervision.

*Motion agreed to.*

#### THE POSTMASTER OF MONTMAGNY.

##### MOTION FOR RETURN.

Mr. BLANCHET moved for copies of a certain report made against the Postmaster at Montmagny, Jean Stanislas Vallée, Esquire, in connection with a pretended enquiry held by Achille Talbot, Esquire, Deputy Inspector of Post Offices for the district of Quebec, and of all papers, documents and correspondence thereunto relating. He said, although Montmagny was not in his county, he had the consent of the hon. member for that constituency to ask for this report. Mr. Vallée had been postmaster for 25 years, and, until now, had given every satisfaction to the public. A zealous friend of the Government, however, had tried to annoy him by having this enquiry instituted. The motion was made for the purpose of ascertaining the facts.

Mr. HUNTINGTON said that the hon. gentleman might have changed the terms of his motion and not have insinuated that it was a "pretended" enquiry. The hon. gentleman was in error also in supposing that the enquiry was conducted by Mr. Talbot; it was conducted by Mr. Shepherd during the present month. The evidence had just been received; it was very voluminous and he had not yet had time to look at it. He would ask the hon. gentleman to withdraw the motion until the Department had time to consider the report.

Mr. BABY moved the adjournment of the debate.

Mr. BLAKE: No, no.

Mr. MASSON: If the motion is moved again it will never be reached.

Mr. BLAKE said it was unprecedented, when papers had just reached the Department which it might be improper to bring down, to move the adjournment of the debate in order that

the time might arrive at which the papers could be brought down. The motion was premature. The papers had not been considered and the inquiry was therefore still pending. The proper time for asking for the report was when Government action had been taken upon it.

Mr. BLANCHET said when the time for resuming the debate arrived it would be very easy for the hon. the Postmaster-General to state the reason, if there was any, why the demand could not be complied with. The matter could be allowed to drop then. He asked his hon. friend (Mr. Huntington) to allow the motion to pass.

Mr. HUNTINGTON said the hon. member's action was rather in the nature of taking the thing out of his hands. Let the hon. gentleman give him a fair opportunity to consider the papers, and, if they were not considered correctly, he might then move a vote of want of confidence in his administration. He was sure the hon. gentleman would see the propriety of withdrawing the motion.

Sir JOHN A. MACDONALD said he presumed there would be no objection to bringing down the papers as soon as they were looked at.

Mr. BLAKE: Not if they are proper to be brought down.

Mr. BABY said he had no intention of moving a vote of want of confidence in his hon. friend's administration. He asked leave to withdraw his motion.

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

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

### After Recess.

#### PRESERVATION OF THE BUFFALO.

##### MOTION FOR PAPERS.

Mr. SCHULTZ moved for copies of all communications from the first Council of the North-West Territory in regard to the preservation of the buffalo; all communications on the same subject from Indian Commissioners or other Dominion Government

Mr. BLAKE.

officials, and all Orders in Council or Acts passed by the present Government of the North-West Territories having this object in view. He said that he had brought up the subject of the preservation of the buffalo last year, and on that occasion had explained that, from various causes, the destruction of the buffalo had been very great indeed, and was becoming greater as the circle wherein they were to be found was being gradually narrowed. About ten years ago he had seen buffalo east of the Red River, and now they were only to be found by going several hundred miles to the west of that stream. Crowded westward by the settlement of the country, and the hunting parties from the Red River settlement, they were now attacked on the north by the hunters from the new settlements on the Saskatchewan, while from the south the hunters of the Missouri made their onslaught. Added to these sources of diminution was the number killed by the Cree and Blackfoot Indians who inhabited the buffalo country proper; and the wolves, together with the loss caused by drowning, made up the quota, which was estimated by the Rev. Father Lacombe, a perfectly reliable authority, to be a destruction of about eighty thousand in winter and eighty thousand in summer, making a total of 160,000 killed yearly. Unfortunately, too, it was the female buffalo which was selected, if possible, her evenly distributed protection from the cold making the best robe, and her flesh being the best for pemmican and dry meat purposes, and hence it was that late travellers reported meeting droves of buffalo in which the proportion of cows was only about one sixth. Now, while it was a fact that the very existence of the plain tribes of Indians depended upon this valuable animal, it was obviously desirable that they should be prevented as long as possible. The same authority (Father Lacombe) whom he (Mr. Schultz) had already quoted, estimated that, at the present rate of destruction, in eight years the buffalo would be extinct, and was of the opinion that, were a law enforced which would prevent the killing of these animals from 1st November to

1st May, and calves at all seasons, in five years the increase would be such that the restriction might be removed. Several years ago, in speaking of the condition of the Indians of the North-West, he (Mr. Schultz) had pointed out the results likely to be occasioned by the entire destruction of the buffalo. The animal was invaluable to the Indian, because its flesh was his food, the hide his house and clothing, while the sale of its robe furnished him with all that he needed of European manufacture. Without this source of supply the Indian would become a pauper and, by an easy transition, a marauder. To avert these results it was obvious that the buffalo must be protected, at least, till a time arrived when the Indians who now inhabited these hunting grounds could be weaned from the chase and taught to depend wholly or in part upon agriculture. From one of the Government sources of information he was glad to see their attention directed towards this matter, and hon. gentlemen would find in page 34 of the Minister of the Interior's report the following statement of Mr. Dickieson:—

“The subject which at present takes precedence of all others in connection with the Indian question in the North-West Territories is the preservation of the buffalo. The rapid decrease in the numbers of the buffalo has become a matter of alarm to the Indians, who see that, unless steps are speedily taken to arrest it, their future condition will be one of extreme hardship. That the buffalo are decreasing in number in a rapidly increasing ratio is a fact admitted on all sides. A few years ago they were found in plenty over all the country extending from points eastward of Fort Ellice to the Rocky Mountains, and from the north branch of the Saskatchewan to the United States boundary line. Hemmed in by the American hunters, the Blackfeet, Bloods, Piegans and kindred tribes of Indians on the south and west, and by the half-breeds, Salteaux and Crees on the north and east, the area over which they then roamed has been gradually encroached upon, and their numbers reduced. This summer they have come further east than they have for many years, and were found within a few miles of the Touchwood Hills Post, while south of the Qu'Appelle they were reported to have been seen not far from the boundaries of the Province of Manitoba. But, while they were thus plentiful in the south and east section of the country I have above referred to, there were few or none to be found in the west and north, and the Blackfeet and other tribes in these quarters were said to be

starving, and following the buffalo eastward. I am aware that this question has already received some consideration on the part of the Government, and that representations have been made by parties better informed than I claim to be, as to the necessity of some action in regard to it. For this reason I will not enter into the matter as fully as I would otherwise have done.

“While at the Qu'Appelle Lakes, the Cree Chiefs, accompanied by their principal headmen, waited upon me, and represented that they were becoming alarmed on account of their means of subsistence failing; and begged me to report what they said to the Government, and to convey their request that something should be done to prevent the entire extermination of the buffalo. To show the importance they attach to this question, I may remark that each chief and his headman separately made the same request. In all my previous intercourse with the Indians I have never seen this course adopted. In discussing other matters, a spokesman is generally chosen who speaks for all, the others merely signifying their assent; but in this case it was evident they considered something more was necessary, and adopted this method to impress the gravity of their position upon me. In my opinion the buffalo must be protected, or in a few years, not more than ten at the furthest, the whole number of Indians in the North-West, who now rely upon these animals for subsistence, will require to be fed and maintained principally at the expense of the Dominion Government. I can see no other alternative, as it is an impossibility to teach them in a short time to forsake their present mode of life and adopt that of civilized men. The subject is one which demands and should receive the early consideration of the Government, for the peace and consequent prosperity of the North-West Territories depend in a great measure upon it. Should the buffalo become exterminated, it is not to be expected that the starving Indians will refrain from helping themselves to the supplies to be found in the stores of the Hudson's Bay Company and other traders; compelled by hunger, outrages might be committed by them which would result in an Indian war. These are the views of everyone who is well informed regarding the state of the country, and, while I admit that the Indians at present are peaceable, well disposed and have every confidence in the Government, I think there can be no doubt that they are correct.”

It would be seen from this statement that Mr. Dickieson corroborated his (Mr. Schultz's) own assertion on several occasions that the Indians themselves fully appreciated the danger to themselves, and would willingly submit to a protective measure, such as suggested by Father Lacombe. When the matter was brought up in the House last Session,

the Premier stated that the Government had the matter under consideration, but as yet they had heard of nothing being done. A new Government had been established in the North-West, and machinery for the enforcement of any preventive measure had been in existence for some time, and he (Mr. Schultz) could not but believe that some one was to blame for the neglect of this important matter. Hundreds of thousands of dollars were being spent for the maintenance of a Government and Police Force in the North-West. The treaties made were not likely to be satisfactory to the Indians when the settlement of the country pressed upon them, and it was clearly the duty of the Government, who were by law constituted the guardians of this little understood and often traduced race, to see that, while by the stipulations of their treaties they were allowed to hunt over the lands which, often with many misgivings and under the pressure of necessity, they had sold, this game, the best gift, in their opinion, that the Great Spirit had given, should be preserved to them and for their use against the present wholesale destruction and inevitable extermination.

Mr. SMITH (Selkirk) said he was happy to be able to concur entirely with the hon. member for Lisgar (Mr. Schultz). It was very necessary that some steps should be taken to prevent the entire destruction of the buffalo in the North-West. This was a matter in which there might be reciprocity with the United States. We should give them the same measure which they gave us. They did not permit any except American citizens to go to their territories and trade and hunt, and even their own citizens were forced to get licenses. The slaughter and disappearance of the buffalo was owing in a large measure to the inducements held out to American traders. A large number of the robes went to the other side, and, while the Canadian trader lost profit so far as this was concerned, the buffalo were also rapidly decreasing, or, rather, gradually but surely being killed out. He hoped that the Government would be able to devise some means to exclude to some extent the ingress of American traders, and

Mr. SCHULTZ.

also, as far as possible, to give protection to the buffalo.

Mr. RYAN said he was happy that one subject had been found upon which all the members from Manitoba could agree, this being the first upon which they could agree during the two or three Sessions in which he had been in the House. He thought there was no reason for difference of opinion on this subject. Every hon. gentleman who had given the matter any consideration must be convinced that there was very strong necessity for the protection of the buffalo. Hitherto our relations with the Indian tribes had been very satisfactory; but he thought that, in a year or two, or four or five years at the furthest, we would be called upon to enter into a new phase of the Indian question, and one which would require the exercise of the greatest vigilance and care, if we were to preserve the same satisfactory relations with the Indians. Hitherto the Indian tribes in the North-West had been almost entirely self-supporting. The small grant made to them by this Government, although, perhaps, sufficiently onerous to this Dominion, was only a trifle in aid of the Indians. As his hon. friend from Lisgar (Mr. Schultz) had pointed out, these Indians subsisted almost entirely upon the buffalo. Its robes furnished them, directly or indirectly, with clothing, and its flesh with meat. They subsisted upon buffalo month after month, and year after year, and followed it around on the vast plains. What rendered the question all the more important was the fact, that buffalo was almost the only game that could subsist upon the plains; and, when the buffalo disappeared—as it almost inevitably would in a few years unless the hands of the Government were raised to stay its slaughter—then all the Indians would be thrown upon the Government. It was, therefore, of the greatest importance that some steps should be taken to preserve the buffalo. He thought they would all agree upon this point. But perhaps they would not all be of the same opinion as to how far it was possible to protect the buffalo. There was a difference of opinion as to how far it was necessary to go in order to make that protection effective. He had con-

versed with several gentlemen who were *au fait* in regard to the matter, and it was their opinion, and also the opinion of one of the authorities quoted by the hon. member for Lisgar, Father Lacombe, a few years ago, that protection to the buffalo, in order to be effective, would have to extend to an almost total prohibition of the killing of the buffalo for five years. This would entail the support of the Indians upon the Government. If the finances of this Dominion were able to bear the strain, he would be very happy to see the Government do so; but he was afraid we were not able to go so far. If we did not, but only took a single step in the path of protection, it would be necessary to go as far at least as to prohibit the trade in buffalo robes and pemmican. In addition to this, it would be necessary to induce the buffalo Indians to devote some portion of their time to agricultural pursuits. But he doubted whether we were in a position to go even as far as that. Supposing the trade in the buffalo robes were prohibited, the consequence would be that the large market at present available in the North-West for the consumption of the excessive supplies of Manitoba would be taken away. For several years, Manitoba must look to the west for a market. Last year, the first for three years, there was a slight surplus, and he had no doubt that next year there would be a large surplus. If the buffalo trade in the west were stopped, Manitoba would be deprived of the largest market for her breadstuffs. He thought, before the Government took a step in this direction, it would be necessary for them to carefully consider the matter. It seemed to him until the Pacific Railway was built between Thunder Bay and Red River it would be impossible for them to go even that far, and at the same time no protection would be effective which did not, for a number of years, prohibit the enormous slaughter of buffalo now going on.

Mr. MILLS said this subject had received the serious consideration of the Government. So far as he had been able to look into the matter, he was of the opinion that it had better be left to be dealt with by the Government of the North-West rather than by Par-

liament here. From the information in the possession of the Government, there could be no doubt that the buffalo were rapidly diminishing, and this diminution had sensibly increased since American traders had come across. Ever since the settlement of Manitoba, also, the buffalo had retreated farther and farther to the west. The Half-breeds, in their pursuits, had invaded the country of the Blackfeet and Blood Indians, and much complaint had arisen thereupon. The Government had some information which they could supply, such as a report by the North-West Council and a communication from one or two missionaries. He saw one of the missionaries a short time ago, and obtained from him all the information possible. He had come to the conclusion that it would be a very formidable undertaking. The missionary he spoke of said it would be necessary to induce the Indians to obey the law, as at present they had not sufficient respect for each other to observe any regulation. The result was that those who would be disposed to refrain from destroying the buffalo were prevented from acting upon such a principle by the fact that others would not act in the same way. His informant's opinion further was that it would be necessary to get the Indians to abandon the plains and live along the borders of some of the lakes for a period of four or five years. They could subsist by fishing and agriculture during that time, although the Government would also be obliged to contribute very considerably to their support. The Local Government of the North-West could probably devise a cheaper and better plan than this Parliament, it being on the spot and more familiar with the matter.

Mr. PLUMB said he did not think the matter ought to be left with the Local Government. It was a matter of great consequence that the buffalo should be protected as it was the only means of subsistence for the Indians. The difficulty was one which should be met at the outset.

Mr. MILLS remarked that the difficulty was with the Half-breeds more than with the Indians.

Mr. DAVIES said the buffalo, like the deep sea fish, ought to be protected.

Mr. SMITH (Selkirk) enquired whether the Government intended to do anything to prevent American hunters and traders coming here, when Canadian hunters and traders were not allowed to go into American territory.

Mr. MILLS said the Government were not in a position to express any opinion on the subject, although the fact, as stated, was known.

Mr. TROW said it would be quite out of place to prohibit the legitimate slaughter of buffalo, because there were thousands dependent upon the buffalo for their sustenance. It was the wanton cruelty that he complained of. There were a great number of Half-breeds in Manitoba who hunted buffalo merely for the sake of their tongues, and left their carcasses upon the prairies to go to waste. Buffalo were very prolific, and, if a law were passed to protect them for a few years, he had no doubt that they would soon increase. Although he frequently saw the bones of the buffalo bleaching in the sun in Manitoba, not a live buffalo could be seen until four or five hundred miles west was reached. The buffalo must be protected, or else it would soon become extinct.

Mr. SCHULTZ said he had not distinctly heard the remarks of his hon. friend from Selkirk (Mr. Smith), but, from what he could gather, he complained of Americans being allowed to come on our side of the line to kill the buffalo. It had not possibly occurred to that hon. gentleman that there was another matter in connection with the trade of the North-West which needed attention, and that was that, while the Americans were allowed to come into our Indian country and trade with the utmost liberty, yet on their side of the line it was said that no one could trade with the Indians without a license from the Government, and these licenses were granted only to citizens of the United States. If this was the case, then we should have reciprocity in this matter. The robe trade of the North-West was very valuable, and, unfortunately for the interests of the trade of the Dominion, was almost entirely in the hands of Americans, their easier means of access giving them advantages which they had utilized with

great profit to themselves. Now, he (Mr. Schultz) believed that, if it were true that none but United States citizens could get a license to trade on the American side of the line in the Indian country, then a system of licensing traders on our side should be adopted, and only British subjects be allowed to procure such licenses. This would keep the trade among our own people, and Canada would enjoy the advantage of that large trade which properly belonged to her, and which now went to the United States. In regard to the remarks of his hon. friend from Marquette (Mr. Ryan), he feared that the hon. gentleman had not understood the suggestion of the Rev. Father Lacombe as it was understood by himself and by the hon. the Minister of the Interior. Father Lacombe suggested that no buffalo should be killed from 1st November to 1st May in each year, and no calf at any time—this restriction to continue for five years. But the full grown animal might be killed all the summer, hence the fear of his hon. friend that the Government would have to support the Indians during the five years of enforcement of a preservation law would be without foundation. The statement made by the hon. the Minister of the Interior on the same point, he must criticize somewhat. The hon. the Minister seemed to fear that, if a protective Statute were enacted, great expense would be caused to the Government in supplying the Indians with the means of subsistence during the interval between 1st November and 1st May, when they were not allowed to kill the buffalo. Now he (Mr. Schultz) believed that no such great expense would be caused. Much of the food in the shape of dried meat and pemmican used by the Indians in the winter was made by them in the summer months, and, if it was once understood that no buffalo were to be killed during the winter months, the Indians would lay in an extra supply of the dried meat and the expenditure by the Government of a few thousand dollars for twine for nets would be all the aid the Indians would require. On the score of expense he must take issue on other grounds as well with the Minister of the Interior. Every hon.

Mr. DAVIES.

gentleman who had spoken seemed impressed with the belief that we were likely to have difficulty with the Indians if the buffalo supply should be speedily cut off. Now the history of Indian difficulties in the United States taught us that, under any circumstances, it was far cheaper to feed the Indians than to fight them. A distinguished United States military officer once said that it would be far cheaper to feed a tribe of Indians at the Fifth Avenue Hotel in New York than to have war with them. With them it had come to be understood that nothing was so enormously expensive in proportion to the results obtained, nothing was more unsatisfactory, and nothing could possibly more injure the interests of settlement and immigration than conflicts of this kind. So that, even if the Indian Department had to largely assist the Indians during the five years' enforcement of this law, it would be far cheaper than the expense which would be caused if the surmises of the results that would follow the speedy extinction of the buffalo were correct. The hon. the Minister had stated that he thought the present Council of the North-West were now engaged in a consideration of this matter. He (Mr. Schultz) feared that for any practical good for this year any enactment now would be "shutting the stable door after the horse had been stolen." Any measure, according to Father Lacombe, must take effect in November and continue till the first of May. Now, the Governor of the North-West had received his appointment early last fall. That gentleman, while a member of the House of Commons, had heard the matter discussed last year, and heard the Premier admit its importance, and state that the matter of protection to the buffalo was under consideration. It was, therefore, no new matter to the Governor, and one of the first acts of the Governor of the North-West Territories should have been to take active steps in this matter. Had that been done, the destruction of this winter might have been averted. He (Mr. Schultz) had every confidence in the good intentions of his hon. friend the Minister of the Interior, but, as the Government of the North-West was an appointed one, and not respon-

sible in any way to the people of that region, it would be necessary for the Government here, as they were responsible for the actions of the North-West Government, to see that important measures like the one under consideration received prompt attention.

Mr. MILLS said that the hon. gentleman had misapprehended what he had stated. He had not said that it was necessary to prevent the Indians from destroying the buffalo for several years in succession, but for the period of each year extending from November to May. This was the statement made to him by Father Lacombe. He believed that the hon. gentleman was himself a member of the North-West Council, and had had power to deal with this question, but he was not aware that anything had been done.

Mr. SCHULTZ said that the hon. Minister had evidently not lately read the correspondence of the late North-West Council, for if he had he would find among the papers which he hoped to have brought down by this motion that the old North-West Council had brought up the matter in the strongest form possible, and urged the necessity for a protective law of this kind.

Mr. SMITH (Selkirk) said he quite agreed with his hon. friend that it might be possible to pass an enactment, prohibiting the killing of the buffalo during a certain portion of the year. He was sorry to hear his hon. friend suggest or hint at the possibility of war in the North-West. He thought this very remote. Under ordinary good government there was no necessity for legislation with such a project in view. The Americans, of course, had many such wars, but the action of the Canadian Government towards the Indians had been very different to that of the United States under similar circumstances.

*Motion agreed to.*

## ONTARIO BANK GOVERNMENT DEPOSITS.

### MOTION FOR CORRESPONDENCE.

Mr. BOWELL moved for copies of all the correspondence between the President and Cashier of the Bank of Ontario and the hon. the Finance

Minister, or the Finance Department, respecting the Government Deposits in the Ontario Bank since 1st November, 1873, to the present time. He said it would be in the recollection of the House, and also of the country, that, during the elections of 1874, most extraordinary steps were taken to secure the election of the friends of the Government in the section of the country in which the head-quarters of the Bank of Ontario was situated. At that time, the President of the bank so far forget himself as to write a circular to his customers, which, certainly, from its tone and tenor, must have led them to the conclusion that, by voting for the then Ministerial candidate, they would receive greater favours than they could otherwise possibly obtain if the Government of the day was not sustained. Among other paragraphs in that famous circular, which was issued by the Hon. John Simpson, President of the bank, he found one couched in the following language:

“If they (the Government) were sustained our Bank and other Ontario banks, and through them the country, will have the use of the Government surplus till required.”

Of course they understood why “other Ontario banks” were included in this paragraph. This was done to lead the country generally to believe that not only what Mr. Simpson designed as “our Bank” would receive large deposits, but also that other Ontario banks would obtain similar favours at the hands of the Finance Minister, and that owing to this circumstance they would be enabled to make larger discounts, and give their customers better terms than they possibly could do if they did not receive these deposits from the Government. The instructions sent to the customers of the bank were not confined exclusively to the President, for he found the Manager of the same bank writing to their customers in the following strain:—

“We (the Bank) are largely interested in the success of the present Government, as its continuance in power will add largely to the success and prosperity of the Bank. Our President (the Honorable John Simpson) is calling upon all our friends to give us a hand for Mr. Cameron, and we would esteem it a great favour if you could give us a helping hand along with many other friends.”

Mr. BOWELL.

These letters having been made public, the President of the bank found it necessary to explain the position he had taken in connection with these deposits; and, if hon. members would turn to the files of the Toronto papers or of the *Globe* of the 7th of September 1874, they would find a letter written by the Hon. John Simpson, dated the 4th of that month, which contained this remarkable paragraph:—

“I admit that I did write to the present Finance Minister complaining bitterly of the manner in which the Government surplus had been deposited by the late Government, greatly to the prejudice of Ontario for many years, and I did ask him to do the right thing.”

Subsequent events, he thought, proved that the Finance Minister, so far as the Ontario Bank and its customers were concerned, did do the right thing. He found, in addition to the figures he had laid before the House at the last Session of Parliament, that for the last ten months this Bank had received deposits to the following amounts:—For the month ending May, 1876, \$383,855.95 without interest, and the interest account *nil*; end of June, \$395,522.66; July 31st, \$223,596.74; August 31st, \$248,181.25; September 30th, \$330,971.60; October 31st, \$208,708.38, and November 30th, \$233,641.11. During these months there were no Government deposits drawing interest. On December 31st, he found that the Government non-interest bearing account was \$209,506.58, while \$26,814.91 was deposited to interest account. In January of this year (1877) the non-interest account was \$255,953.37; while the interest-bearing account had been reduced to \$16,232.75. This small balance could, however, no longer be permitted to continue, for they found that the interest account was withdrawn altogether, leaving, in February, \$265,183.28 to the credit of the Government in the non-bearing interest account; making the average for these ten months, \$275,342.08. From these figures it was evident that this bank had had “the right thing” done by it so far as this account was concerned. On looking at the returns published in the *Official Gazette* they would find that the Ontario Bank had a subscribed

and paid-up capital of only \$3,000,000 while all the other eight banks in Ontario had a subscribed and paid-up capital of \$13,074,600; and yet this favoured bank which demanded that "the right thing" should be done by it in consideration of its support during the election before referred to, had, during the month of February last, no less than \$130,562.69 more than all the other eight Ontario banks together, of Government deposits. In other words, this bank had \$265,183.29 Government deposits on three millions of capital while the other eight banks, representing a capital of \$13,074,600 had but fifty per cent., or one-half as much. He thought the country would come to the same conclusion that he had upon that question—that the Ontario Bank had received an ample reward for what it did on that memorable occasion. This arrangement might possibly have been the cause of the hon. the Finance Minister's mission to South Ontario at that time, but he thought the country would come to the conclusion that this understanding with the Ontario Bank had much more influence with those connected with it, and, through them, with its customers, than all the other eloquence which the hon. gentleman ever uttered. There could be no question that this bank, holding larger deposits by 50 per cent. over and above the others, could extend to its customers greater accommodation, and divide larger dividends among the stockholders, than any other bank possibly could do that had to depend upon its own resources. With a knowledge of these facts, it would be for the country to follow the example set by South and North Ontario at the next election. In order to have a full and complete history of this whole transaction—a system of bribery, he did not hesitate to say, which it would be difficult to exceed—it was necessary that this correspondence should be brought down. The facts were before them that the hon. Senator, the President of the bank, did make a "big push" for Government deposits, and it was equally true that the hon. the Finance Minister "came down handsomely" with the deposits, and the result was the Government succeeded in carrying the constituencies.

Mr. CARTWRIGHT said, as regarded any letters that the President of the Bank of Ontario might have addressed to his cashiers or directors, he need hardly say that he accepted no responsibility whatever. He was not aware until long afterwards that he had sent such letters, and he would undertake to say that it was with no consent or concurrence of his that they were addressed. As to the question whether the bank received an undue amount of favour from this Government or not, he said that it had nothing of the kind. The deposits the bank had were not one whit more than the proper necessities of the case required. It had become necessary to spend very large sums of money in distant parts of the North-West, and the bank had established branches at Prince Arthur's Landing and the Province of Manitoba. The Government transacted business to the amount of three or four millions a year in that section, and it became necessary that the bank should have considerable reservations. He could not see that reservations to the extent of \$200,000 or \$300,000, scarcely a month's expenditure, were one whit more than what, as a matter of prudence and business arrangement, he would have considered necessary in transacting personal business. As to the question of deposits in individual banks, he had before explained the reasons which rendered it utterly impossible to consider their capital in making Government deposits. Everyone knew that for a long time it was a source of complaint against the late Government—in which, however, he did not join—that they held large reservations in the Bank of Montreal. A glance at the deposits under the late Administration would show that they were in the habit, for which he did not blame them, of depositing large sums in the banks about Montreal. On the 15th October, 1873, the Union Bank of Lower Canada held \$283,123 bearing no interest; the Montreal City and District Savings Bank, \$548,947, bearing no interest; the Merchants' Bank, \$201,912, bearing no interest, and so on to a great many more. The Ontario Bank was the Government's agent at Prince Arthur's Landing and in the Province of Manitoba, and it was undoubtedly

necessary to keep on deposit a considerable amount of money. He had always objected to asking for interest on money in constant fluctuation which might be taken out at any moment, because, if interest was demanded, the banks would in turn seek to invest the money permanently, and considerable injury to the customers would result. For three or four years the expenditures of the Government had been on an unusually large scale,—sometimes \$3,000,000, or \$4,000,000, sometimes \$8,000,000 and in one or two cases \$11,000,000 or \$12,000,000. Under those circumstances, the Government had felt it their duty to keep a large sum of money available for use, especially under our fiscal policy, which exposed us to very considerable sudden demands. The main point in this particular case was that, while carrying on those great expenditures in distant parts, with which communication at many times was difficult, and where it would be a matter of considerable expense and inconvenience for the Government to hold large sums, they considered it perfectly legitimate and proper to hold a sum adequate to the demands in this bank. He would not object to bringing down any correspondence with himself or the Finance Department. He would only say that, although he presumed, as the hon. gentleman had quoted, that Mr. Simpson did write a letter to him complaining bitterly of the injustice done to the Ontario banks, he had no particular recollection of it. He would cause search to be made for it. If it was sent, he was quite sure it must have been a private and confidential one, and, therefore, one which he could not fairly be asked to bring down. If, however, it was found, he would either bring it down or such extracts from it as affected this particular matter.

Mr. GIBBS (South Ontario) said he quite agreed with the hon. the Minister of Finance that it was necessary to keep a certain amount on deposit in the Ontario Bank to do the business of the Government at Prince Arthur's Landing and Manitoba. But he desired to call the hon. gentleman's attention to the fact that long before the Ontario Bank established agents at those points it had double, treble and nearly quad-

ruple the amount on deposit that it now had for conducting the business of the Government. He considered this was as corrupt a bargain as possibly could be made between the Government and those with whom it had been consummated. He was rather glad to hear the hon. gentleman disclaim it as far as he was concerned. There was a letter in the hon. gentleman's possession which the public ought to see. To convince the hon. gentleman he would read a further extract from the *Globe* of September 7th, in which Mr. Simpson used this language:—

“My letter was read in Toronto in the presence of the Hon. Mr. Gibbs, and if he or any of his friends desire more light on the subject I will ask the Finance Minister for permission to publish this letter.”

The country had had a good deal of light on this subject since then. That letter was read in his hearing, as well as in the presence of several of the directors of the bank; and he should like very much (if he was at liberty to do so) to give the hon. gentlemen the opinion which was expressed in reference thereto by at least one gentleman of high position who was present. That letter could not, in any sense, be considered a private and confidential one any longer. Mr. Simpson said he was willing it should be published, and he hoped the hon. the Finance Minister would produce it. During the contest in 1874, when the Premier and Finance Minister, in addition to the other influences brought against him, were pitted against him in his riding, this particular letter was read by a gentleman who had previously supported him, but who had been influenced by what he expected to receive from the bank in exchange for supporting the Government, for the sole purpose of influencing the electors and the public generally with the belief that a large amount of money would be placed in the bank, and that, therefore, its customers would receive a far larger amount of accommodation than they had been in the habit of receiving previously. At that time the bank had no intention whatever of establishing those agencies in the North-West. It was only after they became a large debtor to the Government that they

thought of this arrangement for disbursing the funds of the bank in the North-West, and obtaining a considerable amount of circulation there, and thus paying off gradually their indebtedness to the Government. From the returns in the *Official Gazette*, it appeared that in January, 1875, the bank had at interest \$440,861, and \$331,645.28 without interest; that it had in the month of February a similar amount, and that it was somewhat diminished in the month of March. It would, therefore, seem that it was not in consequence of the bank having agencies in the North-West and doing the business of the Government at those points, that those deposits were made, but in accordance with the agreement between the President and the Government. What was the President's own statement? It was reported that he had promised the Government six constituencies and he had been able to give them five. During the three years that had elapsed since this corrupt arrangement was entered into, three of those constituencies had been gained by the Opposition, and, if the hon. member for East Durham (Mr. Ross) had seen his way to accepting that position which was recently mentioned in connection with his name, they would have regained that seat also, and been in the same position as they were prior to 1876. A good deal of the correspondence moved for had seen the public eye, and he hoped that the balance in possession of the Government would be brought down. He had suppressed correspondence in regard to this matter, because he felt that the parties would have been violating the confidence reposed in them. He regretted now having given them that advice, as it would have given a great deal more light as to what took place in those constituencies. The hon. gentleman might deny that any corrupt arrangement had been made, but the fact was patent that an enormous sum of money was deposited in the bank which there was no need for. In the letter referred to, the President seemed to be pleading for other banks besides his own, but the plural was simply used as a cover for the arrangement he sought to make. He hoped that the country would have an oppor-

tunity of seeing this correspondence so that the origin of the arrangement between the Ontario Bank and the Government might be better understood.

Mr. ROSS (East Durham) said the statement of the hon. member for South Ontario (Mr. Gibbs) was false.

Mr. SPEAKER said the hon. member had no right to use such language.

Mr. ROSS said he had heard the hon. member for South Ontario make the statement before. He told that hon. gentleman that the Ontario Bank never gave a cent to any election in his county, nor any one connected with it.

Mr. GIBBS (South Ontario) said he had never asserted that the bank had done so.

Mr. ROSS said the Ontario Bank had nothing to do with his election.

Mr. GIBBS said he had never declared it had. His statement was that the President of the Ontario Bank was reported to have said that he had promised the Government six constituencies, and had carried five of them. If the hon. member had accepted the Postmastership of Port Hope, making East Durham vacant, the Opposition would have carried the county.

Mr. ROSS said he had heard before the statement made by the hon. member for South Ontario, that the Ontario Bank had to do with his (Mr. Ross's) election. The agent of that Bank was always opposed to him; he belonged to the other side of politics and so could not have helped him (Mr. Ross) in the election. If all the other statements of the hon. member for South Ontario were as true as that one, there was very little truth in them.

Mr. McQUADE said he had good reason to believe that Mr. Simpson's son and a man by the name of O'Leary had spent money freely during his election, as Mr. O'Leary shook a handful of bills at him. He took him (Mr. McQuade) to be a man of straw, but found out his mistake.

Mr. BOWELL said that, when Mr. Simpson sent his agent to Prince Arthur's Landing, the business was

being done by the then Royal Canadian, now the Consolidated Bank. It was strong evidence that there was a corrupt bargain made between the Government, or some one on their behalf, and the Ontario Bank. If it were not so, why should the Ontario Bank agent here be sent to supersede and take the place of the Royal Canadian Bank agency there doing business, and compel it to withdraw from that section of the country. The best evidence the House and the country possessed that there had been favours extended to the Ontario Bank was contained in the figures submitted to the House, and contained in *Hansard* of last year. They showed that the bank which had neither a larger capital nor better position than other banks, had more than two-thirds of the whole Government deposits from the time the engagement was made up to the present time; that in order to drive out another bank agency from the Thunder Bay district, Mr. Simpson established an agency there, received Government deposits, and, consequently, distributed Government favours. The Bank of Commerce, with a capital of \$6,000,000, had comparatively no Government deposits. Why did the Ontario Bank receive such a large share of Government favours if it was not in consideration of services rendered through an engagement made, which should not have been, with any banking institution by any Government in any country? It was true the return showed that the Merchants' Bank and other banks held large deposits without paying interest from the Government prior to the present Administration taking office; but there was no evidence to show there had been a corrupt bargain between the late Government and those banks which received deposits, that they should render services to the Government in a political capacity. When that was proved there would be an analogy between the deposits received by banks from the late Administration and those received by the Ontario Bank from the present Government, but not till then was any analogy.

Mr. BLAKE: Who was president of the Merchants Bank?

Mr. BOWELL.

Mr. BOWELL said he also could tell the hon. the Minister of Justice the name of the gentleman who was president of the old Commercial Bank, but the hon. the Finance Minister could tell the hon. gentleman more about it than he (Mr. Bowell) could tell. The hon. the Minister of Finance took good care not to lose much by the bank when it did fail. He thought the hon. gentleman was quite right in that.

Mr. CARTWRIGHT: Explain. The hon. member insinuates what he dare not say.

Mr. BOWELL said it was generally reported the hon. gentleman did not lose much. If he would say that he did lose much he (Mr. Bowell) would withdraw the statement. The report published in the newspapers was that the hon. gentleman, knowing the position of the bank, was sensible enough not to retain or hold much stock in it. The hon. gentleman knew exactly what he meant by the reference he made. The hon. gentleman was not so ignorant as not to know what was the general opinion of the people. That might all be incorrect, and he (Mr. Bowell) would admit that such was the case if the hon. gentleman could explain the matter. But that subject had nothing to do with the question under discussion. What he had endeavoured to show on a previous occasion and what he had succeeded in showing on the present occasion, more especially with the assistance of the hon. member for South Ontario (Mr. Gibbs), was that the transactions with the Ontario Bank, arising from election contests, were such as he, and every hon. member and every man in the country, trusted would never occur again.

Mr. CARTWRIGHT said that with regard to the assertion that the Government had made a corrupt bargain with the Ontario Bank or any other bank, he deliberately stated from his place that it was an unmitigated falsehood. His connection with the Commercial Bank would bear comparison with that of any other director in the bank, and, when the shareholders did not dare at three meetings at which he presided to raise a similar question against him, or to offer the smallest

insinuation, it was somewhat impertinent for any hon. member at this time, nine years afterwards, to utter what no shareholder had dared to utter then. As to the main question, he would repeat that the Government were perfectly justified in exercising their discretion in placing considerable sums of money in Ontario banks, not in the Ontario Bank, but in Ontario banks. It was a matter of notoriety that before the present Government came into office, as the public returns showed, nothing whatever was deposited with the large Ontario banks. It was natural, right and proper that they should, to a considerable extent, reverse that position. As to the Bank of Commerce, he might say that, shortly after the present Government acceded to power, it held very large deposits. It might have held larger deposits and a much longer time, but for the fact that it had no demand for them, and refused them again and again.

Sir JOHN A. MACDONALD said the hon. the Minister of Finance had declared the statement that the Government made a corrupt bargain with the Ontario Bank to be an unmitigated falsehood. The Government did not, therefore, make any corrupt bargain, because the hon. gentleman said so, and the House was bound to believe it; but whether the country would believe it or not was quite a different matter. While the House would agree with the hon. gentleman, the country could not overlook the fact that the circumstances were suspicious. In the first place, it was thought important to defeat the hon. gentleman who sat for South Ontario (Mr. Gibbs). Mr. Simpson was not only an influential, but he was a prominent, politician. His support, and, still more, the support of his bank, was deemed important. He wrote a letter stating that it would be a happy golden day for all the banks—"our bank and the other banks,"—if this change of Government were brought about and "we are to make our fortunes out of it." That was what "our bank"—our bank first—and then the others were going to make out of it. Then, after that the cashier wrote a letter stating that, it was understood to be in the

interest of "our bank" that all parties should vote against Gibbs, and for Cameron. He did not say "the Ontario banks," but he said: "It is for the interest of our bank, and we expect you all to vote, and do the right thing for Cameron as against Gibbs." There was no doubt that about this time there was a letter written by Mr. Simpson to the hon. gentleman (Mr. Cartwright), and he must have got that letter in December, 1873. The hon. gentleman knew what Mr. Simpson wanted. Mr. Simpson was very proud of the letter as a composition, and had shown it to his friends. He had not seen it, but he had heard a great many people say they had seen it, and that it was a most curious specimen of putting a pistol to the head of the Government declaring: "No cure, no pay; if you want us to support you, you must support our Bank." Mr. Simpson was electioneering in the county at that time, and the Manager was writing letters to the customers directing them to vote for the right man, and the Minister of Finance himself went to South Ontario on the very same business. He must have seen Mr. Simpson. He was one of the canvassers, and it was only natural that he should see him. Thus, on the one side, there was the bank declaring that it was in its interest that the election should be won, and, on the other, there was the Finance Minister entreating the people to vote in the direction Mr. Simpson had indicated, so that the Finance Minister was working in the same interest as Simpson and his cashier. It was said there was no such arrangement, but he could only say, what every man of common sense would say, that the circumstances would bear no such construction. He was satisfied that had the election been protested it would undoubtedly have been set aside for undue and corrupt influence exercised on behalf of the Government. It might have been unfortunate that all those coincidences should have occurred. It might be that every member of the Government was quite free from the charge, but the circumstances were so suspicious, and the evidence was sufficient to satisfy any jury that the election was carried by corrupt and undue influence on the

part of Mr. Simpson, the Ontario Bank, and the Government.

Mr. BLAKE said he believed there was a meeting held after the election, to discuss the propriety of entering a protest, and the present representative thought it better not to protest the election. It was to be regretted that the hon. gentleman did not retain the right hon. gentleman for Kingston in the case. It was material to understand two points, of which hon. gentlemen opposite did not take any account. First, that the directors of the Ontario Bank were not all of one line of politics, there being directors as well as shareholders belonging to both political parties. Second, that the President of the bank had been for twenty-five years a member of the Liberal Party, and a strong supporter of hon. gentlemen who came into power in 1873. There was no question, therefore, of purchasing his support, for that was impossible, and no inducement or corrupt bargain, as was charged against the Government, was necessary to ensure his support. The hon. gentleman said it must have been a corrupt bargain because the Ontario Bank, with some other Ontario banks, had received some deposits. Without imputing any corrupt or improper motives to hon. gentlemen opposite in connection with their deposit, and for the condition in which the deposits were to be found, without asking for explanations, he would remind them that they had \$600,000 with interest, and \$400,000 without interest, in the City and District Savings Bank of Montreal, and nearly half a million in the Merchants' Bank. The present Government were but carrying out the view of the Liberal Government of Ontario. When he succeeded to office, he found the whole deposits in the hands of the Bank of Montreal. At the earliest convenient moment this was changed, and a million and a half of dollars were taken from the Bank of Montreal and deposited in some of the stronger Ontario banks. It was held that, as the Province of Ontario paid a very large portion of the revenue, its banks should also have charge of a large portion of the Government funds. Not, however, that they hinted or suggested corrupt motives on the part of the late Gov-

Sir JOHN A. MACDONALD.

ernment in placing the deposits where they were, although he thought it was rather extraordinary that the hon. member for North Hastings (Mr. Bowell), should not have understood that it was a very suspicious thing that as Mr. John Simpson was the President of the Ontario Bank, Sir Hugh Allan was, in 1873, President of the Merchants' Bank which then received large deposits at the hands of the Government.

Mr. PALMER said, if he understood the arguments of the hon. gentlemen opposite, it was, that, because Mr. Simpson was already a member of the Liberal party, therefore he did not require to be purchased. But that was not the point. It was rather that the Government placed means in his hands to corrupt the electors. Hon. gentlemen opposite did not use the same argument respecting the Pacific Railway as they did now. The argument was not that Sir Hugh Allan did not belong to the party then; but it was that influence was brought to bear upon Sir Hugh Allan in order that he might go a great length himself, and that a great many other people might be corrupted.

Mr. BLAKE: It was not put that way.

Mr. PALMER said the hon. the Minister of Finance distinctly denied that there was any bargain. If this were so, the circular of Mr. Simpson contained a falsehood. One or the other was not telling the truth. Whether he had allowed his zeal to prompt him to tell what was true or not, it was very curious that what he said was a promise was fulfilled. Mr. Simpson might have told a falsehood, but he was a true prophet. As the question was now before the Courts, he (Mr. Palmer) would not make any extended remarks upon the matter.

Mr. GIBBS (South Ontario) said, with reference to the election in South Ontario, the hon. member for Kingston had advised him to protest it, but he had declined, thinking the electors, on sober second thought, would reverse their judgment. As to the \$1,000,000 deposited by the late Government in the City and District Savings Bank of

Montreal, that bank was then acting as the agent of the Government in the city of Montreal.

Motion agreed to.

#### FOG-WHISTLE AT CAPE D'OR.

##### MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for a return of copies of all correspondence between the Government and any of their officers or other parties in Nova Scotia relating to the supply of coal and water for the operation of the fog-whistle at Cape D'Or, and a statement of the period or periods during which for the past two years that fog-whistle has not been in operation and the reasons therefor.

Motion agreed to.

#### FISHING RIGHTS IN NEW BRUNSWICK.

##### MOTION FOR RETURNS.

Mr. PALMER moved for returns of all leases of the right to fish in the non-tidal waters of New Brunswick, showing which of them, if any, wholly, and which of them partially cover beds of rivers granted to private persons. He said this was a subject of very great importance. He was informed and believed that fishing leases for terms of years had been granted under the Act of 1868, on the non-tidal rivers of New Brunswick. He did not know whether this was done by the late or by the present Government; but he conceived that the practice was illegal. If his contention was right, it would involve considerable claims being made on the Government of Canada. Leases had been granted to other persons who were not grantees of the beds of the rivers, and thereby the right of fishing over the land of other persons was bestowed. According to his view, not only by the terms of the Act passed there, but by the British North America Act, there was no such right vested in the Parliament of the Dominion as the right of granting such leases. Wherever the bed of a non-tidal river was granted to any person, the right of fishing went with it. He directed the attention of the Minister of Justice to this matter. The principle

at issue was affirmed distinctly in an Irish case, *Murphy v. Ryan*, reported in the 2nd volume of Common Law Irish Reports. This case was decided in the Common Pleas Court of Ireland. It was here stated:

"The public cannot acquire by immemorial usage any right of fishing in a river in which, though it be navigable, the tide does not ebb and flow. The word 'navigable' used in a legal sense, as applied to a river in which the soil, *primâ facie*, belongs to the Crown and the fishing to the public, imports that the river is one in which the tide ebbs and flows."

Again, on page 152:

"Upon a full consideration of all the cases, it will, I think, appear that no river has been ever held navigable so as to vest in the Crown its bed and soil, and in the public the right of fishing, merely because it has been used as a general highway for the purpose of navigation; and that, beyond the point to which the sea ebbs and flows, even in a river so used for public purposes, the soil is *primâ facie* in the riparian owners, and the right of fishing private."

Further:

"According to the well established principles of the Common Law, the proprietors on either side of a river are presumed to be possessed of the bed and soil of it, moietywise, to a supposed line in the middle, constituting therein legal boundary; and being so possessed, have an exhaustive right to the fishing in the water which flows above their respective territories, though the law secures to the community the right of navigation upon the surface of that water as a public highway, which individuals are forbidden to obstruct, and precludes the riparian proprietors from preventing the progress of the fish through the river, or dealing with the water to the injury of their neighbours. But no usage can establish the right to take a profit in another's soil which might involve the destruction of his property, and such profit would be the taking of fish. The precise point is decided both as to the general law and to the particular case of profit by fishing in *Bland v. Lipscombe* (1); and the principle of that case in affirmation of the ancient doctrine is sustained by the judgments in *Lloyd v. Jones* (2); *Race v. Wood* (3); *Hudson v. MacRae* (4), and other recent discussions. That principle is beyond controversy, and therefore the usage relied on in this defence cannot sustain the claim of the right in the public to fish in a river, the soil of which is not *publici juris*, but private property."

If this was common law, it resulted that, wherever a private person had the grant of the soil in the bed of non-tidal rivers, this was his property, and he

had the sole right of fishing over his own land; and any one intruding on this property for the purpose of fishing was guilty of trespass at common law. This was a most important point. Sec. 109 of the British North America Act vested the whole of the land in each Province in that Province, as its right, and the Province had consequently the right of making what profit it could out of grants for fishing purposes. How was it possible then to take away such a right without compensating the Province concerned therefor. The right of fishing, he held, was part of the public domain of the Provinces. This was a matter of very considerable consequence in New Brunswick. The Fisheries Act 31 Vic., cap. 60, sec. 2 declared:

"The Minister of Marine and Fisheries may, where the exclusive right of fishing does not already exist by law, issue or authorize to be issued, fishing leases and licenses for fisheries and fishing wheresoever situated or carried on; but leases or licenses for any term exceeding nine years shall be issued only under authority of an Order of the Governor in Council."

He contended that whether the Minister of Marine and Fisheries would have the right to grant the exclusive right of fishing would depend on whether that right already existed. The 13th section of this Act stated:

"Whosoever fishes for, takes, catches or kills fish in any water, or along any beach, or within any fishery limits described in any lease or license, or places, uses, draws or sets therein any fishing gear or apparatus, except by permission of the occupant under such lease or license for the time being, or disturbs or injures any fishery, shall incur a penalty not exceeding one hundred dollars with costs, or imprisonment not exceeding two months," &c.

He held that the giving of the right to fish was vested in the Province, and the right of fishing was one of the civil rights; and, of course, this Legislature ought not to interfere with it. Under the 94th section, it was prescribed that the powers of this Parliament should be confined to legislation on the subject of the sea-coast and inland fisheries. Supposing this could be made to apply to fishing in non-tidal rivers, it never could enable the Government to give away what they did not own; but he held it was extremely doubtful whether this did

Mr. PALMER.

not apply to fishing in the sea, and the public distinguished from the private right of fishing. The gentlemen who had the leases, he would explain, had in no way prevented the public from fishing in these parts of the rivers, and most of them, he believed, wished to preserve the fish. He only brought the matter up in order that a question of very great importance might be settled.

Mr. SMITH (Westmoreland) said this was a very important matter as a question of law, and it was desirable that the point should be decided. It appertained however to the Local Government and Legislature, and he understood that the New Brunswick House of Assembly had passed some resolution bearing on the subject. He had no objection to submit such papers as were in his Department, but of course it was not possible for him to furnish all the information requested. He would, however, bring down information as to whether the leases granted covered land belonging to the Crown. He could give the leases and their boundaries, and it would then be open to the hon. member to apply to the Local Government and learn what he desired.

Mr. MITCHELL said this question was one of the very greatest importance with relation to the peace, prosperity, trade, and commerce of the fishing sections of the Dominion. He thought it very desirable that it should be settled by some decisive authority as a great deal of difference of opinion existed in his county with reference to it. The Government might feel it to be their duty to obtain a proper decision regarding it. He hoped, at all events, that something would be done in this relation. They should know where the rights of the Dominion and Local Governments respectively commenced and terminated, and where the riparian rights—if they existed—began and closed. These points would have to be settled sooner or latter.

Mr. SMITH asked that the motion be amended to apply simply to the information which he was able to supply.

Mr. PALMER assented, and said he was greatly obliged to the Minister of

Marine and Fisheries for the answer which had been given. If the matter was so fixed that a legal decision was necessary, of course this was not the place to obtain it. He supposed, however, that before going into a contest of this kind the matter would have been referred to the hon. the Minister of Justice, and he thought the House should have that hon. gentleman's opinion on that point.

Mr. SMITH (Westmoreland) said he hoped that before long this question would be decided.

Motion, as amended, *agreed to*.

### PARRY SOUND HARBOUR.

#### MOTION FOR REPORT.

Mr. COCKBURN moved for Engineer's Report of the Survey of Parry Sound Harbour made by Mr. Michaud, C.E., and others in 1876. He said it was supposed that by a small expenditure of money a more direct channel, to be called the South Channel, could be made, which would be nearer to the south-eastern part of the Georgian Bay where the railroad would be situated. The engineers were sent out by the Department of Public Works to make a survey, but as they returned too late for their observations to be embodied in this year's report, he had availed himself of this method of learning the result of their examination.

Motion *agreed to*.

### SECTION FIFTEEN OF THE PACIFIC RAILWAY.

#### MOTION FOR PAPERS.

Mr. BOWELL moved for all papers connected with the awarding of section fifteen of the Canada Pacific Railway, including copies of advertisements for tenders, all tenders sent in, with the names of the parties tendering, the names of all sureties offered, and the amount of such tenders; a statement of all sums of money deposited at the time of tendering, or subsequently, as security in part or in whole for the performance of said contract, and whether such sums or any portion of them have been returned, and to whom; all telegrams and correspondence with parties tendering, or

with any other parties in relation to the tenders or to the contractors, all protests filed by parties tendering, or by any other parties in respect of such contracts, all reports to Council by the Minister of Public Works, and Minutes of Council referring to the said tenders and contracts; also copies of contracts for such section number fifteen of the Canada Pacific Railway, and of any order of the Department of Public Works or Minutes of Council altering the terms of the said contracts, or extending the time for the completion of the same.

Mr. MACKENZIE said there was no objection to the motion. On seeing the motion on the paper, he gave directions to have the papers prepared, and he expected he would be able to bring them down in a few days. There had been a great deal of misrepresentation in the newspapers concerning this contract, and it was desirable that the papers should be laid before the House.

In reply to Sir JOHN A. MACDONALD,

Mr. MACKENZIE said there was nothing new in regard to section fourteen, except an allegation that the time for the completion of the contract had been extended. The contractors had been stopped a whole season owing to the operations of the Engineers of the Department, and, that being the case, it could not be expected that the Government could force the completion within the time specified. There had, however, been no regular extension.

Motion *agreed to*.

### KILLING OF CATTLE ON THE INTERCOLONIAL RAILWAY.

#### MOTION FOR RETURN.

Mr. MITCHELL moved for all correspondence between Mr. James Niven, of Newcastle, Miramichi, N.B., and the officers of the Intercolonial Railway and the Government, in reference to the killing by one of the trains of said road, on the 23rd of February last, of five head of cattle of the said James Niven; also a statement of the officers of the road as to the distance to the place of accident from the Miramichi Station from which the said train started; whether the same is or is not

a straight line; where the driver of the train first saw the cattle on said track. He said Mr. Brydges had taken the ground that the fault of this accident lay in Mr. Niven himself in leaving the gate leading on to the track open. That might or might not be, but the particular allegation by Mr. Niven was, even if that were true, that the driver saw his cattle at a distance of half to three-fourths of a mile from the place where they were killed. The train was just starting from the station, and the driver, after whistling, put on full speed. The object of the motion was to see where the blame really rested, and whether there was no means of getting compensation or punishing the driver in some way.

*Motion agreed to.*

## TARIFF OF CHARGES ON THE GRAND TRUNK AND INTER-COLONIAL RAILWAYS.

### MOTION FOR RETURN.

Mr. POULIOT moved for:

1. Copies of the arrangements made by the Government, or by the General Manager of the Intercolonial Railway, with the Grand Trunk Railway Company of Canada, respecting the tariff of charges for the conveyance of passengers and freight over the Grand Trunk and Intercolonial Railways;

2. A statement of the rates which should have been and ought still to be charged for passengers and for freight by the Grand Trunk Railway from its various stations to Rivière du Loup, and *vice versa*, per passenger, per car, and per the hundred pounds of the different classes of merchandise;

3. A statement of the rates charged by the Intercolonial Railway, for passengers and freight over the Intercolonial Railway from Rivière du Loup to its various stations, and *vice versa*, per passenger, per car, and per the hundred pounds of the different classes of merchandise.

He said the object of this motion, in the first place, was to learn what were the prices which, by the arrangement requested, should be charged by the Grand Trunk Railway Company for passengers and freight, from any station on the Grand Trunk to its terminus at Rivière du Loup; and, in the next place, how much the Government should receive according to the scale of charges for passengers and freight from Rivière du Loup to the various stations on the Intercolonial Railway; for, from

what had taken place and would appear, not only had the Government charged nothing in many cases, but also they had been obliged to pay a part of the charges made on freight passing over the Grand Trunk, because, as would be perceived, the charge for freight on the latter line merely from one of its stations to Rivière du Loup, was often higher than when, having reached Rivière du Loup, it had passed some distance over the Intercolonial. Facts which he would mention would better enable the House to understand. During last summer, the charge for freight from Quebec to Ste. Flaire, on the Grand Trunk and Intercolonial was generally 12½c. per 100lb.; during winter it was 15c. while the Grand Trunk charged 18c. per 100lb. from Quebec to Rivière du Loup. Merchants of Toronto had sent out circulars, one of which he then held in his hand, offering to sell flour at the same price, delivered at any station in the county he had the honour to represent; that was to say, as far as thirty-six miles beyond Rivière du Loup upon the Intercolonial;—the charge for freight being the same, \$50 per car, including the transfer at Rivière du Loup, while the Grand Trunk alone charged \$50 per car from Toronto to Rivière du Loup. So much for freight. With reference to fares for passengers, he would state that, when he left home to come to Ottawa, he enquired at the Grand Trunk Station at Rivière du Loup for a ticket to take him direct to this city, and he was told there were no such tickets. He was, consequently, obliged to buy one taking him only from that place to Montreal. On entering the cars, he took a seat beside the hon. member for Victoria, N.B., (Mr. Costigan), with whom he entered into conversation. A few moments afterwards the conductor demanded their tickets. He showed his ticket, and the hon. member for Victoria did likewise; and great was his surprise when he perceived that the hon. member's ticket was of another kind, being a return ticket. He asked the hon. gentleman where he got it, and the answer was that he had just bought it at the Rivière du Loup Station, where he (Mr. Pouliot) had been told that no such

Mr. MITCHELL.

tickets were sold. The hon. gentleman further added that circulars had been distributed, informing them that they could procure return tickets either at Rivière du Loup or at Portland. These were abuses from which they suffered. He hoped that the papers for which he asked, when brought down, would make these evils known, and that the Government would endeavour to remedy this state of things. It was known that the Grand Trunk Railway Company seriously complained that this road did not pay expenses; and recently, at a meeting of shareholders in England, the advisability of ceasing to run the portion between Rivière du Loup and Richmond during several months of the year, was even broached. On the other hand, the present Manager stated that the company would do everything possible to encourage local traffic. An effort was made to show that, if this part of the road did not pay, this was due to the small amount of traffic obtainable in this district; but this was not the case, for, if the company had not done more, it and its vicious administration were to blame for this state of things. Again, how could Messrs. Abbott & Freer, who had inaugurated this part of the road between Quebec and Rivière du Loup, even when it was not completed, have made something in this relation with which to pay themselves; and the traffic since then had greatly increased, in such fashion that the Company would certainly have done more if its affairs were otherwise administered. Now, however, an offer to encourage local traffic was made, though the past policy of the road had been of such a nature as to have the effect of stopping it. He would again cite a few facts in support of this assertion. Below Quebec, there were some very extensive lumbering establishments—amongst others those of Messrs. Methot at Cap St. Ignace, and King, at River Ouelle—which forwarded their lumber by car from their mills to Lévis. The charge for this transportation was at the outset reasonable, being, he believed, from \$7 to \$9 per car. During the first year he was charged only \$9 per car; during the second year, \$14, and, during the third year, \$23. The same course had been

taken with Messrs. Methot and King, and what were the consequences? Mr. Methot stopped sending his lumber by car, and shipped by water to England. Messrs. King did the same thing at River Ouelle, and these gentlemen still pursued this policy. As far as he himself was concerned, he sold his mills and stopped his undertakings. This motion would also have the effect of informing them what was the price of freight on the Intercolonial, and of showing them, he hoped, that the rates were not higher for the Province of Quebec than they were for the other Provinces.

Mr. MACKENZIE said he was willing to furnish all the information possible; but he would be unable to obtain a statement of the rates which should have been and ought still to be charged for passengers and freight from various stations. He would procure from the company a tariff of rates, and call the attention of the company to the complaints made.

Mr. JONES (Leeds) said the Grand Trunk preferred sending all freight to St. John over their own line, by way of Portland. In view of the advantages which the company had received from Canada, he hoped preference would be given to the through line by the Intercolonial.

Mr. OLIVER said he had, on two or three occasions, brought the subject before the House and endeavoured to have some of the evils redressed. From careful calculation he found that the people of his county paid from \$50,000 to \$75,000 more for freight on a certain quality of goods than it would cost to lay the same down in Toronto, where there were two competing lines. At the present time passengers from London could obtain a return ticket to Toronto for \$3, while the people of Oxford, which was thirty miles nearer Toronto than London, were charged \$4.50. The tariff of rates on railways was under the control of the Government, and, from the many complaints made, some action should have been taken to remedy the grievance. He heard that from the freight charge from London to Detroit was 13c. per 100lb., while from St. Mary's it was 27c. From Oxford the rate

to Detroit was 19c. per 100lb., while from Paris it was 16c. The result of those unequal rates had been that the people of Oxford had had to tax themselves to aid the construction of a railway from the lake shore in and to bring the Grand Trunk, Canada Southern and Great Western into competition, which cost Oxford \$70,000. The people had given large sums of money towards railway construction in this country. The Grand Trunk had received, including interest, thirty millions, and, in the compromise effected between the Great Western and the Government, the public Treasury lost one million and a quarter. If the people, by their taxes, contributed to the construction of railroads, the Government, which had certain control over the railways, should see to it that equal justice was done to all parts of the community. In view of the extent of the Canadian railway system, there should be a Government Department which should take the railroads under its charge. In England there was a Railway Commission, and any grievance felt by the people was submitted to it and remedied. He hoped the Government would take the subject into consideration, and endeavour to adopt some means by which the people of different sections would be placed on the same footing with respect to the carriage of passengers and freight.

Mr. McKAY (Colchester) said that in the Lower Provinces higher rates were sometimes charged for short distances than for long journeys, and undue advantages given to Halifax and St. John.

Mr. MITCHELL said the fishermen of New Brunswick got greater facilities for the transport of their fish by the southern route to Boston than by the Intercolonial Railway. The reason was that the Intercolonial would not take less than a car-load except at very high rates. The Intercolonial last summer did not take more than a third of the trade, and it would never get it unless it consented to take the fish in small lots, as it offered, as fresh fish would not keep.

Mr. DAVIES said he could quite understand that the rates to Halifax,

Mr. OLIVER.

St. John and some other points were low because the railways had to compete with the steamships. In carrying flour to the Maritime Provinces the route on the Intercolonial had to be placed at the same figure as that charged by the steamboat companies in order to get the trade.

Mr. MACKENZIE said it had been stated that the Grand Trunk Railway was now disposed to send a great deal of its freight by way of Portland to the Eastern States. But the memorandum was to the effect that some must be sent to Portland and some to Rivière du Loup, and there was no particular temptation to send freight one way more than another. The company did not own the steamers, but they were run in connection with the road.

Mr. MITCHELL: The company receive a percentage.

Mr. MACKENZIE said the House must remember that the Intercolonial Railway was a commercial affair, and it would have to be managed on commercial principles. It would be impossible to avoid charges which might appear eminently unjust, because it would be impossible to carry *pro rata*. To show the difficulty there was, he would mention that during last season flour was actually carried from Chicago to Boston at less than it could be carried from Toronto to Quebec. But the Government could not avoid that.

Mr. JONES said he was alluding to manufactured goods and not flour.

Mr. MACKENZIE said the same rule applied to all kinds of freight. The fact remained that the Grand Trunk and the Intercolonial had to compete with other lines through New England, and that competition was becoming daily more keen, and it was getting more impossible for the Government to avoid the anomalies pointed out. With regard to the remarks of the hon. member for North Oxford (Mr. Oliver) it must be remembered that there was competition between London and Toronto, while there was not competition at Woodstock, and therefore at the latter place the ordinary rates were changed. The Government had no power over that whatever. Companies could go below their schedules if they pleased. Railway companies were

interested in making as much money as possible, and at a competing point they would naturally have a lower rate than where there was no competition. In New York a certain rate was charged per mile by law, no matter what the distance, but it had not been thought advisable to adopt such a law in Canada. In Minnesota and some other Western States, where the Granger movement obtained complete supremacy as to voting power, they had compelled railroad corporations to carry both freight and passengers at certain rates. The result was that, within a year, a large number of these companies were compelled to suspend many of their trains, cancel some, and several of the roads were obliged to stop running altogether. Very few railroads had paid any dividends in this country. They had operated with great success so far as developing the country was concerned, and they had benefitted the pioneers by giving an equalization of prices all over the country. Farmers had derived more benefit from railroads than any other portion of the community, and, though there might be a little neglect on the part of the companies and complaint on the part of the people sometimes, yet he contended that the country had benefitted immensely by the vast outlay of English capital. The Government had endeavoured to make passenger and freight rates on the Intercolonial fair and just, as far as possible, and they were now lower for any distance than on any line on the continent.

Mr. MITCHELL: What about fresh fish?

Mr. MACKENZIE said the hon. gentleman must remember that to send fish to New York or Boston the Intercolonial and Grand Trunk would have to connect with other corporations, whose assent to any arrangements would have to be obtained. He had already called the attention of the Railroad Superintendent to this particular point, and it was hoped that arrangements would be made during the coming season which would enable the object which the hon. gentleman had in view to be carried out.

Motion agreed to.

House adjourned at  
Eleven o'clock.

## HOUSE OF COMMONS.

Tuesday, 27th March, 1877.

The Speaker took the chair at Three o'clock.

### BILLS FROM THE SENATE.

The following Bills from the Senate were severally read the first time:

Bill (No. 99) To amend the Act respecting the Canadian Engine and Machine Company.—(Mr. Workman.)

Bill (No. 100) To incorporate the Canadian Traffic Company.—(Mr. Workman.)

### GODERICH HARBOUR RETURN.

#### REMARKS.

Mr. FARROW called the attention of the hon. the First Minister to the fact that papers he had asked for, in relation to Goderich Harbour, had not been brought down.

Mr. MACKENZIE said he had been informed by the Secretary of the Department that there were no such papers to bring down.

Mr. FARROW said the papers he asked for were a telegram and a letter, which he would vouch were sent to the hon. the Premier from Guelph. In fact he held the original telegram in his hand. It ran as follows:—

“GUELPH, January 7th, 1877.

“To HON. ALEX. MACKENZIE,  
“Minister of Public Works,  
“Ottawa.

“I understand that John S. Tolton of Walkerton has tendered for the Goderich Harbour Works. Mr. Tolton is a thorough practical, honest and reliable man; financially able and accustomed to the construction of public works. The securities named are reliable, sound men.

(Signed) “D. STIRTON.”

A letter, mailed the same day, followed this telegram. He would vouch for the correctness of these facts.

Mr. MACKENZIE said those papers were not in the Department, and, if the hon. gentleman had the original telegram, that accounted for the absence of one.

Mr. FARROW: I should have said copy.

## BREACHES OF CONTRACTS BILL.

[BILL No. 66.]

(Mr. Blake.)

## CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 66) to repeal certain laws making breaches of contracts of civil service criminal, and to provide for the punishment of certain breaches of contract.

(In the Committee.)

Mr. BLAKE said it would be remembered that, on the debate on the second reading of the Bill, exception was taken to the first clause, on the ground that it might interfere with certain local laws. His hon. friend from Renfrew suggested that it was important that the law should not be altered in Ontario, as no provision had been made by the Local Legislature on the subject. In order to meet the objection raised, he proposed to strike out sections two and three of the Consolidated Statutes of Lower Canada from the clause as it stood, and to alter the provision as to the repeal contained in the clause as it stood by making it provide that it should stand repealed from and after the 1st May, 1878. That would give an opportunity to the Legislatures of Ontario, Quebec, and Prince Edward Island to make whatever local laws they pleased to provide for the repression of those breaches of contracts now punished as crimes in these Provinces. He also proposed to insert a sub-section providing for the immediate repeal of the sections of the local law which had been repealed by the Legislature of Quebec, the result of which would be that they would stand forthwith repealed as far as this Parliament had power to deal with them, and would be totally off the Statute-book.

Mr. WHITE (North Renfrew) said, unless there was some guarantee that the provisions of the law which at present existed would be continued in some way, very serious losses would be incurred by a particular class of employés. In the lumber regions, the Provinces were divided by almost an imaginary line, and in many cases

labourers employed in one Province might step over into the other and thereby escape punishment from a breach of contract. Some provision ought to be made to give the magistrates of the Provinces concurrent jurisdiction in order that this class of offenders might be punished.

Mr. WOOD asked if the hon. the Minister of Justice had received a communication from his colleague (Mr. Irving) in reference to this Bill. He understood that that hon. gentleman, who had gone to Toronto for a few days, was to try and arrange the postponement of the matter until his return.

Mr. BLAKE said he regretted to say that at no time had there been any understanding with the hon. member for Hamilton and himself in regard to this measure. He had received the communication referred to, asking that action might be deferred on the Bill for a week or ten days, but he could not delay the Bill so long. The amendments which the hon. member for Hamilton (Mr. Irving) proposed to move, he observed, were to come up on the report of the Committee.

Mr. PALMER said he thought this Bill would interfere with the laws relating to masters and apprentices in New Brunswick, and it was a grave question whether Parliament could legislate in that direction. He contended that, while the Criminal Law of Canada was entirely within the province of this Parliament, yet it had no power to do away with the punishments which the Local Legislature had established. The 15th and the 27th sub-sections of the 91st section of the British North America Act seemed to him clear on this point. He was entirely in accord with the hon. the Minister of Justice in regard to the general features of the Bill. Its object, he understood, was to prevent those combinations of workmen which sometimes had disastrous consequences. While he was quite willing that every man in the country should have the best right to labour and enter into contracts, yet he denied the right of workmen to co-operate and combine, and he could quite understand why such an act should be made a crime.

Mr. FARROW.

He would like the hon. the Minister of Justice to give his opinion on the point he had raised.

Mr. MITCHELL asked the Minister of Justice whether this Bill, in its present shape, would in any way interfere with engagements between masters and seamen? If it did, it would very seriously affect the control of masters over seamen.

Mr. BLAKE said an express clause in the Bill provided that nothing in the Act should subject any person to any other or greater punishment than he was subject to by law now, for any offence mentioned in the Act, provided always that he should not be punished more than once for the same offence. There was no intention to affect the existing relations between masters and seamen; but, if it was found that the Bill did effect these relations, a clause could be easily introduced preventing any such application.

Mr. MITCHELL said he was glad to hear this. Certain parties interested in shipping had called his attention to this matter, and he had consequently requested information on the subject.

Mr. BLAKE said, with reference to the remarks of the hon. member for St. John, that the Bill did not purport to interfere with questions relating to apprentices. No doubt there was a very great distinction between the relations of masters and apprentices, and masters and ordinary servants or employes. In times past, breach of contract of service was declared to be a crime, and it was punishable as a crime, and it was only two or three years ago that the last vestige of that law was swept from the English Statute-book. The true principle was then adopted that contracts of hired service were the same as other contracts, unless some special circumstances in the breach of them involved consequences which could fairly be called criminal. The clause he now proposed to the Committee repealed only so much of the sections of the old Acts of the Provincial Legislatures as declared that breaches of contract of service were crimes to be so punished. It was true that this involved the proposition that they were

not criminal, but properly civil matters; and, being so, that they came within the jurisdiction of the Local Legislatures. It was competent for these Legislatures to punish breaches of civil contracts, though not as crimes. He had before him local laws providing for two years' imprisonment for breaches of a civil law. If any Local Legislature proposed, at this time, to pass a law providing for breaches of contract of service, without peculiar circumstances connected with them, being punished by imprisonment, it had the power to do so. This Bill did not, as it could not profess to, affect any right possessed by Local Legislatures, or any Act of such Legislatures.

Mr. PALMER: It repeals them.

Mr. BLAKE: No. It only repealed so much of the Acts of the old Provincial Legislatures before Confederation, as dealt with the Criminal Law, which law belonged to this Parliament. These were not repealable by the Local Legislatures. This was the principle of the Bill. If any Court should hold that any section proposed to be repealed did not deal with any matter as a crime, then that section was not repealed. With reference to the local point, considerable divergence of opinion existed among the Local Legislatures; while the Legislature of Quebec had provided for the repeal of two of these clauses, the Government of Ontario had declined to interfere with this law on the ground that it was not within their competence. The policy of the Government was to remove the stigma of crime from breaches of contract of service, which were not attended with peculiar circumstances.

Sir JOHN A. MACDONALD asked whether the Minister of Justice would object to confining the clause to the following words:—"Making the violation of any provisions of any of the said sections a crime?"

Mr. BLAKE said he was quite willing. It was but right to state to his hon. friend from North Renfrew (Mr. White), that the difficulty the hon. gentleman alluded to was not one which, in the opinion of the Government, ought to alter that portion of

their policy which was involved in the proposition that ordinary breaches of contract were crimes. The circumstance that there was the Ottawa River between two Provinces could not alter the character of the acts done there. Any inconvenience which might result from this fact was not to be remedied by attributing a criminal character to acts done there, which could not be so treated if committed in the interior of the country. The hon. gentleman's remarks more appropriately belonged to subsequent clauses, and when they came to them the hon. gentleman might, if he pleased, ask the House to extend its provisions to the acts which had been mentioned. The geography of the country could not alter the character of an offence.

Mr. BROOKS said that on the former reading of the Bill he had referred to what had appeared to be a conflict with the laws of the Province of Quebec; and he deemed it but right then to say that the amendment suggested by the Minister of Justice would meet the requirements of the Province of Quebec. Sections 2 and 3 had been repealed by the Local Legislature of Quebec, and Sections 5 and 7 of the Consolidated Statutes of Lower Canada were only to be repealed in 1878. He, consequently, apprehended that the Local Legislature of Quebec would be obliged to enact a new law on this subject and make the present law perfect.

Mr. BABY said he would entirely concur with the hon. member for Sherbrooke (Mr. Brooks) if the Minister of Justice would grant a sufficient delay.

Mr. BLAKE: Delay is granted until 1st May, 1878.

Mr. BABY: Then there is no difficulty on that point.

Section 1, as amended, *agreed to.*

On Section 2,

Mr. BLAKE said he had made a slight verbal alteration in this clause. It read: "Whosoever wilfully and maliciously breaks a contract of service or otherwise, and whosoever being under contract of service or otherwise." His hon. friend from Cape Breton (Mr. MacKay) had suggested that the use of the words "service or otherwise"

might create some confusion, the object being simply to show that it was not confined to contracts of service or all contracts of the character referred to. He proposed to make it read, instead of "whosoever,"—"any person who wilfully and maliciously breaks any contract made by him, knowing, or having reasonable cause to believe," etc. He would say to his hon. friend from Renfrew that the first sub-section of this second section, being that which applied to contracts not made with gas, or water, or railway companies, was the one which might cause, under certain circumstances, breaches of contract, whether of service or otherwise, involving special consequences, to be treated as crimes. The language used in the description of the character of these contracts was identical in words, he believed, and certainly in substance, with that used in the English Acts. One was the Employers' and Workmen's Act, and the other was in reference to the law of conspiracy and to the law for the protection of life and property. If the hon. gentleman would refer to those Acts he would find a good deal which was in the present Act. As he had explained with reference to another clause, there was a great convenience in using the same phraseology where it was suitable to our circumstances, for we then could obtain the benefit of the construction of the English Courts upon these words, as well as the construction of our own Courts of Justice, and so a degree of certainty as to the precise operation of the law could be more speedily and surely obtained. He saw no reason, however, why the principle of the English law should not be extended, as he had proposed in the Bill, and in England the House of Commons was pretty evenly divided on the point. One of the cases put as a reason for making a breach of a certain kind of contract criminal was this: At a particular stage in the manufacture of iron, when several furnaces were in full blast, if workmen left them even for an hour, it would probably be necessary to blow out the furnaces, pull them down, and then reconstruct them. A case of that description occurred, in which the two hour's absence of three men caused a loss to the employer of

Mr. BLAKE.

£2,000 sterling. The men knew the result that would follow, and chose the critical time and went away. And so in England, and he thought the same view would be held here, such an Act was considered to partake of a character outside of the ordinary breaches of contract, and ought to be stigmatised as a crime. The case put by the hon. member for North Renfrew (Mr. White) of a gang of men driving lumber down a small stream, with only a short time available, and with a knowledge of what their act would cause, namely, serious destruction of property, and who suddenly left their work—such a case, he thought, would come under the provisions of the clause. He would, however, without very strong and cogent reasons, be averse to make any substantial variations in the clause, for the reason he had assigned.

Mr. WHITE (North Renfrew) suggested that the words "or entail serious loss or damage" be added to the clause as to breaches of services.

Mr. BLAKE said that would be making breaches of contract criminal acts. There was hardly a breach of contract that did not cause more or less damage.

Mr. PALMER said he concurred entirely with the view of the Minister of Justice. He could see no difference morally, and there ought to be no difference in law, between the man who wantonly destroyed property and the man who maliciously left his duty, with a full knowledge of the consequence, and thereby entailed an equal destruction as in the former case. Of course he agreed that it was better to follow the terms of the English Act.

Mr. ROCHESTER instanced the cases of serious injury being caused to machinery by a bolt being thrown in wantonly.

Mr. BLAKE: That is punished already by the law.

Mr. ROCHESTER: Or any man who puts grit or sand into the journal.

Mr. BLAKE: It is the same thing.

Mr. POPE (Compton) said he would suppose the case of a farmer having a gang of men to work for him for the year. They would have very little to

do in the winter, but in the month of June, just when their labour would be worth more than during all the rest of the year, they left him, and thereby caused the farmer much loss. The farmer would have no means of redress, for the men had nothing to collect from. But, if the farmer dismissed them in the winter, they could sue him for damages. Notwithstanding the great damage to the farmer, the hon. the Minister of Justice said no crime was committed.

Mr. BLAKE: It is not a crime because the man was a poor man any more than if he was a rich man.

Mr. POPE said, if the master could not pay them, he would be imprisoned.

Mr. BLAKE: No.

Mr. POPE: I say it is a bad law that won't work both ways.

Mr. BLAKE said he quite agreed that it was a bad law which exempted a rich man, but said to the poor man: "It is a crime and you shall go to jail." But, if the Local Legislatures thought that the security of property and civil rights required that, in particular cases, they should repeal the punishment of imprisonment for breaches of a civil law, this House could not prevent them, nor did they want to prevent them. But it was an added injury to say that the breach of a civil contract, such as instanced, was a crime. What the House was dealing with was that with which it could alone deal, namely, the question of the Criminal Law. It was behind the spirit of the age to say that those persons were guilty of a crime, because they were not able to pay damages.

Mr. POPE said he must not have a false construction placed upon his words. It was not the inability to pay damages which constituted the crime, but the abandonment of the work. It would be an unfortunate day when an employer would not have the means of indemnifying himself for any loss he might sustain owing to his servant breaking his contract. Unless there was some assurance that the master could hold his employé, it would be to his disadvantage, for he would not be engaged to carry him over the winter months if the employer knew

that he could not force him to work out his engagement, and that when he most needed him he would leave.

Mr. BLAKE said he was sure his hon. friend would not wish to place any of his employés in gaol for leaving his service. But possibly he wanted to hold the rod over them.

Mr. POPE: Yes.

Mr. BLAKE said that when a workman broke his engagement in England he was liable to be tried before a justice, and if he signified his willingness to go back he was released; but if he did not offer to go back he could be ordered to do so, and unless he obeyed the orders of the Court he could be tried for contempt. The workman could give his own security for the performance of the contract.

Mr. MASSON: So it is with us.

Mr. BLAKE said he was speaking of the law in England, not in Lower Canada. If then he did not go to work he was liable to be imprisoned for breaking the order of the Court. But it was not held to be a crime, and the man was placed in the civil side of the gaol.

Mr. POPE: What is the difference?

Mr. BLAKE: It is as if you or I made a promissory note or bond and did not pay it—it is not a crime.

Mr. MASSON: The result—the punishment, is the same. In one case you give a man two months' imprisonment, and say he is not a criminal; and in another you give him two months and say he is a criminal. Where is the difference?

Mr. BLAKE said he was not called upon to determine what would be the policy of the Local Legislatures in framing the laws which they had the power to enact. He had merely pointed out that it was competent for a Local Legislature to make a certain act a crime after this House had removed it from the category of crimes under the Dominion law. It was not for this House to discuss whether a Local Legislature would make simple breaches of personal contracts a crime or not.

Mr. MASSON: The hon. Minister pretends that the power belongs to the

Mr. POPE.

Local Legislatures, and yet, in his speech, he wishes to compromise the House into saying that it is not in their power to legislate upon it.

Mr. BLAKE: No.

Mr. MASSON: If you have no right to legislate, you have no right to express an opinion.

Mr. MACKENZIE: Hear, hear.

Mr. MASSON said surely the Minister of Public Works would not controvert that statement. In the preamble a position was taken which was against the whole of the legislation of Lower Canada. Certain acts were not to be considered as crimes, but yet were to be considered sufficient to warrant some punishment. He would like to know what was the intention in bringing in this Bill. The second and third sections of the Consolidated Acts of Canada were to be amended, but how was it that the Act of 1870 of the Province of Quebec, which was a repetition of those sections, was not to be amended? The hon. the Minister of Justice wanted to have his idea dominate here. He said that the punishment of a certain act was behind the age, and yet he said he would express no opinion upon the right of a Local Legislature to pass a law relative to the same. He (Mr. Masson) objected to the whole principle. This was the reason why he had voted against the Bill before. It was not because he sympathised with the strikers upon the Grand Trunk Railway, as was stated in some of the papers; that statement was a slander. What he thought was, that the hon. the Minister of Justice determined, by a side way, to make the House declare that the law of the Province of Quebec and other Provinces, making a breach of contract a crime, should not exist. While the hon. gentleman knew that they could not change the law in this House, he wanted to compromise it. He (Mr. Masson) objected to the whole proposition, and hoped the Bill would be amended.

Mr. BLAIN said the sooner the House got out of the idea that it could make good servants by making people criminals, the sooner they would be able to reach proper legislation. The

proper way was to give servants some motive for doing their duty. He wanted to call particular attention to the fact that the Bill, by the second section, was retrospective in its action. He held that the law should apply to no contract which was now in existence unless the man was aware that he was under a criminal law. On that account he hoped it would be amended by inserting the following words: "Any person who wilfully and maliciously breaks a contract of service, made and entered into after the passing of this Act, knowingly," &c, should be liable to the provisions of the Act. The Bill as drawn applied to every single contract now in existence. He was aware that it was contended that servants now were liable to be prosecuted criminally for violation of contract, but every one knew that the law was not rigidly enforced, and that it was practically a dead letter in that respect. There had been but few prosecutions, and for the very best of reasons, that people could not make good servants by making them criminals. He would move the addition, after "contract and service," of the following words:—"made and entered into after the passing of this Act." If such an alteration were made in the Bill a difficulty would be obviated, because when parties entered into contracts hereafter they would understand that in those particular cases where they had the control of property and responsibility, where damage might accrue to property or life be in danger, they made themselves subject to the terms of the Criminal Law. The amendment was, he thought, exceedingly reasonable, and hon. members would agree with him that they should not bring a class under the scope and operation of the criminal law who did not properly come within it.

Mr. BLAKE said the amendment was open to two objections. One had been pointed out by the hon. member, and another was that the Bill proposed to repeal existing punishments. Those persons who had broken contracts during the recent strike were amenable to the Masters and Servants Act all through the Province of Ontario, although the special consequences which made their acts criminal under

this Bill had not arisen from the breach of contract. It was proposed to change the punishment from a general one of imprisonment for thirty days and make it special for three months in cases of wilful violation of contract having certain results. If it were a crime that men should break contracts, having those particular results, it should be a crime with regard to the present as well as the future.

Sir JOHN A. MACDONALD said the measure had given rise to a very interesting discussion on the line between civil and criminal breaches of contract. He was inclined to agree with the hon. member for Terrebonne (Mr. Masson) that it was of little consequence now-a-days whether a breach of contract was made a misdemeanor and placed on the criminal side, or made punishable as a civil offence. Still, however, there was a sentiment in the matter which the hon. the Minister of Justice had acted rightly in dealing with, and in making the measure similar to the English Act in that respect. His objection to the whole clause was that, although it made a breach of contract a civil offence, yet it inflicted a heavier punishment than the Masters and Servants Acts, under which it was an offence against the Criminal Law. He had no objection to the punishment, if he thought it would really meet the end in view—the prevention of strikes, for which purpose the hon. the Minister of Justice had introduced the Bill.

Mr. BLAKE: No.

Sir JOHN A. MACDONALD said no doubt the measure would irritate the working men, locomotive engineers especially, and would create dissatisfaction among the working classes, who would not be satisfied by the offence being called a breach of the civil law instead of a crime. When a strike or combination was arranged among 500 or 600 men, the threat of sending them to jail for three months or fining them \$100 would not prevent the strike taking place. The country could not imprison a whole army of men. Accordingly, a few men would be selected for punishment, who would be considered martyrs, and they would gladly go to prison when they knew their families would be taken care of

at the expense of the union. The Bill was, therefore, utterly defective for the purpose of preventing strikes, while, at the same time, it would irritate the men. He thought the hon. the Minister of Justice had received a communication from the Grand Trunk Railway Company stating that the Bill would be inoperative, and would not cure the evil complained of. He understood the Grand Trunk authorities had stated that the measure would be worse than useless in the direction of preventing strikes. As a general law, without reference to that particular evil which had arisen, there were strong reasons why the Bill should be adopted. But it would irritate the men on the one hand, and, on the other, not satisfy the railway company, which desired to have the means of preventing strikes, as well as of subsequently punishing those strikers.

Mr. ROCHESTER said he was sorry to differ from the right hon. member for Kingston on this question. The Bill should go further than was proposed. If it was necessary to prevent strikes on railways, it was equally necessary to prevent them in manufactories. It sometimes happened that, in a factory where 200 or 300 men were employed, 20 or 30 men undertook to organize a strike, and, owing to this "ring" or combination, work was entirely stopped to the great injury of the manufacturer. He could speak from experience on the question, because he had experienced such an occurrence, and it was a very serious matter to have rowdies enter an establishment, take possession and set the owner at defiance. It was not so serious a matter in cities and towns, but in country localities, where there were no police to restore order, it was a difficult position in which to be placed. He hoped the \$100 fine would be abolished and the punishment would be by imprisonment without a fine. He held that men who entered an establishment and refused to allow other men to work should be sent to the Penitentiary for one, two, or three years. Combinations of working men frequently possessed large funds and would easily pay a \$100 fine, but, if a workman was sent to the Penitentiary for twelve months, he would not be likely to strike again. If men did not wish to work for the wages

paid, they should leave and go somewhere else.

Mr. BLAKE said the hon. member for Carleton (Mr. Rochester) did not understand the bearing of the Bill. Last year, there was a Bill before the House, which passed without division, providing for such cases as those he had referred to. The present Bill did not deal with a strike *per se*, or the consequences of a strike, or any improper conduct connected with a strike, only with a breach of contract. He would not enter into a lengthy discussion of the general policy which ought to be adopted with regard to the question of strikes. He might say shortly that he dissented from many of the opinions of the hon. member for Carleton, if they were applied simply to the proposition that men were not to be permitted to operate together to better their condition, if they did so without violence either to their employers or fellow-labourers. If Parliament deprived them of that right, they refused them a weapon in the contest between labour and capital. The Bill of last year was more liberal than the English law and was tolerably well level with the spirit of the age on the question. The right hon. member for Kingston had somewhat misapprehended the object of the Bill when he stated that it was intended to prevent strikes. It was not directed to that object, but to breaches of contract. Almost all the contracts of operatives to-day were what might be called minute contracts, and were so made in order that men without breaking their contracts might be free to leave their employment when they thought that, either alone or in combination, their condition would be improved by leaving. The Bill, of course, did not seek to impose penalties on any operative leaving his work or employment at the termination of his engagement. If an engineer made a trip contract and left at the end of his trip without notice he could not be touched by the law; but if he left at the middle of the trip, knowing what the results might be, then he would come within it. In regard to the remark of the right hon. member for Kingston with respect to communications from railway companies, he might state that he had received one communication from a

Sir JOHN A. MACDONALD.

gentleman who thought the measure ineffective as dealing with the whole question. But the Bill did not propose to deal with the whole question. It dealt with only one phase of it, and that on general principles. It did not deal with strikes, and still less did it attempt to deal with what followed after strikes, with acts of violence, intimidation and lawlessness which were said to have taken place subsequently. If law was wanted for those acts, hon. members must not search that Bill for it. He was glad that the right hon. member for Kingston had said that the Bill was not unreasonable on general principles. He was gratified in being able to state that having a communication, written and verbal, with both parties to the controversy, having collected the opinions of both parties, he had no reason to believe that the treatment of breaches of contracts as proposed in the Bill would be received by working men with irritation. On the contrary, he had every reason to believe that no such breaches of contract would have taken place had the Grand Trunk men been aware that the Masters and Servants Act applied to the case. He had been informed by men authorised to speak that no such violation of contract would again take place, and that any steps taken by the men would be within the law. He had received communications from the great body of operatives who were considerably interested in any measure which affected a branch of the working classes, and their opinion was, subject to certain considerations of detail to which he had given his best attention and which did not affect the principle of the Bill, that the measure was based on just and equitable principles. It was true that there was a natural sensitiveness on the part of the men to anything which looked like class legislation. It was true they desired their power—it was one power, simply that of combination—should not be infringed upon unduly by either criminal or civil legislation; but it was not true that they were disposed to ask from Parliament exemption from even the criminal consequences of breaches of contract involving such results as those particular breaches of contract made criminal

under the Bill. He had, therefore, to say to the right hon. member for Kingston, that if he had been convinced by communications from either party that the Bill would be inoperative in regard to breaches of contract, and that it would produce irritation on the one hand, and no benefit on the other, he would have frankly stated the fact to the House, and asked either to withdraw or modify it. But his information was entirely in the other direction. He did not believe the measure would be able to prevent such results as happened the other day, but he hoped the result would be mitigated, that the contracts made between the railway companies and engineers would be observed, and that, whenever the men felt it their duty to resort to the extreme step of leaving the service of the company, it would not be in breach of their contracts, but in pursuance of their legitimate rights.

Mr. WALLACE (South Norfolk) said there ought to be no two ways of punishing the same offence. Under the proposed law a man might be imprisoned or fined.

Mr. BLAKE said the whole Criminal Law provided for the punishment of minor offences by fine or imprisonment.

Mr. WALLACE said because a thing was, it did not follow that it was right. A rich rowdy might commit a crime and escape with a fine, but a poor man committing the same crime would be sent to jail.

Mr. BLAKE said his hon. friend should remember that crime might have various degrees of criminality. There was nothing exceptional about this provision, which was the ordinary one by which a magistrate could for minor offences inflict fine or imprisonment.

Mr. BLAIN moved an amendment limiting the operation of the Act to contracts made after its passage.

Mr. TUPPER said he wished to draw the attention of the Committee to the rather unusual way in which the hon. the Minister of Justice replied to his remarks on the second reading of

the Bill the other night. He thought the Committee would agree with him that the terms in which the hon. gentleman rebuked him for venturing to express the opinion that the legislation contained in the Post Office Act covered the ground of the clause under consideration, were scarcely called for. He admitted that he was guilty of the great crime and misdemeanour of questioning the infallibility of the hon. gentleman in reference to a question of law. The hon. gentleman found it convenient to ignore the fact that a legal gentleman on this side of the House, who ordinarily supported the Government, also questioned the wisdom of the measure. Supposing he had entertained a doubt as to the possibility of the hon. the Minister of Justice being for once inaccurate, he was not without some grounds for doing so. He quite admitted the hon. gentleman's great standing as a lawyer, but he could not forget that on many occasions as important as this, when the hon. gentleman had taken equally strong grounds, the highest authorities in the country had found his law was all wrong. But the hon. gentleman had been compelled to-day, in view of the argument of the hon. member for St. John, to "back down" and amend the Bill. Under such circumstances, he did not think it became the hon. gentleman to treat his humble suggestions in the way that he did. He still contended that the clause of the Post Office Act of 1867 which was re-enacted in 1875, with the support and assistance of the hon. gentleman, gave the Government the very powers which were embodied in the clause before the House. He had taken the opinion of a number of legal gentlemen, not second in standing to the hon. the Minister of Justice himself, on this subject; and he was assured that his construction was strictly correct and accurate, and, indeed, the only construction that could be put upon it. He wanted the hon. gentleman to tell the House, if his (Mr. Blake's) construction was right, whether he discharged his duty to the public in leaving the Government of the country, as he did leave it under the Act of 1875, according to his construction, without any means of preventing wilful obstructions of Her Ma-

Mr. TUPPER.

esty's mails over the great arteries of mail communication in this country. It was not right, when an hon. gentleman expressed an opinion on a subject under discussion, that he should be treated as the hon. gentleman treated him, and he trusted that he would adopt a different tone in future.

Mr. BLAKE said it was true that he spoke in reply at the close of the debate on the second reading of the Bill, and that in doing so he felt it necessary to answer some arguments of the hon. member for Cumberland (Mr. Tupper). He told the hon. gentleman that he deferred to his high legal acumen, but that he (Mr. Blake) laboured under a different opinion as to the effect of the Post Office Act. So convinced was he that that opinion was correct that he had already placed on the paper a notice for leave to amend the Post Office Act in that particular. This was the sum and substance of his offence. It was this sin of which he had been guilty towards the hon. gentleman and this House, for, if it was a sin against him in his parliamentary capacity, it was also a sin against the whole House. He never professed infallibility. The hon. gentleman said he had proved to be wrong several times. It was true, that there had been occasions on which his opinions and those of the hon. gentleman (Sir John A. Macdonald) who sat beside the hon. member for Cumberland, had not been acquiesced in on the other side of the water. He confessed to having thought that he was right in the views that he took on these occasions, and he presumed that the hon. member for Kingston thought that he also was right sometimes. He was prepared to sustain his opinions as far as he could by fair argument and reason, and not to ask the House to accept them on his *ipse dixit*. He gave to the House his views and the arguments upon which he founded his conclusions, and asked that they might be fairly considered. With reference to this particular clause of the Post Office Act, he did not give the details on the motion for the second reading of the Bill; but he proposed to amend that law, and he presumed the Bill for that purpose would be introduced and read the first time, and probably distributed to-morrow. He

maintained that it was clear the construction of the clause referred to by the hon. member for Cumberland was not applicable to railways. Its language referred to the "obstruction of the passage or progress of any mail, or any vehicle carrying any mail across or along any public highway." That clearly meant along the canals, rivers, or public highways. It did not necessarily refer to railways, and, upon reflection, he had thought that the original framer of the Act, and the subsequent revisor, had omitted railways in this connection for some reason. There were a series of most stringent enactments in reference to those who obstructed railway engines or trains, not confined to mail trains, but trains carrying passengers. Some of those were to be found in the Grand Trunk Act, and a great many more in the Criminal Law, as consolidated in 1869. His idea as to the reason of the omission of such provisions from the Post Office Act was that it was thought by the framers of the law that the subject of obstructions of railway cars or locomotives was sufficiently ample without introducing another law upon the subject. But this was purely conjecture. The hon. member for Kingston might probably be better able to tell the hon. member for Cumberland how it was that in 1867 this law was so shamefully defective as, according to his construction of it, the hon. gentleman said it was. But, however that might be, that construction had not hitherto been adopted, but the discussion as to the precise meaning of the law and its effects would come up more conveniently under the measure which he proposed to bring up.

Mr. PALMER said he was rather surprised at the construction which the Minister of Justice placed on this section. If the hon. gentleman said this Act gave no power to punish persons for obstructing the mail on a railway, he did not agree with the hon. gentleman. The contrary was unquestionably the case. To obstruct or wilfully delay the passage of any mail was one thing, and—"or of any vessel or carriage, or animal, employed in conveying the mail" was another thing.

Mr. BLAKE: But there are the words "passage or progress."

Mr. PALMER said this phrase applied to the carriage and not to the mail. It applied to any carriage or vessel or horse or animal employed in conveying any mail on any public highway, river or water communication. It was clear to him that if the mail was obstructed under the Act a crime was committed irrespective of a highway or any other place. The Statute surely made a distinction between the mail and the carriage or animal conveying it. The application of the Act depended entirely on the construction of language.

Mr. Blain's amendment *negatived*.

Section *agreed to*.

On Section 3,

Mr. BLAKE said that in this clause municipal or other corporations and railway companies were put in the same position, with reference to wilful and malicious breaking of contracts in which those with whom they made contracts were placed under the second clause. Of course no imprisonment was ordered in default of payment of fine, as a company could not be imprisoned. Although he conceived that the interests of corporations were plainly in the other direction, yet still this did not affect the abstract justice of the proposition. It should not be said that they dealt in one way with the rich and powerful while they dealt in another way with those who were not so strong and influential.

Mr. DESJARDINS enquired whether the officials of companies could not be rendered responsible in this relation.

Mr. BLAKE said it would not do at all to make officers, who acted under the orders of their companies, criminally liable for the companies' acts. This would be an extremely serious step.

Section *agreed to*.

Bill, as amended, *ordered to be reported*.

House *resumed*.

Bill *reported*.

## STEAMBOAT INSPECTION ACTS AMENDMENT BILL.

[BILL No. 83.]

(*Mr. Smith, Westmoreland.*)

THIRD READING.

House resolved itself into Committee of the Whole to consider Bill (No. 83) To amend the Acts relating to the Inspection of Steamboats.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported, read the third time, and passed.

## QUEBEC HARBOUR AND PILOT- AGE ACTS AMENDMENT BILL.

RESOLUTION AGREED TO.

Resolution reported from Committee of the Whole, on the 20th instant, declaring it expedient to amend the Acts for the improvement and management of the Harbour of Quebec, read the first time.

Mr. MITCHELL said he hoped the Minister of Marine and Fisheries would see that the moneys levied under this resolution were really expended for the legitimate objects for which the tax was created—the improvement of the harbour of Quebec for the benefit of the shipping and trade of that port.

Resolution read the second time, and agreed to.

## TRURO AND PICTOU BRANCH RAILWAY TRANSFER BILL.

[BILL No. 82.]

(*Mr. Mackenzie.*)

SECOND READING.

Order for second reading read.

Mr. MITCHELL said he would not oppose the second reading of the Bill regarding which he had expressed his opinions pretty freely on a former occasion. He would now give notice to his hon. friends opposite that, when the Bill came up for the third reading, he would move a rider conveying his ideas on the question of issue, though he

Mr. BLAKE.

might not be able to prevent the country being deprived of its property. This was a railway which must be useful in connection with the Intercolonial Railroad. It was a line over which we must take a great portion of the coal we used. He hoped that, at all events, the right would be reserved by the Government of running cars over it free, in order to bring coal from the great coal depôts of Pictou and New Glasgow. If this was not done, they would have to pay very sweetly to the persons who got it, for the use of it to transport coal from the great mines of Pictou and New Glasgow to and over the Intercolonial line. The practical result of the transference was that it placed them at the mercy of two great corporations. The policy pursued by the Government in this relation was most suicidal, ill-judged and unwise in view of the interests of the Dominion at large. Did he not see that it was useless, he would ask for the consideration of a rider to secure the control of the road to the Government of the country, and the right to carry coal required for the Intercolonial Railway over it free.

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

Mr. TUPPER enquired whether the Government would have power to regulate the road under the General Railway Act?

Mr. MACKENZIE said he had no doubt about it.

Mr. TUPPER: I suppose there is no arrangement by which the road could be resumed on certain conditions?

Mr. MACKENZIE said it would be very difficult to arrange this. There was much trouble in making a contract. The company already complained that it had too many burdens. The Government of Nova Scotia had purchased more land than it turned out they required for railway purposes in the immediate vicinity of Pictou and New Glasgow. A considerable portion of these lands were still available for sale. The company expected that they would derive all the advantage that could be derived from the possession of these lands, but the Government

did not intend that they should have any more land than was required for the working of the road.

Mr. MITCHELL enquired whether the Government would have power to run a Government or any other train on certain terms.

Mr. MACKENZIE replied in the affirmative.

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

### After Recess.

#### BOUNDARIES OF MANITOBA BILL.—[BILL No. 87.]

(Mr. Mills.)

##### THIRD READING.

Bill read the second time.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendments read the first and second times, and agreed to.

Bill read the third time, and passed.

#### CUSTOMS ACTS CONSOLIDATION BILL.—[BILL No. 19.]

(Mr. Burpee, St. John.)

##### SECOND READING.

Bill read the second time.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Mr. BURPEE (St. John) pointed out the amendments proposed to be made by the Bill.

On Section 10,

Mr. COLBY said it would cause a considerable amount of inconvenience to persons living 15 or 20 miles from the frontier. Its effect would be to compel them to go to the office whenever they wanted to export anything.

Mr. BURPEE (St. John) said this was the old clause.

Mr. COLBY said, if that was so, the law had never been enforced. If the hon. the Minister of Customs would give a pledge that the law should not be enforced any more rigidly in the future than it had been in the past, he would have no objection to the section passing.

Mr. BURPEE (St. John) said he had never heard any complaint as to the operation of the law. The party was simply required to make a report at the Custom-house.

Mr. SCRIVER said the entry provided for in the section was of the utmost value, as without it no reliable statistics could be obtained. The rule had never been literally enforced. It would be a hardship if parties had to take their goods to a port of entry, but all that was demanded was that they should make a report.

Sir JOHN A. MACDONALD said the section might be all right for statistical purposes. The clause, however, was imperative, and it might be well to consider an amendment.

Mr. MACKENZIE said he had made a note of the objections and before the third reading was reached the Government would consider whether the section could not be changed so as to provide for the difficulty.

Section agreed to.

On Sub-section 4,

Mr. JONES (Leeds) said a great deal of fraud was committed on the revenue by conductors, baggage-men, and brakemen on railroads. While the smallest package of the passengers was examined, the boxes and appliances of those persons were allowed to go unsearched. There ought to be some amendment of the law to prevent the smuggling which was carried on by those railway officials.

Mr. BURPEE said the hon. gentleman was undoubtedly correct in the view he took on this subject. The next two sub-sections, however, provided everything that possibly could be done by law to prohibit this method of smuggling.

Sub-section agreed to.

On Section 11, Sub-section 6,

Mr. COLBY said the sub-section seemed to apply to every railway train. Conductors were frequently changed on through passenger trains, and, as expressmen alone were familiar with what goods were on board in their cars, it appeared advisable that the duty of reporting goods to the Customs authorities should not devolve on such conductors.

Mr. BURPEE (St. John) said the conductor was supposed to have real charge of the train, and was the proper officer to know what was on board of it. Sub-sec. 5 of sec. 10 applied to the duties of expressmen under similar circumstances. Trains carried manifests, and, if conductors were changed half a dozen times, the manifest remained.

Mr. TUPPER said he would like to ask the Minister of Customs whether he had conferred with any railway manager or any person who was familiar with the conducting of trains with relation to this clause.

Mr. BURPEE said this provision was carried out at the present time as far as it was possible; no penalty was, however, attached to the making of an incorrect return.

Mr. TUPPER: Is the return made by conductors?

Mr. BURPEE: It is.

Mr. MITCHELL said, as it was proposed to place this arrangement in legal shape, this fact made an important difference.

Mr. MACKENZIE said that they proposed after the word "train" in the 8th line to insert the words "other than express goods."

Mr. COLBY said it was absolutely impossible for the conductor to make such a statement of his own knowledge. A train passing from, say Boston to Montreal would have a great many conductors, and all that one conductor could do would be to pass the manifest to the other conductor. Neither did he (Mr. Colby) think it right that a consignee's goods should be confiscated through the carelessness of a conductor. He thought that the sub-section should be struck out.

Mr. BURPEE.

Mr. BURPEE said the manifests of the trains were made up where they started from, and all one conductor had to do was to pass the manifests on to the other conductor. The position of a conductor was much like that of a captain of a vessel. There was provision made to prevent hardship.

Mr. COLBY said he did not think the same rule as applied to captains of vessels would apply to conductors of trains. The captain had plenty of time to arrange matters, and went the whole voyage; but the train was rapid in its transit, and there were many changes of conductors. If the conductor failed to do his duty the owner of the goods should not be made to suffer.

Mr. WOOD: Supposing there was an understanding between the conductor and other parties to secure the smuggling of the goods, would it not be right to confiscate them?

Mr. COLBY: Decidedly so.

Mr. WOOD: Then you have the right to presume fraud.

Mr. COLBY: The presumption should be reversed, and it should be made to appear that there was fraud.

Mr. POPE (Compton) said a conductor had just about as much as he could do without attempting to be responsible for manifests handed to him, and which he would have to deliver to the next conductor. Still, conductors should be punished if caught conniving at fraud.

Mr. COLBY further suggested that the agent of the road at the frontier should take charge of the matter.

Sir JOHN A. MACDONALD pointed out that some arrangement ought to be made as to express conductors.

Mr. BURPEE said he would note the various suggestions.

Sub-section *agreed to*.

On Section 14,

Mr. MITCHELL objected to importers being compelled to land their goods within three days when they had been brought by sea or from any place out of Canada. There were many instances where an importer would find it too expensive to land his goods at a particular place as he sometimes could not find a profitable market there.

Mr. MACKENZIE said it was out of the question for the Government to keep its officers waiting more than three days to see that there had been no smuggling. The words "land the same" were absolutely necessary.

Mr. DOMVILLE said that it would be very inconvenient when a shipper, after the vessel had arrived in port, desired to send his cargo to some other place.

Mr. MACKENZIE said there was no practical difficulty.

Mr. MITCHELL said there should be a clause, making the landing discretionary with the Custom House officer, for, as it was now, the Government tacitly admitted and winked at an evasion of the law.

Mr. MACKENZIE said an entry was only made of the goods proposed to be landed; the balance could be taken to any other port within the Dominion without a new manifest being made out.

Mr. WORKMAN approved of this clause of the Bill, and believed that it was desirable to shorten the time as much as possible. At present vessels arriving at Montreal with general cargoes were often delayed six or seven days.

Mr. MITCHELL asked that in certain cases where perhaps two or three days were spent in seeking a market, a discretionary power should be given to the Collector of Customs in regard to compelling the vessel to be unladen at that port. He also objected to another section of the clause providing that goods unladen should be at the risk of the owner or consignee.

Sir JOHN A. MACDONALD did not think the Customs had anything to do with the matter. They were not to say who were responsible, and he consequently thought this provision should be struck out.

Mr. BURPEE (St. John) stated that in large towns goods were often landed on the wharf, and laid there over night, or perhaps for two or three nights. The object of the clause was to relieve the Custom House authorities of any risk. He would consider the objection.

Mr. MACKENZIE stated that the clause was added at the instance of the chief officials. There had been some vexatious suits, which he had no doubt led the officers to make this recommendation. They could pass the clause at present, and they would consult with the officials and give the reasons at a subsequent stage.

Section agreed to.

On Sub-section 4,

Mr. BURPEE explained that a similar system was adopted in England as that proposed, under which goods, on which duties were not paid within one month, were to be sold at public auction, and the amount devoted to payment of duties.

Mr. DOMVILLE said a shorter time was required in England, as warehousing room was very valuable. There was no such hurry here.

Mr. WORKMAN said he thought that one month was too short. Three months ought to be allowed before the goods were sold.

Mr. BURPEE said no inconvenience had been experienced under the operation of the provision. It only applied to those parties who did not attend to the entries.

Mr. MITCHELL said it would be an improvement, if, instead of the words "shall be destroyed," in the 14th line, "may be destroyed," were substituted.

Mr. MACKENZIE said the proposed amendment appeared to be an improvement, and it would be considered.

Sub-section agreed to.

On Section 17,

Mr. MITCHELL said the non-correspondence of the entry might be owing to a mistake.

Mr. BURPEE (St. John) said, provision was made in section 124 to cover such cases.

Mr. TUPPER said he understood that in some ports of entry the expenses of cartage from the warehouse to the Custom-house and back again were charged to the Department, while in other ports those expenses were borne by the owners of the goods. He would like to know the reason for this distinction.

Mr. BURPEE (St. John) said the information his hon. friend had received was, in a great measure, incorrect. He did not know of any port where the cartage was paid from the warehouse. In all the large ports cartage was paid to the warehouse.

Mr. TUPPER asked if that practice was uniform.

Mr. BURPEE (St. John) said he thought it was. He would, however, make inquiries and inform his hon. friend.

Section agreed to.

On Section 20,

Mr. MITCHELL said the object of the Government should be, instead of retaining all the nuisances of the old Act, to eliminate sections like these.

Mr. BURPEE (St. John) said the reason for this section was to enable goods to be entered at Digby.

Section agreed to.

On Section 29,

Mr. MITCHELL said he wished to protest against the system of appraising. He had had some experience in this respect on behalf of another party. The Customs officer valued the goods far beyond their real value, and the party was fined, double duty being imposed. He appealed, and appraisers were appointed. The party in question did not have a fair opportunity of stating his case, and the valuation was confirmed. In a similar case, three weeks ago, the Government, however, decided that the goods had had been over valued. The Collector, under the present system, was one of the appraisers, and could select the two others. A board of appeal should be appointed. He felt that this was a serious grievance.

Mr. BURPEE said he could see the difficulty, and he was quite prepared to hear complaints. Valuations might occasionally be unjust, but he could not perceive any different way of treating these cases, unless qualified appraisers were placed at all the ports. He would, however, consider the matter.

Mr. MITCHELL said he would never have appealed had he known how the system worked, but he would

Mr. TUPPER.

have gone direct to the Government; rather than so appeal a very important matter, he would throw the money in question into the sea.

Mr. JONES (Halifax) said that the authority asked for should be granted.

Section agreed to.

On Section 31,

Sir JOHN A. MACDONALD said he would like to have the opinion of commercial men such as the hon. members for Centre Toronto and Hamilton, on the point whether the market value of goods was the cash value or not.

Mr. MACDONALD (Centre Toronto) said it seemed to him that the clause was fairly drawn; there would always be differences in market values as some bought cheaper than others. The clause worked very well and he did not wish to suggest any change.

Mr. JONES (South Leeds) said the value on which duties were collected should be the actual cash value. Some years ago a discount of five per cent. was allowed on cash purchases, but now duty was paid on the actual amount of the invoice, whether the goods were bought for cash or otherwise.

Mr. MACDONALD (Centre Toronto) said the entry was made on the credit value; and, when goods were sold for cash only, an addition of two per cent. was made to the entry.

Mr. BURPEE (St. John) said the intention of the law was as stated by the hon. gentleman from Centre Toronto. The credit value of the goods was the one intended to be acted upon.

Mr. MACKENZIE said the system must be uniform. By far the largest portion of the goods imported were bought on credit, and they must either take the ordinary credit or cash rate. If the cash rate was taken, a less amount would be collected.

Mr. PLUMB said the intention was to prevent this country being turned into a slaughter market.

Mr. BURPEE said that the appraiser had of course discretionary power with regard to the valuing of goods. No discount was allowed unless the article was sold only for cash.

Mr. DOMVILLE said that the worst credit was the standard on which the man, whose credit was better, paid duties.

Mr. WOOD: The man whose credit is the worst pays the highest prices.

Mr. DOMVILLE said he wished to put on record his protest against the power being granted to the Collector of Customs, or the Governor in Council, or other person, to discriminate between two invoices or lines of goods.

Mr. WOOD said that the best merchant of the best standing could not obtain over two and a half or three per cent. discount in England, when a discount of five per cent. was allowed on cash invoices in this country; the result was that many persons pretended to buy for cash and obtained the reduction. This system was consequently abolished.

Section agreed to.

On Section 32,

Mr. DOMVILLE said too wide a scope was given to the Minister of Customs under this section, in determining the standards of sugars. He (Mr. Domville) thought all sugar should be placed on the Dutch standards, which were the acknowledged standards throughout the world. He knew that under this clause any amount of irregularities were opened up. He had been informed that sugars had been entered at different grades at two different ports. There might be no practical difficulty while the present Minister of Customs was in office, but it might happen that a gentleman might assume the position who was totally unacquainted with business, and who would not be able to make a standard, and he might be led astray by other people. He hoped this section would not pass until it had been given ample consideration.

Mr. BURPEE (St. John) said he had had it under consideration for many months. The Dutch standard was the standard in use throughout the Dominion. Every effort had been made to secure a uniform standard. He could, if desired, furnish two or three reports by an officer of the Government, who had visited all the ports where sugars were imported, with the view of securing uniformity.

Mr. DOMVILLE found fault with the decision of the appraiser being final and conclusive.

Section agreed to.

On Section 33,

Mr. DAVIES enquired whether the commission of agents was included in the term "free on board"?

Mr. BURPEE: It is not, but it includes all other charges.

Mr. DOMVILLE pointed out that, in consequence of packages not being charged the same duty, simply through different rules of trade, certain places of trade, say islands in the West Indies, were unjustly discriminated against.

Mr. BURPEE (St. John) said this question had never been brought under his notice before. He would give it careful consideration.

Section agreed to.

Progress ordered to be reported.

House resumed.

Progress reported.

House adjourned at

Fifteen minutes before  
Twelve o'clock.

## HOUSE OF COMMONS.

Wednesday, 28th March, 1877.

The Speaker took the chair at Three o'clock.

### THE FRENCH INTERNATIONAL EXHIBITION OF 1878.

#### QUESTION.

Mr. DELORME asked whether the Government had decided about placing a certain amount of money in the Estimates, so that Canada might be represented at the International Exhibition to be held in France in 1878.

Mr. MACKENZIE: We have several plans in connection with this subject under consideration, but at present I am unable to answer the question.

### WHARF AT STE. ANNE DU SAGUENAY.

#### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to construct a wharf at Ste. Anne du Saguenay, on the River Saguenay.

Mr. MACKENZIE: It is not.

## DISMISSAL OF A POSTMASTER.

## QUESTION.

Mr. ORTON asked what were the causes which led to the dismissal of Mr. Wm. Cornock from the postmastership of Erin, in the County of Wellington.

Mr. HUNTINGTON: This postmaster, having been reported inefficient by the Inspector, was called upon to resign. He refused to do so, and this was the reason which led to his dismissal.

## DAM, LOCK, AND SLIDE AT CARILLON.

## MOTION FOR CORRESPONDENCE.

Mr. ROCHESTER moved for a return of all correspondence between Government and the contractor for the construction of the dam, lock, and slide on the Ottawa River, at Carillon. Also for the original estimates for the said work and the correspondence between the Engineer and the contractors. He said the contract had been given out some time ago—in 1873, he believed—for this work, which included a dam across the river and a slide to carry timber over the two locks. He understood that the time for the fulfilment of the contract expired last September, and also that very little of the work, comparatively speaking, had as yet been completed. This was a great annoyance to the trade, as it impeded navigation between Ottawa and Montreal, this being the worst place on this route when the water was low. The trade were anxious to know what was the reason for the delay. He supposed that, according to the Government Engineer's estimates, sufficient time had been originally allowed for the completion of the work. It was reported that nothing like the amount of work which should have been done by this date had been finished. He wished to get information from the Minister of Public Works respecting the state of the work and the time when it would probably be completed.

Mr. CHRISTIE said he was aware that dissatisfaction existed concerning

Mr. MACKENZIE.

the backwardness of the contract. At the same time, it must be remembered that the contractors had encountered very great and unexpected difficulties. It was anticipated that the work could be carried on during winter, but experience had shown that this was impracticable. Work could only be prosecuted during low water, and for only about six weeks in the summer. Last season, not less than five hundred men had been employed on it. Besides, a good deal of extra labour had to be performed in preparing the foundations. All these circumstances caused delay. It was very desirable that the work should be pushed forward as rapidly as possible, but, as far as he knew, the contractors had really done all they possibly could do under the circumstances.

Mr. CURRIER said that, in the Ottawa District, people were very anxious to see this work completed. It had been under contract for three or four years. He was not aware what the difficulties that had been encountered were, but certainly the work had not progressed as rapidly as they had been led to expect would be the case. Owing to the shortness of the season available to carry on operations, a larger force of men should be employed. The completion of the work was a matter of great importance to the lumber trade, and he hoped that some means would be taken to expedite it as much as possible. He was not disposed to complain of the manner in which the contractors had acted, unless they knew that there was no reason for the delay which had taken place.

Mr. McDOUGALL (South Renfrew) said it was reported in the Ottawa District that the contractors had more work to perform than they originally had reason to believe would have to be done. It was stated that the Government engineers had made an estimate which indicated that much less timber and other material would have to be used, and much less work to be performed. It was stated that the contractors, in order to find a solid basis of rock, had to remove a large amount of gravel, stones and other matter. If this was the case, it should be known to relieve the contractors

from the charge of unreasonable delay. It was also advisable to know in what state the work was now, and what the prospects of its completion were. The want of this improvement prevented complete communication by water between Ottawa and Montreal, and, therefore, they were anxious to see it pushed forward as rapidly as possible.

Mr. WHITE (North Renfrew) said he thought more definite information should be asked. He understood that the bottom of the river shown upon the original plan was represented as being composed of level and solid rock; and the contractors complained that they were obliged to put timber in crevices in the rock and in many instances to take out boulders and sand to enable them to go to solid rock; and this had to be done during a limited period—six or ten weeks in the year. The water was not sufficiently low until late in August to enable the contractors to put down timbers in the bottom of the river, where the dam was located; and he understood that the formation of frazil prevented the laying of foundations during winter. The contractors also complained of frequent changes having been made in the plans furnished them. The work was to have been completed in September, 1875; and it was said that the plan of the slide which was to be placed in this dam was not furnished the contractors until the month of October or November, 1876. It was extremely desirable that the contract should be pushed forward as speedily as possible. There was a general impression abroad among manufacturers of timber that the work projected in connection with the slide was not suitable for the intended purpose. He understood that there was to be no floor in the dam, and it seemed to him that the Minister of Public Works should take this important matter under consideration. He thought that some change in the plan for the slide ought to be made. He would be gratified if the motion was so amended as to include the original plan upon which the contract was based, with the original and also the progress estimates.

Mr. MACKENZIE said the Government must decline under any

circumstances to give the Engineer's estimates concerning any works, but they had no objection to give the original amount of the contract, which had been already before the House. The Engineer's estimate was a confidential document intended for the guidance of the Department. It was a very delicate matter to speak in Parliament of the relations of contractors with the Government, especially when the time for the completion of the contract had long passed. The statement made that frequent changes had been made in the plans was inaccurate, and the bottom of the river had not been inaccurately described. It was well known what sort of a foundation the river had, and also that timber had to be put in in order to obtain a level surface. The work was, no doubt, very difficult. The contractors had claimed that one description of crib-work which was done was not provided for in the schedule of prices, and the contract was wholly one of schedule prices and not based on plans for a lump sum, and this claim had been ultimately allowed. Certain prices were allowed for certain articles as timber, planking, iron, stone-work, masonry and earth-work, and all these prices amounted to the gross sum of the contract. No other difference of opinion with the contractors had occurred, to his recollection, except with reference to some unimportant matters. The contractors had, no doubt, encountered considerable difficulties, and, besides, wages and prices were different at the time the contract was undertaken from what they were afterwards. He was anxious to have the work completed as soon as possible, and every possible facility in this relation had been and would be given the contractors by the Government. He had heard no particular complaint about the plan for the slide, but he would make enquiry about it. If any improvement could be made in this respect he presumed that it was still not too late to do so. He would bring down such papers as were necessary to give information on the subject, but he would not communicate any documents of a confidential character. As to including in the motion the plans, he thought that this

had better be left out; if there was time, such sketches as would suffice to convey the meaning of the specifications would be submitted. He was afraid that they could not wait for complete plans of all the works embraced in the contract to be prepared.

Mr. ROCHESTER said he had asked for what he thought could be properly communicated to the House. He wished the public at large to know exactly in what position the work was. He was afraid that it would not be completed for a very long time. He understood that the original plans represented the bottom of the river at this point as composed of flat rock, but, nevertheless, holes varying from two to eight feet in size had been found in it, with gravel, sand and boulders. Diving bells had also to be employed, he believed, to commence the crib work. An engineer of good standing had told him that, if the dam had been located 500 feet higher up, a flat rock would have been found, and perhaps it was advisable yet to make the change. He was told with relation to two dams previously built there by the Government—one 500 feet long, and the other 3,300 feet—that the latter took in the channel of the river for the running of square timber during low water, and that this dam was partially removed in the prosecution of the work in question. If this was the case, he would suggest to the Minister of Public Works that this matter ought to be looked into, for, unless it was remedied, he did not know how timber was to be passed down during low water next summer. At no time during the last twenty, twenty-five or thirty years, owing to the unusual lowness of the water, had there been a better opportunity to build a dam across the river, than during the last season. If the plans and circumstances under which the work was commenced were changed, it might be necessary to make further arrangements with contractors, in the public interest, in order that this work might be completed within a reasonable time.

Mr. CURRIER said he had hoped that the Minister of Public Works would have been able to state when he expected the work to be completed.

Mr. MACKENZIE.

He had supposed that those interested in the lumber trade had made representations to the Government with a view to some change. As far as common opinion went, he did know what change could be made. Putting a bottom in the slides would not be an improvement, as the rush of water through the channel would be so heavy that it would be likely to break up rafts passing through. No one, however, could tell exactly what the result would be until the work was completed.

Mr. MACKENZIE said nothing would afford him greater pleasure than to give more definite information on the subject if he were able to do so. There was no doubt that the work could be done, and it could not be taken from the contractors and re-let. He wished to give the contractors every possible chance to complete the work; but, unless reasonable progress was made, new arrangements must necessarily be entered into.

*Motion agreed to.*

#### LEGAL EXPENSES IN PRINCE EDWARD ISLAND.

##### MOTION FOR RETURN.

Mr. POPE (Queen's, P.E.I.) moved for a return of all moneys paid for legal services or legal expenses in Prince Edward Island from 1st January, 1874, to the present time, showing when paid, to whom paid, and for what services.

*Motion agreed to.*

#### GOVERNMENT OFFICIALS IN PRINCE EDWARD ISLAND.

##### MOTION FOR RETURN.

Mr. POPE (Queen's) moved for a return showing the names of all Government officials in Prince Edward Island, specifying nature of office held by each, date of appointment, and amount of salary.

*Motion agreed to.*

#### CLOSING OF A POST OFFICE.

##### MOTION FOR CORRESPONDENCE.

Mr. POPE (Compton), in the absence of Mr. ROBITAILLE, moved for copies of papers and correspondence on the

subject of the closing of the Post Office in the vicinity of the Church of St. Jean l'Evangeliste de la Nouvelle.

*Motion agreed to.*

## POSTAGE ON NEWSPAPERS.

### MOTION FOR STATEMENT.

Mr. BOWMAN moved for a statement setting forth the total number of newspapers and other periodicals in each county and city of the Dominion which have paid postage on papers sent from "the office of publication," with the total revenue raised therefrom during the past year; the statement to be made in the same form as the one brought down last Session.

*Motion agreed to.*

## SEIZURES OF ILLICIT STILLS.

### MOTION FOR RETURN.

Mr. ROCHESTER moved for returns showing the number of illicit stills seized by the Revenue Officers of the Dominion in 1873, 1874 and 1875; giving the dates when the different seizures were made, where made, and the estimated value of the property seized.

*Motion agreed to.*

## THE RISE OF WATERS ON THE OTTAWA.

### MOTION FOR REPORT.

Mr. HAGAR moved for copies of all reports of engineers or correspondence respecting the existence and cause of the greater rise in the waters of the sixty-mile level of the river Ottawa between the Chaudiere Falls and the Long Sault Rapids, than the levels below and above those points, as set forth in the petitions to this House, of certain inhabitants of the counties of Ottawa, Prescott and Russell. He said it was well known to those who had travelled on the Ottawa that the overflow of water at this point was something extraordinary. The land flooded by the freshets in the spring was equal to a strip of land thirty miles in length by one mile in width, which, under ordinary circumstances, would yield abundant crops, and, being near to Montreal and Ottawa,

would be very profitable. This disproportion in the rise of the water had been gradually increasing during the last four or five years, so much so that the proprietors and occupants of the lands in the neighbourhood found it impossible to utilize them. In fact, the banks were destroyed, houses and fences swept away, and wharves destroyed, and the public generally suffered from the freshets. One owner of wharves had told him that, if the present state of things continued, it would be impossible to keep wharves along the river. This flooding did not always exist, as some years ago the settlers were able to raise abundant crops. This region was formerly covered with a dense growth of timber, but the water had destroyed it, and the lands were becoming worthless. He understood that the Government had sent some person to investigate this matter, and he hoped that when the papers were brought down it would be found that the Government had some plan whereby the evil could be remedied.

Mr. CURRIER said what the hon. gentleman had stated in regard to the rise of waters was perfectly true. While it rose no more than six feet to eight feet within the Chaudiere and below Long Sault Rapids, between those points it rose on an average twenty-two feet. Last year it was much higher than before, reaching 26 feet to 27 feet, and a great amount of damage was done. The old settlers along the river stated that the rise was increasing year after year, and the people were anxious that the Government should ascertain the cause and provide some remedy. It was thought by some that the enlargement of the canal had increased the difficulty, and it was suggested that the widening of the channel would make an improvement. Perhaps the hon. the leader of the Government would explain what had been done, without going to the trouble of bringing down the papers.

Mr. McNAB said the question was one deserving the serious attention of the Government. Unless some remedy could be applied, a large number of the inhabitants would have to abandon their homes. However, he would not

pretend to say what was the cause, or whether it could be removed.

Mr. MACKENZIE said that this point was practically a large basin of the Ottawa River, which had been filled up by deposits of saw-dust and the ordinary refuse of mills and manufactories along the banks. This was the case to such an extent that the current had been turned eastward and had been rendered to some extent useless. On the other hand, it was tolerably evident that the Dominion Government could not hold themselves responsible for the overflowing of a provincial river, whether from natural or artificial causes, as would be the case if the Government had erected public works which would have a tendency to block the current and cause a backwater, and thereby flood the lands. While he repudiated any responsibility on the part of the Government, they had felt so much sympathy with those who suffered from the periodical overflowing of the river, that they felt bound to make some enquiry into what was supposed to be the cause. Last autumn an engineer was sent to make some examination of the river, particularly at the point indicated by the hon. the mover, at the head of the Grenville Canal. It would be remembered that a large sand-bank had collected a little off the head of the Grenville Canal, and immediately off the rapids caused by the descent of the river at that point. He would also point out that the Hawkesbury Mills, the Hon. Mr. Hamilton's, had utilized the smaller streams for the purpose of obtaining water power, and the dams had seriously obstructed the flow of the water to the east, and particularly so between Grenville and Ottawa. At the same time the engineer had not proved that the water had risen higher than it had for the last thirty or forty years. The hon. member for Ottawa (Mr. Currier), said the water had risen twenty-seven feet. If this were so the information of the Government must have been incorrect, as they were informed that it had only risen 25 feet. Many years ago the river had been as high as that, although it was higher than usual. The obstruction at the head of the Grenville Canal was a sort of breakwater which pre-

Mr. McNab.

vented the water from finding an easy access to that point. He would bring down the report of the engineer and would continue the observations during the present season, with an anxious desire to obtain such information as would lead the Government to take prompt steps in the direction indicated, if it was found that they had a right to meddle in the matter. At the same time it must be understood that the Government could not be public prosecutors for private owners of lands. If any person felt that his lands were overflowed through the draining of the river by rubbish thrown from mills, he had a legal remedy.

Mr. ROCHESTER said the increase in the rise was not remarkable, from the fact that the more the land was cleared the greater would be the spring freshets, in consequence of the snow having a better chance to melt and the water run down. That had been so on the Rideau River, and would be the same on the Ottawa. He presumed the Ottawa had been dammed to a certain extent by rubbish from mills being thrown into it, but at the same time he was satisfied that saw dust had not blocked up the stream.

Mr. MACKENZIE: Where does it all go to?

Mr. ROCHESTER said the saw-dust went to the sea; and he might ask in return where the saw-dust thrown into the Hudson went to?

Mr. MACKENZIE: I don't know, but I know there is a great deal of saw-dust at the bottom of the Ottawa.

Mr. ROCHESTER said this was owing largely to the formation of sand banks. Even when the saw-dust sank to the bottom it generated a gas, which exploded and scattered the saw-dust again. The partner of the hon. member for Ottawa (Mr. Currier) had informed him that such an explosion had once removed a boom, and he himself had seen an explosion throw the water up three or four feet. In his (Mr. Rochester's) own mill he burnt his saw-dust, but he knew it was very difficult for mill-owners to get rid of their saw-dust except by throwing it in the river. He thought the Government might well spend a few thousand dollars at the Grenville rapids, as

it would bring great relief to the farmers in rescuing land which was now annually covered with water. With regard to the dams of the Hon. Mr. Hamilton, they had been there for forty years, and if they had any effect upon the current, it would have been shown eight or ten years ago.

Mr. HAGAR said he thought comparison between the Rideau and the Ottawa was hardly fair. He understood that the water had risen twenty-seven feet at the point named, or twenty-five feet as the hon. the First Minister had stated, while at Aylmer it had only risen nine and a half feet.

Mr. ROCHESTER: That was two feet four inches higher than before.

Mr. HAGAR said he would not pretend to say what the causes were, whether they were natural or artificial, or whether the Government was implicated; but he was pleased to see that the hon. the Premier had expressed his determination to investigate the matter. He thought the expenditure of a few thousand dollars would provide a remedy.

Mr. CURRIER explained that he did not mean that sawdust was the cause of the obstruction, but that he had merely stated that this was alleged by the petitioners. There must be some other reason than that of the spring freshets, the rise of water being greater below the Chaudière than above. He was glad the Government were interesting themselves in the matter.

Mr. WRIGHT (Ottawa) said the question was one of importance to the county which he represented. For many years a large portion of the County of Ottawa, lying along the line of the river, had been completely flooded, and thousands of acres had been rendered valueless. He thought that the construction of some of the Government works had increased instead of diminishing the evil. A deputation composed of many leading citizens had waited upon him and other hon. members, and requested them to press the matter as strongly as possible on the Government, and he trusted the investigation

promised would be of a most thorough and searching character, and would commence at an early day. The hon. the Premier had made a mistake in declaring that the Ottawa River partook more of a Provincial than of a Dominion character. If he examined the British North America Act, he would find the great arterial rivers and water stretches were under the management of the Dominion. Although he (Mr. Wright) was deeply interested in everything that pertained to the welfare of the lumber trade, he thought the time had arrived when the question of throwing slabs and sawdust into the rivers should receive its solution, for such a practice must necessarily injure the navigable streams. He understood the Government were taking steps to prevent the continuance of the practice, and he hoped that it would result in an entire change in the system.

Mr. MACKENZIE said he used the term Provincial in comparing the Ottawa River with such a river as the Saskatchewan, which ran wholly through the Dominion territory and not through a Province.

Mr. MITCHELL said he agreed with the distinction drawn by the hon. the Premier between Dominion and Provincial, but, by an Order in Council, rivers which formed the division line between Provinces were regarded as Dominion and not Provincial rivers. In a certain sense all rivers were under the control of the Dominion as regarded their fisheries and their navigation. It was a serious matter that an important river like the Ottawa, which formed an outlet for the exports of lumber, which was one of the staple products of the country and which contributed a large revenue to the Government, should be gradually filling up. It was time the question was solved and the difficulties which had for years been troubling the people obviated, and it was a matter for satisfaction that the hon. the Premier had promised to give special attention to the subject. When he (Mr. Mitchell) was in a measure responsible for the evil, he found himself unable to do much towards remedying the grievance.

Motion agreed to.

## GOVERNMENT PRINTING IN PRINCE EDWARD ISLAND.

### MOTION FOR RETURN.

Mr. POPE (Queen's) moved for a Return shewing amounts for printing for all services done in Prince Edward Island, during the years 1874, 1875 and 1876 respectively, the nature of the work done, and the names of the persons who performed such work.

### NEW MEMBER INTRODUCED.

Hon. HECTOR L. LANGEVIN, Member for the Electoral District of Charlevoix, having previously taken the oath according to law, and subscribed the roll containing the same, took his seat in the House.

Mr. MACKENZIE moved :

"That, in admitting the Hon. Hector L. Langevin, C.B., elected to represent the Electoral District of Charlevoix, to take his seat on the production of the Duplicate Indenture only, and without the Return of the Indenture of the Clerk of the Crown in Chancery, and the Certificate of the latter Officer, this House still recommends a strict adherence to the practice of requiring the production of the usual Certificate."

*Motion agreed to.*

## MAIL SERVICE BETWEEN CAMP- BELLTON AND PASPEBIAC.

### MOTION FOR CORRESPONDENCE.

Mr. ROBITAILLE moved for copies of all correspondence, reports, papers and records, respecting the renewal of the contract for the transportation of the mail between Campbellton and Paspebiac, nearly six months before the expiration of the said contract, and without tenders being called for ; and also for copies of the contract. He said the mail between Campbellton and Paspebiac was carried under a contract of four years' duration. As stated in the Report of the Postmaster-General, the distance was 88 miles and the price \$4,200 a year. The mode of making a contract for this, as well as other mails, had been to advertise for tenders and invite competition. This contract would have expired at the end of June next. It appeared that, on the 11th of January last, nearly six months before the expiration of the contract,

Mr. MITCHELL.

the Postmaster-General ordered the contract to be renewed with the present contractor without any public notice, indeed without any notice of any kind having been given ; and, moreover, without having before him a report of his officers on the subject. He did not intend to attack the mail contractor for that section, but there was a time when that public servant professed political opinions which, it would be supposed, would have led him to act differently to what he did during the last local election. He could not understand how, after so many years' profession of political purity by the hon. the Postmaster-General and his party, and after condemning for so many years, before the House and the country, the giving of any contract by the Crown without first calling for tenders, the hon. the Postmaster-General should have renewed this contract in the manner he did. Surely it was not the absence of blank forms, the printing of which for his Department alone cost the country over \$55,000 for the last two years, that prevented his issuing a few of them with a view to obtain the benefit of competition from persons who might have been disposed to carry the mails as well as, and perhaps at a cheaper rate than, the present contractor. On reflection, however, he remembered that, on the 19th December last, the election for the Local Legislature for the county of Bonaventure was annulled and the writs for a new election issued on the 21st of the same month. On 27th December, the Assistant Inspector of Post Offices left Quebec for Bonaventure, where he had interviews with persons carrying the mail ; and the result was that the contractor, who had always been a Conservative and supported Conservative candidates, whether French or English, Catholic or Protestant, took in hand, at the last election for the Local Legislature, a gentleman representing advanced Liberal views, and supported him night and day. That election took place in January, after the visit of the Inspector. The Assistant Inspector arrived at Campbellton on the evening of the 27th of December. The mail courier was ready to leave at 10 p.m. for Paspebiac,

but was ordered by the Assistant Inspector to remain over all night; thus the mail left only at nine o'clock on the 28th. The down mail was, therefore, detained eleven hours, and the consequence was, the detention of the next day's mail from Paspebiac to Campbellton and Quebec, including all mails from Gaspé to Quebec—a loss of a day. The mail by the courier was ready to leave Paspebiac for Campbellton on the evening of the 4th of January. The Assistant Inspector ordered the courier to wait until the morning of the 5th, making thirteen hours' delay. The mail arrived on the same day at Maria at 3:30 p.m., and there the Assistant Inspector ordered the courier to remain over until the next morning, nearly sixteen hours. This arrangement enabled the officer to travel by day, to save the expense of a carter, and to make arrangements for the election. Thus two down and two up mails were detained without any reason except that of the Assistant Inspector's own convenience, and to enable him to canvass in the local election.

Mr. HUNTINGTON said he could not be expected to reply to the accusation, made by the hon. member for Bonaventure, from the fact that they were not suggested by the motion. If at some previous time the Post Office Inspector had detained the mail courier unnecessarily, there was no impropriety connected with the renewal of the contract. The hon. member had himself said that the courier had done good service for a long time and renewals of contracts of four years had generally been made before.

Mr. ROBITAILLE: Never.

Mr. HUNTINGTON said that was the information he had received. He had learnt for the first time that the contractor whose conduct was impugned in the first instance was a politician. The contract for the mail service involved a good deal of plant, and the contractor had been a mail contractor all his life, and the contract was renewed with him as was frequently done by the Departments when the price was not raised. He took departmental advice on the subject, and had received a petition numerously

signed, recommending the renewal of the contract on the same terms as previously, and this was the first occasion on which the contractor had changed his politics. He did not take such matters into consideration in dealing with contracts.

Motion agreed to.

## POLITICAL CUSTOM HOUSE OFFICERS.

### MOTION FOR CORRESPONDENCE.

Mr. McCARTHY moved for copies of all correspondence between the Department of Customs and any Custom House Officer respecting any application for permission to be a candidate for any corporate office between the dates following, that is to say, 1st July, 1875, and 1st January, 1877. He said he would direct the attention of the House to Rule 10 of the Customs Department, which set forth that no officer of Customs was allowed to hold any corporate office, or to interfere in political questions, either local or general. That rule was a very proper extension of the Act of Parliament which provided that those officers should not vote at elections, and should not be candidates for parliamentary honors. The reason for that was obvious. Officers of Customs were necessarily brought in contact with all classes of the community, with men of all political opinions, and it was therefore proper they should not be mixed up with political questions, and should not interfere in political contests. The rule went so far as to say that officers of that class were not allowed to hold corporate offices, which he (Mr. McCarthy) understood to mean offices under any municipal body. He desired to know why that rule was not carried out impartially; why some officers of the Customs were allowed to hold municipal offices, while other officers were not accorded that privilege. He spoke more particularly with respect to the Collector of Customs at Collingwood, who was at present mayor of the town, and who for four or five years had either been mayor or a candidate for the office. That gentleman was not only an officer of the municipal corporation, but he was understood to be a very warm supporter of the Ad

ministration, and one who took a very active part in political affairs generally. This, of course, might not be known to the officers of the Department, but he thought it must be known in the Department whether this officer had applied for leave to hold the office of mayor, and, if so, whether such permission had been granted. He did not wish to mention names, but he would state that two gentlemen, officers of the Department, who had applied respectively for liberty to run for the offices of reeve of a township and alderman of Toronto, had been refused it, and the rule in question should be enforced impartially and strictly, without reference to supposed politics.

Mr. COOK said he was glad to see the hon. member bring the matter before the House. He fancied his hon. friend forgot that a reeve of one of the municipalities of the county of Simcoe was also warden of the county, and this gentleman happened to be a Conservative. He was satisfied that the assertion of his hon. friend with reference to the Collector at Collingwood being a political partizan was unfounded in fact. This gentleman had been most circumspect with regard to politics since he had become Collector of Customs. From 1867 to 1871, Mr. Watson had been Mayor of Collingwood as well as Collector of Customs, and no fault had been found in this relation. There was no emolument connected with the mayoralty, and in 1871 no less a sum than \$8,461, very little less than last year, was collected. The duties of Collector did not clash with those of Mayor. Mr. Moberly, who had been Mayor of Collingwood for four years previous to Mr. Watson's re-election, had plunged the town into such financial difficulties that the people, irrespective of politics, asked Mr. Watson whether he would accept office if elected. Mr. Watson did not receive \$1,000 a year as Collector, and was consequently not precluded under sec. 3, of chap. 5, of 31st Vic. from holding such a position as mayor.

That clause was as follows:—

“The salary or pay allowed to any such officer or person as aforesaid shall be in lieu of all fees, allowances or emoluments of any kind whatsoever, except actual and author-

ized disbursements, shares of seizures, forfeitures and penalties, and no such officer or person receiving a salary at or exceeding the value of one thousand dollars per annum shall exercise any other calling, profession, trade or employment whatsoever, with a view to derive profit therefrom, directly or indirectly, or shall hold any other office of profit whatsoever, except in either case with the express permission of the Governor-General in Council.”

Therefore, the salary of the Collector at Collingwood being less than \$1,000 per annum, he was precluded from the meaning of this Act. He (Mr. Cook) could not but think that the member from Cardwell (Mr. McCarthy) has been ill-advised by his friends at Collingwood in this matter. Mr. Rutledge, a Government official, being Collector at Penetanguishene since 1872, when he (Mr. Cook) entered the House, had been reeve of one of the municipalities of his constituency, but he (Mr. Cook) had thought it beneath his notice to mention so small a matter. In 1872 he had been supported by three Reeves and deputy-Reeves, and although his hon. friend had been looking after these matters in accordance with the advice of the hon. member for Kingston, the number of Reform Reeves had been increased from three to thirteen at the present time. In 1872, the hon. member for Cardwell (Mr. McCarthy) had been nominated as a candidate to oppose him (Mr. Cook) at that general election by the Reeves and deputy-Reeves in council assembled. No doubt, he looked upon this as a great auxiliary in promoting his election, and was chagrined to see that class of his supporters slipping from his grasp which would tell against him at the next election, if he again contested the constituency. He begged to move in amendment that the words “from the 1st July, 1875” be struck out and the words “from 1st June, 1873” be inserted instead thereof.

Mr. BURPEE (St. John) said he had no objection, of course, to bring down any papers referring to this matter. He had not heard of this case until three or four weeks ago, at the outside. He did not approve of a Customs officer having any connection with municipal affairs, and especially with such an important position as a mayorship. He was quite sure that he had never given

Mr. McCARTHY.

any officer of the Department leave to run for municipal honours.

Mr. McCARTHY said he was very glad to hear that the Minister of Customs had not given this gentleman permission to violate the rules of the Department. He had been requested by residents of Collingwood to bring the matter to the notice of the Minister of Customs and of the House. A gentleman residing near Collingwood had applied for leave to be a candidate for the office of reeve, but had been refused, and very properly too, he thought, under the circumstances. He was glad to see that his hon. friend from North Simcoe (Mr. Cook) had found the use of his tongue since his (Mr. McCarthy's) entrance into the House.

Some HON. MEMBERS: Order.

Mr. McCARTHY said the tongue was sometimes a useful and sometimes a dangerous member. If he was out of order, he would withdraw the expression. His hon. friend had once said that he (Mr. McCarthy) was one of his constituents, but he did not propose to allow a duel to go on between his hon. friend and himself. Though defeated by his hon. friend on two or three occasions—the House and the country knew by what means—he would oppose his hon. friend at the next election and stake his political future on the result. If Mr. Rutledge, though only a landing-waiter, had not obtained the leave of the Department to run for office, he ought not to be permitted to hold his municipal position. Mr. Moberly had not plunged Collingwood in debt as far as his knowledge went, and he did not believe that this town was more in debt than its residents approved of. Besides, the contest had not been solely between Messrs. Moberly and Watson, for a third candidate was in the field. Public officers, who were deprived of the franchise, owing to the positions they held, and who were servants not merely of one political party but of all the people in the country, should not be permitted to hold municipal offices.

Mr. BLAKE: He is not deprived of the franchise.

Mr. McCARTHY: I think so; a Collector of Customs cannot vote.

Mr. MACKENZIE: By what law?

Mr. McCARTHY: By the Election Law of Ontario. And I understand that the franchise in connection with this House is the same as it is in Ontario.

Mr. MACKENZIE: In some Provinces they can vote and in some they cannot. They may not be entitled to vote in Ontario.

Mr. McCARTHY said he was speaking of Ontario, and a Collector of Customs was not qualified to vote under the Statute law in that Province. He had no desire to press the motion if his hon. friend from North Simcoe was of the same opinion. There was nothing to bring down. He had attained his object.

Mr. COOK said that Mr. Rutledge was a Collector of Customs.

Mr. McCARTHY: What is his salary?

Mr. COOK: His salary is not large; but that is not the question.

Mr. McCARTHY: What is it?

Mr. COOK: It is \$400.

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

## THE LACHINE CANAL ENLARGEMENT.

### MOTION FOR CORRESPONDENCE.

Mr. BABY, in the absence of Mr. MOUSSEAU, moved for copies of all correspondence, letters and telegrams, between the Government and the proprietors of the lands in the neighbourhood of the proposed enlargement of the Lachine Canal, from the first of March, 1875, up to the 10th March, 1877; also copies of all the orders given to the Engineers to furnish information to such proprietors, and of all applications of said proprietors for information made either to the Government, to the Engineers, or to the Department of Public Works, as to the quantity of land required for such enlargement between the said dates 1st March, 1875, and 10th March, 1877; also copies of all orders, proposals and arrangements submitted by the said proprietors to the Government, to the Engineers or to the Department of Public Works, and of all offers, proposals and arrange-

ments submitted by the Government, the Engineers or the Department of Public Works, to the said proprietors, between the said dates of the 1st March, 1875, and 10th March, 1877; also copies of all reports made by arbitrators or valuers on the value of the lands of such riparian proprietors on the said canal, within the said period, from 1st March, 1875, to 10th March, 1877; also of all reports made by the Engineers to the Government, or to the Department of Public Works, on the value of the said lands, and on the offers, proposals or arrangements made or proposed by such proprietors to the Government, or by the Government to such proprietors, within the said period, from the 1st March, 1875, to 10th March, 1877; also copies of all contracts entered into between the said proprietors and the Government, or the Department of Public Works, in relation to the lands required for the enlargement of the Lachine Canal, between the 1st March, 1875, and the 10th March, 1877.

Mr. MACKENZIE said the motion embraced many things that could not exist. No offers had been made by the Government to any proprietors, and no offers had been received from proprietors, except through the ordinary current of communication. He presumed a summary was all that was required by the hon. gentleman; if the entire correspondence with the valuers was wanted, it would take a much longer time to bring down.

Mr. BABY said, in the absence of the mover, he could not say exactly what was required. He presumed that what the hon. the Premier had suggested would meet the case.

*Motion agreed to.*

#### LIGHT DUES ON CANADIAN SHIPPING.

##### MOTION FOR CORRESPONDENCE.

Mr. GOUDGE moved for copies of any correspondence that may have passed, during the past three years, between the Government of Great Britain and the Government of this Dominion, relative to the abolition of light duties on Canadian shipping. He said his object in moving for the correspondence was to draw the attention

Mr. BABY.

of the Government to a matter of considerable importance to Canadian shipping. In Canadian and United States waters no light dues were imposed, but in the mother country a very onerous charge had always been made in this respect, not only upon foreign but upon English vessels. Two or three years ago, the Dominion Board of Trade memorialized the English Government on the subject, and the memorial was referred to the Board of Trade; but he regretted to say that the reply was to the effect that the prayer of the petition could not be granted. But, while the mother country had refused to abolish the light dues, considerable reduction had been made; but he felt that, in view of the fact that the principle maritime nations did not impose such dues, the attention of the Imperial Government should be again called to the advisability of abolishing them entirely. He proposed shortly to ask the approval of the House by a vote to the movement to abolish the light dues.

*Motion agreed to.*

#### APPOINTMENT OF COUNTY COURT JUDGES FOR NEW WESTMINSTER.

##### MOTION FOR CORRESPONDENCE.

Mr. CUNNINGHAM moved for copies of all correspondence between the Dominion Government and the Government of British Columbia, concerning the appointment of a County Court Judge for the District of New Westminister in place of Arthur T. Bushby deceased. He said his object in bringing this motion before the House was to call the attention of the hon. the Minister of Justice to the unfortunate position in which the county of New Westminister had been placed since the decease of Mr. Bushby, their County Court Judge in May, 1875. He (Mr. Cunningham) had repeatedly written to the hon. the Minister showing him how they were situated, and had also had several personal interviews with him on the same subject, and yet no Judge had been appointed for this important county although the matter had been under consideration for two years. He desired now to remind the hon. the Minister that

the county was one of the most important in the Province, containing as it did, vast resources, and population was coming in rapidly. It seemed unreasonable that such an important place should be left without at least one legal man. The Judges of the higher Court, three in number, resided at Victoria on the Island, and he thought that one of these gentlemen should reside somewhere on the mainland. He observed that the sum of \$15,000 was placed in the Estimates for the travelling expenses of the Courts, and he thought this sum might be very much reduced, if some of these men lived on the mainland. He could not see any reason why Victoria should be the home of justice for the entire Province. During the past two years the County Court at New Westminster had been supplied by any person whom the Government might think fit to send. Sometimes the Judge of Yale held Court, again the Judge of Lilloett, in fact almost any of these Judges. The Court days had been uncertain, and often postponed, to the great inconvenience of parties having cases before the Court. It had been stated that the delay rested with the Local Government who had not acted in the matter. If this were so then he would beg the hon. the Minister to again remind them of the case. He wished the House to understand that he did not advocate the appointment of a new Judge at an expense to the country. They had three now on the mainland for the work of four counties, and he was sure those gentlemen could do the whole work without any inconvenience to themselves whatever. What was wanted was a redistribution of the counties. Caradoc and Lilloett counties might be united; so might Yale and New Westminster—the Judge residing at the last named place. This was what he advocated; this was what his constituents wished. They were becoming very impatient, and they had a right to be so.

Mr. BLAKE said the difficulty to which the hon. gentleman had alluded had received the earnest attention of the Government. The expenses connected with the administration of justice in British Columbia were extremely large, and the judicial staff,

circumstanced as that Province was, was very great. It was originally arranged at the time of Union that the existing functionaries called County Court Judges should, during their lives, or good behaviour, be continued in office at certain fixed salaries, but no provision was made by Parliament for the continuance of the staff of those Judges. It was, therefore, not in the power of the Government upon the demise of the late Judge Bushby, on its own motion, to make an appointment for the vacancy. It was one of the defects, he might say blemishes, of our Constitution that the judicial power was divided between the Local and Central Parliament. The Local Legislatures enacted the laws providing for the organisation of Courts and the number of Judges; and this Parliament enacted the law providing for the appointment of those Judges, and the power of appointment was vested in the executive authority of the Dominion. Efforts had been made from time to time in British Columbia to improve the system, but the laws enacted had been found not unexceptionable, and no law addressed to the real interests of the case had become practically operative. The Dominion Government, so far as it was proper to do, had suggested to the local authorities the propriety, in remodelling the system, of considering such economy as was compatible with the efficient Administration of Justice. All the Supreme Court Judges were located on the Island of Vancouver, and also two of the County Court Judges, one of whom held sittings in Victoria and the other in the town of Nanaimo. On the mainland, as his hon. friend had pointed out, there were now three Judges. It appeared to him that a staff of three Supreme Court Judges and six County Court Judges was very large for the judicial service of the country, and that it might be possible to make arrangements for lessening it. A learned Judge, who resided in Victoria and not in his own judicial district, now discharged the duties formerly performed by Mr. Justice Bushby on his way to his own district. He would not enter into the details of the various plans which had occurred to him for providing some

degree of economy, not losing sight of efficiency, in the administration of justice in the Province. He admitted that the Local Government was infinitely more competent than they to devise some such plan. He understood that a Bill was now pending in the Local Legislature for the purpose of effecting a reorganization of the system. He was sorry to learn, however, that one of the provisions required the appointment of barristers as County Court Judges, which would require them at once to superannuate the existing Judges. He believed that would be an unfortunate step for the Local Government to take. Although the present Judges were not men of legal training, they were men of ability and accustomed to deal with local matters. They were thought fit for the position when appointed, and he did not think it right that they should be superannuated at the expense of the country in order that barristers might take their places. He hoped the hon. members representing British Columbia would not suppose that, either individually or on behalf of the Government, he expressed or implied the slightest reluctance to propose any sum necessary in order that justice might be efficiently administered in the Province. Owing to the large area and sparse population, a larger sum of money proportionally was required for this purpose than in other communities. He would ask the co-operation of those hon. gentlemen, however, in aiding to reduce the expenses as much as possible, and to impress upon the Local Legislature the advisability of making such arrangements for the reorganization of the districts, location of the Judges and discharge of the duties, so that the existing staff might be utilised and the Government not be called upon to nominate additional judicial officers.

Mr. BUNSTER said he could quite understand the anxiety of his hon. friend, in asking to get a County Court Judge appointed for the District of New Westminster, for the very good reason that he was a merchant and probably wanted to sue a good many persons for bills; but he (Mr. Bunster) would be sorry to see the hon. member accommodated in that matter. He

Mr. BLAKE.

begged to differ from him in the statement that New Westminster was the most important place in the Province of British Columbia. The Judges were compelled to live in Victoria, where they could send their children to school and have advantages of the best educational talent in the Province. He did not think the hon. the Minister of Justice would feel the propriety of appointing a County Court Judge for Westminster at present. He would admit that the importance of the place demanded that there should be a permanent Judge there, but the gentleman who now occupied that position was quite able to perform the duties required of him. Although he had not a legal training, he had been acting as Judge for about 21 years, and had given universal satisfaction to the citizens of British Columbia. That he had only made one or two mistakes during his judicial career was greatly to his credit. He believed the Government had far better reserve all their resources for the construction of the Pacific Railway than use it in appointing new Judges and superannuating old ones.

Mr. THOMPSON (Cariboo) said he fully concurred in the remarks of the hon. the Minister of Justice as to utilizing the services of the present County Court Judges, as such a course would be most convenient for the country. He also fully agreed in what had been said as to the ability of the gentleman who now held the office of County Court Judge. Although he had not been brought up to the legal profession, he had uniformly shown himself able to perform the duties devolving upon him. He trusted that the Local Legislature would make such arrangements as would be consonant with the views of the hon. the Minister of Justice; and he did not think the people of British Columbia wished to see the present Judges superannuated.

Motion agreed to.

#### UNPREPAID LETTERS.

##### MOTION FOR CORRESPONDENCE.

Mr. CARON moved for copies of correspondence between the council of the Quebec Board of Trade and the Dominion Government, relating to the

rule in existence in regard to unprepaid letters. He said it was hardly necessary that he should take up the time of the House in pointing out the manifest inconvenience of the rule now followed. All non-prepaid letters, under the present system, were forwarded to the Department at Ottawa. This affected in a most disastrous manner the great shipping interests of Canadian ports. Every business man knew that these letters might sometimes be of very great importance, and, when they were sent to the Dead Letter Office, they deprived those to whom they were directed of the information contained in them. Not only might important matters of business be involved, but also those affecting even life. When the papers came down it would be seen that the council of the Quebec Board of Trade had submitted their views to the Government. He hoped that this important subject would receive the earnest and the earliest attention of the Government. He would defer any further remarks which he might consider it his duty to make until the papers were brought down.

Mr. HUNTINGTON said there was no objection to the papers being brought down. But he would call attention to the fact that the system which was now condemned had only just come into operation, and had not yet received a fair trial. It would be for the hon. gentleman and others who wished to do away with the present system to suggest some remedy for the evils of the optional system. He was aware that the Quebec Board of Trade had made representations to the Government on the subject, and they would receive the greatest possible consideration; but it was very difficult to change the system so suddenly. Of course there must be inconvenience when persons negligently failed to prepay the postage, but there was not much on the part of business men, and the delays at the head office were trifling.

Mr. CARON said he thought the difficulty might be obviated by making the rule that a person having an insufficient or non-stamped letter addressed to him must pay the proper

postage before he could receive it. He knew the system was a new one, and that it was only upon its trial, but it had been tried long enough to have found to be a very inconvenient one.

Mr. HUNTINGTON remarked that this would be imposing a fine on a person who was not responsible for the negligence.

Mr. TUPPER instanced the following as a case of hardship: A letter was addressed to himself, say in Ottawa, by a person in the city, requiring only one cent. But before he received the letter he left the city, and the letter was sent after him. He could not, however, get the letter without paying a fine as well as the additional postage. This was a matter of some importance to business men, and he suggested that the Government should propose a remedy.

*Motion agreed to.*

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

### After Recess.

#### WALTER SCOTT DIVORCE BILL.

[BILL No. 84.]

(*Mr. McCarthy.*)

THIRD READING.

Mr. McCARTHY moved:

“That the House do now resolve itself into a Committee of the Whole on Bill (No. 84) For the relief of Walter Scott.”

*Motion agreed to, on a Division.*

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported.

Mr. McCARTHY moved the third reading of the Bill.

Question put, and motion *agreed to*, on the following Division:—

YEAS:

Messieurs

Archibald  
Bertram  
Blain  
Blake  
Borrton

Mackenzie  
Macmillan  
McCallum  
McCarthy  
McCraney

Bowell	McGregor
Bowman	McQuade
Brouse	Metcalfe
Buell	Mills
Burk	Mitchell
Charlton	Moffat
Christie	Monteith
Cockburn	Norris
Cook	Oliver
DeCosmos	Paterson
Dymond	Plumb
Fleming	Robinson
Fraser	Ross (East Durham)
Gibbs (South Ontario)	Ross (West Middlesex)
Gillies	Ross (Prince Edward)
Greenway	Rymal
Hagar	Smith (Westmoreland)
Kerr	Thompson (Cariboo)
Kirkpatrick	Thompson (Haldimand)
Little	Trow
Macdonald (Kingston)	Vail
Macdonald (Centre Toronto)	Wood
Macdougall (East Elgin)	Workman
McKay (Colchester)	Young.—53.

## NAYS :

## Messieurs

Baby	Jetté
Béchar	Lajoie
Benoit	Langevin
Bernier	Lanthier
Bourassa	Laurier
Boyer	Macdonald (Cornwall)
Caron	Masson
Casgrain	Montplaisir
Cauchon	Ouimet
Cheval	Perry
Cimon	Pinsonneault
Colby	Pope (Compton)
Costigan	Robillard
Currier	Robitaille
Daoust	Rouleau
Donahue	St. Jean
Fiset	Taschereau
Fréchette	Wallace (S. Norfolk)
Gaudet	Wright (Pontiac).—39.
Hurteau	

Bill read the third time, and passed on the same Division.

### MARY JANE BATES DIVORCE BILL.—[BILL No. 85.]

(Mr. Trow.)

## THIRD READING.

Mr. TROW moved :

“That the House do now resolve itself into a Committee of the Whole on Bill (No. 85) For the relief of Mary Jane Bates.”

Motion agreed to, on a Division.

House resolved itself into a Committee of the Whole to consider the said Bill.

(In the Committee.)

Bill ordered to be reported,

House resumed.

Bill reported.

Mr. McCARTHY.

Mr. TROW moved the third reading of the Bill.

Question put, and motion agreed to, on the following Division :—

## YEAS :

## Messieurs

Archibald	Macdonald (Kingston)
Bertram	Macdonald (Centre Toronto)
Bain	Macdougall (E. Elgin)
Blake	McKay (Colchester)
Borron	Mackenzie
Bowell	Macmillan
Bowman	McCallum
Brouse	McCarthy
Brown	McCraney
Buell	McGregor
Burk	McNab
Burpee (St. John)	McQuade
Burpee (Sunbury)	Metcalfe
Charlton	Mills
Christie	Mitchell
Cockburn	Moffat
Cook	Monteith
Cunningham	Norris
Dymond	Oliver
Ferris	Paterson
Fleming	Plumb
Flesher	Robinson
Fraser	Ross (East Durham)
Galbraith	Ross (W. Middlesex)
Gibbs (South Ontario)	Ross (Prince Edward)
Gibson	Rymal
Gillies	Smith (Westmoreland)
Gillmor	Thompson (Cariboo)
Greenway	Thompson (Haldimand)
Guthrie	Trow
Hagar	Vail
Haggart	Wood
Kerr	Workman
Kirkpatrick	Young.—63.
Little	

## NAYS :

## Messieurs

Baby	Jetté
Barthe	Jones (S. Leeds)
Béchar	Lajoie
Benoit	Langevin
Bernier	Lanthier
Blanchet	Laurier
Bourassa	Macdonald (Cornwall)
Boyer	McDonald (Cape Breton)
Caron	Masson
Casgrain	Montplaisir
Cauchon	Ouimet
Cheval	Perry
Cimon	Pinsonneault
Colby	Pope (Compton)
Costigan	Robillard
Coupal	Robitaille
Daoust	Rouleau
Donahue	St. Jean
Fiset	Taschereau
Fréchette	Wallace (S. Norfolk)
Gaudet	Wright (Ottawa Co.)
Gill	Wright (Pontiac).—45.
Hurteau	

Bill read the third time and passed on the same Division.

RIVIÈRE DU LOUP BRIDGE COMPANY ACT AMENDMENT BILL.

[BILL No. 44.]

(Mr. Jetté.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 44) To amend the Act to incorporate the Bridge Company of Rivière du Loup, in the County of Maskinongé.

(In the Committee.)

Mr. BLAKE said this Bill appeared to affect an Act of the Legislature of Canada and to release the company from the obligation to keep a draw-bridge in future.

Mr. JETTE said he understood there was no opposition to the Bill. The North Shore Railway Company had built a bridge six arpents from the company's bridge, and the former bridge would not be opened; so that navigation was entirely impossible in that part of the river. Consequently, the proprietors asked to be allowed the same privilege.

Mr. BLAKE: Was the North Shore Railway Company authorized by this Parliament to build a permanent bridge?

Mr. JETTE: It appears the river is not navigable at that part.

Mr. BLAKE said if the river was not navigable, this Parliament had nothing to do with it. If, however, it would be navigable but for the artificial obstruction below, it would be necessary to see if that was a legal obstruction placed in the navigation of the river, or, if not a legal obstruction, whether, notwithstanding that the river might be technically navigable, there was really so little navigation upon it that the company might be allowed to create a fixed bridge.

Mr. JETTE said the river was not navigable during the greater part of the year. It was only navigable during the spring when the water was very high. It was accordingly felt that there was no necessity for the existence of the drawbridge.

Mr. MITCHELL said the question raised by the Minister of Justice raised

this other query—what was a navigable river? It was held by the highest legal authority in England that a navigable river was only one which had a tidal flow. It would be very inconsistent to apply such a rule to rivers on this continent, and indeed this was not the case. He thought, however, that they should have the opinion of the highest legal functionary in the House on the subject.

Mr. DYMOND said the facts laid before the Committee on Public Bills, with respect to this Bill, were that the river was navigable only to and under this bridge at certain seasons of the year, and that, when so, only such small vessels could pass up it as could go under the bridge if there was no draw—so that the abolition of the latter would not impede its navigation.

Mr. BABY said he was glad to see that the hon. member from North York had, within a couple of years, changed his opinions on this point. He approved of the Bill.

Mr. BLAKE said the preamble of the Bill, under the circumstances, should have been more explicit. He was not aware that anything in the original Act required the drawbridge to be of a certain height above the water.

Sir JOHN A. MACDONALD: That Section, No. 24, is repealed in this Bill.

Mr. BLAKE said there would seem to be no objection to the Bill if it was so worded that the navigation of the river could not be interfered with. The stipulation concerning a draw in the previous Act acknowledged interference with navigation; and, if Section 24 required the bridge to be of a certain height, and if this was repealed, this would remove the guarantee that the navigability of the river should be preserved.

Sir JOHN A. MACDONALD said he agreed that the preamble should more fully justify the amendment proposed. He thought that, if the clause which declared that the arch should be of a particular height were repealed, the power of bridging over the portion which would have been occupied by the draw would not be possessed.

Mr. BLAKE said it would still be allowable, he apprehended, to make of it a fixed bridge.

Mr. MASSON said he was informed that the river was navigable for two or three miles above this bridge. He held in his hand a copy of the *Journal des Trois Rivières*, which stated that this river was navigable for two leagues above the bridge; that their means of communication were not so numerous as to justify the destruction of the finest river they had, and that the passage of this Bill would be detrimental to the public interests. This was a very serious question.

Mr. DYMOND said the hon. member for Berthier (Mr. Cuthbert) and the hon. gentleman who promoted the Bill had given the Committee the most positive assurance to the effect he had already stated.

Mr. MASSON said it was clear the river was navigable once, or the draw-bridge clause would not have been enacted.

Mr. BOYER said he personally knew that the river was only navigable for a very short distance above the bridge.

Sir JOHN A. MACDONALD: How far?

Mr. BOYER said he supposed for five or six miles. He was willing to sanction an amendment to the effect that the arch should remain above the highest water mark. The North Shore Railway was building a bridge without a draw just above it.

Mr. LAJOIE said he believed that there was no solid objection to the passing of the Bill in its present state.

Mr. MASSON said he thought the hon. member would see the advisability, under the circumstances placed before the House, of delaying the passage of the Bill at this time.

Progress ordered to be reported.

House resumed.

Progress reported.

#### PRIVATE AND LOCAL BILLS.

##### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, read the third time and passed:—

Sir JOHN A. MACDONALD.

Bill (No. 26) To vest the property and powers of the Pickering Harbour and Road Joint Stock Company in Joseph Harris McClellan.—(Mr. Gibbs, South Ontario.)

Bill (No. 12) To grant additional powers to the Springhill and Parrsborough Coal and Railway Company (Limited).—(Mr. Domville.)

Bill (No. 20) To amend the Act to incorporate the London and Ontario Investment Company (Limited).—(Mr. Macdonald, Toronto.)

Bill (No. 29) To amend the Act incorporating the British Canadian Loan and Investment Company (Limited).—(Mr. Young.)

Bill (No. 48) To grant additional powers to the Albert Railway Company.—(Mr. Domville.)

##### SECOND READINGS.

The following Bills were severally read the second time:—

Bill (No. 98) To amend the Coteau and Province Line Railway and Bridge Act.—(Mr. Currier.)

Bill (No. 99) To amend the Act respecting the Canadian Engine and Machinery Company.—(Mr. Workman.)

Bill (No. 100) To Incorporate the Canada Traffic Company.—(Mr. Workman.)

#### ELECTORS OF STOUFFVILLE REPRESENTATION BILL.

[Bill No. 70].

(Mr. Metcalfe).

##### CONSIDERED IN COMMITTEE.

Mr. METCALFE moved:

“That the House do now resolve itself into Committee of the Whole to consider Bill (No. 70) To preserve to the electors of the village of Stouffville the continuation of their representation in Parliament.”

Sir JOHN A. MACDONALD said no explanation had been made of this Bill, and it was desirable the House should know its object before going into Committee.

Mr. METCALFE said the village of Stouffville was situated partly in the North and partly in the East Riding of York, and there was some doubt as to the right of the electors to vote in

either riding. The object of the Bill was to decide this point.

Mr. BLAKE said the Bill had better be allowed to go through Committee. The only question in his mind was whether the Bill was necessary. If legislation was required, however, there was no doubt that this Bill would answer the purpose, as it kept the representation precisely as it was. It left to the electors the right to vote as before. He would ask his hon. friend, before the third reading, to look at the Representation Act, which, he thought, provided for the case sufficiently, and obviated the necessity for any legislation at all.

Sir JOHN A. MACDONALD said he did not think the Bill was called for at all. If there was any doubt about the rights of the electors, it was a question whether this Bill would be of any service.

Mr. DYMOND said this case was somewhat analogous to that of Richmond Hill, which was incorporated a short time since, out of the East and West Ridings of York. The only difference was, that Richmond Hill was assigned to West York, whereas in this instance the electors were left in the same position as before incorporation.

Mr. MITCHELL said all measures affecting the representation of the country in Parliament ought to come through the Government. The system of individual members introducing measures of this kind was entirely wrong, and was likely to lead to a great deal of confusion. The Bill ought not to be allowed to go on unless it had the entire approval of the hon. the Minister of Justice.

Mr. TUPPER said the hon. the Minister of Justice had hardly discharged his duty to the House in allowing the Bill to be read the second time. If this Bill were allowed to become law, it would be an admission on the part of the House that constituencies might be affected by outside legislation.

Motion agreed to.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported.

#### PERMANENT BUILDING SOCIETIES (ONTARIO) BILL.

[BILL No. 21.]

(Mr. Hall.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 21) to amend the Act 37 Victoria, Chapter 7, respecting Permanent Building Societies in Ontario.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported.

#### CONSTRUCTION OF WATERWORKS BY JOINT STOCK COMPANIES BILL.—[BILL No. 54.]

(Mr. Geoffrion.)

SECOND READING.

Bill read the second time.

#### FOREIGN CORPORATIONS LOANS ACT REPEAL BILL.

[BILL No. 4.]

(Mr. Blain.)

SECOND READING.

Mr. BLAIN said this Bill involved an important principle, and it might be desirable that he should make a few remarks in regard to it. The Act which he sought to repeal was Chap. 49 of the Statutes of 1874, and the powers he complained of were contained in the first section, which authorized companies incorporated under any Act of Parliament in Great Britain and Ireland to come into Canada, merely upon the receipt of a certificate to the Finance Minister, to invest money. At first sight, the Bill might seem to be rather innocent in its terms, but, when they came to look into the matter, it would be found that it placed our companies at a very

decided disadvantage. The law in reference to the subject was very confused. He understood the hon. the Finance Minister intended to introduce a Bill to harmonise the various powers possessed by those companies organized in this country, but it would not deal with those companies that came under chapter 49 of the Statutes of 1874. He desired, while asking the House to agree with him in removing that Act from the Statute-book, to point out the difference that would exist between a company organized under the English Joint Stock Companies Act and one organized in this country. Parliament had settled the principle that a company which was empowered to take deposits could only borrow to the extent of its paid-up capital. If a company borrowed on deposits and issued debentures, then it could borrow only to the extent of the paid-up capital and one-third in excess; and, if a company borrow without taking deposits, it could borrow to the extent of the nominal capital. A company organized in England under the Joint Stock Companies Act was not thus limited and restricted. Canadian companies were placed by legislation at such a disadvantage compared with companies organized in England that they were unable to withstand the competition, and some companies established under the English Joint Stock Act had come over and purchased the entire assets of some Canadian companies. The Toronto Building Society, with funds under its control to the amount of \$100,000, had sold out its entire affairs to a British company; and he believed negotiations were in progress by British companies to purchase some other Canadian companies. While our own companies were borrowing money in England at five per cent. on debentures, the Canadian people were paying to holders of stock in the joint stock companies of Great Britain dividends at the rate of 10 per cent. The present law discriminated against Canadian companies. So far as related to English companies at present doing business here, there was a provision in the Bill that they should not be disturbed; but probably, when the Bill was sent to the Committee on Banking and Commerce, it might be desirable to insert a clause to enable

Mr. BLAIN.

those companies now doing business, and which came within the Bill, to continue in existence under some other arrangement which would give the people of this country control over them and not leave them entirely in the hands of foreign shareholders. Another objection to those British companies carrying on business here was their unlimited powers to receive deposits, and, moreover, they paid no taxes.

Mr. PLUMB said he was much surprised to hear the arguments addressed to the House by the hon. member who had introduced his extraordinary Bill. He had recited how several large companies in England and elsewhere were doing business here and lending money in a manner to compete with Canadian money, lending companies. He (Mr. Plumb) had supposed that certainly free trade in money was a principle upon which all hon. members could agree, and that it was not necessary to introduce the principle of protection in that direction. The hon. member had pointed out that the English companies which he proposed to legislate against, and drive out of the country if possible, possessed facilities for borrowing money superior to the facilities enjoyed by the Canadian companies, which were limited to a certain ratio on which to issue debentures on their capital, while the English companies had power to issue larger sums. As they were not borrowing money in the Dominion, we had nothing to do with that. The power of Great Britain with respect to those companies was a matter they did not question, as the companies did not come to Canada to borrow money, when the rate of bank interest in England at some periods was only 1 to 2 per cent. The House should not be called upon to adopt any measures adverse to foreign companies who brought capital to the Dominion and commenced to do business in a legitimate way. Those foreign companies could not be taken under control or taxed in this country, and, indeed, every possible facility should be afforded them.

Mr. YOUNG said the hon. member for West York (Mr. Blain) had given

great consideration to questions of that nature; at the same time, his Bill was of a very doubtful character. He did not see any reason why, if foreign monetary companies saw fit to come here and lend their money, we should have any particular objection to their doing so. It appeared, on the contrary, that we should afford them every facility, and he would like to see their number very largely increased, and an increased amount of money brought into the country for investment. The more money that was invested in the Dominion, the better was it for the people at large. The arguments advanced in support of the Bill were not sufficient to warrant its adoption by the House. In regard to the facilities possessed by British companies for borrowing money, if companies chartered in England borrowed money in Canada, the objection might apply, but as they borrowed money in the mother country, it would be a matter for the British people to look after, not the people of Canada. With regard to the advantage alleged to be possessed by British companies with respect to their not being limited as to the rate of interest, the best way with respect to that was not to fix the rate of interest, but to allow the rate to be determined by the law of supply and demand. He should regret if any difficulty were thrown in the way of any foreign corporation coming here to invest money, for, if more capital were brought into the country, the rate of interest would be reduced and the interests of the country promoted.

Mr. BLAIN said he must express surprise at the views expressed by hon. gentlemen who had addressed the House, and he thought, if a little more attention had been devoted to the subject, they would have presented the question in a different aspect. Foreign companies had really no existence in this country. A corporation was a mere creature of law, and, when a corporation was incorporated abroad, it had no existence whatever in this country, under our laws. Those companies were incorporated under an Imperial Act, and they came to this country; we knew nothing about their constitution, even about the Charters under which they

carried on business. Those companies borrowed money in England at 5 per cent., or even less, and brought it to Canada and invested it at 10 per cent. These companies were coming into this country; already three were here with seven millions invested, and more were making application. He contended that every company that did business in this country should be, to some extent, under the Canadian laws. The Act limited the investment companies to those that had been incorporated under the laws of the Parliament of Great Britain and Ireland. If the principle were a sound principle, they should allow foreign corporations to come in and invest money here. Why should they not allow French and American companies to do so? The Act was indefensible as it stood. Foreign companies, no matter where incorporated, should be allowed to invest money in this country. He contended that we had companies which were capable of doing our business, which should not be left in the hands of foreign companies. If foreign companies got into trouble, the whole odium was thrown on the Canadian people, who, it would be said, had got the money and would not pay interest for it; and yet they had no control over these companies at all. The present principle was entirely wrong. Under all the circumstances there could be no serious objection to the Bill, and, as they proposed to modify its terms in Committee, he asked the House to consent to the second reading.

Sir JOHN A. MACDONALD agreed with his hon. friend that, if the Bill wished to repeal a principle, the same principle should be extended to all foreign countries including France and the United States. The hon. gentleman who drew the Bill should introduce another extending such liberty to all the world. He thought such a Bill would be more acceptable to the House than this one. The matter should receive consideration.

Mr. CARTWRIGHT said he understood that it was informally agreed a fortnight ago that his hon. friend would be allowed to take the Bill before the Committee on Banking and Commerce. One point, however, de-

served consideration. Chap. 49 of 37 Vic., if he rightly understood it, permitted in practice any agents of Canadian companies or shareholders to incorporate themselves in Great Britain and utterly disregard the law they had just been passing. The Committee on Banking and Commerce had first passed an Act to regulate the incorporation of Canadian companies intended to go into the business of making loans and borrowing money. He was rather inclined to think it quite possible for parties here to be incorporated in England under the English law, which was very wide and easy, and in that way the action of our own people would be completely defeated. The right to interfere with companies who had come into the country under the existing law would hardly be granted.

Mr. MACKENZIE said he was exceedingly delighted to find that, although the hon. member for Kingston had gone back on the true principles of commercial legislation, still he was really willing that there should be free-trade in money in this country. The hon. gentleman did not even wait to consider whether this should be reciprocal or not.

*Bill read the second time.*

## CANAL IMPROVEMENTS.

### ADJOURNED DEBATE.

Order for resuming adjourned debate on Mr. Blain's motion for returns showing the increased quantities, between 12 and 14 feet depth of water in the Welland Canal, and also the St. Lawrence Canals and River, in the following materials, namely :

Masonry,	
Dredging,	
Earth Excavations,	
Rock Cuttings	{ 1 above water,
	{ 2 below water,
Timber,	
Plank;	

Also the prices upon which the calculations in the engineer's reports are based ;

Also the soundings of the river and lakes which have been made for the purpose of obtaining 14 feet of water,

—*read.*

Mr. BLAIN said the motion was made in the absence of the leader of the Government, and consequently the

Mr. CARTWRIGHT.

debate had been adjourned. He thought the enforcement of the rule, under the circumstances, was extremely inconvenient ; if that course had not been taken, the motion would have remained on the notice paper instead of appearing under the heading of Public Bills and Orders. He had taken very considerable interest in these canals. He looked upon their improvement as being the chief means of enabling this country to settle the North-West. In 1870, the late Government appointed a Commission to enquire into the whole subject. It reported in February, 1871, and recommended the deepening of the canals to 12 feet. Instructions were then given to the Chief Engineer to prepare a report on that basis, and this was done in 1875. In 1875, he drew the attention of the House to the subject. According to the report, it seemed impossible for them, with any sort of moderate expenditure, to deepen the canals beyond 12 feet. After having perused this report carefully, he had come to the conclusion that, in not more than three or four places on the entire St. Lawrence, would they require to deepen to 14 feet, canals which were to be deepened to 12 feet. He addressed the House on the subject, and, as it involved the expenditure of money, he drew up a requisition to the Government, signed by 147 members, requesting the surveys to be continued, and the estimates given of the probable expenditure deepening to 14 feet would require. In 1876, he again drew attention to the matter, and the Minister of Public Works stated that, under the circumstances, he had adopted the principle of 14 feet. The Engineer reported this year, giving the probable estimates as follows:—Cost of deepening the Welland Canal to 12 feet, \$9,240,000, and increase for the other two feet, \$3,000,000; cost of deepening the St. Lawrence canals to twelve feet, \$12,460,000, and increase for the other two feet, \$5,500,000, making in all \$30,200,000. The items \$5,500,000, and \$3,000,000 seemed to be so large that he had moved on this occasion for the quantities and prices on which the estimates had been based. If he found, on examination, that the increase amounted to so large a sum he would be somewhat surprised. The

first report they had received in this relation warranted him in criticising it very closely, and he would be somewhat mistaken if he did not find, on a careful examination of the estimates, that the figures \$5,500,000 and \$3,000,000 could be made something less.

Mr. BROUSE said the navigation of the Galop Rapids, some seven miles from Prescott, was probably more important than that of any other point on the River St. Lawrence; and here there was an obstruction. Vessels passing down at low water were unable to cross the bars, which were seven feet under water; and it was impossible for vessels fully laden, even in the spring and especially in the fall, to descend the river, drawing more than seven or eight feet of water. They frequently struck even at that draft. He found no amount in the Estimates for the removal of this obstruction, although the Chief Engineer stated in his return that it could be removed. The Galop Rapids were the sill of the River St. Lawrence. It was certainly necessary to remove this obstruction for the encouragement of commerce, and to enable vessels to go as cheaply as possible to tidal water. There was another obstruction in this part of the St. Lawrence with regard to the canals. The water at present in the canal was so low that the machinery run by it was not able to be worked. He trusted that the Government would put in the Supplementary Estimates a sufficient sum to ensure the removal of this obstacle. There were many reasons why this should be done during the present year. The Chief Engineer stated that it would take a long time to remove these three different bars, which were smooth, and which extended across the river from north to south. One was some 200 feet in width, and the water ran at the rate of about eleven miles an hour at this point. Several years would be required to secure their removal. The Government had, last year, built a vessel for this purpose, costing about \$60,000, and it was certainly extraordinary that this vessel should be allowed to remain idle, moored at Prescott. He really trusted that the Board of Works would see that the

request of the Chief Engineer would be carried out, and the work pushed forward to completion. Moreover, owing to the swiftness of the water, no vessel could enter the mouth of the canal at this point, to descend it. On a future occasion it would be also necessary to enlarge the canal; but the first real object to be attained was the removal of the obstacle he had mentioned. This work bore a national character.

Mr. NORRIS said there was considerable uneasiness on the part of those engaged in the trade at the position in which the Welland Canal works were. He did not himself find fault with the delay, because he believed it was necessary, in order to procure the best route and to make the necessary changes. It was better that a longer time should be taken if, thereby, a more advantageous route could be secured. He believed the work was being pushed forward with all possible speed. He desired to impress upon the Government the necessity of increasing the depth to 14 feet, if it was possible, as he believed a good deal of the work had been performed with this view. It was well known to the Government, and it appeared by report of the Chief Engineer that it was necessary, that vessels should be of the largest capacity possible to compete in the carrying trade. If the canal was only made at a depth of 12 feet at first, vessels would be constructed to suit it, and then they would not suit when it was made 14 feet deep. It was to get the great trade of the west, and he presumed that was what we aimed at, we would have to carry at a cheaper rate to Montreal than was being done through New York or anywhere else.

Mr. KIRKPATRICK called attention to the petitions which had been presented from people in Ontario, urging that the portions of the Welland Canal which had not been placed under contract should be commenced at once. The country would not find any benefit from the money expended until those portions, in which were the most serious difficulties of the whole route, were finished. Already, he had seen it stated that one firm, which had a number of large vessels in view of the

early completion of the canal, had failed in consequence of the delay. It was desirable, in the interest of ship-owners and the country generally, that the work should be completed at the earliest possible moment. He would remark that the Government's own friends in the immediate neighbourhood of the canal had called attention to the fact.

Mr. MACKENZIE: To what fact?

Mr. KIRKPATRICK: To the fact that several sections in the most difficult part of the construction had not been touched, and the contracts for which had not been let, and that while certain delays might have been unavoidable, there were others which were contrary to the popular expectation, and that a little restlessness under the circumstances was inexcusable. He would ask the hon. the Premier to give his serious attention to placing the remaining works under contract at once. Some portions could remain until a more favourable period for their completion. But there was one part, the Galop Rapids, which would not require a large expenditure in order to enable the chain tug to be used.

Mr. PLUMB said his constituents were much interested in the work, and they much desired that the canal works should be constructed as quickly as possible, and with locks sufficient to carry vessels of fourteen feet. It would be undesirable to hurry the opening if longer time was required to make it to this depth. The competition on the Welland Canal would be very severe, and the profits on the carrying trade much less than in former years. Commercial men had therefore to use close application and economy, and, unless the depth of water in the canal was made fourteen feet, they would be placed at a serious disadvantage, as vessels of an enormous draft were being used, these not requiring more running expenses to manage than smaller vessels. It was to be regretted that some of the most important parts of the canal were not under contract, as he observed by the report. He must admit that certain sections had been pushed forward rapidly, but they would be of no use unless those referred to were also finished. He trusted the

Mr. KIRKPATRICK.

Government would see, from the complaints and remonstrances from quarters where they generally did not get unfriendly criticisms, the necessity of pushing forward the work as rapidly as possible, and bring into effect the great system of canals which would enable us to secure the trade from the West, through the St. Lawrence down to the seaboard.

Mr. SCHULTZ said the remarks of the hon. member for West York (Mr. Blain) had shown that he devoted considerable attention to the subject of the exportation of grain from the North-West, and he had done wisely in bringing forward the subject. There were two facts in connection with the grain trade of the North-West, which had an important bearing upon the question of the deepening or otherwise of this canal system. In the first place, it had been demonstrated, he thought, to a certainty, that we had in the North-West the best wheat-growing country on the continent. It had been shown that the yield of the cereals was greater in the Province of Manitoba, and presumably so in most of the North-West Territory—that was, of course, in the Winnipeg basin, to the west,—than in the best of the prairie States. And, in connection with this fact, when it was taken into consideration that this large wheat-growing area did not lie farther from the waters of Lake Superior than the wheat-lands of Iowa, Minnesota, Michigan and Illinois from the head of Lake Michigan, it would be seen that the interests of the North-West and the construction of the canal were intimately related to each other. He did not see why we should go to this enormous expense merely for the purpose of facilitating the exportation of grain from the Western States, and certainly we should not make a special effort with this view in the present depressed times. But we should construct the canals with the object of benefitting our own territories. He strongly approved of the Welland Canal being made 14 feet deep.

Mr. MACKENZIE said this was not a matter of friendly or unfriendly criticism, so far as political supporters were concerned; it was a matter of

stern business. He was quite surprised to hear any complaint made as to progress of works on the Welland Canal. He did not think in any other country in the world so much work had been done in such a short time as had been done there. Combined with the Lachine Canal, all of which was under contract, the officers of the Department had been pushed to the utmost extent in attending to canal work. It was not true that the most important portions of the Welland Canal were still to be tendered for. There were a few small sections, but nothing serious to be put under contract, and they would be let in a few weeks, as soon as Mr. Page could overtake the work connected with them. As was intimated in the Speech from the Throne, it was an important matter of consideration how far certain of the other works should be prosecuted with the same hurry, as he might almost say, as had been shown in connection with the Welland and Lachine Canals. Indeed the Lachine Canal was hurried in consequence of the desire to have the works proceeded with while so many men were idle, a year and a half ago. The Welland Canal when finished would be a complete work, of a depth of 12 feet of water, with the necessary works for making it 14 feet when necessary without disturbing navigation. The question was whether it was desirable at the present to spend \$3,000,000 more for the purpose of obtaining two additional feet, and this should not be seriously entered into merely for the purpose of gratifying the desire, a very laudable one, of a considerable number of people having an interest in seeing the work carried out. The work had already been enormously expensive, and had added considerably to our National Debt within the last few years. The Government could not put the whole money into these works now. It would not be considered necessary to do so for many years, at least to Kingston, because large vessels going to the Upper Lakes would undoubtedly unload at Kingston without seriously increasing the cost of transport to tidal waters. At all events, the increase in cost would be trivial compared with the enormous advantage to the country in the increase of works necessary to carry

vessels 260 feet long down to Montreal. While there was no more zealous or anxious advocate for a complete system of navigation for vessels of that class to the ocean than himself, still ordinary prudence required them to consider how far the prosecution of the scheme might lead to serious difficulties in the meantime, and not to push too fast works which possibly could be done without for a time by certain improvements in the navigation which might obviate the construction of locks and canals at certain points on the river. Some hon. gentlemen had referred to the "easy task" of bringing down estimates. The hon. member for West York was mistaken if he thought it was a mere matter of putting down so many figures for the Engineer to estimate the cost of excavating under water from a little below Prescott to Montreal. It would be observed from returns of the Engineer that it would cost \$1,500,000 to obtain a depth of 12 feet apart from the locks altogether; but in order to obtain 14 feet the cost would be increased to \$5,000,000. The reason for this was tolerably obvious. If the profile of the bottom of the lakes—St. Louis, for instance—was consulted, it would be observed that the land under the water was a series of waves and the excavating would be simply cutting through a series of ridges. If, however, they cut down to 14 feet, a large proportion of the lake had to be excavated, making in fact a canal within the lake. Besides they did not exactly know at what particular point the lock would be constructed. In some parts, the soil to be excavated was extremely hard, and in other places rock appeared; and immediately above the Galop Rapids there was a serious ridge of rock. They had procured a chain-tug here, not merely for the purpose of taking out shale and removing boulders and other impediments, but also as an experiment to ascertain what would be the cost and what would be expedient. If large vessels could be towed up past the serious part of the rapids, it would enable them perhaps to obviate the making of the canal altogether. The works on the Welland Canal would be prosecuted to obtain a depth of 12 feet with all the expedition they could use. As he stated a moment ago, the

new aqueduct was the most serious part of the works yet to be commenced. It was possible to get a vessel over the Welland Canal by the old aqueduct, but the area was too limited to take a very large vessel over without serious inconvenience, because a vessel filling the entire area of the aqueduct would operate as a dam. Although they would be able to get the depth by cutting down the crown of the arches, and probably would have to do that, it became evident last autumn that the most expeditious method to secure navigation across the Welland was to build a new aqueduct. The proposal of the Engineer was, in the first place to make a water way which, by taking a circle round the old aqueduct, would convey the water past from the lake level to the east side, and thus keep up the supply while the vessel was operating as a dam. It had been determined however, to build a new aqueduct with a depth of fourteen feet and a larger sectional area, so that when the work was completed it would be able for all time to come to take the largest vessels navigating the lakes. They would be obliged to excavate to a depth of sixteen feet at Port Colborne and Galop in order to secure navigation for vessels of fourteen feet draught, as allowance had to be made for low water and the operation of high winds blowing in a contrary direction to the canal, which would sometimes reduce the height of water two feet. It was necessary that the approaches should be made deeper. The entrance of the lock at Port Colborne, where the bottom was composed of hard rock, would be dangerous were this not done, as it would be almost fatal for a vessel attempting to pass through in low water. The works were of so vast a character that those who had not visited them could scarcely comprehend the magnitude of the difficulties to be surmounted, and he was surprised that anyone should imagine that the engineering department had not prosecuted them with as much speed as was practical or possible. It would have been possible probably to have done a little more, but certainly not in a profitable manner. The contractors had barely time to carry out their contracts, and, although many of them had been

tolerably successful in adhering to the time, it was scarcely possible for most of them to finish the works in the time originally set by the Government. Everything possible was being done toward the construction of the Lachine and the Welland Canals, although there was no particular hurry for the latter. The works on it were placed under contract rather in a hurry with a view to utilising the cheap labour to be obtained at the time and to afford employment to a large number of labourers in a time of depression. He hoped that hon. members would take a reasonable view of these matters. While they did not object to, but rather invited a free expression of opinion on the subject, he thought the course of the Government in regard to those works would be ultimately approved by the community generally.

Mr. KIRKPATRICK said the hon. the First Minister had misunderstood him if he thought he desired to view this matter in any other but a business light. He merely desired to call the attention of the House to the fact that petitions had been presented to the effect that the works were not progressing as fast as was to be wished; and, in order to show that that opinion was not confined to the political opponents of the hon. gentleman, he quoted from the *St. Catharines News*, a paper which warmly supported the Government. He did not complain of the works under contract, but what he desired to explain to the House was that it had been said, and he believed the hon. the First Minister admitted it, that some of the most important works in connection with the whole system of canal improvement had not been put under contract. He was glad one announcement had been made, that the remaining works were soon to be put under contract.

Mr. BLAIN said, in justification of the position the hon. the Premier had taken in reference to this matter, he might state that when the deputation waited upon that hon. gentleman it was distinctly understood that if the depth was increased to 14 feet the canals could not be completed as early as if 12 feet was adhered to. He believed that it would be much more in

Mr. MACKENZIE.

the interests of the country to wait for 14 feet than to get the 12 feet now. His object in moving for the return was in order to check the report and not with a view of finding fault.

Mr. MACKENZIE said it was utterly impossible for a return to be made to enable anyone to check the Engineer's estimate. This was an approximate estimate; they could not get the quantities without minute instrumental surveys and borings in all those places. They had always found Mr. Page's estimates exceedingly accurate and close, as a rule. There was no question about the estimate for the Welland Canal, as that was almost exact.

Mr. BLAIN said, if the Government had not the data on which to make the returns, he did not desire to put the country to additional expense. If the hon. gentleman wished, he would withdraw the motion.

Mr. MACKENZIE said he did not ask the hon. gentleman to withdraw the motion. They might be able to bring down some interesting statements; at any rate, he would do the best he could.

Sir JOHN A. MACDONALD said it was always objectionable for a Government to promise a return which it could not make. Although there might be an understanding that certain information could not be furnished, yet that was forgotten afterwards, and the Government was held responsible for what they did bring down.

Mr. MACKENZIE said the Government had always endeavoured studiously to avoid publishing engineer's estimates, as they were confidential documents. Although, in this instance, they might be reasonably accurate, as far as the surveys enabled them to ascertain, yet they were still approximate, and not for the guidance of any contractor tendering for the work.

Motion agreed to.

House adjourned at  
Ten minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 29th March, 1877.

The Speaker took the Chair at Three o'clock.

### EASTER ADJOURNMENT.

*Resolved*, That, when the House adjourns at its present sitting, it shall stand adjourned until Monday, April 2nd, at 3 o'clock, p.m.

### RECEPTION OF REPORTS.

#### TIME EXTENDED.

*Resolved*, That the time for the Reception of Reports of any Standing or Select Committees upon Private Bills, be further extended for one week.

### TRURO AND PICTOU BRANCH RAILWAY TRANSFER BILL.—[BILL No. 82.]

(*Mr. Mackenzie.*)

#### THIRD READING.

Mr. MACKENZIE moved the third reading of the Bill.

Mr. MITCHELL said that, when this Bill was in Committee, he stated the objections he had to its passage as it now stood. If he thought he could attain any success he would have moved to throw the measure out, but, as he felt the Government had resolved to carry the Bill, he would not take up the time of the House by a motion of that character. He did not propose that this property should pass out of our hands with the knowledge that ere long we would have to pay a large sum of money annually for its use. He moved in amendment:

"That the Bill be not now read the third time, but that it be referred back to a Committee of the Whole, with instructions that they have power to add to Clause 1, the following proviso:—

"Provided always that there is hereby reserved to the Government of Canada, free of cost, the absolute right and free use of the said railway for the purpose of transporting coal or other supplies and materials, required for the maintenance and working of the Intercolonial and other Government Railways."

The reasons which influenced him to bring this before the House were as follows:—This branch was one of the most important feeders of the Intercolonial Railway that we had. There

was no line of railway in the Dominion, outside of the Grand Trunk, which would give so much traffic or profit to the Intercolonial as the Truro and Pictou Branch. It connected the town of Truro with the Intercolonial, and there were immense coal fields in the neighbourhood through which it passed. From this coal field, the Intercolonial Railway obtained cheap supplies of fuel. They all knew that the great lines of railway, east of Kingston at all events, and even he might say east and west of Toronto, were gradually departing from the consumption of wood, as not only more expensive but also far more dangerous and troublesome, owing to the sparks it gave off, than coal, which was moreover cheaper. And one would naturally suppose that the Government would desire to keep under its control the means of supplying that without which a railway could scarcely be run. In the eastern part of the Dominion there were but three great coal deposits; in the county of Cumberland, through which the Intercolonial passed; in the county of Pictou, with which the railway in question connected the Intercolonial; and in the Island of Cape Breton, which would be impossible now to utilize for the use of Government railroads. The first-named was of comparatively limited extent, at all events as far as yet developed, compared with the Pictou field. One would have imagined that the Government would have been naturally inclined to reserve within its own control the power of holding this line of railway, and to avoid a monopoly falling into the hands of the Springhill Mining Company, or other such companies in that district. The effect of the transfer would, practically, be to place the Government at the mercy of the road. He might be told that the Government reserved running powers over the line, but he did not think that the section in question was as comprehensive as it ought to be. The necessary power might be possessed under the General Railway Act, but, whether this was the case or not, he contended that, as the country must depend on the Pictou region for supplies of fuel for the Government railways, it was not desirable that the

only railway of 60 odd miles in length, which connected the Intercolonial Railway with this coal field, should pass out of its hands. It should be retained for the benefit of the greater line, connecting the Atlantic sea-board with the interior. Even assuming that the Government possessed the powers necessary to run cars over the road, he held, in the second place, that it was unwise for them to place themselves in the position of having to pay any company for the use of a road which they gave away. He looked upon it as a suicidal policy on the part of the Government to give up a line which had cost the country one or two million dollars, as an additional compensation to Nova Scotia, without any consideration whatever. What would be the next step? Doubtless his hon. friend from Westmoreland would ask that the line from Fredericton to Grand Lac should be subsidized by the grant of the road from Shediac to St. John, or the hon. member from Queen's, N.B., might make a similar proposal, and why should not the one be done as well as the other? He would not be at all surprised to find his hon. friends from Queen's, Sunbury or Kent asking that the road from Shediac to St. John be given to aid in building the several lines projected for their own counties, and was the House prepared to extend the same liberality in their regard? With what kind of justice could the House or Government refuse such a request? He thought that such a course would encounter serious objection on the part of the people of New Brunswick. True it was that the management of the Intercolonial Railway was satisfactory. The large majority believed that the line was administered with very great cost and not in the interests of the country; but, bad as was this state of things, he considered that it was preferable to seeing the road pass into the hands of a private company, and the whole business of the chief commercial centre controlled by private persons, who were not amenable to public opinion and not controlled by Parliament. When he saw how the large majority of members sustained the Administration, he had very little hope of his

resolution being carried, no matter how much justice and sound reason it comprised, or how much the interests of the country might be affected by its defeat. If he stood alone, however, he was bound to divide the House on the question. The company, moreover, could scarcely object to the propriety of the rider he proposed. It might be very convenient for Sir Hugh Allan, who controlled one whole coal mine and part of another, and for other capitalists interested in coal mines, to get hold of the best railway property which the country possessed. No other road in the future, if in the present, would give so good a return for the outlay; and yet it was to be given away without adequate consideration, and a large sum would have to be paid annually to convey coal over this line for the Intercolonial Railway. He considered it his duty to present his views to the House, and to leave the responsibility of sanctioning the transfer to the Chamber. If his motion were carried, it would not defeat the object in view, and there would be no breach of faith, as the bargain made was subject to the approval of Parliament.

Mr. MACDONNELL said the hon. member for Northumberland (Mr. Mitchell) had the other evening attacked the whole Bill, but, having been informed by one of the members of the late Government that he had been a party to a similar resolution, he (Mr. Mitchell) shifted his ground and attacked the resolution in flank. The amendment proposed had, however, only one purpose, and this was the defeat of the Bill. He would refer to one or two points to shew how contumacious and groundless were the arguments of the hon. gentleman. The hon. member said that this line was a feeder to the Intercolonial Railway, but was not the hon. gentleman aware that the extension of the road eight miles farther would tap the Island of Cape Breton, which had nearly one-third of the population of Nova Scotia, and also the Strait of Canso with its great shipping and trade. This would tend to add to, rather than diminish, the traffic of the Intercolonial Railway. The distance from the mines to Truro was about

forty, not sixty miles; and the line would only be used on very rare occasions to carry coal from Pictou to the Intercolonial, owing to the existence of coal at Springhill. But, if it were otherwise, would this be a sufficient argument to justify the House in rejecting the Bill, and preventing the Government from adopting a measure which had for its object the fostering of the prosperity of the whole Province of Nova Scotia, and particularly of the great portion of it lying east of this road. It would, besides, cost the Government but a very small sum indeed to convey coal over this road for the Intercolonial. The hon. gentleman said that the people of New Brunswick would oppose any similar transfer, but they were in this respect very different from the people of Nova Scotia, who were a unit in favor of this transfer. He believed every member from Nova Scotia also favoured it, and consequently the hon. gentleman's argument in this respect did not hold good. He hoped that the House would oppose and reject the amendment.

Mr. POPE (Compton) said he was astonished at the moderation of the amendment. The question was one of very great importance to this Dominion. In every Province, he thought, it had been decided that provincial railways should be built by the Provinces themselves. If the road was of the importance stated, the Province would build it. If the provincial bonus of \$8,000 a mile, besides a large land grant, was not sufficient, it ought not to be built. But now it was proposed to give the Truro and Pictou Branch of the Intercolonial Railway as a Dominion subsidy, in addition. The Province of Quebec had to build its own railways, and he saw no reason why the Province of Nova Scotia should receive the equivalent of millions to help it to build a road. He was quite aware that there was not a Province in the Dominion which was so favoured as the Province of Nova Scotia. He had to confess that the matter looked very curious, and there must be a large influence brought to bear against the Government to induce them to depart from their policy. He protested against the action of the Government. He would vote for the

amendment, though he did not think it strong enough.

Question put, and amendment (Mr. Mitchell) *negatived*, on the following Division:—

YEAS:  
Messieurs

Benoit	Lanthier
Bernier	Little
Blanchet	Macdonald (Kingston)
Bowell	McDougall (Three Riv.)
Caron	McKay (Colchester)
Cimon	Macmillan
Colby	McCallum
Costigan	McCarthy
Cuthbert	McQuade
Daoust	Mitchell
Dewdney	Moffat
Farrow	Monteith
Ferguson	Montplaisir
Flesher	Palmer
Fraser	Plumb
Gaudet	Pope (Compton)
Hibbs (North Ontario)	Roy
Gibbs (South Ontario)	Stephenson
Haggart	Thompson (Cariboo)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)
Langevin	Wright (Pontiac).—44.

NAYS:  
Messieurs

Appleby	Huntington
Archibald	Kerr
Béchar	Killam
Bertram	Kirk
Biggar	Lafamme
Blackburn	Lajoie
Bain	Laurier
Blake	Macdonald (Centre Toronto)
Borden	McDonald (Cape Breton)
Borron	MacDonnell
Bourassa	Macdougall (East Elgin)
Bowman	McDougall (S. Renfrew)
Brouse	Mackenzie
Brown	McCraney
Bunster	McGregor
Burk	McIntyre
Burpee (St. John)	McIsaac
Burpee (Sunbury)	McLeod
Carmichael	McNab
Cartwright	Metcalfe
Casey	Mills
Charlton	Norris
Church	Oliver
Cockburn	Paterson
Coupal	Perry
Cunningham	Pettes
Davies	Pouliot
Dawson	Power
DeCosmos	Ray
DeVeber	Richard
Dymond	Ross (West Middlesex)
Ferris	Ryan
Fiset	Scatcherd
Fleming	Short
Flynn	Smith (Peel)
Galbraith	Smith (Westmoreland)
Gillies	Thompson (Haldimand)
Goudge	Trow
Greenway	Tupper
Guthrie	Vail
Hagar	

Mr. POPE.

Hall  
Higinbotham  
Holton  
Horton

Wallace (Albert)  
Wood  
Young.—38.

Bill read the third time, and passed, on a Division.

BREACHES OF CONTRACTS BILL.

[BILL No. 66.]

(Mr. Blake.)

THIRD READING.

Amendments made in Committee of the Whole to Bill, read the first and second times and agreed to.

Mr. BLAKE moved the third reading of the Bill.

Mr. WHITE (North Renfrew) moved in amendment:

“That the Bill be not now read the third time, but be referred back to the Committee of the Whole House to amend by striking out of the first section the following:—All those parts of sections 4, 5, 6, 7, 8, 9, 10 and 11 of the Act of 1875, Consolidated Statutes of Upper Canada, entitled an Act respecting the Masters and Servants Act.”

He said he would not add to his former remarks, except to say that the amendment proposed by the Minister of Justice, that this clause should not take effect until 1st May, 1878, with the view of giving an opportunity to the Local Legislature of the Province of Ontario to pass such an Act as might meet the objections which he had to the clause—that this amendment did not give a sufficient guarantee for what he wanted. He, therefore, placed his protest on record.

Question put, and amendment (Mr. White, North Renfrew), *negatived*, on a Division.

Bill read the third time and passed.

ONTARIO MARITIME COURT BILL.—[BILL No. 41].

(Mr. Blake.)

CONSIDERED IN COMMITTEE.

Order for House to resolve itself into Committee on Bill (No. 41) To establish a Court of Maritime Jurisdiction in the Province of Ontario, read.

Mr. KIRKPATRICK said he did not intend to oppose the Bill, as was understood by many hon.

members. It had been his duty in former Sessions to introduce, for the consideration of the House, a resolution declaring it to be advisable and expedient to extend to the inland waters of Canada a more speedy remedy for the collection of certain claims against vessels. He also founded upon that resolution, after it had been carried, a measure which he had introduced for several Sessions in succession, but which had always met the determined opposition of the hon. member for Chateauguay (Mr. Holton), who, by putting forward various rules of the House, had always succeeded in killing it off. He (Mr. Kirkpatrick) must congratulate the hon. the Minister of Justice upon bringing down the measure, which he believed would be received with much satisfaction by a large number of people in Ontario, and for which they would give the Government due credit. There could be no question that in a Province like Ontario, where so many commercial men owned vessels, and where so many people were employed in navigating inland waters, great interest was felt in the subject. The step which had been taken, although an unusual one in some respects, that of establishing a new Court, and of introducing a new set of laws, would be found beneficial. The law which it was proposed to introduce, while new on this side of the line, was not new on the south side of the waters which passed through Ontario. There the astuteness of the American people had led them many years ago to introduce, above tide water, the very provision which the Government of this country, at this late hour, had seen fit to introduce. While there might be some question as to the kind of Bill which should be introduced, he thought upon the whole the Minister had adopted a wise course in introducing a Bill which with one sweep would establish in Ontario the maritime laws as they existed upon the seas, instead of introducing different Bills, as was the case in some of the American States, to meet different cases. It was better that the old established laws should be put in force, as advantage could then be taken of the decisions given. Although the processes of this Court

might not be used as processes of other Courts were, yet it would be of great advantage, because there was a remedy to put them in force, and because people, whose rights would be affected, knew that they could invoke the protection of the law. This fact being known would bring about in many cases, a settlement of the claims out of court. Every person acquainted with the towns upon the lake shore, knew that there were a great many instances, especially during the last few years, of seamen, after trading all the summer on vessels, being informed at the end of the season that the owners were bankrupt and that the vessels were mortgaged; and the seamen in consequence could not get a dollar in return for their summer's labour. In other cases wealthy men chartered vessels to persons or firms of no means whatever, to whom it was useless for the mariners to look for their wages. Another class of cases was where men supplied the vessels with necessaries, particularly wood and coal, and had no remedy in the collection of the debt. The Bill also applied to ship-carpenters and steamfitters making repairs, working on vessels that were mortgaged. The Bill in a great many cases would give the remedy sought for; and the knowledge that that remedy existed would often prevent a Court process being sought for, and would bring about a settlement of the claims. But there were claims for necessaries which would not come under the Bill. He thought it would be desirable to give a lien for these necessaries supplied to vessels, whether the owners of the vessels were resident in the Province or not, and the same remark would apply to building, repairing and equipping. But, by this Bill, as now introduced, these two classes of claims would not constitute liens upon the vessel. There would be a lien for wages, for towage, for salvage and for pilotage, but none in the case of necessaries supplied, or in the case of building, equipping or repairing, where the owners or part owners were resident in the Province. He would be glad if the hon. the Minister of Justice could allow an amendment in this respect. The other point to which he

would call attention and which he had reason to hope would be acceded to, was, that of limiting the time when those claims should be put in force. Ship-owners took a deep interest in the Bill, and many were afraid that the process of the Court would be abused, or at least would be abused so as to injure their property and depreciate it to some extent. He did not think their fears were well-founded, but, in order to prevent any possibility of that coming true, he suggested that a clause should be inserted in the Bill limiting the time for the enforcement of the lien to a period of 90 days—that if the claim were not prosecuted, or some steps taken to enforce it within 90 days, it should have no force under this law. This would enable owners to know within a reasonable time, what claims there were on which it was intended to take liens. Another matter to which he desired to call the attention of the hon. the Minister of Justice was in regard to disputes between owners of vessels regarding ownership, employment or earnings of vessels. Cases might arise in which it might be necessary to adjudicate upon those cases. At present, there was no Court in Ontario fully competent to consider that question. The number of vessels was daily increasing and their division into shares, and it became difficult for the ordinary Courts of Ontario to deal with disputes between owners as to the appointment of masters and similar points. He had known cases in which one of the owners had taken forcible possession of the vessel, causing a breach of the peace to be imminent. In the case of vessels registered in the Province of Quebec—and many of the vessels trading on the lakes were registered at Montreal—the Bill would not apply; and he, therefore, suggested that this subject should receive the consideration of the hon. the Minister of Justice.

Mr. PALMER said that, as the question of the Dominion Parliament dealing with Canadian shipping, instead of the Imperial Parliament, was the most important subject he brought before the House last Session, he felt called upon to make some observations. He was glad to observe that the legislation had assumed its present form,

Mr. KIRKPATRICK.

because he held that if this Parliament had the power to pass this Bill, his former contention with respect to the power of the Canadian Parliament over shipping must also be conceded. If the Act went into force it would have this effect, that any vessel in any tidal waters in any part of the world, having been in collision with and caused damage to any other vessel, the moment it came within the jurisdiction of this Court, it could be seized and the claim for damages could be enforced here. That jurisdiction, which it was proposed in the Bill to give to Ontario, was exercised by the Vice-Admiralty Courts in the Eastern Provinces, those courts enforcing the Imperial laws relating to ships in those Provinces. Unless the Imperial authorities would concede to Canada the right to legislate equally broadly in Quebec, New Brunswick and Nova Scotia, he could not understand by what principle it could be conceded in the case of Ontario. He agreed that it would be a great anomaly that where a vessel on the great lakes came into collision with another vessel on the south side of the lake, and a maritime lien was created, it could be enforced in the United States, but, if the collision occurred on this side, it could not be enforced. It made no difference where the act was committed or the debt created, whether in the waters of Nova Scotia, Alaska, or the waters of Europe, the moment the vessels got within the jurisdiction of the Court, proceedings could be instituted if the Bill should have the force of law, as it should have. He regretted he had not had time to peruse the correspondence between the Dominion and Imperial Governments; but he wished the hon. the Minister of Justice to consider how it was possible to ask the Imperial Government to give to the Dominion Parliament the power to legislate in the manner proposed with respect to Ontario, and thereby allow the Canadian Parliament to legislate with respect to ships that happened to come within the jurisdiction of Ontario, the Imperial Parliament legislating with respect to all other ships in the Dominion. It was an anomaly that could never be submitted to by this country. The result of such a position of affairs must be to

carry out the principle that Canadian ships and ships of all nations within Canada must be governed by the Dominion Parliament. It was a question of the greatest importance to this country, in working out the great future which he was satisfied there was before it. When the shipping of Canada was placed in its proper position in regard to shipping laws the Dominion would become one of the greatest maritime powers of the world. He looked forward to that day. Whatever industry might flourish, there could not be a shadow of doubt that, with proper legislation, the shipping would become one of the largest and most important interests, not only in the Dominion but in the world.

Sir JOHN A. MACDONALD said he noticed that the Bill did not apply to any portion of the waters of Lower Canada.

Mr. BLAKE said there was power to exercise jurisdiction, but on account of inconvenience it was not exercised.

Sir JOHN A. MACDONALD said the commission of the Vice-Admiralty Judge was and was meant to extend only to such portions of the Province of Quebec to which the Vice-Admiralty jurisdiction would apply, as was the case in England. The Court of Vice-Admiralty had exclusive jurisdiction within those limits to which the jurisdiction extended. The difficulty he saw in regard to Ontario was that before the present measure very many of the subjects of controversy were within the jurisdiction of the local Courts. This measure did not oust the Courts of Ontario from their present jurisdiction. They would have all the rights they now possessed, and a conflict of jurisdiction might arise. Actions might be brought in both Courts. The Legislature of Ontario had the power to deal with very many of the subjects which this Court would have jurisdiction over. Then, if any rights were created by the Ontario Legislature, this Court must try those cases. This Court was framed under the British North America Act which provided that, notwithstanding the power given to the different Provinces with regard to criminal jurisdiction, the general Parliament could establish a Court of Error and Appeal and ad-

ditional Courts to administer the laws of the Dominion but not to administer the laws of any of the Provinces. He hoped the hon. the Minister of Justice in the preparation of the Bill had fully weighed how and to what extent the Bill would interfere with the jurisdiction of the Courts in Ontario.

Mr. BLAKE said he was not the first person to consider that difficult subject. The hon. the Minister of Justice in 1869, who occupied his position and was also Premier of the Government, brought down a Bill to establish a Supreme and Exchequer Court, in which was the following clause as No. 58:—

“The said Supreme Court shall also have and possess exclusive jurisdiction in Admiralty in cases of contract and tort, and in proceedings *in rem*, and *in personam*, arising on or in respect of the navigation of, and commerce upon the inland navigable waters of the Dominion, above tide water, and beyond the jurisdiction of any now existing Court of Vice-Admiralty.”

There could be no doubt it was his (Mr. Blake's) duty to consider the difficulties to which the right hon. member for Kingston had referred, as the right hon. gentleman had discharged that duty himself when he prepared and submitted to Parliament the clause which he had read. The right hon. gentleman could have arrived at that conclusion only on the one principle, that the legislative power of Canada to deal with the subject of shipping, navigation, trade, and commerce, entitled it to pass laws which practically involved all the subject matters contained in that clause. The right hon. gentleman, moreover, proposed to oust the Courts of Ontario from exercising jurisdiction in all classes of cases covered by the Bill. He agreed with the right hon. gentleman that the Dominion Parliament could oust those Courts from their local jurisdiction. But knowing there was a large and useful, though imperfect, jurisdiction exercised as to many of those subjects which would come under the Vice-Admiralty Court, and as respecting some of those subjects the common law jurisdiction exercised by the ordinary Courts was found more convenient, he thought it was the better and more prudent course

not to attempt to oust the Courts in Ontario from exercising jurisdiction. He did not think there would be any conflict of jurisdiction, but there would be concurrent jurisdiction. In Queen's Bench, Chancery and Common Law there was concurrent jurisdiction and no conflict was found to arise, and if after a time it was thought desirable to make that jurisdiction exclusive which was now concurrent, it could be done. The right to petition *in rem*, the new principle which was being introduced, was a class of cases over which the local Courts would have no jurisdiction, and in which there could be no conflict of jurisdiction. With regard to the observations of the hon. member for St. John (Mr. Palmer), he might say that he largely shared the views of the hon. member with respect to the jurisdiction of Parliament. If he did not, he (Mr. Blake) would not propose the present Bill, which, he hoped, would do something to carry out the views they shared in common.

Mr. PALMER said that there could be no conflict of jurisdiction between the Courts, for there was concurrent jurisdiction in New Brunswick, and such difficulty did not arise. If the principle were once conceded that we had a right to deal with collisions on the high seas, then, surely, the Canadian Parliament could deal with collisions in its own waters, and give jurisdiction to a Court over such cases. If the Dominion Parliament could legislate on the subject at all, there could be no limit placed to its legislative powers. He thought it was impossible for the Dominion to create a Court that could administer the laws of any particular Province. Under the British North America Act they could not create any Court of original jurisdiction except to execute the laws of Parliament.

Mr. HOLTON said it would be very great presumption on his part, of which presumption he would not be guilty, to speak on the purely technical points raised, but there were some points to which, as a practical man, he might address himself very briefly. He was struck very much by the argument of his hon. friend for St. John (Mr. Palmer) when he first addressed the House

**Mr. BLAKE.**

in respect to the anomalous position in which the Bill would place us. They ought, he thought, to deal with this whole subject—on the coast, up the Gulf of St. Lawrence and all through the Dominion, but, while there might be obstacles in the way of obtaining that jurisdiction, he failed to see what valid reasons there could be for not including the piece of land from Cote des Lacs to Montreal within the scope of the Bill. Montreal was, in fact, the port of the Province of Ontario; it was the destination in fact of all vessels likely to come within the jurisdiction of this Vice-Admiralty Court. This was a great anomaly which perhaps this Bill was the first step towards redressing. The Bill failed to cover the ground which ought to be covered; except as a first step we would probably be better without it than with it.

Mr. MITCHELL said he might add a few words endorsing the remarks of the hon. members for St. John (Mr. Palmer) and Chateaugay (Mr. Holton.) Between the Province line and tidal waters in or about the vicinity of Three Rivers collisions were numerous. The greater portion of the commerce of the St. Lawrence passed between Montreal and Three Rivers, and he thought the Bill ought to extend to the Province of Quebec the same facilities which he proposed to give to Ontario. He saw no reason why they should not pass a law for the inland waters, or why a portion of those inland waters should be exempt from the operation of the Bill.

Mr. BLAKE said he would explain that in Committee.

Mr. KIRKPATRICK said he would call the attention of the hon. member for Chateaugay to the fact that the jurisdiction would be exercised, no matter where a case arose.

Mr. HOLTON: Having no Court of our own, that makes no difference.

Mr. KIRKPATRICK: The jurisdiction of the Vice-Admiralty Court of Quebec, according to the decisions, extends beyond the tidal water.

Mr. HOLTON: But if they do not exercise it?

Mr. KIRKPATRICK: Then the business must all come to Ontario.

Mr. CARON: I have no doubt but that the jurisdiction of the Vice-Admiralty Court extends to the whole Province of Lower Canada.

Mr. BLAKE: It did not formerly, but recent law has extended the jurisdiction.

House resolved itself into Committee of the Whole on the said Bill.

(In the Committee.)

Sir JOHN A. MACDONALD called the attention of the hon. the Minister of Justice to the first clause of the Act. He thought the Legislature of this country could not pass a law to be administered by the Vice-Admiralty Court of Quebec.

Mr. BLAKE: I suppose not.

Sir JOHN A. MACDONALD: The Vice-Admiralty Court of Quebec is governed by the same laws as in England.

Mr. BLAKE: It has statutory jurisdiction as well.

Sir JOHN A. MACDONALD said if it was the case that the Court could not administer any laws passed by this Parliament, his hon. friend would then see that in this clause the rights arising out of cases of contract or tort, the remedies would be only the same as would be exercised in any existing Vice-Admiralty Court.

Mr. BLAKE said his purpose was to put all persons who had vessels on the inland waters in precisely the same position as if there were a Vice-Admiralty Court extending to those waters. If they could introduce new maritime rights and remedies by Act of Parliament, they could of course provide for their administration by this Court. The powers to be conferred would be simply supplementary.

Section 1 agreed to.

On Section 2,

Mr. BLAKE said he proposed to make some amendments. After the word "shall," he proposed to insert the words, "be a Court of record," which was simply to make it expressly a Court of record. He then proposed to add two sub-sections intended to meet such

points raised by his hon. friend from Frontenac (Mr. Kirkpatrick) as he was able to yield at this time. The Court under the first and second sections, as they stood, would not be able to deal with the cases touching the ownership, profession, employment, or earnings of ships, registered out of Ontario. The second sub-section he intended to insert, would make the law apply to ships registered in Quebec engaged in navigating the inland waters. This did not, however, extend the jurisdiction to vessels not engaged in navigating these waters. He had adopted the third sub-section with some degree of hesitation. It had reference to the period at which the lien should cease. As hon. members knew, under the Maritime Law, there was no specific period at which the lien should cease. It was within the discretion of the Judge to say whether due diligence had been used. This sub-section provided that no right or remedy *in rem* given by this Act should be enforced against any purchaser or mortgagee of a ship, unless such enforcement was made within 30 days of the time when such rights accrued, but this did not exclude the right of the Court to determine whether due diligence had been used or not.

Mr. WOOD said a very important item had been left out of the Bill. A number of people who furnished supplies to vessels had no remedies against the vessel, but had to sue the owners in Civil Courts. He thought that those parties ought to have the same right of lien upon a vessel as a carpenter had upon a house.

Mr. BLAKE said the law was proposed to be made just the same with reference to the extent of maritime liens as it was all the world over. He thought the Committee would agree with him that, in introducing a law providing for new and hitherto unknown liens, they ought not to provide a more stringent law than that which was the commercial law of the world on the subject. If, afterwards, it was found to be advisable in the interests of ship-owners and suppliers to establish a lien as suggested it would be easy to do so. He would not like

now to propose an additional lien which might fetter the transactions of ship-owners very much, and which would not be sanctioned by any maritime law in the world and certainly not by that of England.

Mr. PALMER said he quite agreed with the principle of the amendment suggested by his hon. friend from Frontenac and introduced by the Minister of Justice. One consideration, however, had not been noticed with regard to liens. If a lien existed and the vessel was found within the jurisdiction of the Vice-Admiralty Courts of the Lower Provinces, it would be enforced, but not in this Court.

Mr. BLAKE said practically Ontario vessels were not touched by the Vice-Admiralty Courts below.

Mr. PALMER: Still a class of vessels could not be reached.

Mr. BLAKE: Of course it is possible.

Mr. KIRKPATRICK said he was obliged to the Minister of Justice for adopting his amendment. He thought ninety days was the best period for the duration of a lien. He did not anticipate any trouble with relation to the objection made by the hon. member for St. John (Mr. Palmer). Ontario vessels did not trade or come under the jurisdiction of the Vice-Admiralty Court of the Province of Quebec. With vessels making long sea voyages, it was perhaps impossible to fix any period, but with vessels on inland lakes the circumstances were different, the time taken on their trips being brief.

*Section agreed to.*

Mr. MITCHELL objected to the system of appointing assessors as cumbersome and disadvantageous. He thought it would conduce much more to the efficiency and simplification of the business of these Courts, if the method of calling experts, as adopted in the ordinary Courts of law, was followed.

Mr. BLAKE said the system of employing assessors was advantageous. The Judge could summon them when he deemed it necessary.

Mr. MITCHELL said the system of assessors did not work well, in his experience of the working of Admi-

rality Courts. Assessors did not bear much responsibility; they sat with the Judge; and they could not be examined and cross-examined as were experts in the Civil Courts. He had had to pay dearly for his experience, and he thought that the system should be abandoned.

Sir JOHN A. MACDONALD said, as he understood it, the Judge was not bound by the report of the assessor, which was simply submitted for his guidance. The present system of assessors was infinitely better than that of calling in casual experts. They knew what this meant. Engineers, architects, etc., were summoned on each side, and they swore against each other, while assessors were officers of the Court, selected at the discretion of the Judge, who had no interest in the cases tried before him.

Mr. CARON said that, as one practicing before the Admiralty Court, he would be very sorry to see the system of assessors abolished. They were of great service, and he had never heard any commercial men make any objection to them.

Mr. MITCHELL said, if his hon. friend from Kingston considered assessors so valuable, why did he not use his influence to have them employed instead of experts in other Courts? The system of using experts worked very well, and gave satisfaction. He had had a great deal of experience in these matters, and he held that experts should be employed in order that they might be examined under oath.

Mr. PALMER said he concurred, to a considerable extent, with the hon. member for Northumberland. Assessors were not employed in his Province at all. Assessors, in some respects, fulfilled the functions of jurors in Common Law Courts. He submitted to the Minister of Justice whether the system ought not to be changed. Assessors had particular views as to what ought to have been done, and, as counsel did not know what they were, they could not meet them with evidence. These gentlemen hardly ever gave reasons for their opinions, and the Judges of the Privy Council, on appeal being taken, constantly said: "We do not know exactly how it was, but the

**Mr. BLAKE.**

assessors were skilled men, and they may have seen something which we do not understand," and the appeal was unsuccessful. This was the English of it. It was better to have everything done openly and above board. He confessed he was very much impressed with the practical ideas of the hon. member for Northumberland. If the entire responsibility were thrown upon the Judge, it would certainly be more satisfactory on the whole.

Bill, as amended, *ordered* to be reported.

House *resumed*.

Bill *reported*.

## PAYMENT OF ACTIVE MILITIA BILL.

### FIRST READING.

House *resolved* itself into Committee to consider the following resolution:—

"That it is expedient to make provision for the payment of the cost of transport of the Active Militia when called out in aid of the civil power, and also to provide that the reasonable cost of calling out the Active Militia in certain cases in aid of the civil power may be in whole or part reimbursed out of moneys to be provided by Parliament."

(In the Committee.)

Mr. BLAKE said the proposition was two-fold. Under the existing law, which provided that the militia might be called out by a local authority in case of a riot or disturbance of the peace beyond its power to suppress, the municipality was liable to pay the militia. A municipality might collect a certain rate prescribed by the Statute; it was also liable to pay the officers a reasonable price for their lodging, if lodging was not provided. But no provision was made for the payment of transport, although the law authorised the municipality to call the militia out anywhere. While it was essential that a wider power should exist as to calling out the militia to a certain point, it was very unreasonable that there should be no provision for the payment of transport. Rapidity of motion was most essential, and, if the militia was called out, as on a recent occasion, from Toronto to

Belleville, and brought down by train, it was obvious that the municipality which called them out ought to be liable to pay for the transport. The second proposition was that it was convenient in certain circumstances for the transportation to be paid for by Canada. This was expressly intended to meet such a case as recently occurred, where a railway carrying mails passed through a municipality, and a riot or disturbance took place which obstructed the passage of the mails, and which was beyond the power of the municipality itself to quell, and the object of the riot was not merely local. He did not wish by this proposition to break into the principle of a municipality paying for the militia which it called out. When the papers were brought down with reference to the Grand Trunk strike it would be found that there were two cases in which municipalities asked the company, in reply to applications for the calling out of the militia, whether they would pay for them.

Sir JOHN A. MACDONALD enquired whether the Bill would deal with the case of Provincial Governments calling out the militia.

Mr. BLAKE replied in the negative, and said the whole subject was one eminently worthy of consideration, when the Bill which he would introduce on the subject was before the House for the second reading.

Resolution *agreed to*, and *ordered* to be reported.

House *resumed*.

Resolution *reported*, read the first and second times, and *agreed to*.

Mr. BLAKE introduced a Bill (No. 102) To make further provision for the payment of the Active Militia when called out in certain cases in aid of the civil power.

Bill read the first time.

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

**After Recess.****GAMBLING IN PUBLIC CONVEY-  
ANCES PREVENTION BILL.**

[BILL No. 56].

*(Mr. Blake.)***SENATE AMENDMENTS CONSIDERED.**

Amendments made by the Senate to the said Bill *considered*, and further *amended*.

**EMPLOYMENT OF PRISONERS  
OUTSIDE OF JAILS BILL.—**

[BILL No. 94.]

*(Mr. Blake.)***SECOND READING.**

Mr. BLAKE said for some time representations had been made in various quarters as to the expediency of permitting, under certain circumstances, the employment of prisoners without the walls of jails, and the hon. member for West Toronto (Mr. Robinson) had introduced a measure for the purpose last Session. He (Mr. Blake) had felt great hesitation then, and up to a late period, in making any provision for that, but the difficulties were so great that he thought some effort ought to be made to meet them. In the Province of Ontario, at all events, the sentence of hard labour was, as a rule, a farce. There was hardly any provision for hard labour in the ordinary jails. The prisoners were kept in idleness, and there was no means of enforcing the sentences. His difficulty was that the jails were generally situated in, and sometimes in the heart of, the towns. The labour upon which the prisoners were sometimes proposed to be employed was labour on the streets or in public in that way, and, except for comparatively hardened criminals, there was something calculated to degrade any prisoner so employed in the presence of the free people of the country. He did not think labour of that kind was as likely to be productive of improving results to the prisoner as that kind of labour which he should be glad to encourage as far as possible, labour on a farm or

**Mr. BLAKE.**

something of that kind more in the country. Still the representations made by several county councils had been very strong, and, though he believed this measure would have a comparatively slight effect, not at all commensurate with what was expected, he had thought it right to introduce it. A large portion of the persons it was desired to employ without the walls were confined for breach of provincial laws and for first offences. This Bill did not, of course, propose to authorize the employment of persons outside the jail unless they were sentenced for a breach of the Criminal Law of Canada, and it proposed to confine the permission to a person sentenced to a second term of imprisonment after previous conviction for breach of Canadian or Provincial law. The spirit of this proposal had already been adopted by Parliament. Some years ago, after the establishment of the Central Prison, and in confirmation of an Act of the Local Legislature of Ontario, an Act was passed by this Parliament authorising the employment of prisoners there without the walls. A good deal of the present Bill was borrowed from the measure of the hon. member for Kingston on that subject.

*Bill read the second time.***BETTING AND POOL-SELLING  
REPRESSION BILL.**

[BILL No. 95.]

*(Mr. Blake.)***SECOND READING.**

Mr. THOMPSON (Cariboo) said he thought some parts of this Bill were very hard, and would prove practically inoperative. If a man made a bet and recorded it in his betting-book, he would be liable to imprisonment for a year, and a penalty of \$1,000. The Minister of Justice might not be a betting man, and he (Mr. Thompson) did not profess to be one, but anyone must know that, at any horse race, foot race, or boat race, bets were always made to a certain extent, but, if they were only for a dollar or 25c., this Act would inflict a penalty of \$1,000. This was going

backwards—going back to the Blue Laws of Connecticut, when persons were fined for violating the moral law. If the Minister of Justice did not move amendments in Committee, he (Mr. Thompson) would move the six months' hoist.

Mr. BLAKE: The hon. gentleman has not yet convinced me. I am open to conviction.

Sir JOHN A. MACDONALD: A good many persons will be open to conviction under this Bill.

Mr. BLAKE stated that the Act did not apply to persons who had paid the money to the winner of the race, or owner of the horse. He had so much respect for the sport of horse racing as not to propose the extreme law passed in the Legislature of one of the principal States, which would appear to prevent a wager being paid to the successful person or owner of the horse; but the English Law contained a proviso similar to that in this Bill. The object was to prevent the recording and registering of betting upon races by persons who were not the owners of the horses.

Sir JOHN A. MACDONALD said they had passed a law yesterday, making a person who obstructed a railway train liable to three months' imprisonment, or a \$100 fine, while a person who made a bet was to be imprisoned for a year or fined \$1,000.

Mr. BLAKE said the Bill was directed chiefly against pool-selling. A person informed him the other day that, on the results of one local election, \$30,000 passed through the hands of one pool-seller. If so profitable a business could be affected, it could only be by a very heavy fine. A law recently passed in the States made the penalty two years or \$1,000. He had thought it better to leave the discretion in the hands of the Judge.

Mr. POPE (Compton) said he thought the provisions of the Bill unreasonable, and that his hon. friend (Mr. Blake), if he lived ten years longer, would find that the people would laugh at this sort of thing.

*Bill read the second time.*

POST-OFFICE ACT AMENDMENT  
BILL.—[BILL No. 96.]

(Mr. Blake.)

SECOND READING.

Mr. BLAKE said to a certain extent this Bill had been discussed in advance, and he did not think he need trouble the House with any further explanation. The Act was amended to meet such cases of obstruction as had recently occurred.

*Bill read the second time.*

House resolved itself into Committee on the said Bill.

(In the Committee).

On Section 1,

Mr. BOWELL said the hon. the Minister of Justice had interpreted the Act as not applying to railways. If, in conveying mails in the rural districts, the highways were blocked and the fields had to be used, would the Act cover an obstruction in that case.

Mr. BLAKE: The obstruction in that case would be caused by the act of God in making the snowstorm.

Mr. BOWELL: But I am talking about the obstruction of the mail.

Mr. BLAKE: Who would obstruct the mail?

Mr. BOWELL: Who obstructs it here?

Mr. BLAKE: That case is not provided for.

Mr. BOWELL; Neither was the railway in the Act. Either from your stupidity or mine I cannot make myself understood. You have introduced this Bill to provide for the word "railroad" not being in the Act, and I have pointed out a case in which obstructions might arise in the fields.

Mr. BLAKE: That case is not provided for; and I disagree with the hon. gentleman's view that it ought to be provided for. At any rate I do not intend to ask that it should be provided for.

Mr. BOWELL: The propriety or impropriety is a matter for the hon. the Minister of Justice to consider, but the case I have suggested is not

an improbable one. Perhaps a future Minister of Justice may deem it proper to make such a provision.

Section *agreed to*.

Bill *ordered to be reported*.

House *resumed*.

Bill *reported*.

### ADULTERATION OF FOOD, DRINKS AND DRUGS BILL.

[BILL No. 86.]

(*Mr. Laflamme.*)

#### SECOND READING.

Mr. LAFLAMME said the original Act provided against the adulteration, by the introduction of a foreign substance, and the amendment was to meet a great many cases where the adulteration arose from the extraction of the essential element.

Bill *read the second time*.

House *resolved* itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Bill *ordered to be reported*.

House *resumed*.

Bill *reported*.

### INLAND REVENUE ACT AMEND- MENT BILL.—[BILL No. 91.]

(*Mr. Laflamme.*)

#### SECOND READING.

Mr. LAFLAMME said the object of the amendment was to prevent illicit distillation, and it provided against the manufacture or importation of stills without a license.

Bill *read the second time*.

### MONTREAL HARBOUR TOLLS BILL.—[BILL No. 90.]

(*Mr. Smith, Westmoreland.*)

#### THIRD READING.

Bill *read the second time, considered* in Committee of the Whole, *read the third time, and passed*.

Mr. BOWELL.

### JOINT STOCK COMPANIES IN- CORPORATION BILL.

[BILL No. 67.]

(*Mr. Cartwright.*)

#### CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee of the Whole to consider Bill (No. 67) To amend the law respecting the incorporation of Joint Stock Companies by letters patent.

(In the Committee.)

On Section 4,

Mr. JONES (South Leeds) said he thought notice should be given in this relation in the local papers as well as in the *Canada Gazette*.

Mr. CARTWRIGHT said similar publication had to be made in the *Ontario Gazette* to the best of his recollection.

Mr. JONES said he believed very few persons saw the *Canada Gazette*. It would be well to give one month's notice in one of the local papers.

Mr. BLAKE said he did not see any necessity for it.

Section *agreed to*.

On Section 94,

Mr. YOUNG asked the hon. the Minister of Finance if he had come to any decision in regard to the clauses which were struck out of the Private Bill in Committee, relating to the amalgamation of companies. He understood the hon. gentleman was to consider whether those clauses should be put in the general Act. The general sentiment of the Committee was favourable to the insertion of the clauses; but it was felt that if they could not be admitted into the general Act they could not be allowed in a Private Bill. He could see no objection to them on public grounds. The clauses had been very carefully drawn.

Mr. JONES (South Leeds) asked why they were not brought before the Committee on Banking and Commerce.

Mr. YOUNG said they were introduced in a Private Bill. He thought there could be no objection on public grounds to the amalgamation of these companies under proper restrictions.

Mr. CARTWRIGHT said the clauses came up after this Bill passed through the Committee. They provided for precautions being taken similar to those which related to the amalgamation of two banks. Special meetings had to be held, notice was to be given, and the shareholders of the respective corporations must agree to the arrangement. Other precautions were also mentioned. He was not disposed to object to them on general principles. Probably there existed more of these companies than were necessary to carry on the business of the country in this respect. It might be advantageous to give these powers. One of two things should be done: they either should be inserted provisionally in the Bill, to be more fully considered on the third reading, or they should be put on the notice paper as amendments to be proposed at the third reading.

Mr. BLAKE said the clauses should be so framed as to chime in with the provisions relating to all the other revolutionary subjects proposed. If his hon. friend would put a notice on the paper in this connection, probably there would be no difficulty in disposing of them at the third reading of the Bill.

Mr. YOUNG said he would take this course. The Chairman of the Committee seemed to think that they fitted in with the general character of the Bill, and he was inclined to the same opinion.

Section agreed to.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendments read the first and second times and agreed to.

NORTH-WEST TERRITORIES ACT  
AMENDMENT BILL.—[BILL No. 74.]

(Mr. Mills.)

SECOND READING.

Bill read the second time.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Mr. MILLS moved to amend the second section by adding the following sub-section:—

“The Governor-General in Council may, from time to time, appoint an administrator to execute the office and functions of Lieutenant-Governor during his absence, illness or other inability.”

He said that these words were taken from the British North America Act.

Amendment agreed to.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendments read the first and second times and agreed to.

House adjourned at  
Thirty minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Monday, 2nd April, 1877.

The Speaker took the Chair at Three o'clock.

MARTHA JEMIMA HAWKSHAW  
HOLIWELL DIVORCE BILL.

[BILL No. 93.]

(Mr. Cameron.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 93) For the relief of Martha Jemima Hawkshaw Holiwell.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported.

NATIONAL INVESTMENT COMPANY  
INCORPORATION ACT  
AMENDMENT BILL.

[BILL No. 97.]

(Mr. Blain.)

SECOND READING.

Bill read the second time.

## QUEBEC SCHOOL OF NAVIGATION.

### QUESTION.

Mr. BLANCHET, in the absence of Mr. ROY, asked whether it was the intention of the Government to provide, in whole or in part, for the maintenance of the School of Navigation which had recently been established at the port of Quebec by the Local Government of the Province of Quebec, for the theoretical education of young sailors.

Mr. SMITH (Westmoreland) replied that such was not the intention of the Government.

## ST. PLACIDE VILLAGE WHARF, OTTAWA RIVER.

### MOTION FOR PAPERS.

Mr. DAOUST moved for copies of correspondence had in 1875, between the Government and Mr. B. J. Bertrand and other persons of the parish of St. Placide, in the county of Two Mountains, and of all documents sent to the Department of Public Works, during that year, in relation to certain works to be done on the Ottawa River, near the wharf built opposite the said village of St. Placide. He said that a petition with regard to this work had been sent to the Government in 1875, signed by a large number of persons. He desired to call the attention of the Government to the matter, for he thought it highly desirable that the prayer of the petitioners should be acceded to. The request was also supported by Captain Shepherd, who was well known on the Ottawa River. If the work would be expensive, he would have been the last man to urge that it should be undertaken, but, far from this being the case, it would not cost over a few hundred dollars at the outside. The removal of two or three feet at the point in question from the bottom of the river would suffice for the needs of navigation. A great deal of grain and other freight from several parishes in the neighbourhood—St. Placide, St. Scholastique, St. Augustin, &c., were placed on the boats calling at this wharf, and it was

Mr. MILLS.

desirable that the improvement asked for, in the interests of navigation, should be acceded. He saw, in a letter dated the 21st August, 1875, written in reply to the request made to learn whether the petition presented by Captain Shepherd had been taken into consideration, the Government stated that the work was not as yet ordered to be done. But it was not declared that it was the intention of the Government to do so. In another letter, dated 7th September, 1875, in reply to a communication asking for the use of a dredge, the Government stated that at the time they could not accede to the request as they had no such vessel at their disposition. He hoped that the Government during the approaching season would secure dredges, and have this work executed, as it could be done very easily and at slight cost. He also trusted that provision would be made for the purpose in the Supplementary Estimates, and further that the Government would learn from Captain Shepherd and others whether it was desirable. He wished to know if it was possible to find out whether the prayer of the petitioners would be granted.

Mr. MACKENZIE said he had no objection to the motion. He could not at the moment say anything about it, or give the reasons for or against dredging the particular part of the Ottawa River to which the hon. gentleman referred. He could only say that he would look at the Engineer's reports and papers, and ascertain whether it was one of the works for which the Government would be justified in asking for an appropriation.

Mr. DAOUST said that, under the circumstances, he would withdraw his motion.

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

## St. AUGUSTIN PARISH POST OFFICE.

### MOTION FOR CORRESPONDENCE.

Mr. DAOUST moved for copies of all documents and correspondence in relation to the appointment of a new Postmaster for the parish of St. Augustin.

tin, county of Two Mountains, and to the change in the location of the post-office of the said parish, during the year 1875. He said he was sorry to be obliged to reproach the Government for their action in this respect. A notary, Mr. Paquette, had for some years acted as postmaster in this parish, and was succeeded by a merchant, who acted as deputy-postmaster, and who lived in the house Mr. Paquette occupied. Later, Mr. Paquette sold his property, and Mr. Ouellette, who was the purchaser, became deputy-postmaster. This gentleman so acted during six or seven years, giving unqualified satisfaction to the public and to Mr. King, the Post Office Inspector. In 1875, Mr. Paquette's health became very bad, and he desired to resign his position, and recommended one of his political friends for appointment as postmaster. Thereupon, the residents of the parish, to the number of 120 or 130 at least, signed a petition, urging that Mr. Ouellette should be named postmaster, and this was sent to the Department of the Postmaster-General. It was also desired that the post-office should remain in its old position, which was very central, and where it had been for thirty years. In December, 1875, the residents, however, perceived that a grocer who had lately arrived in the place was preparing to act as postmaster. To the petition sent, no answer was received, but, on the 31st March, Mr. Paquette wrote to Mr. Ouellette informing him that Mr. Desjardins had been appointed postmaster. There could be no other reason for this step than a desire to give an appointment to a political friend, and at the same time to take away a position from a political opponent. He wished to learn what influence had been brought to bear upon the Government to induce them to take this step. The petition in question had been signed by the adherents of both political parties and by persons of various nationalities. He could not understand why the Government had not granted a petition which was so just in its nature.

Mr. MILLS said there was no objection to the passage of the motion. It seemed that the late postmaster of this parish had resigned in January, 1876,

and Mr. Desjardins was appointed his successor on the 4th February, 1876. A petition in favour of the appointment of Mr. Ouellette was sent to the Department, but Mr. Desjardins had been recommended to the Postmaster-General, and was considered the more suitable person. He understood that the place where this post-office was situated was not very populous, and that its present was not over one hundred yards from its previous position. The hon. gentleman was mistaken in supposing that the Government was bound to appoint any one to whom a postmaster had sold out his business, or who had been named to act as deputy. The appointment and the consequent responsibility rested with the Government.

Mr. DAoust said the distance of the present location of the post-office from that it formerly occupied might be only a few hundred yards. This, however, was not the question. The present site, moreover, was not so central as the late one. He desired to know why a petition signed by some two hundred people had been disregarded. If Mr. Globensky, the late member, had recommended the recent appointment he would have said nothing about the matter. Mere justice had been demanded. Mr. Ouellette had acted as the deputy for many years, and occupied the only place fit for a post-office in the village; consequently, he wished to learn the cause of the Government's action in this regard.

*Motion agreed to.*

#### PURCHASE OF LANDS IN PRINCE EDWARD ISLAND.

##### MOTION FOR PAPERS.

Mr. PERRY moved for papers showing what amount has been paid by the Dominion Government for the purchase of lands in the Province of Prince Edward Island, up to date, in accordance with Terms of Union.

*Motion agreed to.*

#### THE POSTMASTER AT THE MOUTH OF THE NERIPIS.

##### MOTION FOR PAPERS.

Mr. PALMER, in the absence of Mr. DOMVILLE, moved for all papers,

reports and correspondence in connection with the dismissal of J. Murray Nase, Postmaster, at the mouth of the Neripis, Kings Co., N.B.; also, for the petition from the inhabitants in the district in respect to the same.

*Motion agreed to.*

#### APPOINTMENT OF HARBOUR-MASTERS AT QUEBEC PORTS.

##### MOTION FOR RETURN.

Mr. LANTHIER, in the absence of Mr. GILL, moved for a return indicating the names and date of appointment of harbour-masters at Sorel, St. Johns, Three Rivers and Lachine, in the Province of Quebec, and also giving a detailed account of all fees collected by said harbour-masters since the 15th of April, 1875, up to this date, under the authority of 38 Vic., chap. 30, amending 37 Vic., chap. 34, together with the names of the ships on which such fees have been levied, in each year, and the names of the masters of those ships.

*Motion agreed to.*

#### MALT TAKEN OUT OF BOND.

##### MOTION FOR RETURN.

Mr. ROCHESTER moved for a monthly return of the malt taken out of bond each month from 1st July, 1876, to 28th February, 1877. He said certain reports were going round to the effect that everything had not been done on the square in regard to the increase of duty on malt, and his object in moving for the return was to learn what quantity of malt had been taken out of bond monthly during the year. It was stated that hints had been given to particular friends that it was well not to have too much malt in bond, and that in consequence more malt had been taken out of bond last month than during the previous ten or eleven months of the year. Maltsters generally had a bonded ware room, a privilege given by the Government, but there were a number who did not keep a ware room, but paid for the malt as they took it off the pile. The resolution increasing the duty was passed on the morning of the 20th, but the duty was collected from the 15th. He knew

**Mr. PALMER.**

that the excuse would be made that the first half of the month was payable on the 15th, but he did not think the Government were justified in imposing the duty from the 15th when the law did not go into force until the 20th. He was not prepared to say that the rumour he referred to was correct, but the statement he moved for would show the quantities of malt taken out of bond during each month of the year.

Mr. MACKENZIE said the hon. gentleman had stated that he was not prepared to say whether the rumour was correct, but he had no business to mention such a rumour unless he was prepared to prove it. If the hon. gentleman or any one acting for him undertook to endorse such a statement, they would soon find themselves where he (Mr. Mackenzie) was putting other parties for circulating rumours in that connection. It was a scandalous offence for any man to give circulation to such rumours, and it was quite wrong for any one to assume they were correct, and to speak in the manner in which the hon. member had done.

Mr. ROCHESTER said he was careful, in mentioning the rumour, to state that he did not endorse it. He simply gave it as a rumour.

*Motion agreed to.*

#### CASCUMPEC HARBOUR.

##### MOTION FOR REPORTS.

Mr. PERRY moved for the Report on improvement of Cascumpec Harbour, Prince Edward Island, made by H. F. Perley, Esq., C.E., in 1874. He said the importance of this harbour to the western end of the Province was so great that at the time of Confederation it was brought prominently before the Department of Public Works, and in 1874 an Engineer was sent down to report on the possibility of improving it. About 40 years ago there were 18 feet of water in the harbour, but the new gap had the effect of reducing the depth to 10 feet. The people had been made to believe, and had good reason to expect and hope, that the Department would have taken this matter under consideration this Session, but he found that no provision was made in the Estimates for the improvement. Last Session, he

was informed, when he called attention to this question, that the Government were not then in a position to commence new works. He understood, however, that it was likely to be taken up this year, and he trusted the hon. the Minister of Public Works would see his way clear to putting a sum in the Supplementary Estimates sufficient to carry out this improvement as suggested by Mr. Perley.

Mr. MACKENZIE said the papers asked for would be brought down, but they would be found simply to convey a general idea of the nature of this harbour, the great importance of which he admitted. It would, however, be observed, when the report came down, that, without dredging the outer as well as the inner harbour, and probably filling up one of the gaps made by the sea, very little could be accomplished. The Engineer estimated that it would require \$50,000 for those preliminary works in order to produce good results. This was one of those pieces of engineering which the Government engineers found it difficult to grapple with. The Government had placed \$10,000 in the Estimates to improve the harbour of Malpec which was situated further east, and, when the contemplated improvements were made on St. Peter's Bay, which was still further east, the north shore would be furnished with fair harbour accommodation, and vessels drawing from 10 to 14 feet would obtain access to the Cascumpec. He hoped that in some future year they would be able to make some provision to render this harbour more accessible and valuable. He was afraid that the prospect for doing anything this year was not very good, as any small sum would be thrown away; and the amount required was so large that he could scarcely venture to ask the House to vote it at present.

*Motion agreed to.*

## COURT HOUSE AND GAOL FOR KAMOURASKA.

### MOTION FOR STATEMENTS.

Mr. POULIOT moved for—

1st. A statement of debentures issued by the Government of Canada for the purchase of a building for the court-house and gaol

of the district of Kamouraska, and for the rebuilding thereof after the fire;

2nd. A statement of the cost of the said building, of the rebuilding thereof, and of the maintenance thereof since;

3rd. A statement of the amounts levied by taxes imposed on said district for the building and prison fund, up to the 30th June last;

4th. A statement of the amounts paid on the said debentures and interest, shewing the amount, if any, remaining due on the said debentures, and, if there be nothing, then how much has been collected over and above the amount of the said debentures and interest.

Mr. MACKENZIE said he was sorry the Finance Minister was not present. He had observed the motion, and all he could say was that the Government had none of the papers with respect to the gaol or court-house of Kamouraska or any other Lower Canada gaols. But he had no doubt that means could be found to obtain a good deal, if not all, of the information asked for, and the Government would endeavour to bring it to the notice of the hon. gentleman.

Mr. POULIOT said he was satisfied with the statement made.

*Motion agreed to.*

## BREAKWATER AT POINT ESCUMINAC.

### MOTION FOR PAPERS.

Mr. PALMER, in the absence of Mr. MITCHELL, moved for a return of all petitions, papers, and correspondence had with the Government or any of the Departments, by or from the inhabitants of the county of Northumberland, in the Province of New Brunswick, in relation to the necessity of a breakwater for the protection of fishermen at the easterly side of Point Escuminac. He said he believed the hon. member for Northumberland was induced to make the motion by reason of the dangers to which the fishermen on the east coast of New Brunswick and the Gulf of St. Lawrence were subjected. Around Point Escuminac there was a great deal of fishing by small vessels, and, owing to the violent and oft-recurring storms, many lives were annually lost. It was important, therefore, that the Government should build a breakwater for the protection of the fishermen.

*Motion agreed to.*

## LIFE-SAVING STATIONS IN BRITISH COLUMBIA.

### RESOLUTION PROPOSED.

Mr. DECOSMOS moved:

“That it is desirable to establish life-saving stations on the west coast of Vancouver Island, on Queen Charlotte’s Islands, and on the mainland of British Columbia, north of Fort Rupert, to succour shipwrecked mariners and to protect their lives against the murderous attacks of savage tribes of Indians.”

He said he rose for the object of calling the attention of the Government to a matter that was of material importance, not merely to our own people, but to the people of the United States, whose ships traversed the North Pacific. Along the whole west coast of Vancouver Island, there was but one trading station, and but one missionary, a Catholic priest. Small vessels occasionally went up the coast to trade. All along the coast were large numbers of savage Indians, who, following out their barbarous instincts, murdered the crews of ships that had been wrecked. The latest act of cruelty was the murdering of a missionary. Much the same state of things existed on the Charlotte Islands, the Indians there, with the exception of a few who had been brought under the influence of civilization, being as savage as any on the north-west coast. As an illustration of this matter he would read from the *Victoria Colonist*, of a year or so past, a report of what had happened to an American steamer, which ran from Portland, Oregon, to Alaska, carrying the United States mails:

“The steamship ‘George S. Wright’ while crossing Queen Charlotte Sound encountered a most terrific gale, with the sea running mountains high. The vessel endeavoured to keep her course, but a huge wave broke over her, putting out the fires. Immediately afterwards the boiler exploded and in a short time the steamer sank. In the meantime the boats were lowered, but, with one exception, the boats were instantly swamped. The fortunate, or rather unfortunate, boat contained fifteen white persons and the Wakana Indian, and reached one of the two small round islands in Queen Charlotte Sound in safety. At night those saved lit a fire and went to sleep. The fire attracted a party of Wakana Indians who, in conjunction with their tillikum who had been saved cut the throats of the white men while they were asleep, mutilating their bodies in a frightful manner,

Mr. PALMER.

and afterwards threw their bodies into the water. The disaster occurred close to where portions of the wreck were washed ashore..

He thought the Government ought to do something in the shape of appointing agents among the Indians around that coast, who would prevent the Indians from indulging in such conduct, and who would make it their business to do all in their power to save the lives of mariners who might be cast upon the shore. It might be said that the Provincial Government should make it their duty to attend to this; but it could be hardly expected that the Provincial Government, with its limited revenue, could afford to appoint magistrates and agents and pay them sufficient salary to induce them to live among the Indians. This was a duty which devolved upon the Department of the Interior. Although British Columbia had been six years in the Confederacy, there had been only two Indian agents appointed by the Dominion Government, one in Victoria and one in New Westminster. Considerable money might have been spent among the Indians of British Columbia, and spent he believed judiciously; but, as the Indians were treated as wards of the Government, a great deal of good could be done by appointing agents among the tribes on the coast. The United States Government had it under consideration to appoint agents along their coast from San Francisco, a distance of 750 miles. He took it that there ought to be reciprocity in this matter, and that, as they afforded protection to our commerce, we ought to do something to protect theirs.

Mr. MACKENZIE said he presumed all that the hon. gentleman desired was to call the attention of the Government to the subject. While he admitted that the subject was an exceedingly important one, he did not think the House ought to be asked to pass such a resolution in advance of the information which the Government would have to obtain before they could develop any particular policy. He had observed the report which the hon. gentleman had quoted from the *Victoria* paper, and other matters of the same kind also had from time to time come under the notice of the Government, one case in particular, where one

of Her Majesty's vessels was despatched along the coast in consequence of a crew being ill-treated. The Government would, of course, consider any representations which the hon. gentleman or anybody else might make with reference to the desirability of making further provision for the protection of life and property in that part of the country. He could only say that the Government would consider what had better be done, but they were not prepared to say anything definite regarding the matter.

Mr. DECOSMOS asked leave to withdraw the resolution, in the hope that the Government would give the question consideration.

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

## DUNDAS POST OFFICE SAVINGS BANK.

### MOTION FOR PAPERS.

Mr. BAIN moved for a return of the papers and correspondence respecting the loss sustained by depositors in the Savings Branch of the Dundas Post Office through the absconding and default of the late Postmaster, Mr. Thornton, in April last. He said the gentleman in question, in the latter part of April last, suddenly left Dundas. One of the depositors in the Savings Bank branch of the post-office had experienced some difficulty in obtaining payment on a deposit, and she wrote to the Government, drawing attention to the matter. The Department sent the Inspector to ascertain where the difficulty existed. He did not wish to attach any blame to the Inspector for not at once arresting Mr. Thornton, for the reason that there appeared to be only one small item wrong, which the postmaster asserted was susceptible of satisfactory explanation if he were able to go to the office, the postmaster being at that time at home unwell. When the Inspector had taken his word of honour in that respect, and had left for a short time, the postmaster found it convenient to depart from the vicinity at once, and it was presumed that he crossed the boundary into the United States. An investiga-

tion of his affairs showed that, while he had carefully administered the ordinary post-office business, yet, when the books of depositors in the Savings Bank were examined and compared with the official records, it was found that considerable discrepancies existed; he had apparently carefully gone over the depositors and selected that class for his victims who had little or no business capacity. Quite a number of them, to his knowledge, were unable to either read or write, and knew nothing of the necessity of complying with the regulations imposed by the Post Office Department for the security of depositors. He secured himself in this manner. On receiving deposits from those whom he defrauded, he entered the true amounts in the deposit books of the parties, attaching the post-office stamp and date as required by law, but failed to make a correct return to the Department of the amount so deposited with him, he selecting the deposits made by uneducated persons who fully trusted him, on the ground of his having been postmaster for many years, and formerly local manager of the Ontario Bank. The postmaster was, moreover, a man who was well known and respected in the locality, and a pleasant and agreeable person in his manner. It was provided in the Post Office Regulations that, if depositors fail to receive, within ten days, an acknowledgment from the Post Office Department at Ottawa for the amount of their deposit, then they should apply to the Postmaster-General to ascertain the cause of the delay. This case was, he believed, the first of its kind which had occurred in connection with the Post Office Savings Bank, and it showed that the very regulation adopted as a protection to depositors, was, by a clever and unscrupulous man, turned in such a way as to enable him to carry out a process of plundering, which, he had reason to believe, had continued during several years. He personally knew that some of the parties who had had deposits in the post-office during two or three years, handed their deposit-books to the postmaster as required once a year to have the interest computed; after the lapse of two or

three weeks he returned them to the depositors, assuring them the books had been at Ottawa, that he had received the interest for them, which he handed over, and that the matter was quite correct. The postmaster then returned the books to the parties, frequently, in their presence, putting them in envelopes and sealing them up, telling them that the matter was all right until that time next year, and the people went unsuspectingly on their way. There was one case of peculiar hardship. A person residing in his immediate vicinity had a brother sick in California who desired to return to Canada for the benefit of his health. This person, who could not read nor write, went to the postmaster and gave him \$100, which he agreed to forward to his brother, charging him, in addition, the cost of the money-order; but Mr. Thornton quietly put the money in his pocket and never sent it. He wondered why he did not hear from his brother, but continued expecting his return. The consequence was that nearly a year elapsed before he became aware of the facts of the case; and, when he was able to raise another sum of money to send to his brother, the sick man was unable to come home, and found a grave by the way. On examining the list of depositors who were defrauded, he found that the total amount misappropriated reached between \$7,000 and \$8,000, and that out of fifty-eight depositors no less than thirty-two were females, of whom a large number were widows, who naturally placed great trust in an official having a good reputation and occupying a Government position. He felt, notwithstanding the fact that those depositors had failed to comply with the particular regulations which were unquestionably established for their protection, that if ever there was a case in which individuals had a strong claim on the lenient consideration of the Government, it was the case of these depositors. The money appropriated comprised literally the hard earnings and savings of those who were not in a position to defend themselves; if they had been business men he would have had no sympathy for them. But they had no knowledge of business require-

**Mr. BAIN.**

ments, and he felt the Government might justly, therefore, step aside from the absolute routine of business, and meet the fair and strong claims which those female depositors had on them. Under these circumstances, he brought the matter under the notice of the House, not for the purpose of casting imputations on the Government, for he had been courteously treated by the Postmaster-General in representing their claims for his consideration, but because it was only just to himself and those parties who were interested that a statement of the hardship involved should be made, and to show that the regulations provided for the purpose of making depositors absolutely safe could be made effective in depriving that unfortunate class of depositors—the uneducated—of the very protection for which that particular branch of the Post Office system was established. He felt, in connection with the subject, that, if the parties had gone to the savings branch of an ordinary banking institution, and taken the action they did with Mr. Thornton, viz., deposited the money and received the ordinary receipt, the stockholders would, in case of any default of an officer, have been held responsible for the payment of those claims, not only to the amount of their stock, but for an equal additional amount. Under the exceptional circumstances the depositors, whose case he had submitted to the House, had a very strong claim on the Government for a favourable consideration of their case, and he hoped they would yet receive it at their hands.

Mr. MILLS said the Government could not allow the matter to pass. The matter was still under the consideration of the hon. the Postmaster-General, and it was impossible to bring down the papers. There was no objection to giving the hon. member a statement of the losses, if he agreed to it.

Mr. BAIN said he had no desire to place the Government in an awkward position. Through the courtesy of the hon. the Postmaster-General, he had been furnished with a statement of the names of the individuals and the amount of their losses. Under the circumstances, he would ask leave of the House to withdraw the motion.

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

## POSTMASTERSHIP OF ERIN VILLAGE.

### MOTION FOR PAPERS.

Mr. ORTON moved for copies of all correspondence and papers in reference to the dismissal of Mr. Wm. Cornock, from the Postmastership of Erin Village, in the county of Wellington. He said it would appear that Mr. Cornock, who was instrumental in establishing the post-office at Erin Village 35 years ago, had occupied the position of postmaster since that time. It was reported in the neighbourhood that the reason why Mr. Cornock had been dismissed was because he was a Conservative and an opponent of the hon. member for South Wellington, and that the dismissal had been recommended by that hon. member. It was important that the people of that locality should know whether there were just grounds for such conclusion. It appeared that Mr. Cornock in the year 1856 took into his employ Mr. Carberry, who so remained until 1871, when he entered into business for himself and continued to act as deputy-postmaster. He would read to the House a statement of facts as presented:

“ Mr. W. McDowell, barrister, having gone to the Centennial Exhibition, left Mr. James McArthur in charge of his law office. McArthur called at the post office regularly for McDowell's letters and obtained them, until a registered one came. Carberry thought he would not be justified in giving this up without an order from McDowell and therefore refused to do so. McArthur persisted in his demand, but as Carberry still refused, he left the office, returning the following morning and repeating his demand. Carberry stuck to his decision and as McArthur kept on bothering him, Carberry ordered him out of the store. It is understood that McArthur at once set to work to procure his revenge, the result being that shortly afterwards, Mr. Stevenson, from the Post Office Inspector's Office, Toronto, went to Erin to investigate the matter. While there he saw Cornock, Carberry and McArthur, and also Charles Ferguson, who was in the post office when Carberry ordered McArthur out. Nothing more was heard about it by either Carberry or Cornock until the latter received the following letter:—

“(Private.)

“ POST OFFICE INSPECTOR'S OFFICE,

“ TORONTO, 30th Nov., 1876.

“ DEAR SIR,—In consequence of your inability to give your personal attention to the duties of Postmaster at Erin, the Postmaster

General deems it advisable to call upon you to resign the Office, and I am instructed to intimate his desire to you. You will therefore address to the Postmaster General a letter of resignation of your office as Postmaster at Erin, and please forward it under cover to me.

“ Yours truly,

“ M. SWEETMAN,

“ Post Office Inspector.

“ Wm. CORNOCK, Esq., P. M., Erin.”

“ It will be noticed that nothing whatever was said in this letter about any charges of mismanagement, the only excuse being non-personal attendance. Mr. Cornock felt he was not being fairly treated and addressed the following letter to the Postmaster-General:—

“ ERIN, Dec. 5th, 1876.

“ DEAR SIR,—Your communication of the 30th November, requesting me to resign my position as Postmaster of Erin was duly received, and after giving it due consideration, I beg to decline doing so, for the following reasons:—1st. I have held the office for over thirty-five years, and was the first to have an office established here, and I don't think during that time there has been any defalcation in the office. As for my not attending to it personally, I think there are plenty of instances of the same all over the country. For instance, the Guelph office was conducted by a deputy for years, the Postmaster himself not living in the town. The person who discharges the duties of this office has done so for the last fourteen years, and, I believe, has given general satisfaction. I might say that if there is anything wrong in the way the office is conducted please let me know and I will endeavour to have it remedied but, as I said before, under the circumstances I must decline tendering my resignation.

“ Your obedient servant,

“ W. CORNOCK,

“ P. M. Erin.

“ THE POSTMASTER GENERAL,

“ Ottawa.”

“ Mr. Sweetnam again wrote Mr. Cornock as under:—

“ POST OFFICE INSPECTOR'S OFFICE,

“ TORONTO, 6th Dec., 1876.

“(Private.)

“ DEAR SIR,—On the 30th ult., I wrote you asking that you would address a letter of resignation of the Postmastership at Erin to the Postmaster General, and forward it under care to me, and in which I pointed out the reasons which would seem, in the estimation of the Postmaster General, to render this course advisable. Please let me hear from you in the matter without further delay.

“ Your obedient servant,

“ M. SWEETNAM,

“ P. O. Inspector.

“ Mr. W. CORNOCK, P. M., Erin.”

“ Mr. Cornock did not reply to this.”

It thus appeared that the only reason given for the dismissal of Mr. Cornock was the fact that he had not been able personally to perform the duties of postmaster at Erin Village. But it was well known to hon. members that there were many similar cases. It might be said that it would be well for the public service that the postmasters themselves should perform the duties, but such did not seem to be the policy adopted.

Mr. HUNTINGTON said the case was one in which the Post Office Department was bound to exercise supervision. From the report of the Inspector, who was well acquainted with post-office affairs, it was evident that the assistant postmaster should be got rid of. Mr. Cornock was asked to resign, and, as he would not do so, he was, of course, displaced. The hon. member for Centre Wellington (Mr. Orton) appeared to think there was some difficulty in the case with respect to the hon. member for South Wellington (Mr. Rymal), but he (Mr. Huntington) could assure the hon. gentleman that the matter was purely departmental; and no other interest except the public good was taken into account in the course pursued.

Mr. ORTON said it seemed that the only sin committed by the deputy-postmaster was the fact of his not giving up a registered letter.

Mr. HUNTINGTON said he had told the hon. gentleman, as he would learn when the papers came down, that he (Mr. Orton) was entirely mistaken. The deputy-postmaster was unfit for the place, and the postmaster being sick, had endeavoured to force on the Department a distasteful man.

*Motion agreed to.*

## TRANSPORT OF RAILS IN NEW BRUNSWICK.

### MOTION FOR PAPERS.

Mr. PALMER, in the absence of Mr. MITCHELL, moved for all letters, telegrams, accounts and other papers which have passed between Robert Moffat, of Dalhousie, N.B., and the Government of the Dominion, or any of its members or officers, in respect to the transport of cargoes of rails and other railway

Mr. ORTON.

materials from the vessels *Colonist Bessie Parker* and *Stabstadt*, which vessels arrived at the Port of Dalhousie in the summer of 1875; also communications with the masters of said vessels in reference to said materials, and more especially the communications between Mr. Peter Grant, district engineer of the Intercolonial Railway, and the said Robert Moffat; also copies of the charter parties under which said vessels carried said cargoes; also copies of all contracts and agreements for the transport and delivery of the cargoes of the said vessels from the port of delivery at Dalhousie to Camp belltown. He said that he was sorry that he was not more familiar with the circumstances of the case. He understood, however, that the vessels named were chartered on behalf of the Government to bring rails out to this country; that the place of delivery, according to the terms of the charter, was situated a considerable distance from where the rails were required; that they had to be landed at the place they were at or carried to the point where they were required, and that the Engineer or some persons connected with the matter, got Mr. Moffat to convey these materials and rails in scows, as otherwise the vessels would have been under demurrage to the Government and would have to pay a considerable sum. As he understood it, this was done under the impression that the Government would pay the bill; but, nevertheless, these claims had not been met. It was represented to him that the claim was of the clearest nature, in equity at all events, although perhaps a contract had not been formally entered into to secure delivery in the manner in which it was done. Unquestionably Mr. Moffat had done the service in question; and, if he did, he expended money for the benefit of the Government; and if so, he (Mr. Palmer) hoped that the Government would remunerate him (Mr. Moffat).

*Motion agreed to.*

## THE RICHELIEU RIVER FISHERIES.

### MOTION FOR PAPERS.

Mr. BENOIT moved for copies of all papers relating to the abolition of

the fisheries in the rapids of the Richelieu, in front of the village of the Canton of Chambly; of the report of the fishery overseer and of all correspondence of the Government with the proprietors of the said fisheries, and with any other person in relation thereto.

*Motion agreed to.*

## LAKES HURON AND SUPERIOR INDIAN ANNUITIES.

### MOTION FOR CORRESPONDENCE.

Mr. BORRON moved for all correspondence between the Government of the Dominion or any Department thereof and the Government of Ontario, in reference to the claim of the Indians on the north shores of Lakes Huron and Superior to the arrears of annuity under the "Robinson" Treaties.

Mr. MILLS said he must inform his hon. friend that this correspondence was not complete, nor in a condition to be brought down, as the hon. gentleman was undoubtedly aware the calculation of annuities was a very intricate and difficult matter. It would require very considerable care and attention to arrive at a proper result. It was utterly impossible for the matter to be taken up during the midst of the Session, and he thought he would have to tell his hon. friend that he would be unable to bring down these papers during the present Session.

*Motion agreed to.*

## INDIAN LANDS IN BRITISH COLUMBIA.

### MOTION FOR CORRESPONDENCE.

Mr. DEWDNEY moved for any correspondence between the Local and Dominion Governments during 1876, with reference to the adjustment of Indian Lands in British Columbia.

*Motion agreed to.*

## ONTARIO PERMANENT BUILDING SOCIETIES ACT AMENDMENT BILL.—(BILL No. 21.)

(*Mr. Hall.*)

### SECOND READING POSTPONED.

Order for second reading *read.*

Mr. BLAKE said he had only one suggestion to make with reference to this Bill. His hon. friend from Hamilton (Mr. Wood) had a Bill from the Senate on the Order Paper for the second reading, and it was intended to amend the Act to make further provision for the management of Permanent Building Societies in Ontario. He thought it would conduce to the convenience of building societies and of the public generally if all the legislation made during the same Session, at any rate with reference to permanent building societies, were embodied in one Bill.

Mr. HALL said he had no objection to such a course being taken.

Mr. BLAIN said he understood the Government intended to deal with the question. If this was the case, perhaps it would be as well to consider in Committee the Government Bill, and embody the whole legislation in one measure.

*Order postponed.*

## PACIFIC RAILWAY SURVEY EMPLOYÉS.

### ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cook, for an Order of House for papers, &c., in connection with the engagement of employés for the Pacific Railway Survey, *read.*

Mr. COOK said, when he made this motion, the hon. the leader of the Government was, unfortunately, not in his place, and he had the debate adjourned because in speaking to it he would be obliged to use language which would show a conflict between the constituencies of Collingwood and Sarnia, and he did not wish to make an attack on the hon. the Premier in his absence. The question alluded to in the motion was one of considerable importance to himself and a part of the constituency which he had the honour to represent. Some years ago a line of steamers ran from Collingwood to the northern ports of Lake Superior and Lake Huron. At that time this was considered a very necessary line for the transportation of immigrants

and for the shipment of supplies to the parties living on the north shore of Lake Huron and that vicinity. This line was composed of the Messrs. Beatty, who now owned the Sarnia line, and some other gentlemen who were now interested in the boats plying between Collingwood and Lake Superior. In 1871, Messrs. Beatty had a difference with the other parties, and they withdrew from the company and established the line now running from Sarnia, which was well fitted up, and was no doubt as capable for the requirements of the trade as the Collingwood line. They were men of great energy and perseverance, and had taken away a large portion of the trade of the Collingwood line. In every election contest in which he had the honour to participate, his political opponents insinuated that the hon. the Premier had used his influence to draw the trade away from Collingwood. As a representative of that place, and at the same time as a supporter of the Government, he had reason to believe that the accusation was entirely unfounded, and attributed the Sarnia trade to the personal efforts and energy of Messrs. Beatty. In 1874, however, when he had occasion to contest his constituency again, the charge was made that parties hiring men for the Pacific Railway survey, instead of embarking them by the Collingwood line, took them by the Sarnia line. It should be remembered that the persons engaged in hiring those men, some of them, at all events, were interested politically in that constituency. A great outcry was made that everything was being done to the injury of Collingwood and the benefit of Sarnia, and while he was anxious to contradict the charge, he had nothing on which to base his denial. The impression that something was wrong in this respect was so engrafted upon the minds of a large number of electors that, in 1874, he, as a supporter of the Administration, was defeated by a considerable majority. The charge, however, was not believed by the great mass of the people of Collingwood; and, as far as he was concerned, he had not the slightest idea that the hon. the Premier would stoop to anything so far beneath him. Even a large number of Conservatives

Mr. Cook.

in that section did not believe the charge, but were of the opinion that it originated with some designing individuals who was always on the alert, and particularly at election times, to raise cries of this character. He wished to have the hon. the First Minister state that such a discrimination against Collingwood was not contemplated by him, and that the Department had nothing to do with the matter, unless by the action of some subordinates who had no jurisdiction whatever in the case.

Mr. MACKENZIE said he was not aware of any one in his Department giving such order, and he certainly knew nothing at all about the business of either of the lines of steamships to which the hon. member had referred, further than that the one made its headquarters at Sarnia and the other at Collingwood. He recollected very well, on the representations of the hon. gentleman who had just spoken, telling the Deputy Minister of Immigration that he ought to see that both lines obtained as near as might be one-half each of the Manitoba immigrants who had been sent for the Government; and he believed that the Mennonites went in alternate squads or divisions to Collingwood and Sarnia. Indeed, if he were rightly informed, the Collingwood line obtained a very much larger share of the Government business than the Sarnia line—he thought in the proportion of 9 to 13—during the term of the present Administration. He could not conceive how any one could have made a charge of the character referred to by the hon. gentleman. In 1874, the Government thought it was much better to pay the engineers going to the North-West here, giving them the amount of their travelling expenses, and they were, therefore, at liberty to go by Collingwood or Sarnia just as they pleased. He trusted that the trade of the great North-West would be sufficient to maintain not only one line from Collingwood and another from Sarnia, but several lines from these and other parts of Western Ontario; and that there would be no jealousy between the different lines. The Government were bound to see that they or any of their officials did not use any influence in favour of one

line or the other. He knew nothing of the proprietors of either line, further than that it was said the Sarnia line belonged to Messrs. Beatty, and the other to certain gentlemen in Toronto, most of whom, he believed, were political friends of his.

Motion agreed to.

MEANS OF ESCAPE FROM DROWNING BILL.—[BILL No. 62.]

(Mr. Cook.)

SECOND READING.

Mr. COOK, in moving the second reading of the Bill to authorize municipalities to pass by-laws to provide means of escape for persons falling into the water in the vicinity of wharves and docks, said, if the House allowed the second reading, he intended to move for a Select Committee to consider the Bill.

Mr. PALMER said this Bill was a kind of successor to the Bill his hon. friend (Mr. Cook) brought forward every year. He believed the object was to force the owners of wharves to keep life-buoys in certain harbours. He thought the principle of the Bill had been explained to the House, and he saw no reason why this Parliament should be asked to grant powers to municipalities, which, it was perfectly clear, could be granted by Local Legislatures. He did not think the time of the House should be taken up with such a Bill.

Mr. BLAKE said, while the Bill, in its present shape, could not be entertained, there could be no doubt that this Parliament had jurisdiction over public harbours. Whether arrangements could be made that would meet the cases of all harbours and docks was one which should receive the careful consideration of the House before they could consent to the Bill. His hon. friend's proposition was to let down ladders along the wharves to the water, but whether this was a fitting plan under all circumstances he could not say, and it was questionable whether municipal corporations had such powers as would enable them to carry out this Act. While he did not desire to be understood as assenting to the pro-

position contained in the Bill, he thought it was fairly a matter which might go before a Select Committee. It was desirable that something should be done, but care should be taken that the remedy was not greater than the evil. No doubt there were many cases of loss of life annually, and the benefit of some remedy would be by no means insignificant. He hoped his hon. friend (Mr. Palmer) would not object to the second reading of the Bill, it being understood that the House was not, as a matter of consequence, committed to the Bill, but that it would be referred to a Select Committee.

Mr. PLUMB said the Bill, as it stood, was a very extraordinary one. He thought the objects sought by the provisions of the fifth section as to municipalities might be reached with much less machinery. While the provisions might be applicable to the Province of Ontario, they might not be applicable to the other Provinces. Then, the mode by which it was proposed to prevent the loss of life might do for some places and not for others, as, for instance, where there was a swift current. It seemed to him that the various conditions attached should be left to the exigencies of the different municipalities. A Bill of this kind should be placed under the charge of the Government, and the Minister of Justice should see that it came within the limits of the Statutes. He did not see, however, that there could be any objection to the Bill going before a Select Committee, although he doubted whether any general Bill could be framed which would meet the object sought. The hon. gentleman who introduced it must have strong reasons, or he would not so frequently have pressed the matter before the attention of the House, but it was due to the House that some explanations should be given.

Mr. BUNSTER said, as representing one of the largest and best harbours on the British coast, he deemed it his duty to enquire what kind of buoys were proposed to be erected.

Mr. DECOSMOS pointed out that on the Pacific coast there were animals in the water which destroyed wooden

piles in a very short time, and no doubt they would destroy the ladders also.

Mr. COOK said he understood that the House was already familiar with the explanations as to the Bill. In fact, the Bill itself would explain its object. He might say that he would be as much affected by the Bill as any other hon. gentleman in the House, as he owned a great many wharves. It would entail much expense to place ladders down to the water, but still he thought it should be done. The Select Committee would, no doubt, deal with the matter so as to make it as convenient as possible for parties owning docks. There was not a year in which some valuable lives were not lost in different parts of Canada by drowning. He could refer to several in the city of Toronto, where there were wharves the whole length of the city, and the water was five or six feet lower than the edge of the wharves. Not long since, a *Mail* reporter was drowned along the edge of the water. He had letters in his desk from several parties who were conversant with the matter, expressing the hope that the Government would take some action.

*Bill read the second time, and referred.*

PERMANENT BUILDING  
SOCIETIES ACT AMENDMENT  
BILL.—[BILL No. 101.]

(*Mr. Wood.*)

SECOND READING POSTPONED.

Order for second reading *read.*

Mr. WOOD said, at the request of several members, he would ask that the Bill be referred to the Committee on Banking and Commerce.

Mr. HOLTON said his impression was that the effect of this Bill would be to change very materially the Bill passed two or three years ago in reference to Permanent Building Societies.

Mr. WOOD: Not very materially.

Mr. HOLTON said the proposed Bill would increase the borrowing powers, and he thought it would be in contravention of the Government Bill which had passed its second reading, and which was referred to the Banking

and Commerce Committee, then brought back to Committee of the Whole, and now stood for its third reading. Of course, it was for the Government to decide whether they would allow the passage of a Bill which distinctly contravened the principle affirmed in their own Bill.

Mr. WOOD said the Bill asked for scarcely anything more as to the borrowing powers of building societies than they formerly held. They had now authority to borrow one-third more than their paid-up capital. It was not defined, however, whether this was to be on bonds or their own deposits. This Bill asked for double the powers, but confined it to one-half upon bonds and one-half upon deposits, and would actually give greater security than did the Bill of 1874. The Bill would not be out of conformity with the Government Bill, and surely the House could have no objection to its going to the Committee on Banking and Commerce. Of course, if the Bill was not in conformity with the Government Bill, it could be submitted to the House.

Mr. PALMER said he did not think the question of enlarging the borrowing powers of building societies should be left to any Committee to settle. He was opposed to any legislation in the direction of increasing this power, in view of what was occurring every day as to people losing the money which they had invested. Unless the Government were prepared to affirm the principle that such societies ought to have increased borrowing powers, he did not think the Bill ought to pass.

Mr. BLAKE: It is not a question of principle. They already have borrowing powers and the question is should those powers be increased.

Mr. PALMER said he held that it was a matter of principle, and not one of mere detail to be settled by a Select Committee.

Mr. PLUMB said he supposed it was understood that the societies were in the nature of savings banks, and recent legislation had certainly not been in the direction of increasing their borrowing powers. He thought that any such step should be very closely

**Mr. DeCosmos.**

watched and scrutinized. A very large concession had been made them, when they were allowed to borrow one-third more than their capital. Originally it was not intended that they should become borrowing societies.

Order postponed.

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

### After Recess.

#### CUSTOMS ACTS CONSOLIDATION BILL.—[BILL No. 19.]

(Mr. Burpee, St. John.)

##### FURTHER CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole further to consider Bill (No. 19) To amend and consolidate as amended the Acts respecting the Customs.

(In the Committee.)

On Section 58,

Mr. COLBY said he doubted the advantage of re-enacting this clause with regard to beef cattle. The exportation of beef cattle to foreign markets was becoming very important in Canada, and we had certain natural advantages for that exportation. In some places we now had large establishments for packing and curing beef. One in his county had lately been aided by municipal bonuses in order to secure that market to the country. It was questionable, however, whether, if the importation of cattle in bond from Chicago was permitted, the farmers would derive the advantages from these establishments which they had expected. The farmers of Ontario were going into cattle-raising as a speciality to supply the European market, and it was well for the Committee to consider whether we should not be injuriously affected by permitting cattle to come in as they had hitherto.

Mr. MACKENZIE said they were not considering a Customs tariff, but simply arrangements for the slaughtering of cattle in bond, which would find its way to the English market anyway. If we refused to allow it to be slaughtered, it would go through the

United States to England, and this was simply securing to us a certain portion of the trade which we would not otherwise have. The larger our carrying trade, the larger would be the amount of business done by our railways and vessels.

Mr. COLBY said he had not overlooked that, but, if foreign cattle was brought into competition with the beef of the localities, it had a tendency to depress the local markets. If these packing establishments could buy their meat cheaper in Chicago than in Canada, they would do so.

Mr. MACKENZIE said he was utterly unable to see how slaughtering cattle in bond and exporting it in bond could affect manufacturers in Canada. If the hon. gentleman carried out his views, he would prevent our carrying anything which did not originate in Canada.

Mr. SCRIVER said he was acquainted with the establishment referred to by his hon. friend (Mr. Colby), and knew that they had been compelled to import cattle from Chicago, being unable to obtain all the cattle they wanted in the vicinity.

Mr. COLBY said that was a mistake.

Mr. BURPEE (St. John) said the regulations were very strict, and every pound of cattle which came into the country and was not exported paid the duty. One of the first applications for permission to import cattle in bond was from the firm referred to, in order to keep their factory going. This clause had been in the Act for a number of years and he should be sorry to see it struck out.

Mr. GIBBS (North Ontario) said he thought he understood the point raised by the hon. member for Stanstead (Mr. Colby). The only thing that occurred to his mind was whether the export of beef from Canada would be affected by this practice. He understood that the Americans now wanted to ship cheese of inferior quality to Montreal in bond, to be sent to England as Canadian cheese, affecting the character of this article. He could see no possible objection to having cattle come from the United States and then slaughtered in this country for such a purpose.

He only wished that the Government, in their wisdom, would put a duty on wheat and flour entering this country, and allow them to be manufactured, like beef, in bond. He thought that such a course would meet a strong demand which was now made in this relation.

Mr. MACKENZIE: But that question does not come up in this Bill.

Mr. GIBBS (North Ontario) said that the same views which were held with regard to beef applied equally cogently to the questions of wheat and flour.

Mr. COLBY said he did not care to press the point further. He had felt it his duty to bring it up for this reason: In the instance to which he had referred, municipalities and inhabitants had contributed largely to the building up of the enterprise under the pledge that it should be a local market for the sale of those animals and for the local advantage. When the shipment of cattle from Chicago under this bonded system—a system unknown to their people until then—occurred, it created a very general and very intense dissatisfaction. It seemed to be a breach of faith, and a very great hardship that they should contribute not by way of taking stock, but of giving bonuses to build up an establishment to benefit themselves locally, and then lose the entire advantage in case beef could be bought cheaper in Chicago, and brought there, than it could be obtained in that neighbourhood. He declared, as a matter of fact, that in this instance it depressed the local market very considerably, and every shipment of Chicago cattle brought in there would have such a tendency.

Mr. MACKENZIE: The meat is not sold in the local market but in England.

Mr. COLBY: No; but it fills the place.

Mr. MACKENZIE: It cannot fill the place, for it does not stop there.

Mr. COLBY said it affected the local market. He was surprised that the Minister of Public Works could not perceive it. The market in that locality consumed fifty head of cattle daily, and it was an important market for the farmers living in the neighbour-

Mr. Gibbs.

hood. When the shipment to which the Minister of Customs referred took place, it created very intense and general dissatisfaction in two or three important counties in that section of the country, and a repetition and continuation of it would continue to cause such dissatisfaction and disappointment. He lived nearer to that locality than some hon. gentlemen who had spoken on the subject, and he knew it was untrue that these localities could not have supplied this market. The purchase of Chicago beef had been an unfortunate thing for the company; the whole shipment became tainted and worthless, and had to be thrown away to the discredit and damage of the company. He hoped that the venture would not be tried again, and he regretted to know that, under the law, such a thing could be done.

Mr. PALMER said he considered it unfortunate that so important a principle should be discussed under the then circumstances. If his hon. friend from Stanstead wanted this or any other alteration made, he had better bring the matter before the House. He held it should be a very grave case to justify them in interfering with the carrying trade of the country. He apprehended that this was a matter of great importance to the Dominion. The Minister of Public Works appeared to think that because this beef was sold in a foreign market, therefore we might not have a local market for it. He could quite understand that what his hon. friend from Stanstead stated was true; that, although the meat was sold in a foreign market, Canada was the best route to Europe, and, as a consequence, western beef could not be sold in Europe unless it was brought through high latitudes; and it could not come into competition with Canadian beef, unless it was first brought into Canada.

Mr. MACKENZIE: Three times the amount of beef goes from the United States, perhaps, than from Canadian ports to Europe.

Mr. PALMER: But it cannot go with the same facility and convenience from them as it can from Canadian ports.

Mr. MACKENZIE: Do you want to drive this trade away from us?

Mr. PALMER said this was by no means his desire. This was a very important matter. In his opinion, a very strong case would have to be made out to justify them in interfering with the carrying trade of the country. Americans and every one else ought to be allowed the greatest possible facilities to convey produce through this country to the European market.

Section agreed to.

On Section 81,

Mr. JONES (South Leeds) said it enacted that all spirits brought into Canada in casks or packages of less size than one hundred gallons should be forfeited. They, however, knew perfectly well that spirits and wines were brought into Canada in octaves, quarter-casks and puncheons of sixty gallons, for instance. He could not see the object of the clause.

Mr. BURPEE (St. John) said that the reason why the size of the package was limited was to prevent the packages being put up and smuggled into the country in vessels or otherwise. He did not know, however, what this regulation had done to prevent smuggling.

Mr. GOUDGE said the hon. member for South Leeds would perceive that the regulation applied to very small vessels—one decked vessels. It was a very useful precaution.

Mr. JONES (South Leeds): In other than decked vessels, the clause says.

Mr. GOUDGE: Large vessels may bring small packages, but small vessels cannot bring packages containing less than one hundred gallons.

Section agreed to.

On Section 142,

Mr. PLUMB asked whether this Bill repealed all Customs Acts on the Statute-book.

Mr. BURPEE (St. John): It repeals all the Customs Acts, but does not affect the Tariff Act.

Section agreed to.

Bill ordered to be reported, with certain amendments.

House resumed.

Bill reported.

## CULLING OF TIMBER BILL.

### FIRST READING.

House resolved itself into Committee to consider the following resolution:—

“That it is expedient to amend the Act 38 Victoria, Chapter 34, respecting the culling and measuring of timber, by repealing the twelfth section thereof, and by authorizing the Governor in Council to fix the number of Cullers to be employed in each Department of the Supervisor's office, the number in the Square Timber Department not to exceed eighteen; and to grant annuities not exceeding \$200 per annum to Cullers employed on 1st May, 1876, and no longer required, or incapacitated by age or infirmity, such annuities to be paid out of any surplus of the Cullers' office, and also to regulate the charges for services in the Cullers' office, as to give average earnings of seven hundred dollars yearly to each Culler employed.”

(In the Committee.)

Mr. LAFLAMME stated that there were thirty-six cullers, eighteen of whom were to be dismissed or superannuated, from old age or infirmity. Those who were dismissed would have \$200 superannuation a year maximum, proportionate to their capacity. There had been a conference between those representing the cullers and others representing the lumber trade, and the basis of the resolution was agreed upon. The resolution simply applied to the culling of square timber.

Mr. BLANCHET said he considered \$200 too small as a maximum.

Mr. LAFLAMME said the intention was that the superannuation was to fall entirely as a tax upon the lumber trade, and it was agreed that \$200 should be the maximum. If the surplus was not sufficient, the fees would be increased, and if more than sufficient they would be decreased.

Mr. LANGEVIN said he thought the maximum should be increased to \$300.

Mr. LAFLAMME said the agreement was a compromise between the cullers and the trade, who desired more efficient inspection of lumber, and at less expense.

Mr. CARTWRIGHT said it was understood when nine or ten cullers had left the roll a superannuation of \$200 should be paid. As the average of

wages earned now was only about \$450, he thought \$200 as superannuation was very good.

Mr. CURRIER said he thought that \$200 was quite sufficient, since for the last five years the maximum wages earned had certainly not been more than \$300. Some of them, of course, would not be entitled to \$200. If there was a compromise, as stated by the hon. the Minister of Inland Revenue, the compromise was all on one side. The lumbermen gained very little by it. Still, upon the whole, the expenses of culling would be reduced. What the lumbermen wanted was an open list of cullers, and that would have saved the superannuation of any of them, for then lumbermen could pick out what men they liked. It was admitted that eighteen cullers was more than the number required to measure the lumber in Quebec. He had intended to submit an amendment, but he would not do so now.

Mr. CAUCHON said he presumed his hon. friend would like to abolish the whole institution. But his *confrères* in trade did not agree with him on that point.

Mr. CURRIER said there was not a single lumberman who dissented from the open list system.

Mr. CAUCHON said the great majority favoured the rotation system.

Mr. CURRIER affirmed that he was supported by resolutions passed at a meeting of lumbermen in Quebec. All the lumbermen agreed, with the exception of one, he thought, that the open list system was the best.

Mr. CAUCHON: You are mistaken.

Mr. WHITE (North Renfrew) said the hon. the Minister of Inland Revenue deserved to be congratulated upon so early dealing with the subject. If the cullers were to be reduced, it was manifestly just that the wages of those remaining should be increased in proportion to their increase of work. He thought \$200 was a fair superannuation. If there were eighteen cullers, he did not think it would be necessary to have an open list.

Mr. ROCHESTER said he was disappointed in seeing that the resolution

did not refer to cullers of deals. He had hoped that such a measure would have been prepared, which would not only be satisfactory to the square timber men, or to those engaged in the deal trade, but that the waste in sawn lumber would also be included. They had a Cullers' Bill in the State of New York, and there was a necessity for such a Bill here as well. Shipments made to the United States were corrected by the cullers there, and Canadians had to accept their corrections; while, if the lumber could be culled here, figures could be sworn to and they would be able to collect.

Mr. COOK denied that there was any Cullers' Law in New York State.

Mr. ROCHESTER asked who took charge of shipments when they arrived in New York if it was not the Government cullers.

Mr. COOK said that the commission merchants did this work. He favoured reducing the number of cullers, and considered that \$800 a year was not too much.

Mr. BLANCHET said that the assistance which the cullers found it necessary to engage had the effect of reducing their salaries. He would favour a still larger reduction in the number of cullers in order to give sufficient remuneration.

Mr. WHITE (North Renfrew) said he would be very sorry to reduce the fair earnings of the cullers, but, looking at the quantity of timber arriving at Quebec for the last four years, they were not employed for more than 30 days. There was nothing to prevent the cullers from pursuing other employment, and he believed that such was frequently the case. He considered the average amount placed in the resolution quite sufficient to remunerate the cullers. As regarded sawn lumber, he believed the same difficulty would arise if the lumber were culled here, as the Americans would not accept our specifications.

Mr. CURRIER said the average earning of a culler was, formerly, from \$450 to \$470, which included about thirty days' work. The number would be reduced one half—eighteen—under the Bill, and their average earnings

Mr. CARTWRIGHT.

increased to \$700, which would be placing the cullers in a better position. He did not complain of the reduction made in the number of cullers, but, if the open list system were adopted, it would do away with the possibility of Government having to superannuate any of those men. As to the culling of deals, when the question was discussed in Quebec last fall, the manufacturers objected to any change being made in the law. About Quebec, every manufacturer employed a man of his own to cull deals. Under the circumstances, he did not find fault with the hon. the Minister of Inland Revenue for not having dealt with the culling of deals question.

Resolution agreed to, and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

Mr. LAFLAMME introduced a Bill (No. 103) To amend the Act respecting the culling of timber.

Bill read the first time.

#### MISSION OF NEWFOUNDLAND FISH AND FISH-OIL BILL.

##### FIRST READING.

House resolved itself into Committee of the Whole to consider the following resolution:—

“That it is expedient to provide that the Governor in Council, on being satisfied that the standards of inspection of fish and fish-oil in Newfoundland are equal in quality, grade for grade, to those of Canada, may, by proclamation, so declare, and that while such proclamation is in force, fish and fish-oil inspected in Newfoundland, and being the produce of the fisheries thereof, may be admitted to the markets of Canada, and otherwise dealt with as if inspected in Canada.”

(In the Committee.)

Mr. LAFLAMME said the resolution was submitted in order to facilitate the fish trade between Newfoundland and Canada. There had been a regular system of fish inspection in Newfoundland which entirely corresponded with that adopted in the Dominion, and, at the present time, after the fish had been inspected in Newfoundland, it was subjected to a second inspection when it

arrived in the Province of Quebec or any other part of Canada. The resolution had for its object to authorize the Governor in Council, when satisfied that the mode of inspection corresponded entirely with the requirements of the Canadian law, to decide that fish having been so inspected in Newfoundland, should be accepted as if inspected in the Dominion.

Resolution agreed to, and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

Mr. LAFLAMME introduced a Bill (No. 104) To provide for the admission of fish and fish-oil into Canada, inspected in Newfoundland.

Bill read the first time.

#### QUEBEC HARBOUR AND PILOTAGE ACTS AMENDMENT BILL.

##### FIRST READING.

Mr. SMITH (Westmoreland) moved for leave to introduce a Bill (No. 105) to further amend the Acts providing for the management and improvement of the harbour at Quebec, and of the Pilotage Act of 1873.

Bill read the first time.

#### INSURANCE ACTS AMENDMENT BILL.—[BILL No. 36.]

(Mr. Cartwright.)

##### CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 36) To amend and consolidate the several Acts respecting Insurance.

(In the Committee.)

Mr. BOWELL asked if the Bill had been reprinted as amended. He believed it would be but fair to have it reprinted for the benefit of those who were not on the Committee, and who consequently had no knowledge of the amendments—and they were important, in his opinion—which had been introduced.

Mr. HOLTON said that the changes were of some importance, undoubtedly, but they were not voluminous. An

alteration had been made, for instance, in the repealing clause. Some doubt had been expressed as to its having the effect, as originally stated, of extinguishing the old mutual companies, and it was so amended as to make that point perfectly clear. He did not think that, if hon. gentlemen would look at the draft of the Bill, they would desire it to be reprinted, in view of the few changes made.

On Section 11,

Mr. BLAIN said he was afraid that it was not correctly drawn, as to the process being served upon any of the agencies of companies in the different Provinces. Parties, for instance, having a process to serve, and residing in British Columbia, should not be compelled to go to the city of Montreal to serve it. He understood that the clause was to be so altered as to name one place at least in each Province where process might be served.

Mr. CARTWRIGHT said this point was raised in the Committee, but the decision of the Committee was adverse to it.

Mr. BLAIN said this was not the case.

Mr. CARTWRIGHT: I remember the discussion, but I was not aware of that decision.

Mr. BLAKE: The clause had better pass, and the amendment can be inserted on the third reading.

Mr. CARTWRIGHT: We will receive the suggestion; at all events we can consider it on the third reading.

Section agreed to.

Mr. YOUNG said, before the Committee rose, he would say he regarded the Bill as a very valuable one indeed, but it appeared to him that, as it was at present before the Committee, there was one very serious defect in it, viz., that reserves to be put up by foreign companies were not to be for the benefit of Canadian policy-holders alone. As they were well aware, this question was discussed before the Banking and Commerce Committee very considerably. He only rose to say that, when the report was to be received, he would test the feeling of the House with regard to that point, as he

Mr. HOLTON.

thought it would be inadvisable to raise the question at the present time in such a very thin House. When the report was to be received, he proposed to move an amendment of the same character as he moved before the Committee, viz.: That the reserves to be held by foreign companies in Canada should in all cases be for the benefit of Canadian policy-holders alone. The principle of the Bill was that full reserves should be put up by all foreign companies doing business in Canada hereafter, but in the case of stock companies the reserves would be for the benefit of Canadian policy-holders only, an exception being made in the case of mutual companies. His humble opinion was that it was very important to make the change that he had indicated, knowing, as they did, the great number of failures of such companies which had lately taken place in the United States; and he thought that the reserves of mutual companies, as well as of stock companies, should be for the benefit of Canadian policy-holders alone.

Bill ordered to be reported.

House resumed.

Bill reported.

House adjourned at  
Ten minutes before  
Eleven o'clock.

## HOUSE OF COMMONS.

Tuesday, 3rd April, 1877.

The Speaker took the Chair at Three o'clock.

### POST OFFICE ACT AMENDMENT BILL.—[BILL No. 96.]

(Mr. Blake.)

THIRD READING.

Bill read the third time, and passed.

### ADULTERATION PREVENTION ACT AMENDMENT BILL.

[BILL No. 86.]

(Mr. Laflamme.)

THIRD READING.

Bill read the third time, and passed.

## NORTH-WEST TERRITORIES ACT AMENDMENT BILL.

[BILL No.74.]

(*Mr. Mills.*)

THIRD READING.

Bill read the third time, and passed.

## INSOLVENT ACT AMENDMENT BILL.—[BILL No. 60.]

(*Mr. Blake.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 60) to amend the Insolvent Act of 1875, and the Act in amendment thereof.

(In the Committee.)

On Section 5,

Mr. WHITE (North Renfrew) said it seemed to him that the proposition to alter the time of publication of the first meeting of creditors from three weeks to ten days was a move in the wrong direction. As much publicity as possible, not interfering with the interests of creditors, should be given. The clause with reference to the time of advertising had better remain as it was.

Mr. BLAKE said this was a mere consequential amendment; the whole object in view was to accomplish what those who were most versed in these matters considered an important thing—the shortening to the greatest possible reasonable extent of the period between the issue of the writ of attachment and the making of the assignment and the first meeting of the creditors. To do this the period of advertisement must be shortened to some extent. He had originally adopted the hon. gentleman's view, and it was not until the suggestions of persons versed in the matter showed him that it would be impracticable that he altered the clause in this manner.

Section agreed to.

On Section 11,

Mr. ROSS (Prince Edward) said he had opposed the passage of an Insolvency Law since 1864. He now found,

however, that it was of no use to do so, the last vote having shown a larger majority in its favour than was the case during former years, and he consequently was now ready to support the Bill, and make it as acceptable as possible to the people. He was glad to hear the Minister of Justice invite amendments from both sides of the House. He proposed that inspectors should be appointed: one for Ontario, in which last year there were 873 failures; one for the Province of Quebec, in which 600 failures took place last year, and one for the Provinces of Nova Scotia, New Brunswick and Prince Edward Island, in which last year's failures amounted to 251 in number, making in all 1,724. For last year in Ontario the amount of liabilities was \$9,488,052; in the Province of Quebec they were \$13,678,616; and in the other Provinces mentioned \$2,351,302, making, in all, \$25,577,991, a very large amount. He thought it would be but right under the circumstances to have inspectors appointed to look after these interests. During the last four years the amount of liabilities concerned in the failures that had taken place was \$74,502,000, an immense sum; and, in 1873, though there were only 994 failures, the liabilities amounted to \$12,324,000. The salaries he proposed for the inspectors were \$3,000 for those of Ontario and Quebec, and \$2,000 for the inspector in the Maritime Provinces, making, in all, \$8,000, amounting to about one-half of three-eighths of a cent per cent. on the total liabilities. He thought that this would bring about a great gain, to the extent of five or seven and a half per cent. on the proceeds of estates. He had spoken to a great many members on both sides of the House on the subject, and he had found them at all events favourably disposed towards his proposition. He recommended that inspectors should, in any case, be tried for one year. If the salaries he proposed were considered too high by the Minister of Justice, or by the Government, he would suggest that they be paid \$2,500 in the Provinces of Ontario and Quebec, and \$1,375 for the other Provinces, about one-quarter of a cent per cent. on the total liabilities of last year. Each insolvent's liabilities

in the Dominion last year averaged \$14,800, and in the United States \$21,000. In 1876, in the United States, there were 9,920 failures, liabilities \$191,000,000; and in 1875 7,740 failures—liabilities, \$201,000,000. He found that the dividends paid in the Dominion last year on insolvent estates amounted to 22½ c. on the dollar; and also that the insolvents' assets averaged from 60 to 75 per cent.; and he would like to find out what had become of the difference between the 22½ c. and 60c. He, for his part, considered that a very large amount in this relation was squandered between the assignees and the lawyers; and he proposed the appointment of inspectors, whose duty it would be to look after assignees and also after the lawyers. With regard to the proposition to require the payment of fifty cents on the dollar, he remembered that, two years ago, the Minister of the Interior proposed that each insolvent should be compelled to pay ten cents on the dollar.

Mr. BLAKE said his hon. friend had better defer his remarks on this point until they came to Sec. 15, to which they applied.

Mr. ROSS said he assented.

Mr. KIRKPATRICK said he entirely approved of Sec. 11. It was not in accordance with the principles of justice that a partner of an assignee should be allowed to practise before such an assignee when acting in a quasi-judicial position. The inspectors of an estate had employed a partner of an assignee to present claims before that assignee, and he desired the clause to be so worded that inspectors could not employ partners of an assignee for such a purpose.

Mr. ROSS (Prince Edward) said that the inspectors for whom provision was made in the Bill were useless. He contended that the appointment of inspectors as he had suggested would be a great benefit to all interested in the insolvent estate—to the creditors, the insolvent, and the public at large.

Mr. WOOD said that the appointment of Government inspectors had been fully discussed by merchants, by lawyers, and by members of the Com-

mittee; and the conclusion at which they had arrived was that such a system would merely furnish sinecures for persons whom the Government would have to appoint. Creditors at present obtained little enough out of these estates, and, if the burden of appointing inspectors or accountants was further laid on them, it would reduce the dividends still more, and take so much more money out of their pockets. If the inspectors did their duty according to the terms of the Bill, the system would work very well. The law as proposed should have a couple of years, fair trial before any new weight was laid on creditors in the shape of a proposition to find employment for some drone or other.

Mr. GIBBS (South Ontario) said he did not agree with the statement that the appointment of such inspectors would be any additional charge on bankrupt estates. Under the present law, power was given to appoint inspectors and this necessarily entailed a charge on such estates. He did not know but that the suggestion of the hon. member for Prince Edward (Mr. Ross) was worthy of consideration. Still, he did not suppose that it could be taken up during the present Session. In the meantime, the Government would have an opportunity of ascertaining the views on this point of those who had had charge of estates during the last two or three years. He supposed that so far from such appointments entailing any additional charge on estates, the result would rather be the very reverse.

Mr. YOUNG said he wished to ask the Minister of Justice whether, under this clause, an inspector would be prevented from engaging his own partners to act as counsel in winding up the affairs of an estate. He was aware of such a case having occurred; the inspector, having been a gentleman of the long robe, had employed, he believed, his own firm, and out of \$10,000, \$2,500 were consumed in legal expenses.

Mr. BLAKE said he proposed to make a slight alteration in the 12th clause to cover the suggestions made by the hon. member for Frontenac (Mr. Kirkpatrick) and the hon. mem-

Mr. Ross.

ber for South Waterloo (Mr. Young), The suggestion of the hon. member for Prince Edward (Mr. Ross) had been communicated to him previously, and he had had some discussion with the hon. gentleman and other members on the point. At first sight, it appeared to possess considerable merit, and there could be no doubt whatever that a failure to use the powers with which creditors were entrusted and a degree of slackness in the administration of estates existed, and this was very much to be deplored. The difficulty which beset him in this relation was one which, he fancied, had also beset his predecessor, who had, at one time, put on the table of the House a resolution drawn in that direction, but who had not prosecuted it further. He greatly apprehended that, so long as creditors—who had the fullest powers of determining who should be their assignee or agent, and who had the fullest power of regulating and controlling and punishing and admonishing and exposing the assignee or agent if appointed, and of displacing him if found untrustworthy, and who had the fullest power of appointing one or more of these inspectors to watch over the assignee or agent, and of remunerating them as they pleased, or not at all if they so pleased—found it impossible to manage their own affairs through themselves or the person placed in charge, this state of things would not be improved by the appointment of these Government inspectors—one for Ontario, one for Quebec, and one for the Maritime Provinces—to look over the accounts and attend to the administration of estates scattered over the wide range of those Provinces, and paid by salary or by fees. He would express no decided opinion on the matter, but the conclusion he was at present disposed to draw was this: That the inspection of these persons would, necessarily, be of a cursory or perfunctory character in the bulk of cases, and that the sense of responsibility which weighed on the assignee, and which ought to weigh on the inspectors, would be removed, or, to a large extent, be diminished by the fact of a Government official being appointed, whose duty it would be to inspect the accounts,

while there would be no actual efficient inspection substituted for it. This was his difficulty. He would take the liberty of repeating to the Committee what he had more than once stated with reference to the Insolvency Acts: while they could not expect any such law to work satisfactorily, it could be expected that no Act would work tolerably so long as the creditors, the persons most interested in these estates, did not take an interest in them after the insolvencies had occurred; and, if they did not think it worth while to look after the portion of their business which had gone into insolvency as they did after the portion which had not gone into insolvency, they might depend upon it that no other result would occur. He considered that the remedy for this state of things lay in the appointment of one or more inspectors, at moderate remuneration, to look after the interests of creditors. He believed that a merchant who was appointed an inspector, who happened to be a creditor and engaged in other business, might, not unnaturally, feel that he was asked to bear a loss greater than the other creditors. If a moderate remuneration were paid to inspectors, and creditors made them understand that they were expected to discharge their duties faithfully, he believed the duty would be better performed, in each individual case, by merchants interested than by official inspection. If we could not get a merchant interested in the estate to serve efficiently, we condemned by that very proposition the idea that we could secure efficient inspection in the manner suggested.

Mr. BARTHE said that the officers who were named by the Government ought to be paid by the Government. As assignees were appointed by the Government, the proposition to have inspectors appointed by the Government had a *raison d'être*. It appeared logical. An assignee named for a district became an officer of the court; he was under the direct control of the Government, which could displace him if he did not do his duty. While in principle opposed to the Insolvency Law, which, in his opinion, sanctioned an immoral principle, in relieving a man from the payment of a legitimate debt, still, as it existed, he was dis-

posed to make it as useful as possible in conformity with the views of the majority. He did not see any remedy but this: The appointment of assignees by the Government in each district, and the appointment by the Government of inspectors in each Province to watch over them. A striking fact resulting from the discussion of the law was this: Those who had taken part in it had agreed that it was defective and vicious, and that it gave rise to an immense quantity of abuses. The Government had obtained a majority against the proposition he had made for the abolition of the law, simply on account of the amendments proposed by the Minister of Justice to remedy the evil, and to make the measure acceptable to the people. He had examined these amendments with great care, and certainly some of them were useful; but, even when they were adopted, he did not see that the result would be more satisfactory to the public. For example, the proposition to compel the payment of fifty per cent. had been discussed in the House and elsewhere; and he was convinced, from the experience he had had of the working of the law, that, in practice, this amendment would be far from giving satisfaction, even to the creditors, for, in the majority of cases, the bankrupt would not be able to pay fifty cents on the dollar and costs; and what would be done under these circumstances? The bankrupt would secrete money in a fraudulent manner, at the expense of his creditors, and continue in business in the name of a brother, his wife, a brother-in-law, or of some other person. A large estate might pay fifty cents and costs, as the fees of the assignees would be less considerably, comparatively speaking, in these instances; but, in the generality of cases, he was convinced that the provision in the law obliging the insolvent to pay fifty cents on the dollar and costs before he could get his discharge, would open a new door to fraud, and would be a new cause of ruin. He understood that the Minister of Justice was to take into consideration, during recess, the suggestions made in this regard last year; and he was certain that, while these might not be unac-

Mr. BARTHE.

ceptable with regard to the appointment of assignees, they would make the law so impracticable and unpopular as to enforce its repeal. He would not then, however, enter into the merits of the discussion, *apropos* of this law, but he considered it to be his duty to move the following amendment:—"And be it enacted that this Act shall remain in force until the end of the next Session of Parliament, but not longer." He hoped that, before the termination of the next Session, the Government and the majority of the members would come to the conclusion that a law which had caused so much ruin and demoralization in the country should be swept from the Statute-book, never again to be enacted.

Mr. DAVIES said he did not concur with the hon. member for Prince Edward that the appointment of Government inspectors would be an improvement in the Bill. The appointment of inspectors by the creditors was the best system. A Bankruptcy Law had only existed in Prince Edward Island, he might state, during the last few years. Previously, unfortunate debtors had to go to prison, or leave the limits of the town; and, when a Bankruptcy Act came into force, the other extreme was gone to, and the result was that for eight or ten years creditors received nothing. This was generally termed "Going through the mill." He remembered very well the first case of any magnitude which came up under the present law; the legal gentlemen engaged had not studied the Act, but they thought they would carry the alleged unfortunate debtor through. But, when they looked into the law, they found that this could not be done. The case related to an assignment of goods in transit and of goods in a warehouse. The result was that the creditors agreed to accept the Government allowance of 33½ per cent. It was generally believed that a good deal more could have been secured, but the parties concerned thought that, if the estate was put into insolvency, a great deal of money would be consumed in the payment of expenses. In small communities, there was undoubtedly a great deal of influence brought to bear in such cases, and perhaps the large creditors were dis-

posed to be lenient to the person supposed to be an unfortunate debtor, and in that way the man got through. Under the present Bill the creditors had everything in their own hands. They appointed an inspector, who went through the accounts and reported to the creditors, and upon that report the latter acted. He did not think the appointment of official inspectors would be any improvement on the present system. In his Province, the Act had worked satisfactorily. If creditors had not obtained as much as they ought to, it was their own fault. Going into insolvency had unfortunately become too much of a business. People who found themselves in small difficulties, from which they might clear themselves by a little effort, found it easier to compound with their creditors. Merchants, however, should exercise a little more care when there was an Insolvency Act in operation, and not give credit in doubtful cases. By that means, a great deal of the evil complained of would be avoided.

Mr. POULIOT said the greatest number of merchants did not suffer on account of failures; those who paid the bills were certainly the consumers. The wholesale merchants made up for their losses by charging greater prices; for instance, instead of making ten, they would realize fifteen per cent. profit on their sales. He approved of the suggestions made by the Minister of Justice. If adopted, they would tend to protect society. An inspector would be named, and would be paid for his services; and it would be his duty to look after the estate. At present, inspectors were not obliged to perform these duties.

Mr. MITCHELL said it was well known that he was one of those who held that the Insolvency Law had done its work. Insolvencies were daily occurring, and they had swollen to such an enormous extent, that one could not help coming to the conclusion that there was something wrong with relation to the insolvencies occurring in this country. He thought that the Act should be repealed. Additional changes had been made in the law yearly, during the last seven years, and he thought that it had been yearly

made worse. When he looked at the Bill before the House, and saw the tinkering attempted in the existing measure, he believed that it was rendering confusion more confounded. What was going to be the effect of the Bill? He would take the liberty of discussing a clause which they had not yet reached—with relation to the percentage which had to be paid before an insolvent could get his discharge.

Mr. BLAKE rose to a point of order. He thought it quite clear that each clause should be discussed as it came up in succession.

Mr. MITCHELL said he would not persist in speaking on the point in question.

Mr. ROSS (Prince Edward) said the Minister of Justice had practically admitted in his argument that paid inspectors would be an improvement on the measure as it stood.

Section agreed to.

On Section 12,

Mr. BLAKE proposed, in order to meet the views of the hon. members for Frontenac and Waterloo, to insert after the word "inspector," in the third line, "nor shall any inspector employ any person being his partner or being the partner of any assignee."

Mr. KILLAM said he did not think the duties of inspectors were sufficiently clearly defined in the law of 1875. The clause relating to these officers simply stated that inspectors should superintend the winding-up of the affairs of the estate. The assignee was required to deposit money in the bank, and only to withdraw it on a cheque signed by himself and one of the inspectors, who, however, were not required to look after the deposits. He knew of very serious cases which had occurred, in which, for default of security, creditors had suffered largely. He thought the clause should be so worded as to make it the duty of inspectors to see money deposited when, or within a very short time after, they were received. They should also inspect the dividend sheets, and see that dividends should be declared, and pay more attention to the affairs of estates generally than they had been in the habit of doing. Of course, inspec-

tors could be sued for negligence in these cases, but he thought that very gross negligence would have to be proved to recover damages.

Mr. FRASER said that the duties connected with the management of an estate were very various, and he was afraid that, if specific rules were laid down, it would rather make matters worse. He thought that no inspector did his duty unless he supervised the proceedings of the assignee, and, from time to time at comparatively brief intervals, looked over the accounts and saw how things were going on, and verified the balances laying in the bank. A code of rules would be very difficult of application.

Mr. KILLAM said he thought that if diligence was imposed on inspectors this would have some beneficial effect.

Mr. BLAKE said he would look into the matter before the Bill reached its last stage. They should remember that, if too many duties were imposed, persons might refuse to accept the position of inspector.

Mr. MITCHELL said the Minister of Justice had stated that it was a duty which the creditors owed to themselves and the public to attend to their interests and look after these estates, and that, if they did not do it, an inspector appointed by the Government could scarcely be expected to undertake that supervision which those directly interested in the estate ought to see was undertaken and preferred. He recently conversed with gentlemen in Montreal who, to their deep regret, were largely concerned in insolvent estates. They were two of the largest importers in Montreal, and, believing it was their duty in the interests of the other creditors and the public to make an example of a fraudulent debtor, they had spent one month out of three in Court looking after the matter. He asked them if they would pursue the same course in relation to other claims, and the leading one replied: "I will never follow another case in Court; the trouble and labour is such that we had better lose our debts." He did not think the amendments would improve the law, which he thought had had no good results. The proposed alterations were simply tinkering with the law

Mr. KILLAM.

and would only lead to greater confusion in the future.

Mr. MACDONALD (Centre Toronto) said he thought it was forgotten that the parties appointed as inspectors generally had an interest in the estate, which was the best guarantee that they would endeavour to bring it to a satisfactory conclusion. He admitted that there was great force in the remarks of the hon. member for Yarmouth (Mr. Killam) and that such a case as was referred to might have occurred. As a means of preventing the recurrence of such cases, he would suggest that the hon. the Minister of Justice should introduce a clause to the effect that every assignee should be compelled when he had a fund of five cents in his hands to declare a dividend. Such a clause would prevent assignees having any large amount in their control at one time.

Section agreed to.

On Section 14,

Mr. COLBY said it was proposed to strike out the clause in the old Act which conferred discretionary powers on the Judge, and substitute one which made it peremptory, except with the limitations in the subsections, for a debtor to pay fifty cents on the dollar before he could get his discharge. It was a matter of great importance, and one deserving the serious consideration of the House, whether this change was a desirable one at this time and in the present condition of the country. His own conviction was that it was not, and that it would be fraught with very great danger, and that its consequences might be very serious upon the struggling merchants. Under the system of voluntary assignments, where a man could throw himself into insolvency, it was right and logical to exact that his estate should pay a reasonable percentage in order to entitle him to a discharge; but under the Act of 1875 the debtor had no right at all in the matter. His estate was taken possession of and wound up by the creditors. It was a monstrous hardship, and was an illogical and unfair proposition, to say that an estate must, under such circumstances, pay a given percentage—much less to pay an unreasonable percentage such as the amendment proposed

to fix. An hon. member had informed the House that the average dividends of insolvent estates was only 22½ per cent. Were we then to have a law whose practical working would not permit a man to obtain his discharge? He had before him a statement prepared by a gentleman well known to this House, and one whose name, if mentioned, would be received with the highest respect, bearing on what a country estate would pay. He assumed an estate of \$12,000—one half in merchants' stock and the other in book accounts—and showed that when it came to be wound up, under the most favourable circumstances, the stocks would hardly bring 62½ per cent., which would be \$3,750, and that it would be a favourable sale if the book accounts brought 50 per cent., which would be \$3,000. There would always, this gentleman pointed out, be privileged claims, and costs of which a moderate estimate would be \$1,000, which would leave a total of \$5,700 at the disposal of the creditors, and, therefore, according to the proposed law, would not entitle the debtor to his discharge. But this estimate of what the estate would realise was very liberal. It would be more reasonable, more in accordance with actual results, to estimate the goods sold *en bloc* at about 40c. on the dollar, and if the book accounts were sold for 33c. it would not be a bad sale. This would make the estate pay about 30 per cent. He ventured the assertion that insolvent estates would not, and in these times could not be expected to pay the high average of fifty cents to the dollar. As he said the other day, an estate composed of broken stocks of goods, book accounts, lands and mortgages in lands, which might be appraised at 150c. on the dollar of the liabilities would, if sold, not realize fifty cents on the dollar. He did not want the solvent merchant, he did not want the men who, if left to themselves, might extricate themselves from their difficulties, he did not want these men to be brought under the operation of this law, and to be ground down and stripped of their property, and then not get their discharge under circumstances of this kind. Did the House understand the ordeal which a

merchant had to pass before he could get his discharge under the operation of the law as it now stood? He would look at the clauses of the present Act in reference to this. By the 25th clause, the insolvent, in the first instance, was subjected to a most rigorous examination with regard to his affairs, and by a subsequent clause his wife and others who would be most conversant with his affairs might also be subjected to a most rigorous examination. Then it must be shown that there had been no collusion and no fraud; there must be no suspicion of fraud, or any evil practice. It must also be shown that there were proper book accounts kept: otherwise he could not get his discharge. Clause 57 provided that before a debtor could get his discharge the evidence must show that he had not been guilty of misconduct; that in the management of his business he had not been extravagant; that he had not been reckless in endorsing or being surety; that he had not incurred debts with no reasonable prospect of paying them; and that he had not been negligent in keeping his accounts. If he had failed in any of these particulars, his discharge might be suspended under the operation of the present law. He (Mr. Colby) submitted that the existing Act was sufficiently rigorous for these hard times. The other day, one of the strong arguments used by the hon. member who resisted the appeal of the Insolvent Act—and it was an argument which went a long way—was that the repeal of the Act would not suit the peculiar conditions of these hard times, that it was unwise to repeal the Act at this time, and that it would throw the country into great difficulties. If this was a forcible argument against the repeal of the Act, it was equally forcible against the modifications proposed by the Minister of Justice. If the experiment was to be tried of not giving a debtor his discharge unless he could pay fifty cents to the dollar, some more advantageous period should be chosen, and not the present time, when honest merchants were struggling under such great difficulties to keep their heads above water. He knew that the hon. the Minister of Justice in the 3rd subsection proposed a new feature. The Minister of Justice

said that the debtor might rid himself of all these difficulties if, when he became insolvent, when he knew that he was insolvent, he notified his creditors to that effect, and his creditors did not choose to throw him into insolvency. The hon. the Minister of Justice was in favour of voluntary assignments. He knew and acknowledged that the House and the country were opposed to that system, and he was now ingeniously endeavouring to obtain his object by a side wind. He (Mr. Colby) would not go the length of saying that, in no circumstances, or in no condition of the country, would a provision of that kind work well; but it would be very unwise to make it operative without at least a year's notice in these depressed times, when, as an hon. member had lately said, the wholesale merchant was carrying the retail dealer. It would be very hard, under such circumstances, to compel a man to come out with a disclosure of his affairs in order to throw himself into bankruptcy. He did not believe that the provision would have the practical effect which the Minister of Justice seemed to think it would have. He did not believe that men who had a pride in their reputation, who had a desire not to go into bankruptcy, but who desired to keep an honoured name in mercantile circles, would avail themselves of this provision, and would be willing, for the sake of the little immunity they would get, to throw themselves hopelessly into bankruptcy. These would be the last men to avail themselves of this provision, at all events until they were so far gone that their estates could not realize fifty cents on the dollar. He knew of an estate which had been unsettled for twelve months, although it was in the hands of an assignee and judiciously inspected, and aided by the best efforts of the insolvent. It had been estimated at 90c., but, notwithstanding the combined efforts of all, it was doubtful if it could realize 25c. on the dollar. The estates of many country merchants consisted in part of real estate and mortgages upon real estate, which would not bring nearly their value, and the same was the case as to their stocks, which were usually sold *en bloc*. He did not think

it wise to take away the discretion of the Judge in granting a discharge. He hoped the Minister of Justice would see that the present was a very unfortunate time to introduce experiments.

Mr. MACMILLAN said he coincided with the remarks of the hon. member for Stanstead (Mr. Colby). When the Insolvent Bill was first introduced, it was for the purpose of relieving the debtor, but the present Bill seemed to be for the purpose of placing the debtor completely in the hands of the creditor. The section providing that no debtor could get his discharge unless he could pay fifty cents on the dollar was an exceedingly hard one. It was sufficiently difficult now for a debtor to obtain his discharge without making it more stringent. The hon. the Minister of Justice and the Government were quite willing that Judges should try criminal cases, and yet they did not seem to have sufficient confidence in them to give them the power of saying whether, upon the evidence before them, an insolvent should be discharged or not.

Mr. PATERSON said he would desire, in any remarks he might make, to give all weight and importance to the arguments which had been so ably set forth by his hon. friend from Stanstead (Mr. Colby). But all questions, and eminently this question, had two sides. He could not agree with nor could he take the line of argument adopted by his hon. friend from Stanstead. There might be difficulties in the matter; he did not pretend to say there were not. He would not pretend to say that it was within the power of the Minister of Justice, or of the united Ministry, to compile an Act that would be perfect. But what it was necessary to consider was whether there were any evils under the present Act, to determine exactly what they were, and then they should ascertain whether the amendments proposed were calculated to remedy the evils or not. There were evils which existed under the present Insolvent Act. But he alleged that one of the evils was not the debtor being oppressed by the creditors. He challenged the House to produce a single case in which the debtor had suffered any hardship from

MR. COLBY.

the creditors under this law. The evil under the present law was that it operated to such an extent in this direction that the country had had to deplore a lowering of the commercial tone and commercial morality of this country. It had been lowered by the fact that, under the law, as it at present existed, men had been enabled to relieve themselves from the just payment of their debts: men who stood high and honourable at one time, and whose names had been held in high esteem, had been carried away by the general movement and had drifted into the current, and their good name and morality had gone. It was therefore for the House to consider whether the proposed amendments would correct this evil. When the present law was introduced, he recollected that the Minister of Justice, who did not then occupy his present high position, took exception to a man being compelled to pay a certain amount when voluntary assignments were being done away with. That hon. gentleman did not think it right that the debtor who was not at liberty to go into insolvency himself, should be liable to be put into insolvency at any time his creditors saw fit, and that it was harsh to refuse him his discharge when he was prepared to show that it was not possible for him to pay what was required of him. He (Mr. Paterson) differed somewhat from his hon. friend at that time. He desired that the amount to ensure discharge should be 50c. instead of 33 $\frac{1}{3}$ c. He desired it then, as he desired it now, in the interest of the commercial morality of the country. He believed this was the only effectual remedy for the evils which now existed. There should be a strong incentive for merchants to act honestly, and a debtor should be compelled to strain his energies to pay his creditors. But there was nothing of the kind now to enable him to secure his discharge from the Judge, who lived in his neighbourhood and was generally disposed to look upon him leniently, although perhaps it was pretty well known that the debtor had not paid all that he might have paid. Under the proposed amendments the man who owed the money would himself be an interested party in seeing

that all was done which possibly could be done. He trusted that the House would support the clause as to the 50c. That brought him to consider the objections which had been urged against the clause. The strong objection which had been urged—and it was pressed very strongly and ably by the hon. member for Stanstead, who always placed his arguments strongly before the House—was that it would necessarily be unjust to the debtor, from the fact that, in a period of depression, such as the present, stocks brought under the hammer would be sacrificed at such a price as would make it impossible for a man, honest and almost solvent—the hon. member for Stanstead thought a solvent debtor might be placed in the position—to pay 50c. on the dollar. He was not disposed to go with the hon. member so far as to say that a trader perfectly solvent would, under the Act, be unable to pay 50c. He was not disposed to take the view, even in such depressed times as the present, that the stock would be sacrificed so as not to realize the amount. He could scarcely believe such would be the case, because the amendment proposed by the hon. the Minister of Justice made provision that the debtor would not be placed at a disadvantage from his estate having been mismanaged by the assignee, or fraud committed, and be prevented from receiving his discharge. Therefore, the only circumstance that would operate against the debtor was that the stock was such that it would not realize 50c. on the dollar. He granted that there was some force in the arguments which had been presented by hon. members in favour of that view. But he desired to call the attention of the House to this fact, that the tendency on the part of creditors was not only not to oppress the debtors, but to deal most leniently with them, and no danger need be apprehended to the honest debtor if he could not pay the 50c. on the dollar, for, if he had an honest desire to pay the full amount, he would go to his creditors and tell them frankly that he was unable, under present circumstances, to carry on his business successfully; that he desired to pay them all he could, but that the estate,

if forced into the market, would not raise a sufficient amount.

Mr. COLBY said any such arrangement would be owing to the generosity of the creditors, not to the law.

Mr. PATERSON said the House should consider what would be the action of the creditors in such an event. There would be no disposition on the part of creditors to have revenge on an honest debtor. There would be no motive for revenge by punishing him by preventing him obtaining his discharge, and the creditors would allow the debtor to wind up his own affairs. The evil result existing under the present law was that the debtors defrauded the creditors and tended to lower the standard of commercial morality. It must also be remembered that it was a man's bounden duty to pay, not 50c. but 100c. on the dollar. Any law, therefore, which said that a man might obtain release from his debts on payment of 50c. on the dollar was conferring a benefit. While a debtor might go through insolvency or make a compromise with his creditors for 50c. on the dollar and be legally absolved from his liabilities, still, under the higher law, the moral law, he should pay every dollar of his debts. Every hon. member who looked at the question from his standpoint would believe that the most effective remedy which had been proposed for the end which existed under the present Insolvency Law, was to be found in that clause which had been introduced by the hon. the Minister of Justice, which, while it would tend to secure to creditors their just dues, a consummation devoutly to be wished, would also tend to improve the commercial morality of the country, which had been somewhat impaired under the operation of the law in its present form, and again elevate it to that standard which every lover of his country desired to be maintained.

Mr. JETTÉ said he believed the legislation of Parliament should be suited to the wants of the country. The other day the House voted to retain the Insolvent Law, and that was done, he believed, for the reason which was given by almost every hon. member, that the circumstances of the country

Mr. PATERSON.

would not allow of its repeal at the present time. If the House accepted Clauses 14 and 15 proposed by the hon. the Minister of Justice, they virtually repealed the Insolvent Law to the extent of 50c. on the dollar. No doubt the circumstances of the country required some aid to be given to the debtor. He believed we had not yet seen the worst of the depression. If that were so, and it had been established by the hon. member for Prince Edward (Mr. Ross) that the rate of dividends paid by insolvent estates during the past twelve years had not exceeded 12½c. on the dollar, this was not a proper time to compel insolvents to pay 50c. on the dollar.

Mr. WHITE (North Renfrew) said the adoption of the 15th section would practically do away with one of the objects for which an Insolvent Act was provided, viz: that when an honest trader became insolvent and handed his estate conscientiously over to his creditors he should obtain his discharge and be able to commence business again. He concurred in the opinion expressed by the hon. member for Stanstead (Mr. Colby) that an estate required to be worth \$1.50 on the dollar, in order to pay a dividend of 50c. Hon. gentlemen would learn, if they consulted sheriffs, that in forced sales it was almost impossible to obtain any offer whatever. The hon. member for South Brant (Mr. Peterson) had declared that the present law did not operate injuriously to the debtor, but that its operation had been adverse to the interests of the creditor. His (Mr. White's) experience had been, that, where the law had operated injuriously to creditors, it was their fault in not being sufficiently attentive in winding up the estate. According to the argument of the hon. member for South Brant, there should be no Insolvent Law. He was not prepared to maintain that there should be no Insolvent Law, and he opposed the 15th clause because it would practically withdraw from insolvents the benefit of the law. He hoped the hon. the Minister of Justice would expunge the clause or substitute 25c. for 50c. on the dollar.

Mr. MACDONALD (Centre Toronto) said the 15th clause was the best clause in the Bill. There was one point, however, on which all hon. members would agree, viz., that there were too many men in trade. No hon. gentleman, moreover, would deny that a large number of the failures which occurred were the result of extravagance. Did they want to get extravagant dealers back to demoralize the trade? Insolvencies were also due to incompetency on the part of the dealer. Did hon. gentlemen want to bring incompetent men and demoralize trade? It would not be denied that a large number of insolvencies were the result of fraud. Did hon. gentlemen want to bring back into trade fraudulent men to demoralize business? No man crossed the border line between honesty and dishonesty without thought, it was the result of planning and chicanery, and was done just in proportion as opportunities were afforded. He held that the very facility which men had had to obtain their discharge under the present law had led many men to become insolvent who would not have dreamed of doing so under different circumstances; the very ease with which the discharge was obtained enabled them to re-enter business, demoralize the trade of the country, and prevent the honest trader, who intended to pay one hundred cents on the dollar, from being able to carry on his legitimate and honest designs. He held that any man who conducted his business properly need not fail; that any man who examined into his affairs, and took stock every six months, need not get so far behind in his financial affairs as to compel him to make an assignment and call his creditors together; and, just so soon as the country got rid of incompetent and fraudulent traders, would the honest man be enabled successfully to carry on his business. In regard to the contention of the hon. member for Stanstead (Mr. Colby), that an insolvent estate required to be worth \$1.50 in the dollar in order to pay a dividend of 50c. on the dollar, he (Mr. Macdonald) could not imagine a trader in such a position going into insolvency, and surrendering the estate to his creditors. The hon. member for

Prince Edward (Mr. Ross) had endeavoured to show that the average dividend paid by insolvent estates had been 22½c. on the dollar. But did that hon. member claim that the law should be so framed as to meet the case of those traders who only paid 12½c. on the dollar, and who became so accustomed to the thing that they did it every twelve months. A dividend of 33½c. had been tried, and had resulted in demoralization. Much had been said about the discretion placed in the hands of the Judges. He did not wish to impugn their judgments, but they could not have been the best that could have been rendered. An hon. member had proposed that the law should remain in existence for only twelve months, and then be repealed; but he advocated that course without knowing what the effects of the new law would be, and whether it would prove, as he (Mr. Macdonald) claimed it would, the greatest safeguard the commercial community had ever possessed. A case had been supposed, in which a trader bought a hardware stock and did not sell one dollar's worth during twelve months and then, from a shrinkage of values, was unable to pay 50c. on the dollar. If such a case did occur, the sooner the trader was out of business the better. Some hon. gentlemen had spoken as though the importer desired the failure of merchants. But the importer could not realize his profits until he sold his goods. The proposed 50c. clause would be of immense benefit to the trading community, and he was satisfied it would meet with the general approval of the House.

Mr. MITCHELL said the hon. member for Stanstead had so well expressed his views on this measure that there was no necessity for him to speak at great length. It would be supposed, from the argument of the hon. member for Centre Toronto, that the Insolvent Law was simply for the protection of the creditor. That might have been the result of the Bill, but it was certainly not its object, which was to afford on the one hand reasonable protection to the creditor and on the other enable the debtor who had pursued an honest, straightforward course to get his discharge. They did not legislate

for the rich merchants and importers, but for all classes. What had been the tendency of the Insolvent Law? Had it been to give more relief, latitude, or licence to the debtor, or more power and influence to the creditor? He held that the latter was the case, and that the Act prevented a man exercising his energy and application to work out the means of paying his debts. The law was not in the interest of public morality either, as had been suggested, because it kept thousands of men in bondage if their estates did not realize a certain percentage. The hon. member for Prince Edward had shown that the average paid by insolvent estates was only 22½ per cent., and what show of reason and fair play was given the unfortunate classes of the community by raising the required percentage in a time of great depression like this to 50 per cent. The thing was an outrage—it was barbarous. For his part, he would favour the abolition of the percentage altogether. What were the Judges for? We selected the best men we could find for such positions, and we should not take from them the discretionary power of determining whether or not a debtor should have his discharge. There were hundreds of men to-day, as high-minded and honourable as the hon. member for Centre Toronto, who were in difficulties and against whom the law would operate harshly. A hurricane, a storm at sea, or a fire might destroy the business prospects of many men, and it would be manifestly unjust if they were to be kept from regaining their positions through an arbitrary law of this character. He was surprised that the hon. member for Centre Toronto (Mr. Macdonald), who had introduced a system of prayer into this House, should be so wanting in Christian spirit as to support a law which was to benefit the creditor at the expense of the poor unfortunate debtor. If he (Mr. Mitchell) had his way he would sweep the law out of existence altogether. It had performed its mission; it had effected the purpose for which it was originally enacted; and, although it had been extended term after term, the number of bankruptcies which daily occurred clearly pointed out that this was no time for the enactment of more

Mr. MITCHELL.

stringent measures. He thought the amendment of the hon. member for Richelieu (Mr. Barthe) was worthy of the support of the House, and that it would be wisdom to reject the Bill of the hon. the Minister of Justice.

Mr. ROSS (Prince Edward) said if 33½ per cent. had proved disastrous it was easy to understand that 50 per cent. would be worse. Three or four years ago the hon. the Minister of Justice insisted on 10c. on the dollar; two years ago he increased it to 33c., and now he proposed to increase it still further to 50c. At this rate, in the course of a year or so, the hon. gentleman would undoubtedly make it \$1. He (Mr. Ross) thought the creditors were better judges than the hon. the Minister of Justice of what a debtor ought to pay, and he did not think any amendment of the law in this particular was called for now. Speaking of the Insolvency Law a writer in the *Journal of Commerce* said:

“Thus there should be an Insolvent Act, framed both for the quick and just division of his estate, and the discharge of the insolvent from all his liabilities on giving up his whole effects to his creditors. The debtor's discharge should never be refused him when such is the case; but the burden of proof of that should be thrown on the insolvent. If he can prove that he has given up all, he is entitled to his discharge and to be freed from all liability, so as to leave him a free man to devote his talents and his labour again to the maintenance of himself and family, for so he can best serve the state or country of which he forms a part. Law has no right to dictate on this point that an insolvent shall pay 10c., 25c., 33c., 50c. or 75c. on the dollar in order to obtain his discharge. There are certain classes of goods which may be worth at cost, \$10,000, but which, if forced suddenly on the market in a small community, might not realize \$1,000, while certain classes of staple commodities will realize within 25 per cent. of cost at almost any time or in almost any community however small. Law cannot and ought not to go into details on a point like this. It can only deal with broad principles. Every man must judge for himself in details, and take the consequences of his folly or wisdom.”

He put great faith in that article, and he hoped the hon. the Minister of Justice would drop that clause. He knew an estate worth \$7,300 with debts amounting to \$6,500, which only paid a dividend of \$375. The expenses of winding up another estate which was worth \$4,200, amounted to \$4,750. It

was high time that official inspectors were appointed.

Mr. PALMER said that, when the hon. member for South Brant (Mr. Paterson) and the hon. member for Centre Toronto (Mr. Macdonald) acknowledged that the result of the Act had been to demoralize the country, the House must come naturally to the conclusion that the country would be very much better without it. The hon. the Minister of Justice had certainly desired to bring forward an Act that would stop the commercial demoralization of the country, and in that respect he ought to be assisted. He (Mr. Palmer) had come to the conclusion that something was being attempted which was impossible to be done, but yet he was not going to say that he would vote against the Bill, and he did not think he would. If his hon. friend desired to try the Act for another year he was disposed to grant him the experiment, although he was entirely of the opinion that it would fail. It would involve legislation of a larger description than was proposed. At present, under Section 64, if he remembered rightly, in a year from the time he first went into bankruptcy, the debtor was at liberty to apply to the Judge for his discharge. But how would it be possible for him to do so if it was necessary for him to pay 50c. on the dollar? His property would be taken away from him, and even the year's earnings would not be his own. He could not acquire any property, and he could be kept in insolvency for an indefinite period until it was discovered that he could pay 50c. on the dollar. There should be some provision for determining the time when the estate should be wound up. A man in business was subject to all sorts of misfortunes. He might sell goods to a man who might become insolvent, or he might be subject to shipwreck or fire, and yet he would be deprived of the ability to carry on business at all. He sympathized with the object of the Minister of Justice, although he did not think he would be successful. The Bill, as it existed, was generally used by dishonest men. The House had imposed a duty upon the Minister of Justice which it was impossible for him to carry out in

consonance with the principles of justice. Therefore, he (Mr. Palmer) would prefer to see the Act entirely wiped off the Statute-book.

Mr. FARROW said he rose in the interest of the retail merchant. He thought, if the clause referred to was passed, it would be a great detriment to the retail men. He could easily perceive how the wholesale men viewed the matter. They would be perfectly satisfied if they could furnish goods to retail merchants on credit for five years, and then be sure of 50c. on the dollar, as had been before stated by an hon. member, and he was pretty well convinced that this was true. If the wholesale men could only get this clause passed, they would be jubilant. The Minister of Justice ought to see, from what had been said, that the part referred to ought not to become law. The argument and the figures presented by the hon. member for Prince Edward (Mr. Ross) showed conclusively that, under the existing machinery, it was nearly impossible for an insolvent to pay 50c. on the dollar, and that the great majority of those who had assigned had paid much less than 50c. The consequence of the clause would be that many men doing business here now would remove to the United States, it being impossible for them to continue in business in Canada, and this at a time, too, when large amounts of money were being spent to bring people into the country. He could instance two houses in Toronto who had recently assigned, and had paid only 31c. and 40c. on the dollar; but these men, under the proposed amendment, would be branded as dishonest. The hon. the Minister of Justice would, if the clause were adopted, earn a new laurel, and the clause would be known as the "cruel" clause.

Mr. McCARTHY pointed out that the repeal of the 58th clause left the whole estate under the control and management of the creditors, and with this he agreed so far. But, when it was seen that the debtors, however honest they might be, could not obtain the assent of their creditors to their discharge under a certain composition, the matter became a rather important one.

His hon. friend from Centre Toronto (Mr. Macdonald) had said that no man, unless he was incompetent or dishonest, failed.

Mr. MACDONALD (Centre Toronto) explained that he had said that a large number of failures arose from incompetency, extravagance and fraud; but he had not said that there were no failures from any other cause.

Mr. McCARTHY said this did not alter what he was going to say, and he accepted the hon. gentleman's amendment. It was admitted, then, that in certain cases a man might fail from other causes than fraud, extravagance, or incompetency; and many also who could not pay 50c. He would suggest whether it would not be wise to throw the burden of proof upon the insolvent, and then make it obligatory upon the Judge to grant the discharge. The fault of the present law was not so much in the law itself, as in the fact that creditors had not paid that attention to it which they should have done. He thought if the 33½c. clause was left in, and the Bill was amended so that no Judge could grant a discharge unless it was shown that none of the exceptions had been violated by the debtor, and that when it was so shown it should be obligatory upon the Judge to grant the discharge, it would meet the difficulty.

Mr. BLAKE: Is not that re-enacting the 58th clause.

Mr. McCARTHY said he thought the amendment he proposed was different to that clause.

Mr. PATERSON remarked, in reference to what had been said by the hon. member for North Huron (Mr. Farrow) that one of the crying evils under the present Bill was that solvent merchants had to compete with the goods of those who had been able to assign at 33½c. on the dollar, and he asserted that no class complained so much about the laxity of the law as retail traders.

Section agreed to.

On Section 17,

Mr. GIBBS (South Ontario) said, after thinking carefully over the matter he had remained of the same opinions as previously. He ventured to

say that the standard of commercial morality would be more lowered during the next year than ever before, for a number of men now in trade, who believed themselves solvent and worth 150c. on the dollar, would soon see that, unless they went into bankruptcy, it would be impossible for them to get their discharge. He thought it had been clearly shown that it was impossible for a debtor to realize what was required by this Bill. Even where assessments had been made at 60c., or 75c., not more than 33½c. had really been realized. He hoped the hon. the Minister of Justice would see that it was advisable not to force this Bill.

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

### After Recess.

Mr. GIBBS (South Ontario) said he felt it to be his duty to oppose the 15th clause, and, if an amendment was moved in the right direction, when the Bill came up for concurrence, he would support it. He did not doubt that the Minister of Justice was actuated in this relation by the best intentions, but he thought that bankrupt estates could be safely left in the hands of creditors for management throughout. Parties might be overtaken, as it were in a moment, by disaster, and, in consequence, under the provisions of the Bill, they might be unable to obtain their discharge. He considered that cases of this kind should be taken into consideration, as the causes of ruin were beyond the debtor's control. He would oppose the clause, and he trusted that the Minister of Justice would see his way clear to its amendment in such a manner as to meet the views which he thought were generally entertained by the House.

Mr. BOWELL said he had not heard anything in that debate, or during the previous discussion which took place on the introduction of the Bill, nor had he perceived anything in the arguments advanced by the Minister of Justice that indicated that he (Mr. Blake) had changed his mind on this question since 1875, when the hon. gentleman had expressed his views on

**Mr. McCARTHY.**

the subject. On that occasion, when the hon. member for Stanstead (Mr. Colby) spoke in the same strain as he had done that evening, the hon. gentleman, who was not then Minister of Justice, spoke equally strongly with the hon. member for Stanstead, and wound up his remarks by saying that a limitation of this kind—33c. on the dollar—was in opposition to the principle of the Insolvency Law. He saw the hon. gentleman shaking his head, and he would refresh his memory by referring to *Hansard*. The hon. gentleman was represented to have said :

“He believed that if power were given to a debtor to go into insolvency voluntarily, it would be proper to impose, as a condition of discharge, that the dividend to be realized from the estate should not be less than a certain amount; but to tell the insolvent that he could not be allowed to go into insolvency of his own accord, that the time for him to do so must be fixed by the creditors, and that in case of them forcing him into insolvency, it the estate could not bring thirty-three cents on the dollar, he should not have his discharge, was too hard; and besides it was inconsistent with the principles of the Bill.”

Mr. BLAKE: Of the Bill?

Mr. BOWELL: Certainly. He did not find anything in this Bill changing that principle, further than one of the provisions in the proposed amendment, that the debtor must give notice that he was able to pay fifty cents on the dollar, and that, if he were not put into insolvency within a month, he was not obliged to pay fifty cents on the dollar. There was nothing in the law to compel the creditor to put the debtor into insolvency, nor did it follow that a debtor would be enabled to inform his creditors that he could pay fifty cents on the dollar. A man might take stock, and this, with his book debts, might show him to be solvent to all intents and purposes, and yet when he came to collect his debts he might find that his accounts were scarcely worth a third or a quarter of their face. The result would be that, if he failed to give notice within one month under this clause, such a debtor would be unable to obtain his discharge, and then circumstances might arise which would prevent him from giving one month's notice—the fact of the failure of those whom he had assisted, or whose notes he had endorsed, or the failure of the

wholesale merchant who supplied him with goods, and who might also bring him down to bankruptcy. They knew that such things occurred almost every day. He could not but take exception to the sweeping arguments—if they could be so termed—or the denunciations rather of the hon. gentleman from Centre Toronto, when speaking of debtors. If the arguments of the hon. gentlemen from Centre Toronto and South Brant meant anything, they were the strongest possible arguments which could be advanced in favour of the complete repeal of the law, and, if the hon. gentlemen had taken this ground, it did seem to him that they would have been more consistent. The hon. gentleman said there were too many in the trade, and he quite agreed with him on that point; and further, to prevent those who had been, unfortunately, fraudulent—as the hon. gentleman termed them—or incompetent, from again commencing business, they should be hindered from obtaining their discharge. It seemed to him that the wholesale merchants should have begun at the root of the evil, for they could, to a very great extent, prevent these fraudulent transactions. Into every small village, town and city in the Dominion, these merchants sent forth their runners; and, having over-imported themselves, in order to get rid of their stock, they actually forced their goods on the retail dealer, who, in turn, forced them on his customers. When the retailers attempted to collect their accounts, they found that they were unable to do so; and the result was bankruptcy. Anyone who had given the slightest attention to this question, must have come to the conclusion that bankruptcies had almost quadrupled since the time when the system of sending out runners, or drummers, or bummers into every section of the country was adopted by the wholesale trade. In almost every little village they established a man, having a small capital of his own, and gave him the requisite, and even more than the necessary, credit to carry on business; and this was not all; a second and a third man came along, and if they had a few hundred dollars the wholesale mer-

chant would give him goods to three or four times that amount, and send them into the same locality to compete with the solvent trader. The result was bankruptcy in nine cases out of ten. The wholesale merchant should keep his drummers at home, and let the man who desired to purchase goods, and who had some capital, come to him and establish a fair and equitable credit. Two or three persons should not be established in the same business in the same locality where there was scarcely business enough for one. Such a case occurred a few days ago; a man began business with some \$9,000 or \$10,000, and this continued for some eighteen months, when the creditors came to the shop and found only \$3,000 or \$4,000 left. The balance had disappeared. The man told them: "When I commenced business, I had a fair prospect not only of succeeding, but of paying every dollar I owed; but I was scarcely in business a month before you established two other shops in this locality, and the result has been that none of us have been able to do any business." Bankruptcy followed; and this would continue under such circumstances to the end of time. If wholesale merchants desired to prevent the recurrence of these things, they must begin at the bottom and refuse to give such a degree of credit. If this system were continued, they would never obtain, by Act of Parliament, 50c. on the dollar from their debtors. On the same arbitrary principle, 60c. or 75c. might be stipulated for; if the House went to the length of the hon. member for South Brant, debtors might be compelled to pay 100c. on the dollar. If this could be accomplished, it would undoubtedly benefit the whole trade, but he was convinced that the attempt would fail. If, to the proviso that a dividend might have been obtained if it had not been for negligence or fraud on the part of assignees or inspectors, were added "and the expense in winding up the estate," it would undoubtedly have the same effect as if the clause were altogether eliminated. The example given by the hon. member for Prince Edward was sufficient to show that, where an estate was actually worth from 80c. to 100c. on the dollar,

**Mr. BOWELL.**

when it passed through the hands of the assignees and lawyers, if 30c. or 40c. were obtained, this was all that could be expected.

Mr. MACDOUGALL (East Elgin) said the amendment was proposed to apply to the 65th section of the Act of 1875. When this law was passed, he was one of those who opposed the introduction into it of the 65th clause, as he then believed that it would not accomplish the object in view. The hon. member for North Hastings said that the Minister of Justice opposed the 33 $\frac{1}{2}$ c. clause. He thought this was probably the case, and therefore the then and now positions of the hon. gentleman were not consistent, the one with the other.

Mr. BOWELL: I did not say so.

Mr. MACDOUGALL said the two cases were not parallel. The 33c. clause, as it existed now, was applicable to all cases of discharge, where the consent to the discharge was obtained from the creditors, and it was likewise applicable to cases of confirmation of discharge, and to other cases, where no other discharge had been obtained in the regular way. This amendment was proposed to be added to the 65th section, which provided for the cases where the application for discharge was made where there was no consent to the discharge being obtained, and where no confirmation of the discharge was to be secured; and not to these cases. It had been stated that the wholesale merchants forced their goods on the retail dealers throughout the country; but he did not think it could be fairly stated that these merchants had dealt hardly with their customers; on the contrary, they had shown great leniency in this respect. There was nothing to prevent assent to discharge being obtained or a composition of discharge, and, if this was the case, there was nothing in this section to prevent a discharge being confirmed. Sub-section three of this amendment was in part equivalent to a voluntary assignment. It was proposed that, when an insolvent found himself in such a position, he should honestly inform his creditors about his condition; he need not wait, as now, until they saw fit to

put him into insolvency; and this provision was equivalent to a voluntary assignment. He was not favourable to a limitation of the description proposed, or one of any kind, for he thought that the provisions of the Statute were now sufficient to enable creditors to look after their own interests properly. He was willing, however, to defer to the wish of the majority on this point. Nevertheless, he did not apprehend that any very beneficial effect would result from the adoption of the amendment. He did not understand that the fifty cents included costs, but, probably, it was only proper that it should do so. It would make those engaged in trade see that their affairs were properly conducted, examine their books and take stock at such intervals as to be able to know at any time how their affairs stood; and, when they found their affairs in such a condition as required it, they could give this notice, and would be very likely able to arrange such a compromise with their creditors as would be beneficial to the creditors, not hurtful to themselves, and at the same time not necessitate their going into insolvency. He would have been pleased to have seen the minimum dividend untouched, and still better pleased to see no limitation of the kind; but it seemed to him the evil effect of the 33 per cent. clause was to a considerable extent obviated by the 3rd subsection.

Mr. HOLTON said, two years ago, when the Act of which this was an amendment was before the House, he had the good fortune to agree with his hon. friend the Minister of Justice in opposing the 33 per cent. limitation. He did not blame the hon. gentleman for the position he had now taken, because in matters of this kind they had to be governed by expediency and not by abstract principle, and he had no doubt that the raising of the limitation to 50 per cent. was in accordance with the representations of the mercantile community. But he (Mr Holton) wished to say that he adhered to the opinion he formed two years ago. He had thought somewhat on the subject, and watched the workings of the present law, and he was persuaded in his own mind that the arguments upon which he and his hon. friend agreed in opposing

this limitation were valid, and had been sustained, rather than weakened, by the experience of the last two years. What he feared in the practical operation of the clause proposed by the hon. the Minister of Justice was that a great many men who were struggling with a certain probability of success to meet their liabilities, would be hastened into insolvency, and give up the contest. They knew very well that an estate under the management of a prudent man, who hoped and strove to meet his liabilities, might turn out to be worth 100c. on the dollar, which, if forced into insolvency, would hardly produce 50c.; and he feared the immediate result of the amendment would be a rush into bankruptcy of men struggling against adverse circumstances during this period of depression, and that great evil would result to the mercantile community. Such, at all events, was his view of the case, and, while adhering to the opinion which he entertained, and which, so far as he had an opportunity of observing, had been fortified by the experience of the last two years, if, on the report of the Committee, or at a subsequent stage, a motion could be made similar to the one made two years ago, to strike out this limitation clause altogether, he should certainly feel constrained to vote for it.

Section agreed to.

On Section 22,

Mr. WHITE (North Renfrew) said it was proposed to reduce the time for which labourers or operators employed by an insolvent could rank as privileged creditors. Many classes of labourers, those engaged in the lumber trade, for instance, were engaged for periods varying from six to twelve months, and, beyond some small advances, did not receive any payment for the time. It would be a great injury to those parties to reduce the period.

Mr. GUTHRIE said in many instances clerks of insolvents could be utilized by the assignees, at a great saving to the estates, and he suggested the insertion of a clause to give some discretion to those officials in this regard.

Mr. BLAKE said there was great force in the suggestion, and he would consider it.

Section agreed to.

On Section 23,

Mr. BARTHE said he thought the majority in number should be struck out, leaving only the majority in value. Besides, who, if not the estate, was to pay the costs? The Bill was not clear on that point.

Mr. BLAKE said he did not propose to alter what had always been, in all the Acts since 1864, the general principle of governing the meetings—the joint majority in number and value. If, however, the law was to be modified, the modification which his hon. friend suggested would be the proper one. Cases had occurred where rival assignees, fighting for the control of the estate, one representing the majority in number and the other in value, had run up expenses against an estate of \$2,000 or \$3,000; but it would not be a less misfortune to the estate if the worst of those parties had been appointed assignee. If the mass of creditors understood that such a question must be decided by the Judge, and that the parties bringing the litigation must bear the costs, two good results must follow: First, that the mass of the creditors in number and value would seek more earnestly than they now did for an agreement; and, secondly, that when a controversy did take place it would not proceed quite so keenly or expensively when the parties knew the money had to come out of their own pockets, instead of out of the unfortunate estate.

Mr. MITCHELL said there was another evil which arose out of the law. Like the wreckers on the Cornish coast, who decoyed ships in distress on shore in order that they might pillage them, there was a certain class of men who, when they saw houses in difficulty, aggravated in every way the difficulty and precipitated the stoppage of the firms by purchasing debts and forcing them into insolvency.

Mr. BARTHE said the difficulty he had suggested might not only happen in the choice of an assignee, but in the settlement of the whole estate.

Section agreed to.

Mr. GUTHRIE.

On Section 30,

Mr. GOUDGE said Section 83 of the present Act was inoperative, as regarded the Province of Nova Scotia. It had been decided by the Judges that it was not the issuing but the recording of a judgment that gave it effect. He proposed to add the following proviso:—

“ Provided always that in such of the Provinces when by the laws thereof judgment of Courts of Record may be recorded against lands, such judgments so recorded shall not be considered as a lien on the said lands, if recorded within thirty days before a Writ of Attachment has been issued or an Assignment has been made.”

Mr. BLAKE said he was afraid he was unable to adopt his hon. friend's proposal. He would be glad, however, if he would place it as a notice of motion, so that the House might have an opportunity of considering it. When he himself had attempted to introduce a similar proposition, he had to withdraw it, on account of the alleged invasion of the civil law of Quebec.

Mr. BABY said he did not know that the proposed amendment, just introduced, did infringe upon the law of the Province of Quebec, and he saw no difficulty in the way of its being adopted.

Mr. GOUDGE said he had consulted the Quebec members on the subject, and they had suggested this amendment as a solution of the difficulty. The law, as it stood, was really a fruitful source of insolvencies.

Mr. PALMER said he agreed with the amendment proposed. Until he looked into the law, he had supposed that the provision existed, but he supposed it had been overlooked.

Section agreed to.

On Section 35,

Mr. PALMER said he thought this section ought to be extended, as its provisions were not large enough for the purposes intended, and he thought it might be amended so as to make it more effectual. There were cases in which the Judge would necessarily make an order for the payment of money other than the costs, but there was no means of enforcing this order. Section 125 authorized imprisonment, but a man might be imprisoned and yet no money could be obtained from

him. He would suggest an amendment that, in all cases where costs or other sums of money were ordered by the Court or adjudged to be paid, the same proceedings, as near as might be, should be taken for the collection of such sums of money and costs as if the order were payable under such judgment.

Mr. BLAKE accepted the amendment.

Section, as amended, *agreed to.*

Bill as amended, *ordered to be reported.*

House resumed.

Bill reported.

Amendments *read the first time.*

Mr. BLAKE moved the second reading of the amendments.

Mr. GIBBS (South Ontario) moved in amendment:

"That the said amendments be not now read the second time, but that the Bill be re-committed to a Committee of the Whole, with instructions that they have power to strike out the 15th section of the Bill."

Mr. YOUNG said, when the Bill was brought before the House two or three years ago, his impression was that it was not desirable to fix too high a limit on which the discharge could be obtained. But he was of the opinion that considerable evils had manifested themselves in the working of the Act, and there was a very strong feeling that discharges could be far too easily obtained, and that there should be some further restriction. He would be disposed to leave the limit at 33½c. if there could be sufficient safeguards under this rule, but he was satisfied that these could not be obtained, and, therefore, he was in favour of 50c. in the dollar being imposed. He thought an altogether exaggerated view had been taken of the restricted character of this clause. It was known that under the present system nearly all the persons who had assigned had had their discharge agreed to by the creditors, and there would be the same effect if the proposed clause were adopted. It would be found that, where a man had managed his affairs in anything like a proper manner, there would be no difficulty in his obtaining his discharge. But it placed in the hands of the credi-

tors the power, in cases of individuals seeking and insisting on their discharges, against whom objection was entertained on the ground that they had not managed their business properly, to withhold their discharge until they had paid fifty cents on the dollar. Many of the arguments which had been adduced against the clause were very much beside the mark. Many hon. members who were opposed to any Insolvent Law objected to the provision for fifty cents, preferring that the amount should remain at 33½c. That was a very inconsistent position; they wished to obtain the whole loaf, but, when they could not obtain it, they insisted on having one-third instead of one-half. Again, they had the argument adduced by the hon. member for Cardwell (Mr. McCarthy), who had submitted imaginary cases of great hardships, where individuals who had been perfectly honest had been unable to pay fifty cents on the dollar. Other hon. members had referred to persons losing heavily by fire and dealings with commission houses, and had pointed out that owing to misfortunes the traders might have been unable to pay the amount stated in the Bill. He wished any hon. member to specify a single case of persons suffering losses of that character who had been refused a discharge by their creditors. He did not think a single instance could be adduced; it was an imaginary danger that was not likely to occur; in fact, the evil lay entirely in the opposite direction; discharges had been obtained by debtors much too easily instead of creditors being too strict. He could not concur in the argument brought forward by the hon. member for South Ontario, to the effect that a trader who was able to pay \$1.50 on the dollar would go into insolvency lest he might be unable at a later period to pay a sufficient dividend to obtain his discharge. That danger also was a purely imaginary one. One of the evils which had grown up under the law was that traders did not make assignments sufficiently early, but continued in business until almost the whole estate had been consumed. Besides, it was not an agreeable matter to enter into insolvency. He believed the clause proposed would have a tendency to compel traders to

make assignments as soon as they were unable to pay 100c. on the dollar, and in that respect it would act to the advancement of the public interest. He was of opinion that certain evils had arisen under the operation of the Insolvent Act, that the tendency of late had been to grant insolvents their discharges much too easily, that a very strong feeling prevailed throughout the country in favour of some check being placed on the present easy manner in which traders were whitewashed and relieved of their liabilities; and, believing the proposal of the hon. the Minister of Justice was brought forward with the object of preventing that, he would give it his support on the present occasion. If it had been possible to introduce other checks, he would have preferred that the dividends should have remained at 33 $\frac{1}{3}$ , but that seemed impossible and therefore he supported the present proposal as one which would tend to the public good. At all events, they should give it a trial. Every hon. member acquainted with the business of the country would admit that very considerable evils had been developed under the working of the Insolvent Law during the past two or three years, and the action of the Government was worthy of the support of the members of the House.

Mr. WORKMAN said he hoped the section would be retained in the Bill, because he knew the sentiments of a large portion of the commercial community of Lower Canada, and especially of the large cities, to be decidedly in favour of the proposal. Not that they wished to impose upon the honest debtor restrictions which would be injurious to him, but it was their desire that the honest creditor also should be treated with justice and have an opportunity to obtain fair play and honest dealing under the Act which he had not received heretofore. Much had been said about the poor, honest and unfortunate debtor, but not a word about the poor creditor. The creditors were the persons, however, who severely suffered; indeed, who were victimized. Where one honest debtor was refused his discharge, one thousand honest creditors were cheated out of money by dishonest debtors. Such had been his experience, and while he had at-

**Mr. Youns.**

tended many meetings of creditors he had never yet found a case—though he had probably had as much experience as any hon. member—when an honest debtor made a straightforward statement of his affairs when he was not treated with the greatest consideration and his discharge granted, even though he did not pay five cents on the dollar. He had also seen dishonest debtors who had concealed large portions of their assets and defrauded their creditors, who could not be reached under the Act, or justice obtained. There was a spirit abroad in this country which operated as it were dishonestly, and it was tingeing the whole commercial character of the people and would, if it continued, ruin it. A stringent clause of the nature of that under discussion was, therefore, absolutely necessary, not for the purpose of punishing the honest debtor, but for the purpose of enabling the creditors to obtain all the assets possible out of the debtor's estate. The clause did not stop the creditors from granting a discharge; it merely prevented the Judge granting a discharge to an insolvent debtor who had not paid as much dividend as his assets would warrant, and in 99 cases out of 100 the creditors would grant the discharge if the debtors were entitled to it. He hoped, therefore, that the good sense of the House would retain the clause in the Bill, because, as the law had worked for the past two years, it had almost demoralized the commercial community of this country. If they could not obtain some stringent clause of the nature of that proposed, they had better sweep the Act from the Statute-book.

Mr. MITCHELL: Yes; the House had better sweep it off.

Mr. WORKMAN said he wanted to give a fair opportunity to work the Insolvent Act under the amendments proposed, because they were very important and to the point, and they would be a great improvement on the law as it heretofore existed. He would, therefore, vote to retain the clause in the Bill.

Mr. MACDONNELL said the Insolvent Law was originally intended for the benefit of the poor but honest

debtor. As it stood to-day, and under the present Bill, it was intended for the benefit of the creditor. The new machinery created under the Insolvent Law enabled the creditors to institute summary proceedings to seize the property of a debtor, and, while informing him that they had stopped his business and speculations, to tell him he must pay a certain amount of dividend. The original intention was to grant a discharge to any business man who had embarked in business and, through misfortune, had become insolvent. That was done on the principle of public policy. The country had an interest in the industry and work of its people, and it would be a great misfortune if men of ability and experience should be dependent upon the creditors for remaining in business. The law, therefore, was intended to remove such persons from that position. It required that the honesty of the debtor should be proved before the Court. The hon. member for Centre Toronto had spoken about inability, extravagance and fraud on the part of insolvent traders. The question of fraud, however, did not arise, because they supposed that a Judge, whenever fraud was proved, would refuse to grant the bankrupt his discharge. In regard to incompetency they could not blame every trader for not being endowed with the commercial common sense, ability and ingenuity of the hon. member for Centre Toronto. If there were not incompetent men, that hon. member would not be so competent. One was dependent on the other; therefore, competency and incompetency were correlative terms. The present Bill had two objects. Its first and principal object was the relief of the honest and unfortunate debtor, which was the basis on which all Insolvent Laws in England or this country were based. The other object was that, while endeavouring to relieve the debtor, it, at the same time, placed a new power in the hands of the creditors for their protection. The creditors obtained a power which they did not possess under any other law to seize the property of a debtor without taking the preliminary steps which a creditor, without the Insolvent Act, would have to adopt if he entered a Court of Law, viz: to give the debtor

the opportunity of defending himself, to establish the claim without a doubt, to obtain the judgment of the Court, and execution by the aid of the sheriff. Instead of compelling the usual proceedings to be taken, the Act gave the creditors the power to at once seize upon the property of the debtor, though he might be engaged in a speculation which might prove a fortune. The proposed clause gave an extraordinary and almost dangerous power to creditors. Yet, the House was told that, while this power was conceded to creditors, the debtors should receive no benefit. There were many men engaged largely in business to-day who, if forced into bankruptcy would not be able to pay more than 25c. on the dollar. He knew of estates of persons who had been engaged largely in business which could not be realized by the administrator, and where the goods had been compelled to be taken from Cape Breton to Halifax and sacrificed for a small sum. If a trader, who possessed great ability and business tact, went into insolvency, his estate would prove as unsaleable as that of an estate sold by the Court of Probate. The present Bill was unfair and one-sided and was framed entirely in the interests of the creditors. He would be prepared to see the Bill thrown out rather than it should be emasculated by the 50c. clause being inserted.

Mr. ROSS (Prince Edward) said he wished to place himself right before the House. He had stated that he would support the hon. Minister of Justice in regard to the 50c. clause, and he thought by doing so it would be the means of throwing out the Bill altogether. If the Bill were enforced next year that clause would be killed. When laws were passed by Parliament, they should be carried out. The Insolvent Law under which every insolvent had to pay 33 $\frac{1}{2}$ c. on the dollar had been in force two years, and yet it appeared from the returns that the average dividends amounted to only 22 $\frac{1}{2}$ c. and they had therefore not been carried out. He thought the Bill submitted by the hon. the Minister of Justice should be withdrawn.

Mr. SMITH (Selkirk) said he was afraid that the proposition of the hon.

the Minister of Justice would bear severely upon the charitable institutions of the country. He had attended some meetings organized for charitable purposes and had seen gentlemen come forward and hand over subscriptions of \$100 to \$200, \$500 or \$1,000, and felt quite ashamed on handing over his five or ten dollars. He not unfrequently found after a few months or a year that those large subscriptions had been paid by those gentlemen out of the pockets of their creditors, and he was very much afraid that in many instances at the moment of paying them they were very well aware that their creditors would have to meet the obligations. It was certainly not asking too much from the House that the amount of dividend should be placed at 50c. instead of 33 $\frac{1}{3}$ c. There was no doubt that a man having honest intents would always be leniently dealt with, but the honest creditor ought to be as much protected as the honest debtor. The clause did not bear unnecessarily severely upon the debtor. He would support the clause submitted by the hon. the Minister of Justice.

Mr. WHITE (North Renfrew) said the amendment required that a debtor should pay a certain amount of dividend in order to obtain his discharge. While he thought the amount should not be placed so high as 50c., he was not disposed to say there should be no limitation. He therefore moved in amendment to the said proposed amendment:

"That all the words after the word 'the' in the last line of the said amendment where it occurs the first time, be struck out, and the following inserted instead thereof:—14th and 15th Sections of the Bill."

Mr. TUPPER said he regretted he was not present when the Bill was submitted to the House for the second reading, but he wished to take the present opportunity to refer to two or three matters connected with the Bill. He would address himself first to the clause under the consideration of the House. He thought they had some right to complain that the hon. the Minister of Justice in proposing so substantial and important a change in the Bill should not have adduced some reasons for the amendments he proposed, and offered some explanations to

the House of the remarkable changes that had taken place in his own views. There was perhaps no measure ever submitted to Parliament that had obtained inside of the House and outside of it, from the great commercial bodies and leading business men of the country, the same amount of attention and consideration as the present Bill. It was well known that for several years it was a matter of keen controversy and discussion in the House as to whether the country should have an Insolvent Law or not. The late Government, by the assistance of some members of the Opposition were able to retain the law on the Statute-book, pledging themselves to the House that they would endeavour to improve the measure so as to make it as acceptable to the country as possible. With that object in view, they addressed themselves to the Boards of Trade and the commercial men in the country and invited their co-operation and assistance, and, as was well known, no subject ever before Parliament had received more patient, more careful and more exhaustive consideration from that great commercial organization, the Dominion Board of Trade, than had this very question. More than that, they appointed gentlemen to act as a committee to assist the Government and the Committee of the House, after a most patient and laborious investigation, to mature the measure and present it to the House in as complete a form as possible. He gave the present Government great credit for the importance they had attached to this question and for the care they had taken in submitting the measure to the House in as perfect a shape as was possible. He was not surprised that this was the case, since the hon. member for Prince Edward told them that the number of insolvencies during the past year exceeded seventeen hundred, and that the amount of indebtedness exceeded twenty-five millions of dollars, and also that the amount of indebtedness and the number of insolvencies had about doubled since 1873. The House would understand, under these circumstances, that it would be difficulty to approach a question of greater moment or importance than the present one. Hon. gentlemen

Mr. SMITH.

opposite would probably recollect that, on the occasion when the Bill was presented to the House, he steadily supported, from the beginning to the end, the Government; and he believed that, in many instances, he voted against the great bulk of the party with which he ordinarily co-operated in that House. He gave the Government a most earnest and hearty support on the grounds he had already mentioned; and he did think that, although the Minister of Justice was not, he believed, responsible for the passage of that measure—not being at the time on the Treasury Benches—the hon. gentleman, when asking the House to go back on that legislation, and make a most important and fundamental change in it, was bound, in justice to his own friends and supporters in the House, who assisted the Administration, whether on one side of the House or the other, to put that law on the Statute-book, to give them some reason for the fundamental and important change proposed. There was another reason why it was doubly incumbent on the Minister of Justice to make these explanations. The hon. gentleman had to justify himself. He had supported the First Minister and the late Minister of Justice in carrying that measure through the House, against the opposition of the hon. member himself, with relation to this very clause. The hon. gentleman then supported a motion made by his hon. friend from Stanstead, who had avowed his hostility to the Insolvency Law altogether. The hon. gentleman (Mr. Blake) had voted against the Government on this very clause—not because he wanted to raise the 33c. to 50c., but because he desired to reduce it from 33c. to 10c. Under these circumstances, the House deserved an explanation why the hon. gentleman proposed to invade the principles of the law, which was not settled without a good deal of discussion and in opposition to which the Minister of Justice had formerly arrayed himself. The hon. gentleman's views seemed to have undergone a complete change since he had opposed the 33c. clause because it was too oppressive to the debtor. What had made the hon. gentleman less the friend of the great

mass of people whose interests were to be brought under consideration with relation to this measure? What had transferred the affections and confidence and support of the hon. gentleman to a most important class of the community, but to a class which, at the same time, was wealthy enough and powerful enough to protect their own interests against the persons who would be affected by the Bill? The hon. gentleman had objected to the 33c. clause because, he said, it, with the other provisions of the Bill, were not satisfactory, and that, when they did not give to the debtor the opportunity of going into insolvency, the House ought to be very careful how they imposed a barrier against the discharge of the honest debtor. He (Mr. Tupper) sustained the Government at the time, because he felt the 33c. clause did not impose an insuperable barrier against the honest debtor getting his discharge. If he was not able to follow the Minister of Justice in the great and oppressive charge at present proposed, with relation to the great mass of people of whom, as the hon. member for Prince Edward had stated, nearly two thousand had been compelled in the unfortunate condition of the country to go into insolvency last year, it was because of its oppressive nature. Was this the time, when the number of insolvencies had doubled within three years, and the amount of indebtedness of insolvents had increased from a little over \$12,000,000 to \$25,000,000, to introduce more stringent and more oppressive legislation? The hon. member for Chateauguay had covered the whole ground when he stated that the effect of the measure would be to drive people into insolvency, who would not otherwise be obliged to go into it at all. The terror this clause would inspire would have such an effect, and, instead of making efforts, which in the great majority of cases would be successful, to extricate themselves from the difficulties in which the unfortunate condition of the country had involved them, they would, under the influences of this amended Bill as now proposed, sink down hopelessly and helplessly, and go to swell the great mass of insolvencies, which

was now, in his opinion, sufficiently large. He thought that, in the absence of any indication on the part of the commercial men of this country, or commercial bodies, or any parties entitled to claim and command their respect in this relation, the First Minister ought to remember the support and assistance he had received from both sides of the House, and ought not to allow the Bill to be unnecessarily changed and altered without any show or reason, or any ground being given to the House why so great an alteration should be made in it as was proposed. He also wished to call the attention of the First Minister to a statement he (Mr. Mackenzie) had made with regard to the Insolvency Law at the time when he had had the pleasure of meeting that hon. gentleman before the electors of South Ontario at Whitby. The hon. gentleman then said, in reply to his own statement that the Government had grasped all the patronage comprised in the appointment of official assignees: "The next charge was that we monopolized a great deal of this patronage by our legislation, and that, by enacting a new Insolvency Law, which placed in our hands the appointment of official assignees we took the patronage into our own hands. We did so, and that with the consent of Dr. Tupper and of every member of the House. There was all but a universal feeling that the Government were the best persons to appoint official assignees which were previously elected by Boards of Trade." He would now turn to the discussion, and he would invite the First Minister's attention to the fact that the late Minister of Justice, in introducing this Bill to the House, proved conclusively that there was not a general feeling in favour, as far as the Committee were concerned, of having the Government appoint official assignees. He desired to draw the attention of the First Minister to the fact that in his judgment the Government had scarcely kept faith with the declaration which they made to the House when the House gave them power to appoint official assignees. He would quote from *Hansard*:—"Hon. Mr. Fournier moved the House into a Committee to consider the Insolvency

Bill. He said the Select Committee, to which the Bill was referred, had held numerous sittings and had devoted much attention to it. With respect to the appointment of official assignees, the intention of the Government in taking to itself the power to appoint those officers was, as far as might be in the public interest, to appoint to these offices sheriffs, who, he believed, would be acceptable as such officials." He would like to ask the First Minister if the pledge, not implied but expressed here, had been kept. Had good faith been kept with the Provinces of Ontario and Quebec, in the appointment of sheriffs as official assignees? He thought it must be admitted that this had not been done. The late Minister of Justice also said: "When the Bill was in Committee, hon. members had stated that, if it was the intention of the Government to appoint sheriffs, their principal objection to the Government having this power would be removed." So, it appeared, there was not a general desire that the Government should appoint the official assignees, but there was a general desire that, if they took these appointments into their own hand, they should confine them to sheriffs. He found that, so far from every member of the House having concurred in it, the hon. member for St. John had opposed it most strenuously, and made a motion in opposition to it; and Mr. Jones (Leeds) said: "If the Government insisted on pressing this clause, of course it would be carried. He moved, in amendment, that the 27th clause should be struck out, and that the sheriff be official assignee within his county or district." This amendment was lost on a division. Mr. Palmer said: "He did not agree with the hon. member for Shefford, but held that these appointments were of considerable importance. He believed Boards of Trade were more likely to make good selections than the Government, because it was likely the fruits of bad management would come out of their own pockets. Many of the members of the Boards of Trade in such instances being interested as creditors, it was of vast importance that a person interested in the particular district in which insolvency occurred should be appointed,

and none were better fitted to make such appointments than Boards of Trade. He, therefore, moved in amendment to the 27th clause—"that the person shall be appointed in every county or district, in which the Court is held, by the Board of Trade in such county and district or the nearest to such county or district, who shall reside in such county or district to act as assignee for such county or district." This amendment was lost on a division and the clause passed. He invited the attention of the Premier to these facts, not because he made the statement in question with a view to mislead, but to show the hon. gentleman that he was not accurate in making that statement. He hoped that the Minister of Justice would feel it was due to the House, when he asked the supporters of the Government to make this important and oppressive change in the law, to give some reason why the change was demanded, and to state what necessity existed for it; and to explain what he thought the House was entitled to know—what circumstances had led to such a total and complete revolution in the sentiments which the hon. gentleman held and advocated and voted for when this Bill was formerly under the consideration of the House.

Mr. BLAKE said he perfectly agreed that it was the duty of the Minister who was charged with the introduction of this measure to give to the House the reasons why it was proposed; and also that the House should not be asked to adopt a measure without reasons and explanations being given for it. On the 26th of February, anterior even to the introduction of the measure, and during the discussion of the motion for the second reading of a Bill proposed by the hon. member for Richelieu, and in conformity with the pledge he had heretofore given to the House, he gave his reasons in the fullest manner in this relation. He had before that stated, with reference to a suggestion that the debate should be adjourned, that it was probably the intention of the Government to submit a substantial amendment besides some minor amendments; and that it was his desire that the House should be in possession of that substantial amend-

ment before disposing of the Bill of the hon. member for Richelieu. The hon. member for Kingston then acceded to the reasonableness of that view. In the course of the debate on the motion of the hon. member for Richelieu (Mr. Barthe), the hon. member for South Ontario (Mr. Gibbs) called his attention to the fact, and asked him to make that announcement. As soon afterwards as possible, he rose, and, at some length, expressed his views. He had then prepared the amendment, which now stood as the 15th clause in the Bill, not merely in substance, but also in form. He stated it fully, read it to the House, and gave his reasons, which occurred to him then as well as now, in support of it. He had no right to expect that the hon. member for Cumberland would have at the time listened to his remarks or remember his words, but if the hon. member would refer to pages 291, 292, 293 and 294 of the Official Report, he would find a tolerably full statement of his reasons for introducing this very clause, and the clause itself, with its three conditions, stated *verbatim*. He also pointed out on that occasion what his views had been with reference to the Act of 1875; that he formerly entertained the opinion that it was inconsistent with the principle of the law which allowed no opportunity to debtor to go into insolvency to insist upon a certain minimum being paid by the estate as a condition of discharge; and that he still retained the views which the hon. member for Chateauguay had stated, with tolerable accuracy, with regard to what occurred in that debate, with the slight exception that, instead of the hon. member dividing with him, he (Mr. Holton) divided against him.

Mr. HOLTON: No, no.

Mr. BLAKE: Yes. The division list was there and the hon. member would find his name among the majority. The hon. member's views nevertheless concurred with his own no doubt as stated in the debate. He still felt that difficulty. He had pointed out they were proposing to the House to violate a principle which the House had very decisively affirmed on that occasion: there should not be a

voluntary assignment, he conceived, and an alternative had been devised to get rid of that injustice to the debtor, which had induced him to oppose in the former law a provision for a compulsory minimum. That provision was the 3rd subsection which gave to the debtor the opportunity he always had, of exemption from this compulsory minimum. It seemed to him perfectly logical and consistent. His difficulty was that enforcing a minimum under all circumstances did not allow the debtor to go into insolvency. He did not propose that, but that it should be enforced under the circumstances stated in the 15th clause. Among the exceptions to the enforcement of the minimum was the case in which the creditors, being made aware of the fact that the debtor was unable to pay 20s. to the pound, should be able to put him in liquidation. The bare statement of that proposition was quite sufficient to enable him to escape from the charge of inconsistency preferred against him by the hon. members for Chateauguay and Cumberland. He found a sort of coalition on this occasion between those in the House opposed to any Insolvent Law and those who thought there ought to be one of a more liberal character. The hon. member for Northumberland (Mr. Mitchell) and others declared that the Insolvent Law should be swept away, and that there should be no provision either for the speedy realization of the estates of embarrassed debtors in favour of creditors, or for the discharge under any circumstances of any debtors unless they paid 20s. in the pound. The argument of this class of persons, although he believed it did not countervail, was still worthy of attention. They claimed that the law was unnecessary because an honest debtor always got his discharge. That was the theory on which a certain and not unimportant body in this House acted with reference to this matter. The 15th clause, he might state, in answer to those hon. gentlemen, did not apply in any case in which a majority in number and three-fourths in value of the creditors consented either to a discharge or a deed of composition; and he appealed to those hon. members to say whether they could fairly object to

the clause when they knew that it was operative only when the whole body refused to grant the discharge—when the debtor could not get a majority in number and three-fourths in value to agree to his discharge. The class of cases to which they referred would never occur. But, if it were not so, then an Insolvent Law was wanted, because the honest debtor did not get his discharge which they said he ought to get. His own view was that the honest debtor would not always get his discharge if left to the mercy of his creditors. He believed creditors would occasionally be found—harsh, greedy creditors—who would rightly or wrongly think they had been injured, and that by holding out they would get better terms, who would defeat the unanimous discharge by all the creditors, and therefore defeat any composition, arrangement, or settlement of the estate, which depended upon the general principle, for which all creditors contended, viz., that no one should have an advantage over another. He also thought that there was this measure of truth in the statement of the hon. gentleman who did not believe in the necessity of an Insolvent Law as far as debtors were concerned—that the bulk of creditors dealing with an honest debtor were inclined to, and did as a matter of fact, grant the discharge upon any reasonable terms independent of a dividend, considering only whether the man had been honest in the management of his estate and giving up what remained. If this clause became law he believed that would happen, which had hitherto happened, that the cases in which a debtor could not get the consent of the required number and value of creditors would be very few, and would be confined to those cases in which there was either proved or such well-grounded suspicion of fraud and dishonesty as would induce the creditors to refuse the discharge. What was the working of the present law? It was this: that, owing to the mode in which the 33c. clause had been carried out, owing to its having practically become nugatory, creditors almost invariably consented, and in the few cases in which they refused the Judge acted upon principles of very great lenity to the

debtor, and used his discretionary power in his favour. It would, therefore, appear that the clause which the hon. member for North Renfrew wanted to retain on the Statute-book was a nugatory clause. Two years' experience had shown that the average dividend did not come up to 33 per cent., and yet they did not hear of a case in which a discharge had been refused. It was said by another party of men, who were favourable to an Insolvent Law, that the discharge ought to be of the most liberal character. They were told by them that the law was for the benefit of the poor debtor, and that it was being perverted into a law for the rich creditor. The law was neither for the poor debtor nor the rich creditor. It was a law founded, however defectively it might work, upon a general principle of justice, which was invariably recognized, that it was expedient, and in commercial countries almost necessary, that there should be a speedy means of obtaining, by the mass of the creditors, of the property of the debtor unable to pay 20s. to the pound, and of its realization and distribution, *pro rata*, among those creditors. That was the object of an Insolvent Law in the first instance, and, following upon that, that it was not the right of the poor debtor but in the interest of the public that he should not—after the property had been taken from him, after it had been distributed, after his affairs had been examined, and after it had been found he had not been guilty of any fraud or misconduct—that he should not, as a rule, in the bulk of cases, be left stripped of his property, without the opportunity or means of earning a livelihood in the country to which he belonged, or starting afresh. It was not to his mind the right of the poor debtor at all, it was the public interest which induced the discharge of the debtor. But those men who were unable to pay 20s. in the pound, whose whole estate was necessary to the satisfaction of their debts, had no right to complain if such restrictions should be put upon their discharge as the public good should be found to require. In regard to those who favoured an Insolvent Law, but who said that the debtor ought to be liberally treated, he appealed first of

all to the operation of the law, and asked whether discharges had not been granted altogether too freely. He asked whether the difficulty was not with reference to the extravagantly dishonest and imprudent debtor, who contracted debts long after he ought to have ceased, and the debtor who laboured under a well-founded suspicion that he had not acted rightly, and not with the honest one; and yet there was not one out of five hundred but obtained his discharge. The country at large was dismayed, not because, when a man was unable to pay 20s. in the pound, his assets were taken and divided among his creditors, and, being honest, he got his discharge, but because there was a suspicion, having too much foundation, that the debtors were, in many cases, not honest, and, notwithstanding that, it was impossible to prevent discharges. What was proposed? They did not propose to deal with the case of the honest debtor practically, but with that small residuum of cases in which the creditors, by a majority in number and value, declined to grant the discharge—that small residuum of cases which came before the Judge. By giving the Judge power to deal with that small residuum, and grant the discharge under certain conditions, they might practically exclude all going into the class of cases which had been commented upon. Hon. gentlemen had referred to the unfairness which would be done if the 50 per cent. minimum were enacted in cases where property had been suddenly destroyed by storm or fire. Did those gentlemen who contended that the honest debtor should be dealt with liberally—he would not say liberally, but with common fairness—say that those extreme and exceptional cases of calamity, in which it was clear as the noonday that it was the case of an honest debtor who, by some unforeseen misfortune, not by negligence or imprudence, but by unavoidable misfortune, had been crippled in his business, would be harshly dealt with? The argument was preposterous. That was the very class of cases, of all cases which could be pointed out, in which this House, considering the interests of the debtor, could depend upon the ordinary motives of

humanity; and yet it was set up as a bugbear to frighten persons in regard to this clause. In its practical operation the clause would never apply to that class. But, because of that phantom condition, it was proposed to take away what seemed to be a salutary provision to restrain the too frequent discharge in certain cases. With reference to the dividend, whether it was 30, 50, or 60 per cent., the circumstances of the country might to some extent be taken into consideration; but he did not think that those hon. gentlemen, who were peculiarly fond of referring to the "brutal and atrocious" principle, which principle prevailed in England for the discharge of debtors, had been successful in their line of argument. In England at present the Judge could not grant the discharge unless there was a dividend of 50 per cent. or a resolution of the majority of the creditors to the effect that the deficiency had been occasioned by circumstances over which the debtor had no control. He did not propose to ask the creditors to say any such thing, or to express any opinion whether the debtor was responsible or not. If they said by a majority in number and value the debtor should have his discharge, this clause did not apply, and the Judge proceeded without reference to it. It was only if the creditors said "No," and the case came up without any consent on their part that the Judge was called upon to deal with it. When he had pointed out that only a small number of cases were affected by this section at all, he had taken away from the objections the plausibility which made it appear that there might be hardships. He had left only the case in which there might be some grounds for supposing in the minds of the creditors that there was dishonesty, and in which the Judge found that a dividend of not less than 50c. ought to be paid. If hon. gentlemen had said that they thought this too much, that the limit ought to be 40c., he could have understood the argument, although he must confess that some of the reasoning he had heard that day with reference to the condition of assets had quite astonished him. It was actually said that a man might be solvent, and yet, when his

solvency was put to the only test that could be made, namely, the realization, only 30c. or 40c. on the dollar were realized. He could understand a man who called himself solvent, and brought forward his accounts, and his odds and ends of stock, which he ought to know would be depreciated every year he kept them; who said that he had \$6,000 of book debts and \$6,000 of stock, and who said he was worth \$12,000, taking all at par, while at the same time he owed \$12,000; but such a man ought not to be in business. He ought to know that his books would be getting worse and worse every month, and that his stock would not be worth what it was when he purchased it. Such a man who said he had 100c. on the dollar did so against the experience of every storekeeper in the country, and it was absurd to say that such a man was solvent to all intents and purposes. It was said that this clause would have the effect of hurrying people into insolvency, but the rate of dividend, 22½c. on the dollar, which was paid on the whole insolvencies of the year, was sufficient answer to this. It was possible, under the circumstances he had just instanced, that a debtor might shift himself out of a difficulty with one set on to another set of creditors, but his position would only be getting worse. He did not think merchants would be found going into insolvency simply because of this clause. But he hoped, and believed, that its effect would be that it would make some reckless men who now went into insolvency for the purpose of evading the just claims of their creditors, use all their energies and make them cautious in business, so that their creditors might at least have something proportionate to what was due.

Mr. HOLTON said he did not rise for the purpose of protracting the debate, but simply to correct the inaccuracies which the hon. the Minister of Justice had inadvertently fallen into, in respect to a few observations which he (Mr. Holton) had the honour of presenting to the Committee a short time ago. That hon. gentleman said he reproached him with inconsistency in proposing now a limitation, whereas a few years ago he opposed any such limitation, and that he agreed with

him (Mr. Blake) then, but disagreed with him now. He did not reproach the hon. gentleman with inconsistency. He was careful to say that no doubt he had had representations made to him to change his opinion, and that it was not a question of principle, but one of expediency. He himself did not share the change of opinion which the hon. gentleman had undergone, and he was bound to say that the eloquent, able and argumentative speech to which the House had just listened, had failed to convince him that the position which he had occupied two years ago and which he now occupied was unsound. He had retained his opinion, but the hon. the Minister of Justice had changed his, for sufficient reasons, no doubt. If that hon. gentleman was satisfied that the change in the law proposed was a judicious one, he would then be liable to reproach, if, out of regard to personal consistency, he refused to advance the change. The hon. gentleman had said that, although he agreed with him in the debate when the Bill was before the House two years ago, he had voted against him when the division came. Here was a manifest error, as the hon. gentleman would see if he would refer to the Journals of 25th March, 1875, which he held in his hand. It was there stated :

"Mr. Colby moved in amendment, seconded by Mr. Devlin: That all the words after 'now' to the end of the question, be left out, and the words 'recommitted to a Committee of the Whole House for the purpose of leaving out the fifty-eighth clause, which makes it a condition that if the dividend is less than 33 per cent. discharge may be refused', inserted instead thereof."

The question being put upon the amendment, the House divided, and it passed in the negative. There was no record of the votes, the Government being in a small majority, however. The hon. gentleman and he voted together. But it was subsequently that

"Mr. Colby moved, in amendment, seconded by Mr. Devlin: That all the words after 'now' to the end of the question be left out, and the words 'recommitted to a Committee of the Whole House, with instructions to amend the fifty-eighth section by striking out 33 cents and inserting 10 cents in place thereof, inserted instead thereof."

It was for this motion that the hon. the Minister of Justice voted, while he himself voted against it. That latter motion affirmed a limitation; a limitation which he at the time thought absurd. But he had previously voted with the hon. gentleman against any limitation whatever. Having merely risen to correct these inaccuracies, he would make no further observations.

Mr. COLBY said it would appear that the hon. the Minister of Justice believed that the happiest condition a man or community could be in was that of insolvency. He had given as many facilities for taking this step, both to the debtor and creditor, as possible. The hon. gentleman favoured voluntary assignments, but he knew the House was opposed to him. Nevertheless, he tried to attain his object indirectly. The result of the Bill would be that timid men, who otherwise would endeavour to get through their difficulties, might go into insolvency as the only chance of getting their discharge. But the Bill would do no good to that determined set of men, who would not yield to difficulties until they were compelled. The hon. the Minister of Justice could not deny the position which he had so often taken: that it was absurd to compel a man to pay any particular sum before he could get his discharge when his property and everything belonging to him had been taken from him without his consent. The subsection objected to would be wholly inoperative except to drive timid men into insolvency; and it would have a tendency to aggravate the difficulties of this distressed period.

Question put, and amendment to the amendment (Mr. White, North Renfrew) negatived, on the following Division :—

## YEAS :

## Messieurs

Barthe	Kirkpatrick
Benoit	Langevin
Blanchet	Lanthier
Bolduc	Little
Bowell	Macdonald (Kingston)
Brooks	McDonald (Cape Breton)
Bunster	Macmillan
Caron	McCallum
Cimon	McCarthy
Colby	McQuade
Costigan	Mitchell
Currier	Moffat
Cuthbert	Monteith

Daoust  
Desjardins  
Dewdney  
Farrow  
Flesher  
Forbes  
Fraser  
Gaudet  
Gibbs (North Ontario)  
Gibbs (South Ontario)  
Haggart  
Harwood  
Holton  
Hurteau  
Jetté  
Jones (South Leeds)

## NAYS :

## Messieurs

Appleby  
Baby  
Bain  
Béchar  
Bernier  
Bertram  
Biggar  
Blackburn  
Blain  
Blake  
Borden  
Borron  
Bourassa  
Bowman  
Boyer  
Brouse  
Brown  
Burk  
Burpee (St. John)  
Burpee (Sunbury)  
Carmichael  
Cartwright  
Casey  
Casgrain  
Cauchon  
Charlton  
Cheval  
Christie  
Church  
Cockburn  
Coffin  
Cook  
Coupal  
Davies  
Dawson  
Delorme  
De St. Georges  
DeVeber  
Dymond  
Ferris  
Fiset  
Fleming  
Fréchette  
Galbraith  
Gibson  
Gillies  
Gillmor  
Goudge  
Guthrie  
Hagar  
Hall  
Higinbotham  
Horton  
Huntington  
Kerr  
Killam  
Kirk

Orton  
Ouimet  
Pinsonneault  
Platt  
Plumb  
Pope (Compton)  
Robitaille  
Short  
Stephenson  
Thompson (Cariboo)  
Tupper  
Wallace(S.Norfolk)  
White (North Renfrew)  
Wright (Ottawa Co)  
Wright (Pontiac).-57.

Laffamme  
Lajoie  
Landerkin  
Laurier  
Macdonald (Cornwall)  
Macdonald (Centre Toronto)  
MacDonnell  
Macdougall (East Elgin)  
McDougall (S. Renfrew)  
McDougall (Three Riv.)  
MacKay (Cape Breton)  
McKay (Colchester)  
Mackenzie  
McCraney  
McGregor  
McIntyre  
McIsaac  
McLeod  
McNab  
Metcalfe  
Mills  
Oliver  
Palmer  
Paterson  
Perry  
Pettes  
Pickard  
Pouliot  
Power  
Ray  
Richard  
Robillard  
Ross (East Durham)  
Ross (West Middlesex)  
Ross (Prince Edward)  
Roy  
Ryan  
Rymal  
Scatcherd  
Scriver  
Shibley  
Sinclair  
Smith (Peel)  
Smith (Selkirk)  
Smith (Westmoreland)  
St. Jean  
Taschereau  
Thompson (Haldimand)  
Thompson (Welland)  
Trow  
Vail  
Wallace (Albert)  
Wood  
Workman  
Young.—112.

Question put, and amendment (Mr. Gibbs, South Ontario) *negatived*, on the following Division :—

## YEAS :

## Messieurs

Barthe  
Blanchet  
Bolduc  
Bowell  
Brooks  
Caron  
Gimon  
Colby  
Costigan  
Currier  
Cuthbert  
Daoust  
Desjardins  
Dewdney  
Farrow  
Flesher  
Forbes  
Fraser  
Gaudet  
Gibbs (North Ontario)  
Gibbs (South Ontario)  
Haggart  
Harwood  
Holton  
Hurteau  
Jetté  
Jones (South Leeds)  
Kirkpatrick

Langevin  
Lanthier  
Little  
Macdonald (Kingston)  
McDonald (Cape Breton)  
MacDonnell  
Macmillan  
McCallum  
McCarthy  
McQuade  
Mitchell  
Moffat  
Monteith  
Orton  
Ouimet  
Pinsonneault  
Platt  
Plumb  
Pope (Compton)  
Robitaille  
Rouleau  
Short  
Stephenson  
Thompson (Cariboo)  
Tupper  
Wallace (South Norfolk)  
White (North Renfrew)  
Wright (Ottawa Co.)  
Wright (Pontiac).—58.

## NAYS :

## Messieurs

Appleby  
Baby  
Bain  
Béchar  
Bernier  
Bertram  
Biggar  
Blackburn  
Blain  
Blake  
Borden  
Borron  
Bourassa  
Bowman  
Boyer  
Brouse  
Brown  
Burk  
Burpee (St. John)  
Burpee (Sunbury)  
Carmichael  
Cartwright  
Casey  
Casgrain  
Cauchon  
Charlton  
Cheval  
Christie  
Church  
Cockburn  
Coffin  
Cook  
Coupal  
Davies  
Dawson  
DeCosmos  
Delorme  
De St. Georges

Kirk  
Laffamme  
Lajoie  
Landerkin  
Laurier  
Macdonald (Cornwall)  
Macdonald (Centre Toronto)  
Macdougall (E. Elgin)  
McDougall (S. Renfrew)  
McDougall (Three Riv.)  
MacKay (Cape Breton)  
McKay (Colchester)  
Mackenzie  
McCraney  
McGregor  
McIntyre  
McIsaac  
McLeod  
McNab  
Metcalfe  
Mills  
Oliver  
Palmer  
Paterson  
Perry  
Pettes  
Pickard  
Pouliot  
Power  
Ray  
Richard  
Robillard  
Ross (East Durham)  
Ross (West Middlesex)  
Ross (Prince Edward)  
Roy  
Ryan

DeVeber	Rymal
Dymond	Scatcherd
Ferris	Schultz
Fiset	Scrifer
Fleming	Shibley
Fréehette	Sinclair
Galbraith	Smith (Peel)
Gibson	Smith (Selkirk)
Gillies	Smith (Westmoreland)
Gillmor	St. Jean
Goudge	Taschereau
Guthrie	Thompson (Haldimand)
Hagar	Thompson (Cariboo)
Hall	Trow
Higinbotham	Vail
Horton	Wallace (Albert)
Huntington	Wood
Kerr	Workman
Killam	Young. 113.

Question put on the main motion.

Mr. BARTHE moved in amendment:

“That the Bill be re-committed to a Committee of the Whole, in order that a clause may be added, declaring that this Bill, and the Acts thereby amended, shall remain in force until the end of the next Session of Parliament. and no longer.”

Mr. BLAKE said he thought there was one practical objection to this motion. Of course it was in the power of Parliament during the whole of next Session to repeal the measure at any time. If they were to put upon the Statute-book to-day a provision of this description, the probable result would be that these “timid debtors,” of whom they had heard so much awhile ago as being about to be driven into insolvency, would be driven in large numbers by the apprehension that the Act would terminate at the end of next Session. He did not see that any good would result from this provision, while the evil would.

Mr. BARTHE said, when he proposed the Bill for the repeal of the Act, many hon. members voted against it, because, they said, the remedy was too violent and would be worse than the present evil, so he thought, by giving a year's fair trial, this amendment would meet their objections. A remarkable feature of the discussion when the repeal was proposed was that all the hon. members admitted that the law worked badly, but still, under present circumstances, they hesitated to vote for its repeal in consequence of the depression of business.

Mr. PALMER said if this amendment passed it would require the action

of Parliament to further continue the law, and he thought after the expiration of the year there would not be much danger of that, but, if nothing were done this Session, the matter would have to be brought up again next year, and the country would have no opportunity of knowing whether it would be continued or not. If the working of the law should be beneficial, it would be open to Parliament to continue it.

Question put and amendment (Mr. Barthe) *negatived*, on the following Division:—

YEAS :

Messieurs

Baby	Macmillan
Barthe	McCallum
Bernier	Mitchell
Blanchet	Ouimet
Bolduc	Palmer
Bourassa	Pope (Queen's, P.E.I.)
Cheval	Roy
Coupal	Rymal
Gibbs (North Ontario)	Thompson (Cariboo)
Gibbs (South Ontario)	Wallace (South Norfolk)
Haggart	Wright (Ottawa Co.)
Lanthier	Wright (Pontiac).—25.
McDonald (Cape Breton)	

NAYS :

Messieurs

Appleby	Jones (South Leeds)
Bain	Kerr
Béchar	Killam
Benoit	Kirk
Bertram	Kirkpatrick
Biggar	Laflamme
Blackburn	Lajoie
Blain	Landerkin
Blake	Langevin
Borden	Laurier
Borron	Macdonald (Cornwall)
Bowell	Macdonald (Kingston)
Bowman	Macdonald (Centre Toronto)
Boyer	Macdougall (East Elgin)
Brouse	McDougall (S. Renfrew)
Brown	McDougall (Three Riv.)
Buell	MacKay (Cape Breton)
Bunster	McKay (Colchester)
Burk	Mackenzie
Burpee (St. John)	McCarthy
Burpee (Sunbury)	McCraey
Carmichael	McGregor
Caron	McIntyre
Cartwright	McIsaac
Casey	McLeod
Casgrain	McNab
Cauchon	McQuade
Charlton	Metcalfe
Christie	Mills
Church	Monteith
Gimon	Oliver
Cockburn	Orton
Coffin	Paterson
Cook	Perry
Costigan	Pettes
Currier	Pickard
Guthbert	Pinsonneault
Daoust	

Davies	Platt
Dawson	Plumb
DeCosmos	Power
Delorme	Ray
Desjardins	Richard
De St. Georges	Robillard
DeVeber	Robitaille
Dewdney	Ross (East Durham)
Dymond	Ross (W. Middlesex)
Farrow	Ross (Prince Edward)
Ferris	Rouleau
Fiset	Ryan
Fleming	Scotcherd
Flesher	Schultz
Flynn	Scriven
Forbes	Shibley
Fraser	Sinclair
Fr�chet�te	Smith (Peel)
Galbraith	Smith (Selkirk)
Gaudet	Smith (Westmoreland)
Gibson	Stephenson
Gillies	St. Jean
Gillmor	Taschereau
Goudge	Thompson (Haldimand)
Guthrie	Thomson (Welland)
Hagar	Trow
Hall	Tupper
Higinbotham	Vail
Holton	Wallace (Albert)
Horton	White (North Renfrew)
Huntington	Wood
Hurteau	Workman
Jett�	Young.—141.

Question *put*, and main motion *agreed to*, on a Division.

Amendments *read the second time and agreed to*.

## EMPLOYMENT OF PRISONERS OUTSIDE JAILS BILL.

[BILL No. 94.]

(*Mr. Blake.*)

THIRD READING.

Bill *considered in Committee of the Whole, reported, read the third time and passed.*

### A DEFECTIVE RETURN.

REMARKS.

Mr. STEPHENSON said he rose to call the attention of the House to a matter of some importance to himself and his section of the country, and he thought, also, to the House and to the country generally. On the 21st February last, an Order of the House was issued for returns in detail of all expenses incurred and moneys expended in the payment of engineers, surveyors and others, for services rendered, as well as for horse-hire, etc., in connection with the surveys of the North

Mr. PALMER.

Branch of the River Sydenham from Forks at Wallaceburgh to the Village of Wilkesport, in the year 1876. The returns were subsequently brought down. He looked over them and found them complete. He returned them to the Clerk, who sent them to the office of Routine and Records, from whence they were sent to the Printing Committee. He procured a copy of the return, and found it incomplete. He went then to the office of Routine and Records, and he found that the most material portion of the return had been abstracted by some party, he could not say by whom. He was informed that this had been the case with another return. He trusted that the Government would see that the portion of the return which had been removed was supplied.

Mr. SPEAKER said the charge seemed to be laid against the officers of his Department rather than anyone else. He regretted that the hon. gentleman had not chosen to speak first to him on the subject. As the matter stood, of course an enquiry would be made, and he hoped he would be successful in finding out what had become of the portion of the papers in question.

Mr. STEPHENSON said he made no charge against any officers of the Department, but certainly some one interested in the return had instigated the abstraction of the material portion of it.

Mr. MACKENZIE said he could not conceive who could be interested in this return, which was one of the simplest things imaginable. The hon. gentleman could get a copy of it any day he chose to apply to the Department for it.

Mr. BOWELL said the hon. gentleman did not confine his remarks to officers of the House, or of Mr. Speaker's Department. The hon. gentleman stated distinctly that the return was passed from the Clerk of the House to the Printing Committee, and from the Printing Committee to the Office of Routine and Records, so that the loss could have taken place when the return was out of the hands of the officers of the House.

Mr. MACKENZIE said the matter clearly lay between either the Printing

Committee or Mr. Speaker, or Mr. Speaker's officers. If the hon. gentleman knew of any parties who had had any connection with it, let him name them.

Mr. ROSS (West Middlesex) said he hoped that the hon. gentleman did not mean to imply that any member of the Printing Committee had had anything to do with the abstraction; when the return was in possession of the Committee, it was perfectly safe. Though the hon. member was a member of that Committee, he had not been present when the return was under consideration. They had recommended that it be not printed, and this was the last he ever saw or heard of it.

Mr. STEPHENSON said it was impossible for him to be present at the time of the next meeting of the Printing Committee, as he was a member of another Committee, at which he was then obliged to be present. The hon. member for West Middlesex (Mr. Ross) might plead innocent or guilty; he made no charge against the hon. member; yet he stated distinctly and emphatically that the papers had been abstracted by some one.

#### CUSTOMS ACTS AMENDMENT BILL.—[BILL No. 19.]

(Mr. Burpee, St. John.)

##### THIRD READING.

Order for consideration of amendments made in Committee of the Whole, read.

Mr. MACKENZIE said the only amendment of any consequence was the 10th Section. The hon. member for Kingston had taken exception to it as it stood, and it was now divided into two parts. It was provided that imports must be entered where there was a lawful office of Customs established, but exports might be taken out of the country without going to the very spot where there was a Custom House, provided the entry was made within twenty-four hours. He was not aware of other changes of any consequence.

Amendments read the first and second times, and agreed to.

Bill read the third time and passed.

House adjourned at  
Fifteen minutes before  
Twelve o'clock.

## HOUSE OF COMMONS.

Wednesday, 4th April, 1877.

The Speaker took the Chair at Three o'clock.

### NORTHERN RAILWAY COMMISSION.

#### QUESTION.

Mr. McCALLUM asked whether the accountant who assisted at the investigation by the Royal Commissioners into the affairs of the Northern Railway Company of Canada made a report; if so, why said report was not sent down with the other papers relating to said Company, and whether said report would now be submitted to the House.

Mr. MACKENZIE: An officer was detailed to assist the Commissioners in the way of looking at accounts, but that was simply for the Commissioner's private information. No report was expected from that gentleman, and no report was intended to be presented from him to the Department.

### RAILWAY FROM QUEBEC TO LAKE ST. JOHN.

#### QUESTION.

Mr. CIMON asked whether it was the intention of the Government to accede to the petition of His Grace the Archbishop of Quebec, the Hon. I. Thibaudeau, and Messrs. J. B. Renaud, A. P. Caron, E. Cimon and others, citizens of Quebec, addressed to the hon. the Prime Minister, and praying for assistance from the Government for the building of a railway from Quebec to Lake St. John.

Mr. MACKENZIE: I have already stated, two or three weeks ago, that the Government do not intend to put any sum in the Estimates for this purpose.

### CANADA CENTRAL EXTENSION.

#### MOTION FOR RETURNS.

Mr. McDOUGALL (South Renfrew) moved for a copy of all Orders in Council relating to the Canada Central Extension, and the contract for building that portion of railway.

Motion agreed to.

## TRANSFER OF PORTAGE ISLAND.

### MOTION FOR PAPERS.

Mr. MITCHELL moved for all papers and correspondence between the Dominion Government, or Department of Marine and Fisheries, and the British Government or the British Admiralty, or any of its officers, or any party acting for either of the above named authorities, in relation to the transfer of Portage Island, in the Bay of Miramichi, from the jurisdiction of the British Admiralty to the Dominion Government; also, all reports to Council from the Department of Marine and Fisheries in relation to this subject, and Orders of Council thereon. He said he wished for this information in order to explain to a large portion of his constituents the position of the title of this island. It was an island occupying a prominent position in the entrance of the Miramichi Harbour, and around it were several fisheries which gave a good deal of employment to a large number of men. The position of the island prior to the resignation of the late Government was something like this: It was formerly held by the Province of New Brunswick, but was reserved as an Admiralty property as a possible point which might be found necessary for the defence of the country at some future time. The tactics of the present day, however, had made the island so manifestly useless that the Admiralty office frequently expressed a desire to be rid of it, and it was also thought desirable, felt desirable, that the title should be transferred either to the Provincial or the Dominion Government. While he was Minister of Marine and Fisheries, he opened up correspondence with the British authorities in regard to the transfer, and some months before he left office the matter was put into the hands of the Minister of Justice for New Brunswick, who was instructed to prepare the necessary papers for the transfer. He did not know definitely what had been done from that time to this, and, as the people of his county felt a deep interest in the question, he was anxious to be placed in a position to explain

Mr. McDougall.

to them the present position of affairs in relation to this question.

Motion agreed to.

## THE CANADIAN PACIFIC RAILWAY.

### MOTION FOR REPORTS.

Mr. SMITH (Selkirk) moved for Reports of Engineers and all other correspondence and information in possession of the Government, not yet communicated to the House, having reference to any actual surveys or proposed survey in connection with the Canadian Pacific Railway from the Red River westward, south of Lake Manitoba. He said the course that the railway would take was a matter of deep interest to the people of Manitoba. The object of the motion was to find out whether any instrumental survey had been made on the south side of Lake Manitoba so that some idea might be gathered of the advantages to be gained by adopting that route. The country in that neighborhood was of the best description for farming purposes, and there was quite a number of settlements by English and United States immigrants. He would be glad to know what means had been taken to ascertain the facilities which would be offered for railway communication on the south side of Lake Manitoba.

Mr. RYAN said the hon. member for Selkirk (Mr. Smith) had chosen a very appropriate time to introduce his motion. So far as related to that portion of the Canadian Pacific Railroad between Rat Portage and Selkirk, discussion was useless. Between those two points the line had not only been located, but also put under contract and even partially constructed. Whether or not the best possible location had been made, they could only now recognize the location as a fixed fact. West of Selkirk, however, the case was different. Although the line had been located all the way to the Rocky Mountains, yet no portion of it west of Selkirk had been put under contract, nor had any of it been constructed; so that, if, upon a full consideration of the subject, it was deemed advisable, in the interests of the Dominion, to vary from

the line as at present located, they were still in a position to do so. There were several weighty reasons why they should re-consider the location of that portion of the line between Selkirk on the east and the elbow of the North Saskatchewan on the west. One reason was that, since the very full discussion which had taken place in the House upon the subject in the Session of 1875, a very great change had taken place in the minds of leading public men and in public opinion—a change wholly unfavourable to the line as located by the Government. Another reason was that the Manitoba Western Railway Company, having obtained a charter from the Local Legislature, proposed to build a line of railway south of Lake Manitoba, and had applied to the Dominion Government to assist them by a grant of land. In order to know what answer the Government should, in the public interest, make to this application it was necessary to settle the line of the Canadian Pacific between the points indicated. During the discussion of 1875, he had endeavored to treat the question as a national one; but he had failed to convey that impression to the House, since several hon. gentlemen, not at all disposed to be harsh critics, had represented him as speaking from a provincial standpoint. He wished still to view the question in a national light. Although that portion of the line west of the Red River, as at present located, would be of very little, if any, benefit to his constituents, they were prepared, if, upon a full consideration of the question in all its different phases, the present location proved the best calculated to promote the interests of the Dominion, to see the provincial desire waived, and the provincial good made subservient to the national welfare, because the Canadian Pacific Railroad was, beyond doubt, a national and not a provincial road. While he freely admitted so much, on the other hand he contended that the interests of the Province in the matter should not be sacrificed. From Selkirk to the elbow of the North Saskatchewan there appeared to him to be only three practicable routes. The first was the northern or proposed Government route, which, running north-west from Sel-

kirk, left nearly the whole of the Province to the south-west, and crossed Lake Manitoba at the Narrows. This route passed by the north flank of the Riding Mountains and through Fort Pelly. Of the three routes, this was the least beneficial to the Province. The second or middle route would run west from Selkirk, south of Lake Manitoba, and, having reached the south-west extremity of that lake, would turn somewhat abruptly towards the north, and rejoin the Government line near the north-east flank of the Riding Mountains. The third or southern route would, like the middle one, pass south of Lake Manitoba, but, instead of turning abruptly towards the north would keep on towards the west, and, passing by the south of the Riding Mountains, would rejoin the Government line near the elbow of the North Saskatchewan River. During the debate of 1875, the hon. the Minister of Public Works, in justifying the selection of the northern route, claimed, 1st, that it was by about thirty miles the shortest possible route; 2nd, that it traversed a better wooded country than any other route; and 3rd, that it would cost very much less to construct than any other route. If these propositions were true, there was an end of the matter, there was no room for discussion, and, however much they might regret it in Manitoba, the northern route would have to be adopted. But he (Mr. Ryan) did not believe these propositions to be true, as to the comparative lengths of the different routes. While he was willing to admit that the northern route was considerably shorter than the middle, he denied that it was shorter than the southern. Of course, he was not an engineer, and was not prepared to give correct statistical information; he could only venture an opinion on the point, an opinion formed from conversations with engineers who had been over the country, and were well qualified to give information. And, indeed, since no actual survey of the southern line had ever been made, it was evident that the Government engineers were in no better position to express an opinion than other engineers, who, like themselves, had walked over the country. Among others, he would mention

Mr. Jarvis, an engineer of acknowledged ability, who had been at one time in the employment of the Government, who gave it as his opinion, after having passed over the southern route, and examined the Government maps, that there would be very little, if any, difference in the comparative lengths of the northern and southern routes. The second proposition, that there was more wood upon the northern than the southern route, was, perhaps, true. But it was beyond doubt that, if there was less wood upon the southern route, it was better located, and more available for railroad purposes. He had recently called the attention of the House to the fact that fifty thousand ties were being now actually got out for the Canadian Pacific Road, not upon the northern line, where it was claimed there was so much wood, but to the south-west of Lake Manitoba, upon the southern route, where wood was alleged to be scarce. There could be no dispute upon the point, if the road was being constructed west of the Red River at once, whether the northern or the southern route were adopted, the ties would come down the Assiniboine River to the Red River, and down the Red River to Selkirk, where they would be taken as required; and these ties would be cut, not upon the northern, but upon, or in the neighbourhood of, the Riding Mountains, on the southern route. As to the third proposition, that the northern route would be the least expensive to construct, he could only state that it was the opinion of Mr. Jarvis and others well qualified to venture an opinion that the expense of construction on the southern would not probably exceed that on the northern route; that, the lines being about equal in length, the heavy expenses which would have to be incurred in bridging the Narrows of Lake Manitoba, and passing through the vast extent of muskeg on the northern route, would equal, or nearly equal, the expenditure necessary upon the southern route at the crossings of the Assiniboine and other streams. Whilst the comparative length and cost of the northern and southern routes were probably not far from equal, the southern had

several advantages. It traversed a much better country. The land south of Lake Manitoba was the very garden of the whole North-West, whilst it could not be disputed that very much of the land on the northern route was of inferior quality, and would not probably ever be well settled. That portion between the Narrows of Lake Manitoba and Lake Winnipeg was almost entirely one vast muskeg. Whatever difference of climate existed was in favour of the southern route. The northern route was absolutely without settlers, and portions of it would probably always remain unsettled, while the southern route was comparatively well settled, and would, in a couple of years, and even at present, afford a fair local traffic. No one would deny that, if the advantages of the two routes were at all nearly equal, the southern route ought, in justice to the Province of Manitoba, to be adopted. What he thought advisable, and would under the circumstances venture to propose, was that the Government should have an instrumental survey of the southern route made. If, upon such a survey being made, it was found that the advantage much preponderated in favour of the northern route, all things being duly considered, it would have, of course, to be adopted. But, whenever the Government came to the conclusion that the northern route should be adopted, whether with or without a survey of the southern route, it at once became their duty to assist the Manitoba Western with a land grant. As had been frequently asserted in the House, the public lands of a country were the proper sources whence assistance should come to build such roads as were necessary to open up the country. In other Provinces these lands were held by the Local Governments; but the Dominion Government held the public lands in Manitoba and the North-West, and to them, as custodians of these lands, an application had properly been made by the Manitoba Western Railway Company for a land grant to assist the construction of a road to open up all the country south of Lake Manitoba. He hoped the Government would give the application their favourable consideration.

Mr. RYAN.

Mr. SCHULTZ said that very little remained to be said on the subject. He thought that the House would see from the unanimity of feeling expressed by the gentlemen who had preceded him, that there was not much difference of opinion in Manitoba, at least in regard to the route which the Canadian Pacific Railway should take in its passage through the Province of Manitoba. Of course, he felt with his hon. friend from Marquette (Mr. Ryan) all the weight of the arguments on the Government side, and admitted, with this hon. gentleman, that, if the assumptions of the Government with regard to the distance and feasibility and character of the country were correct, then the line in the interest of the Dominion, no matter how much the interests of Manitoba were concerned in it, ought to remain as it was; and he also agreed with the hon. gentleman in his opinion that the conclusions at which the Government had arrived had been framed from the reports made at the time when the country was very much less understood than it was at present, and perhaps without having at their command that amount of data this important matter rendered necessary for a proper determination. In the early settlement of the western portion of Manitoba, it was understood by everyone that the Canadian Pacific Railway in its passage through the Province was to pass through the City of Winnipeg, or near that point and south of Lake Manitoba. This was generally understood, and it was laid down on the maps published by one of the Departments—that of Agriculture, he thought—and these were accessible to anyone. Every immigrant that went there, and a great deal of the settlement to the North-West, was determined by the fact which was generally believed, and which was stated in this way to be the case on these maps to which he had referred. In justice to those people who acted on the assumption that the railroad was to pass in this direction, and in justice to the people of the city of Winnipeg, who had large interests, and who had helped to build up a city in the wilderness, and who had made a place which people from all parts of the Dominion might point to with pride and with

pleasure as one instance of Canadian enterprise and push, it was due that if further investigation into this matter, and if a trial line to the westward, as his hon. friend from Marquette hinted at and if the reports of any sort, of which his hon. friend from Selkirk (Mr. Smith) spoke, would assist the Government in determining to change the route, that this step should be taken, which would go far towards satisfying the people in the western portion of Manitoba, who did feel seriously aggrieved at the change of route, which had made the line of the railway pass sixty or seventy miles to the north of them, instead of through the portion which was at first considered to be the most fertile portion of the Province. When the delegation, to which both his hon. friends had referred, was down in Ottawa two years ago, and had an interview with the Premier, the members of it represented the facts very much the same as they had been represented in the House that day by his two hon. friends, and the answer of the Government to the delegation had been what seemed to be, he would admit, quite fair. The Premier said to these gentlemen: "Is it fair for you to expect that, for all future time, to accommodate these interests of which you are the representative, the Government shall cause every passenger, and every pound of freight to traverse a thirty miles longer distance than would otherwise be necessary, simply to accommodate the interests of Winnipeg and the interests of the western portion of the Province?" He would admit at once that this was an answer which could not be refuted; but he had reason to believe, with his hon. friend from Marquette, that since that time information had become general, and it might have reached the Department itself, on which, if they could not change the line to the east, they might at least determine the course of the railroad to the west of Red River. In that way they would, partially at least, satisfy those persons to whom he had alluded. It seemed to him that the Government should take into consideration, before finally deciding upon the route to the west, the propositions which had been made, and which were proposed to be made

by the city of Winnipeg. It was a fact, but he did not know whether it had come under the official notice of the Government or not, that a recent meeting had been held in the city of Winnipeg, at which there were represented not only the largest portion of the mercantile class of the place, but also its official dignitaries and the members of the Local Government, who were unanimous in the expression of the opinion that it would be advisable, if such a course would decide the action of the Government, to pay largely towards any extra cost that might be imposed, touching the works under construction, in order to enable the change of route they so much desired to be made. He hoped that, before any contract was given for the west and any further steps were taken in that direction, either on the telegraph or railway line, other surveys would be made in the country to the south of Lake Manitoba to see whether any engineering difficulty existed, and whether the difficulty as to the thirty extra miles could be overcome. If they stretched the objective points from Rat Portage to Edmonton, and an objective point to the west nearer than Edmonton, by running south of the Riding Mountains, as his hon. friend from Marquette asserted, he believed there would be not only not a difference of thirty miles in the lengthening of the route, but also not even a distance of thirty yards. He hoped that the matter would receive the favourable consideration of the Government.

Mr. RYAN said he desired to make one other remark: If the Government road were built across the Narrows, he had forgotten to say that a drawbridge would be necessary at the Narrows, as there would no doubt be considerable navigation between these lakes in the future. The cost of the undertaking would be materially increased by the necessity of building a drawbridge at that point.

Mr. MASSON said he hoped that the Prime Minister would make some explanations in this connection, and see whether the statement made to the House agreed with the report of the Engineers. This was a question of

**Mr. SCHULTZ.**

vast importance. It concerned the location of the road from Selkirk westward, and it would be run, according to the information he had gathered, in about a straight line to Battleford. He had seen persons who were thoroughly acquainted with this country, and who were well known to the House and the country; and they invariably told him that, if the Government persisted in the resolution they seemed to have adopted in locating the road at the Narrows of the Lake, and to the north of Fort Pelly, as he believed was the case, this would be one of the greatest mistakes they could possibly commit. It would be admitted that no people knew a country better than those who lived in it; and, if the hon. gentleman (Mr. Mackenzie) would only consult the residents of that country, he would find that the existing trade going westward invariably passed—if he was not misinformed touching the matter—to the south of Lake Manitoba; and the few trails which ran to the northwards invariably stopped at the point where the hon. gentleman wanted to locate the line of the railway. Though it might here be easy of construction, the country being flat and low as he believed the hon. gentleman (Mr. Mackenzie) stated last year, it was in fact nothing else than a swamp and marsh. He had been informed by gentlemen who were never mistaken regarding the capabilities of the country, that this portion was almost entirely useless for agricultural pursuits; and he supposed that the Government would not wish to abandon the most valuable part of the Province of Manitoba and of the North-West Territories, and place the road in a portion of the country where it could be of little use. The persons from whom he had his information were well acquainted with the country and their views agreed entirely with the statements of the hon. member for Marquette. They declared that the portion below Lake Manitoba and the westward was really the garden of the North-West Territories; that, if it was desired to build a road which would entice immigrants to that country, it must be run through the finest part of the country and the localities best fitted for cultivation and development;

and that, where the line was placed, no immigrants could go unless they laboured under great difficulties. He hoped the Premier would tell them that he would reconsider the question, in view of the circumstances placed before the House. He trusted that an instrumental survey would be made to the south of the point in question to ascertain whether the whole population of that country were mistaken in their views. People had asked him: "Can you believe that a country through which a North-West cart passes"—and in these carts there was not a nail or a piece of iron—"for miles and miles is not fit for the construction of a railway?" The reports of all the Engineers in the world could not alter this great fact: a North-West cart, rude as it was, could travel all through the part of the country south of Lake Manitoba, and for almost any distance to the north-west, through vast and rich prairie lands, without meeting a single impediment in the way. He was told that one could start from Fort Garry, or from some distance to the west of it, and plough for sixty miles, without encountering an obstacle, through good and valuable lands. The hon. gentleman (Mr. Mackenzie) knew that the land of the North-West was not all of the same quality. He was informed that the territory a little to the north of and near Lake Dauphin was not as good as the rest; and persons said that, all around Manitoba, and to the north-westward of it, for some two hundred miles, were situated the richest lands of the North-West, the section near and around Peace River excepted. He hoped that the Prime Minister would not renew the awkward results which had followed the policy pursued with relation to the Canada Central Railway and the Georgian Bay Branch. He trusted that this line would not be undertaken before an instrumental survey was made, in order to avoid useless expenditure, and to locate the railway where it would be most useful for colonization purposes. He hoped that the hon. gentleman would reflect on the matter, and tell them not that he would change his mind, but that he would take means to ascertain whether he was not mistaken in the premises.

Mr. MACKENZIE said the hon. gentleman (Mr. Masson) spoke as if it was merely a matter of his changing his mind or of fixing his mind on some particular reply or some particular plan, and as if it was an arbitrary resolution of his own or of the Government which determined the particular route this railway might take. From the very first, both with regard to the extension of the Canada Central Railway, or the Georgian Bay Branch, and to every part of this line, the Government had not in any case interfered with the opinions at which the engineers had arrived after having made a careful examination of the country. In one particular, the Government might be called upon to express an opinion without any special reference to the opinions of the engineers; and this was where two or three routes were considered equally favourable as to distance, ease of construction and place of termination. It would then undoubtedly be a matter of policy with the Government to consider the local advantages which might be in question and the local considerations that ought to be always present with the Administration in such a case. With reference to the line west of Lake Superior, all the way to Tête Jaune Cache, the one plan which the Government had in view, and the only plan that was ever considered, was simply how to connect these objective points by the shortest line with the cheapest mode of construction, and the route which would ultimately be the best adapted for the settlement of the country. On these principles the engineers went to work and made their examinations. Advantages were, no doubt, to be gained by running the road from Rat Portage in a more southerly route, and reaching Red River, twenty miles further up the river, near or at the city of Winnipeg. Then this route passed through a comparatively settled portion of the country, some of it at all events: and it would also pass through the centre of population. Apart from the engineering difficulties which presented themselves, and to which he would refer presently, there were other disadvantages. One of these disadvantages was that the route would pass through a place where the

price of land was very high. The Government found themselves, even at Thunder Bay—a place which was still more recently settled,—obliged to pay for every inch of land for two miles along the river bank, at a cost in the neighbourhood of \$50,000. On the line they had adopted in Manitoba and the North-West country, very little of the land was in the hands of private parties, and they took an early opportunity, as soon as the line was sketched and planned, to prevent the sale of any land which might be made available into the hands of speculators, for the purpose of extracting money from the Government at a future period. The line, therefore, where it was located, suited that peculiar consideration. It passed almost entirely, he might say entirely, except a very small portion of land immediately bearing on one side of the Red River, through their own lands, and so far as he was able to say—and he might say that he had read everything that had been published, he believed, concerning that country—it passed in the direction where the greatest amount of fertile lands were liable to be found. He was quite aware that, from the Red River, and from a considerable distance east of the Red River, passing the city of Winnipeg, and, on its south end, Lake Manitoba, and some distance west of that, the line would transverse very excellent fertile land. He did not think with the hon. member for Terrebonne (Mr. Masson) that for a distance of 200 miles west of that line the land was good. Taking the direction indicated by the hon. member for Marquette (Mr. Ryan), that was, from the south shore of Lake Manitoba to the bend of the Saskatchewan, that would pass through a very considerable tract of land that was barren, and so also would be the portion immediately east of the South Branch of the Saskatchewan River.

Mr. MASSON: I could not have explained myself well. I did not say that for 200 miles west the land was good, but I said the fertile part of that country extends for about 200 miles from the boundary line running north and south.

Mr. MACKENZIE.

Mr. MACKENZIE said that, concerning this particular part of the work, the last examinations which had been made established, in the first place, that, to carry the line from the Red River by the south of the Riding Mountains, would involve much heavy work in crossing the deep and wide Assiniboine River and its tributaries; and, secondly, that by making a divergence up the valley, this heavy work could be avoided, but that the latter course would necessitate a considerable detour from the direct line. Accordingly, further examinations were made. Mr. Fleming's last report, which was not yet published, gave a brief sketch of the country through which the line had been run. Now, it was a serious matter, when hon. gentlemen from Manitoba asked that another survey should be made from Red River all the way to the south bend of the Saskatchewan. The surveys upon the Pacific Railroad thus far had exceeded considerably the cost of \$1,500 per mile. It was quite true that this part would not cost anything like that amount, but it was certain that the expenditure of \$70,000 or \$80,000 would be required to do what was now asked for; and it was equally certain that it would require the greater portion of two years, if not the whole of two years. It could not be finished in one year, and the whole work would be put back at least for a year before they would be able to reach the point now reached in the location of the line, in preparing profiles, and taking all the necessary steps to invite parties to tender for the entire work, on the basis of the Act of 1874. The Government could have no possible objection to any examination which was likely to result in benefit to the road and to the locality, and he might say that he could adopt the idea that, if the locality could be benefitted without seriously interfering with the general results to be achieved, as to length and cost, it would be the duty of the Government to meet the suggestion. He could only say, with regard to that portion of the line, that, while the Government were prepared to listen to all that might be said, they had also felt bound to obtain information from every quarter. It was at

first represented to the Government that a very large proportion of the territory to be traversed, or about to be traversed, was either barren or incapable of cultivation. One gentleman told him that he believed that, if a 10ft. pole were left in the ground, with a sharp point, it would sink 10ft. or 12ft. down of its own weight. He (Mr. Mackenzie) questioned Mr. McLeod, one of the engineers who went over the ground and spent many months there, and he informed him that there was no point that he knew of where any such soil could be found, and he told him what Mr. Fleming now reported,—that there were places where there was a little wet soil on the surface, of a mossy or peaty material from 2ft. to 2½ ft., or possibly 3ft. deep in some places; but that everywhere this was capable of drainage, and the profile, as he had already said, was exceedingly favourable. It was not quite correct to assume that there was no expenditure upon this part of the line. Throughout the whole length of this line a width of 132ft. had been cleared of timber, and the telegraph poles had been erected. It was true that the line was not in the hands of the contractors, but a great deal of the work which had been done for the telegraph would be work ultimately for the road itself. Whatever works had been done by the telegraph contractors would not require to be done by the railway contractors. The instruction was that the telegraph line was to be in the exact line to be traversed by the railway. He would of course give every consideration to the statements that hon. gentlemen had made, but he would also say that no change could, in any case, be made in the *status quo* during the coming season, as no contracts could be submitted to Parliament until the next Session; and, if circumstances or events should so develop themselves as to produce a new state of things, or information should reach the Government which would in any way materially change the position which had been assumed to exist at present in this quarter, no step would of course be taken until Parliament was advised of it, either by asking for money for a survey in another direction, or by embracing more modifica-

tions in any tender that might be asked for or received when Parliament next met. He could not at present say there was any likelihood of any such information reaching the Government, as he presumed the engineers employed by the Government had made an exhaustive examination of the whole country. They had, from lake to sea, traversed and surveyed, to a greater or less extent, some 30,000 or 40,000 miles of this enormous territory, in order to reach the point that had now been reached in the survey and location of the line. Whatever hon. gentlemen might feel, think or desire, the Government felt that it was a very serious matter to interfere with the conclusions arrived at by eminent engineers, whose sole instructions were—and he had no doubt those instructions had been carried out—to consider what was best for the interests of the whole country. and, at the same time, to give such consideration to local circumstances as could justly be invoked without destroying the general character of the work.

Mr. SMITH (Selkirk) said he was very much pleased that the motion had been made, as it had given an opportunity for the discussion which had taken place, by means of which much valuable information had been given with regard to that portion of the country. He could appreciate the importance of the consideration of expense, referred to by the First Minister, in taking the southern instead of the northern route. But he was certain that the people of Manitoba, finding it to their great advantage to have the railway pass through their country, would gladly have given the land required for the railway. Of course he did not speak with authority, but he felt assured that he but spoke the feelings of the people of Manitoba. He was also glad that the hon. the Minister of Public Works had given the assurance that, should information reach the Government that it would be advisable to place the line southward, they would consider whether the present arrangement should not be broken. That portions of the country, after going some 140 miles beyond the Winnipeg, were of a very light character was well known, but, excepting

that, he believed the country was very good. He had been over the whole of it himself, and could speak from personal observation. He was also pleased to hear the hon. the Minister of Public Works say that where the interest of Manitoba could be considered it would be, when it was not opposed to the general interest of the Dominion.

Mr. TUPPER said he did not rise for the purpose of continuing the discussion, as he intended, at an early day, to take an opportunity to invite the attention of the House to the whole question of the policy of the Government in reference to the Canadian Pacific Railway; and he was anxious to avoid covering any portion of the same ground now. But he wished to ask the First Minister when he would lay before the House the report from which he had been kind enough to read to the House. Parliament had voted enormous sums of money for the survey of the Canadian Pacific Railway; millions had been expended on the work, and yet they had been left Session after Session without any detailed statement of what had been done with the money, what had been accomplished, or the amount of information that had been obtained. He presumed that the document which the hon. the Minister held in his hand was a portion of the Progress Report of the Canadian Pacific Railway, and it appeared to be in type. He would like to ask whether that document was to be submitted in the closing days of the Session, or whether Parliament was now to have the advantage of the information that, at such immense cost to the country, had been obtained, and which he was sure every hon. member must feel he ought to have, in order to deal with a question of such magnitude in the manner it deserved.

Mr. MACKENZIE said, when Mr. Fleming returned from England, he requested him to proceed immediately with the report, and he had been engaged upon it, he might almost say, night and day. The work was only partially completed and was partly in type. The completion of the report had been much delayed through the absence of Mr. Fleming at the Courts at Quebec and Halifax in the cases of

petitions of right in connection with the Intercolonial Railway contracts. It was intended to print the narrative and important parts before the rest, and he hoped it would be before the House in a few days in as succinct form as possible.

Motion agreed to.

## PROHIBITORY LIQUOR LAW.

### RESOLUTION PROPOSED.

Mr. SCHULTZ moved:

“That, in the opinion of this House, a Prohibitory Liquor Law is the only effectual remedy for the evil of intemperance, and that it is the duty of the Government to submit such a measure at the earliest moment practicable.”

He said he would have preferred this motion being made by some one in the House more identified with the temperance movement than himself, and it was in the hope that such would be the case that he had delayed the present motion until this advanced period in the Session. It, however, he thought, made little matter who brought up this great question which, this Session or at some future Session, must be settled by the General Council of the nation. While it was true that he (Mr. Schultz) did not belong to any temperance organization, yet he would always remember with pleasure that the North-West Council, of which he had the honour of being a member, had passed, early in its existence, the first Prohibitory Law in Canada, and the result had been that in over one-half of the Dominion the manufacture and sale of liquor had been prohibited, and with effects so good that he would like to see the experiment tried in the other half. Of course, he had not heard the discussions of the past six Sessions without being aware of the difficulties in the way, and yet he had never been able to sympathize with any of the many means which had been taken to prevent a direct expression of opinion by the House on this important matter; and, while at this moment, many held action in the matter to be premature on account of the fact that the question of jurisdiction was at this moment before the Supreme Court, and that a decision would not be given till next

summer, yet he (Mr. Schultz) could see no impropriety in taking the sense of the House on the subject now. If the Supreme Court decided that the Dominion Legislature had no power to pass a Prohibitory Law, then the matter dropped for want of jurisdiction; while, if that Court decided otherwise, then the Government were fortified with an expression of the opinion of the House in this motion, and their course was clear to mature a measure for introduction at the coming Session. What the result of the vote would be, if it could be fairly brought to a vote, he (Mr. Schultz) thought there could be no doubt. Nearly all the principal public men of the country had expressed themselves in its favour at various times, and enquiry into the subject showed that twenty-three years ago—in 1854—a Prohibitory Bill passed its second reading, and was only defeated finally by one vote. Since that time, the agitation had continued, but had never culminated within his own memory. It had seemed several times on the point of being disposed of, but some unhappy twist, some ingenious device tided over the difficulty till they had reached the present stage. In 1873, the Ontario Legislature and sixty-eight municipalities petitioned these Houses for the passage of a Prohibitory Law. These petitions, with 384 petitions, containing the names of nearly 40,000 persons, were referred to a Committee, who reported as follows:—

“The Select Committee to whom was referred the petitions presented to the Senate, praying for the enactment of a law to prohibit the manufacture and sale of intoxicating liquors in the Dominion, have the honour to submit the following as their Report:—

“The number of petitions referred to your Committee to this date is 447, of which one is from the Legislative Assembly of the Province of Ontario; 68 are from municipal councils, three from church courts, and 375 from an aggregate of 36,224 individuals; 25,945 of whom are of the Province of Ontario, and 10,279 of the Province of Quebec.

“The individual petitioners are men of all ranks and classes of society, of all professions and trades, and of all shades of religious and political opinion, and many of them occupy high positions in churches and municipalities, in the medical and legal professions—and in the Provincial and Dominion Legislatures: constituting in the aggregate such a large and influential representation of the intelligence and public sentiment of the country

as to entitle their testimony and their prayer to the fullest and most favourable consideration of the Senate—while the fact of so many municipal councils and the House of Assembly of Ontario joining in the same prayer clearly indicates the deepfelt and urgent need of the legislation petitioned for.

“Your Committee do not regard the absence of petitions from the other Provinces as evidencing any lack of sympathy with—much less any opposition to—the petitions from Ontario and Quebec; they know from unofficial but thoroughly reliable resources that a Prohibitory Law is desired by large numbers in those Provinces, who will doubtless send in their petitions at the next Session of Parliament.

“The united unvarying testimony of all the petitioners is, that the vice of intemperance is spreading—mainly in consequence of the facilities afforded for the sale of intoxicating liquors. That the traffic in these liquors is the prolific cause of three-fourths of the crime and pauperism in the country. That so long as the traffic is licensed and protected by law, the evils resulting from intemperance cannot be repressed—all the various attempts by stringent License Laws having signally failed—and they therefore pray for absolute prohibition of the manufacture and sale of intoxicating liquors as beverages.

“Their testimony is fully sustained by the evidence already collected, and presented to the House of Commons now in Session, by a Committee of that Honourable House in their second report, where they state that they find four-fifths of the crime in Ontario, and the same proportion of commitments to gaol in Ontario and Quebec, are directly or indirectly traceable to the traffic in and use of these liquors.

“Your Committee are fully convinced that the traffic in intoxicating liquors, in addition to the evils already mentioned, is detrimental to all the true interests of the Dominion, mercilessly slaying every year hundreds of her most promising citizens; plunging thousands into misery and want; converting her intelligent and industrious sons, who should be her glory and her strength, into feeble inebriates, her burden and her shame; wasting millions of her wealth in the consumption of an article whose use not only imparts no strength, but induces disease and insanity, suicide and murder, thus diverting into a hurtful channel the capital that should be employed in developing her resources, establishing her manufactures, and expanding her commerce; in short, it is a cancer in the body politic, which, if not speedily eradicated, will mar the bright prospects and blight the patriotic hope of this noble Dominion.

“Your Committee are not unmindful of the serious apparent diminution of revenue which would temporarily result from the suppression of the manufacture and sale of these destructive liquors; that it would be much less in reality than appearance is per-

fectly clear, for a very large amount of the expenditure for criminal jurisdiction, and maintenance of gaols, penitentiaries, and asylums, would be saved immediately, and should be deducted from the apparent loss; but even were it otherwise, your Committee would regard it as directly contrary to the spirit and fundamental principles of our truly British code of laws to allow any consideration of loss of revenue to hinder the removal of this great national evil, or to accept any amount of revenue as an equivalent for legalizing a traffic so pernicious in its effects upon the community. They are, moreover, firmly of opinion that, instead of impoverishing the revenue, the effect of a Prohibitory Liquor Law, faithfully enforced, would be largely and permanently to increase it, saving the fifty millions of dollars now expended annually in the Dominion for these liquors; and converting that immense sum, now lost, into a capital yielding large returns from its being employed in trade and manufactures.

"Your Committee regard it as the first and highest duty of Parliament to legislate for the peace, happiness, and material prosperity of the people, and consequently for the removal and prevention of evils such as are proved to be now injuring and threatening the country through the common use of intoxicating liquors; and concurring in the opinion of the Legislative Assembly of Ontario, as expressed in their petition, 'that a Prohibitory Liquor Law, such as prayed for by the petitioners, would be most beneficial in its results' to the Dominion, would respectfully recommend that the prayer of the petitioners be favourably entertained; and inasmuch as at this late period of the Session it would be impracticable to carry through a well considered, comprehensive Prohibitory Law, that the Senate, at the commencement of the next Session of Parliament, do appoint, with the concurrent action of the House of Commons, a joint Committee of both Houses upon the subject, to consider what steps should then be recommended to Parliament in connection therewith.

"ALEXANDER VIDAL, *Chairman.*

"D. CHRISTIE.

"BILLA FLINT.

"J. O. BUREAU.

"J. FERRIER.

"L. LACOSTE,

"M. A. GIRARD.

"JAMES R. BENSON.

"A. R. McCLELAN."

In accordance with the recommendation of this Committee, in the following year (1874) the Select Committee of the Senate presented the following report:—

"The Select Committee, to whom were referred the several petitions presented to the Senate, praying for the enactment of a law to prohibit the traffic in intoxicating liquors

in the Dominion, beg leave to submit the following as their Report thereon:—

"The petitions which have been referred to your Committee number 993, and have attached to them 349,294 signatures, being ten times the number of those of last year; 147 of the petitions are from municipal councils, and nine from other representative bodies, each acting for a considerable number of persons; it is, therefore, obvious that the aggregate number of signatures mentioned would have to be largely increased, probably to 500,000, in order to convey an approximate idea of the vast number of individuals who plead for a prohibitory liquor law. Among these representative petitions, there is one from the Legislative Assembly of New Brunswick, signed by thirty-three members, and one from the General Assembly of the Canada Presbyterian Church, which claims a constituency of 226,000 church members; and it must not be forgotten that the Legislative Assembly of Ontario joined last year in the prayer of these petitions.

"That the desire for legislative prohibition is not of a merely local or even Provincial character, is shown by the petitions coming from all the Provinces of the Dominion.

"There are from:—

"Ontario, 633 petitions, with 302,090 signatures;

"Quebec, 103 petitions, with 140,038 signatures;

"New Brunswick, 92 petitions, with 16,335 signatures;

"Nova Scotia, 119 petitions, with 13,622 signatures;

"Prince Edward Island, 43 petitions, with 3,174 signatures;

"British Columbia, 2 (municipal) petitions, with 34 signatures;

"Manitoba, 1 (Presbyterian Church) petition, with 1 signature.

"Your Committee regard the vast and annually increasing number of petitioners, and their unanimity in the statements and prayer of their several petitions, as indicating the immense and pressing importance of the subject to which they call the attention of the Senate, and the profound and wide-spread feeling of the need of such legislation as shall at once check, and eventually extirpate from our land, the vice of intemperance, which has so long been, and still is, a prolific source of crime and misery, disease and death, and a blight upon the fair prospects of our young Dominion.

"The whole of the petitioners join in asserting that the vice of intemperance is fearfully prevalent and increasing, and that it results mainly from the facilities afforded by law to the traffic in intoxicating liquors. Your Committee have no means of testing the accuracy of the statement, but their own personal observations, and the facts brought to view in the official returns of Customs and Excise, showing the enormous quantity con-

sumed in the Dominion, lead them to place full reliance on the assertion.

"These returns show that, for the year ending 30th June, 1873, the quantity of intoxicating liquors imported into Canada, and entered for home consumption, was 2,910,304 gallons, valued at \$2,075,089; and the quantity manufactured in addition thereto, after deducting exports, was 16,308,625 gallons, valued at \$9,785,154; they also show that 121,762,347 lb. of valuable grain, principally Indian corn, wheat, barley and rye, were used in their manufacture; these quantities and values are in excess of those of the preceding year.

"The petitioners further assert that the traffic in intoxicating liquors is shown, by the most careful inquiries, to be the cause of, probably, not less than three-fourths of the pauperism, immorality and crime found in this country. The evidence gathered by the Committee of the House of Commons, and reported last year, is strongly corroborative of this assertion; but your Committee are of opinion that more full and extended official information on this very important branch of the subject, than can possibly be procured by Parliamentary Committees during the time the Houses are in Session, should be obtained by the Government and laid before Parliament.

"A third assertion is made by the petitioners, viz: that the history of legislation upon the liquor traffic shows conclusively that the evils resulting from intemperance cannot be suppressed so long as the traffic is licensed and protected by law; this statement is proved by reference to the Statutes, both Imperial and Provincial, and the unquestionable increase of intemperance while license laws have been in force; these laws have, indeed, signally failed in their professed object of so curtailing and regulating the traffic as to repress that vice.

"The petitioners, with one accord, pray for a law to prohibit the manufacture and sale of intoxicating liquors, evidently believing that such entire prohibition, and nothing short of it, will prove effective in removing or in materially lessening the evils of which they complain; they do not assign their reasons for this belief, but they are, doubtless, based upon the failure of the licensing system, and in the experience of other countries where prohibitory laws have been enacted, as shown by the testimony to the beneficial effects which have resulted from such legislation, which was obtained and appended to their report last year by the Committee of the House of Commons.

"As it has already been officially announced in Parliament that the prayer of these petitions cannot be granted at this present Session, your Committee refrain from submitting any opinion, or recommendation as to immediate legislative action; but they consider that the time has arrived when the earnest attention of the Government and of the Legislature should be given to this important subject, with the view of discovering

and applying the best remedy for the gigantic evil that affects so seriously the peace and prosperity of the Dominion.

"Your Committee, therefore, recommend that steps shall be taken without delay to ascertain how far the attempts to remove the evils of intemperance, by legislative prohibition of the traffic in intoxicating liquors in other countries or states, have resulted either in success or failure, in order that Parliament, at its next Session, may be in possession of all the information necessary for its guidance in determining whether the legislation prayed for should be granted or withheld; and as this cannot, at this Session, be done by your Committee, they recommend that an humble address be presented to His Excellency the Governor-General, respectfully requesting him to lay before Parliament, at its next Session, such information as His Excellency may be able to obtain thereon.

"All which is respectfully submitted.

"ALEXANDER VIDAL, *Chairman,*

"BILLA FLINT,

"J. FERRIER,

"J. O. BUREAU,

"J. C. AIKINS,

"A. R. McCLELAN,

"DAVID WARE,

"DONALD MONTGOMERY,

"D. McDONALD,

"M. A. GIRARD,

"JAMES R. BENSON,

"A. W. McCLELAN,

"L. LACOSTE,

"W. J. MACDONALD,

"GEORGE ALEXANDER."

The recommendation of this report resulted in the appointment of a Commission who presented their report in 1875, and since that time parliamentary action had ceased in reference to this question. It would be noticed that both reports were quite decided in their recommendation to the Government of action in the matter, and the report of the Commission was, he believed, for it was not at hand, equally favourable. To him (Mr. Schultz) this seemed conclusive. If more evidence were wanted of the effect on national life, we had that of Chief Justice Coleridge, who attributed "all the crimes of violence in England to the use of intoxicating drinks, and affirmed that if indulgence in them could be prevented, nine-tenths of the jails would be closed for want of inmates." And we had the corroborative testimony in nearly as strong words of our own Chief Justice Harrison, in his able address on the opening of the Court a week or two ago in this city. If the matter was one of revenue, let it be

frankly and fairly stated; if one of jurisdiction, he (Mr. Schultz) had already explained his views; and if one of expediency, he trusted every hon. gentleman would remember the records of crime and suffering and misery which our Blue-books contained, the pitiful tale told by the innumerable petitions of past years, and, divesting himself of every consideration of local influences, resolve, on this question of such vital importance to so many of his weaker fellow-creatures, to look only to that which was right.

Mr. FARROW said, as seconder of the motion, he desired to say a few words on the subject before the House. The hon. member for Lisgar, who had introduced the motion, the other day had requested him not to let the matter drop, but in the hon. member's absence to move the motion for him. When the day came he thought the best thing to do would be to ask the hon. member for West Middlesex (Mr. Ross), the champion of the temperance cause, to second the motion. He asked the hon. member for West Middlesex to do so, and he replied "No." He then asked the hon. member if he would move the motion and he (Mr. Farrow) would second it. The answer of the hon. member was again "No." He asked the hon. member for an explanation of his course, whereupon he said he did not think it would be in the interests of temperance at the present juncture. He was surprised at the remark of the hon. member. That hon. gentleman, for a number of years past, had been going up and down in the country lecturing and speaking to the people on the temperance question, appealing to their good sense, to their morality and sympathy, and presenting evidence that both their bodies and souls were going down to destruction; but all the appeals had died away, and, notwithstanding the misery, the deaths and the destruction, the hon. member for West Middlesex was willing to let the subject drop, not caring that bodies were going down to untimely graves and souls to destruction. He (Mr. Farrow) thought no time should be lost, and therefore believed that, under the circumstances, the hon. member for West Middlesex would have been only too glad to have either

Mr. SCHULTZ.

moved or seconded the motion of which notice had been given by the hon. member for Lisgar. However, the hon. member thought differently, and would not do it. The country would now see how much the hon. member was in earnest; how his present course differed from his past course. The House could remember what the hon. member's action had been during the past eighteen months or two years. They knew that he worked earnestly for the cause in Parliament, and he (Mr. Farrow) had always given the hon. member for West Middlesex credit for being sincere. The great obstacle in the way at the present time was that action on the question did not suit the Government. He (Mr. Farrow) did not understand why it should not suit the Government. The present Government in 1873 professed before the House that they had the subject at heart, and they declared to the people that they would settle it. Looking back at the history of the question, he found that, in 1873, when the late Government was in power, many petitions were presented to Parliament. The late Government treated those petitions with respect and appointed a Select Committee to which they were referred. Moreover, when the report of the Committee was presented, it was printed and thousands of copies circulated throughout the country. The Government had appropriated \$500 for the purpose of having liquors tested, and those efforts were appreciated by the temperance people. In 1873 the Government resigned. He believed, if the Government had continued in power up to this time, the country would have seen a different state of affairs. He appealed to the House and country whether the position would have been worse. On the resignation of the late Administration, the hon. the present Premier formed his Government. The hon. the First Minister would remember having been in Toronto in November, 1873, when a temperance convention was being held in Shaftesbury Hall. The chief speakers on that occasion were Messrs. Warring Kennedy and Knowlton, both Reformers and friends of the hon. the Premier. They wanted to indoctrinate the members of the con-

vention with the idea that the hon. the Premier was all in love with temperance. Mr. Knowlton had a night conference with the hon. the Premier on the question. About eight o'clock in the evening, Mr. Knowlton returned to Shaftesbury Hall from the Queen's Hotel after his conference with the hon. gentleman. Mr. Knowlton said: "I have a very important communication to make to this Grand Lodge. I have just come from the Queen's Hotel where I have had an interview with the Premier, the Hon. Mr. Mackenzie, and he assures me that he is strong for prohibition, and if we will only back him up with plenty of petitions he will do his utmost to have enacted as speedily as possible a Prohibitory Liquor Law. He also assures me he is a strong temperance man, a Good Templar, and were it not for pressing engagements elsewhere he (the Premier) would have been with us tonight." He thought if the English language meant anything this meant something. But let them look a little further. What was the advice used throughout the country? He asked this question in all earnestness. The *Globe* said that the Reformers were the men of prohibition, and that if those men were elected the darling object of the temperance advocates would be accomplished. The *Canada Casket*, published at Napanee, said the same thing; and the papers were sent not only to subscribers but non-subscribers. The people gave the hon. the Premier credit for his principles; they believed that he was sincere. The hon. gentleman might be sincere, but it was his bounden duty to show his sincerity. The hon. gentleman had had from 1873 to 1877, and had done nothing—no, he had done a little. It was not much, to be sure, but the hon. gentleman should be given credit for what he had done. In 1874, Commissioners were appointed and sent to Maine to ascertain how the law worked there. The hon. the Premier and the hon. member for Middlesex knew very well how that law worked, and there was no occasion for them to expend \$2,000 in the shape of a Commission. But a few dollars were nothing to time; give them plenty of time and they would squander another \$2,000. The Commis-

sion made a good report, but it contained just such information as could be obtained from several books in the Library. However, this showed the Government were sincere so far. Petitions came pouring in after the appearance of the report, and it was evident that something must be done. They were not prepared to meet the question, but the hon. member for North York solved the difficulty—that hon. gentleman cut the Gordian knot. At his suggestion a grand national temperance convention was held at Montreal; all the notables were there, along with the hon. member for North York (Mr. Dymond) and the hon. member for Drummond and Arthabaska (Mr. Laurier). They held high jubilee. They had good times. Many of them had their expenses paid as delegates from temperance societies. They wanted to show themselves in earnest, and tried to get a good Conservative (Mr. Tilley) in the chair; but failing, they got another man, an earnest worker, to preside. But everything that was to be done was planned by the hon. members for North York and West Middlesex; they managed the affair to suit themselves.

Mr. DYMOND: Allow me to say that I was not present at that convention.

Mr. FARROW said he was given to understand the hon. gentleman was present.

Mr. DYMOND: I am sorry that I was not able to be there.

Mr. FARROW said at all events the hon. members for West Middlesex and Arthabaska were present. When the point came up about the *plébiscite*, they made every objection to it, stating that it was wrong and unconstitutional: but he (Mr. Farrow) thought it would be the best thing that could happen to Canada, if the people were allowed to express their opinion by vote on this subject. But another strange thing happened at that meeting. The hon. member for West Middlesex advised that no more petitions ought to be sent to Parliament. He (Mr. Farrow) was sorry that this advice had been taken, for otherwise there would have been 100,000 petitions this Session, and they must have done some good. This was

the way in which these hon. gentlemen had treated this subject. The late Hon. Malcolm Cameron said, at a temperance meeting at Ottawa, that if the Government wanted to pass a Prohibitory Liquor Law they would soon find a way to do it. That was certainly true. The Government had shown a strange apathy all along in regard to this question; and this Session their conduct was still more strange. They had placed an additional duty on malt, which was a direct thrust against the temperance cause. If the Government did not want to pass a Prohibitory Liquor Law, they might at any rate let the people have the cheapest and least hurtful drink. They claimed that whiskey would not bear any duty, but that spirit did not pay as much duty as it did in the United States and England. Besides, a great deal of brandy was manufactured in Canada, which might easily bear some duty. What did the drinking usages of the country cost the country every year? It cost the United States \$650,000,000 per annum for drink, and, allowing the same proportion to Canada according to population, we had the enormous figures of \$65,000,000, and when the cost of dealing out and waste was taken into consideration, the total cost would be \$130,000,000 per year. It seemed to be nothing to the Government that this large amount was wasted yearly on account of the liquor traffic, to say nothing of the untimely deaths and sufferings which were caused by intoxicating drink. If it cost the United States \$650,000,000 on account of the drinking traffic, Maine's share ought to be about \$21,000,000; but as a matter of fact it was not the tenth of that. It was evident that the Maine Law worked as well as any other law, for through its operation the State saved \$18,000,000 per annum. Owing to this saving, when the panic came in 1873, the people of that State were unaffected by it. If the report of the Commission was good, it ought to have been acted upon. The Government probably thought nothing of squandering \$2,000, but that sum helped to make up the deficit of \$1,900,000. He was not under obligations to any temperance society, but he was quite willing to vote for a Prohibitory Law

Mr. FARROW.

and leave the rest to the country. He thought hon. gentlemen on the Ministerial side ought to explain why they had not acted up to their professions in this regard, and to state what their present intentions were.

Mr. ROSS (West Middlesex) said the hon. member for Lisgar (Mr. Schultz) in his preparatory remarks seemed, to a certain extent, to feel the peculiarity of his position, and expressed the regret that his resolution was not in the hands of some gentleman more intimately connected with the temperance cause. Whether the hon. gentleman felt in his own mind an apparent incongruity in the position he held among temperance men, and in the new rôle which he had assumed, he (Mr. Ross) was unable to say.

Mr. SCHULTZ said he would like to correct the hon. gentleman. This was no new rôle, as he occupied precisely the same position as he assumed two years ago in relation to this matter.

Mr. ROSS said, that being the case, he would strike out the word "new." He could not say that he at all regretted the position the hon. gentleman had taken. He (Mr. Ross) was so warm an advocate of the temperance cause that he was quite willing to see, even under peculiar, unfavourable circumstances, any hon. member advocate it, and he hailed as valuable and, he trusted, earnest and devoted acquisitions to the temperance ranks, the two hon. gentlemen who had just addressed the House. The hon. member for North Huron seemed to be animated with a particular desire to make it appear that the hon. the Premier and himself (Mr. Ross) appeared to great disadvantage before the House and the country as the advocates of temperance. The hon. member launched out with a great charge against him that he had at first done a great deal as an advocate of temperance, and was now doing very little. His hon. friend, he was afraid, misapprehended very much the position he occupied. He could only tell the hon. member that, so long as he secured the appreciation and support of the temperance organizations throughout the Dominion, and so long as he was sustained by his own con-

stituents, and felt justified in his own consciousness of right, he cared not for any charges hurled against him by hon. gentlemen, who, he trusted, were at this moment not bringing the temperance question before the House, not to secure its advancement, but with some sinister purpose.

Mr. SCHULTZ: I desire to ask my hon. friend whether he makes this as a statement or as an insinuation.

Mr. ROSS: My hon. friend may take it just to mean what it means—either as a statement or as an insinuation.

Mr. SCHULTZ: It seems to me that —

Mr. ROSS: I am sorry that my hon. friend quarrels with me, because we are both rowing in the same boat.

Some HON. MEMBERS: Order.

Mr. SPEAKER said he did not understand the hon. gentleman to charge the hon. member for Lisgar with acting for sinister purposes. It would be much better, however, if such words were not used.

Mr. ROSS said his expression was that he hoped that the hon. gentlemen were not actuated by any sinister motive. He would be very sorry to charge the hon. member for Lisgar or any other hon. member with acting with sinister motives. He wished to briefly review the position he occupied in reference to the temperance movement. In 1873, he served on a Committee, of which Mr. Bodwell, member for South Oxford, was chairman, which brought in a report sustaining the idea of a Prohibitory Liquor Law. He held then that in endeavouring to bring about such a great change it would be wise for the temperance men to move cautiously and perhaps to hasten slowly. The House was well aware that temperance sentiments did not predominate in the Dominion and statistics in possession of the House showed that the consumption of intoxicating liquors was on the increase. With a knowledge of those facts, much as they were to be regretted, he held that, to bring about such a radical change as a Prohibitory Liquor Law, temperance men, if they wished to act wisely, should act slowly, surely, and discreetly. He had also before his mind the history of the temperance

movement in New Brunswick. It would be remembered that that movement was so strong a few years ago that a Prohibitory Liquor Law was passed by a respectable majority, but, when the people were appealed to in the Province, they rejected the law at the polls. With a view to prepare the country and the people of Canada for a thorough appreciation of the true position of affairs, the Committee on which he had the honour to serve, and the Sub-Committee of which he was chairman, issued circulars throughout the whole length and breadth of the Dominion. Their desire was to collect information in order that the electors of the Dominion might understand what was the nature and character of the liquor traffic with which they were disposed to deal. That report was circulated, and, as his hon. friend from North Huron (Mr. Farrow) had said, several thousand copies of it were printed. These were circulated extensively throughout the country, and he ventured to say that his humble efforts—if he might show so much egotism—in connection with the preparation of that report, on which he had bestowed a great deal of care, had had something to do with the revival of the temperance agitation during the last four or five years. At the next Session a similar Committee was appointed, and, Mr. Bodwell having retired from the House, he had the honour of acting as chairman. He saw before him hon. gentleman who had also served faithfully on the Committee, which also prepared a report, submitting it to the House on the 9th May, and recommending, as far as was possible to do so, that it would be expedient to take such steps as would put the House in possession of full and reliable information regarding the operation and result of such laws in those States of the American Union, whether they were new or had been in force, with a view to show what would be the practical working and effect of such laws in Canada. They recommended the appointment of a Commission for the purpose, and this was done. It was not wholly composed of temperance men, but of a temperance man on the one hand and on the other of a man who, in his own

written statement, in his (Mr. Ross) possession, stated he was neither in favour of total abstinence nor of prohibition. This Commission visited the United States, and the evidence, contained in the report which was laid before the House, was so conclusive and so satisfactory to his mind that he was prepared to ask the House to express an opinion with reference to the principle of prohibition. He did not feel then, or now, he regretted to say, that they could at this very moment sustain a Prohibitory Liquor Law in the Dominion; and he felt it would be of vast importance to the temperance men of Canada, if they could have an expression of opinion from the House of Commons—the High Court of Parliament—on the subject. His esteemed friend, Hon. Mr. Vidal, had carried a resolution through the Senate by a large majority affirming that prohibition was the most effectual remedy for the evils of intemperance; and he was very anxious that this House should also express an opinion on the matter. He accordingly moved the following resolution:—

“That, having regard to the beneficial effect arising from prohibitory liquor laws in those States of the American Union where the same are fully carried out, this House is of opinion that the most effectual remedy for the ends of intemperance would be to prohibit the manufacture, importation and sale of intoxicating liquors.”

This resolution was submitted in the Committee of the Whole, and it was sustained by seventy-two votes on the one side and nine on the other. He was pleased with the result, for he was anxious that the advocates of temperance all over the Dominion should be able to say, when they addressed the people, that the House of Commons, the High Court of Parliament, had declared that prohibition was the most effectual remedy for the evils of intemperance. He could assure the House that the effect of the passage of this resolution had been of very valuable assistance indeed to temperance advocates throughout the Dominion.

Mr. BOWELL: Was that resolution ever adopted by the House?

Mr. ROSS: No; it was adopted by the Committee of the House.

Mr. BOWELL: Why?

Mr. Ross.

Mr. ROSS: The Session was closing.

Mr. BOWELL: Tell the House the rest of it.

Mr. ROSS said the next step was to attempt to gather the friends of temperance from all parts of the Dominion, to ascertain what was the best course to be taken. He invited those who acted with him in this respect in the House to meet together with him in the Tower Room, and after consultation—members of both sides of politics were present—it was decided to call a convention, to meet in the city of Montreal. A Committee was appointed for that purpose, and on this Committee he found his hon. friends from North Huron and Lisgar. He had the approval of these two hon. gentlemen in calling the convention, and they were appointed by the caucus then held to assist in preparing the business of the convention. He regretted the absence of these hon. gentlemen from the convention, which was very largely attended, 260 delegates being present: 148 from Ontario; 90 from Quebec; 12 from Nova Scotia; 9 from New Brunswick, and 1 from Prince Edward Island. All the Provinces were represented, with the exception of Manitoba and British Columbia. It was said in the House that he had handled this convention. The greatest compliment that could be paid him—only two or three members of Parliament who acted with him being present at the convention, of whom his hon. friend from East Elgin was one—would be to say he had handled 260 delegates sent by the temperance men of the Dominion, so as to serve some peculiar purpose of his own. The convention continued in session for three days. His hon. friend from North Huron said they had abandoned the principle of a plebiscite at it. He found that one of the resolutions then adopted affirmed—“In order that a Prohibitory Liquor Law, when passed, may have the sympathy and support so indispensably necessary to its success, it is the opinion of this convention that the Dominion Parliament should be urged to frame such a law, subject to ratification by the public vote.” The question of prohibition was of such a peculiar nature that to

make of it a party question for either political party, would, in their opinion, be to sacrifice it. They found that it was so sacrificed elsewhere. Those conversant with the history of prohibition in the States of Massachusetts, New Jersey and New York, knew very well that the moment it was made a party issue, the question was at that moment ruined; and so felt many Conservatives and Reformers who were strong advocates of prohibition. They were not anxious to place men in the position of being obliged to sacrifice their political principles, in order to vote for a Prohibitory Liquor Law. They rather took the ground that they would utilize the temperance sentiment of the country irrespective of politics, and so combine it as to bring their united influence to bear on this question. If they had made a mistake they did so with the best possible design. This resolution was submitted to the convention and carried without one dissenting voice. The policy which the convention endorsed was not a policy of prohibition, as a plank in any peculiar temperance party, but a prohibitory policy subject to the ratification of the popular vote. What was the next step? No sooner had the convention dissolved than a fresh difficulty arose. In the Province of New Brunswick a case came before the Supreme Court in which it was decided that the Dominion Parliament had absolute jurisdiction over the liquor traffic. In Nova Scotia a case also appeared before the Supreme Court in which it was decided that the Local Legislatures had such absolute jurisdiction as far as the retail sale of intoxicating liquors was concerned; and one of the Judges of the Province of Ontario had rendered a similar decision. It was further alleged by legal gentlemen in the House and in the country, and by the Local and Dominion Legislatures, and particularly by those who belonged to this House, that this Parliament could not deal with the prohibition of the sale of intoxicating liquors. The Attorney-General of Ontario on the other hand said he could not deal with it; and they felt that this point must be settled before they could advance safely. He consequently last year proposed a resolution to the House with the view of seeing

whether the Government had any information in their possession bearing on this question. He asked for all the correspondence between the Government and Lieutenant-Governors of the different Provinces regarding the relative jurisdiction of the Dominion and Provincial Parliaments over the manufacturer and sale of intoxicating liquors.

Mr. FARROW: On what date did you ask for that information?

Mr. ROSS: On April 10th.

Mr. FARROW: That was a day or two before Parliament closed.

Mr. ROSS said he did not know that this made any difference. Unfortunately he was not in the House during the whole of last Session, as hon. gentlemen knew. The motion was put on the paper two or three days, he believed, before it was reached. The mode of allowing motions to stand that prevailed last Session was the cause of its not being reached until the date he had mentioned. One of the objects he had in view in moving his motion was to ascertain whether they could not use the power conferred upon them by the 52nd Section of the Supreme Court Act to get directly an opinion from the Supreme Court as to whether the Dominion Parliament or the Local Legislatures had jurisdiction in the matter. In reply to his remarks the Minister of Justice said:

“The Supreme Court was an Appellate Court formed for the purpose of determining the correctness or inaccuracy of the decisions of the various Provincial tribunals and that class of cases which might be brought before these tribunals for adjudication and which might afterwards come before it in the proper and normal discharge of its functions as a Court of Justice. It was obvious that it would be a serious matter in the performance of these duties for it to give a preliminary opinion under this exceptional power without all the advantages and without those aids arriving at a correct conclusion to be found in the presentation of a case—narrowed, if you will, but also made more clearly by the ordinary forms in which cases were presented to the Courts both as to issue and as to argument.”

From these remarks, it became quite clear to him that to make a direct appeal to the Government with their request that the matter should be referred directly to the Supreme Court

was utterly useless. They also hoped that a case then before the Supreme Court—*Queen v. Taylor*—would have settled the question; but it appeared that this case was dismissed on a technicality. This brought them down to the present stage of the temperance movement, and that was this: the temperance men of the Dominion were anxious for legislation, but they were unable to see where they were to go and get it. The Judges of the Province of Nova Scotia had said that the Dominion Legislature could not legislate in this matter, and that the Provincial Parliament could alone so legislate, and Chief Justice Ritchie had said that the Provincial Parliament could not, and the Dominion Parliament alone could, so legislate. In order to satisfy himself that no unreasonable delay would occur, by not putting any resolution on the paper this Session, he placed himself in communication with Attorney-General Mowat, who had charge of a case on behalf of the Government of the Province of Ontario, which he expected was to be referred to the Supreme Court, and which, he thought, would involve the principle of jurisdiction. In this correspondence, he ascertained that it was their intention in the case which had been appealed recently from the Court of Error and Appeal, to open up the whole question of the jurisdiction of the Provincial Legislature, and thus learn whether the Dominion Parliament or the Local Legislatures had control over the prohibition of the sale and manufacture of intoxicating liquors. This being the case at the beginning of this Session, he decided not to make any move in the matter. When he arrived in Ottawa, it was his intention, were it not for the information he had received after his arrival from the Hon. Mr. Vidal and others, to attempt to pass a Bill applying the principle of the Dunkin Act and a Permissive Bill to the Dominion of Canada, including vote by ballot, one day's polling, &c. He had had the idea, and he had it still, that if they were to fight it out as the Americans did, on that line, and ask the people themselves whether they wanted prohibition or not, it would be best for the temperance movement in

the end and for all parties concerned, inasmuch as the question of jurisdiction was unsettled, and as he knew he would be told by the Minister of Justice that a case before the Supreme Court would very likely settle it, and inasmuch as he was aware that without this he would be asked to withdraw any Bill of that kind, that he should now make no move in the matter. He felt it was not required in the interests of the temperance cause to do so; and, also, that, while the temperance men throughout the Dominion were working, they could afford to wait a little for legislation. Looking to his own Province, he found that there was scarcely a county in the Province of Ontario that was not discussing at this moment the Dunkin Act, a local prohibitory law. In the Province, of Quebec, he found the same influences at work; and even from Manitoba, petitions had come down, asking for a Permissive Act to be applied to it. Everywhere, temperance organizations were at their work. It was not by legislation that the temperance cause was going to be benefited. This was not going to be done by mere parliamentary enactments. If the temperance men were ever going to get prohibition by legislation, they must work more outside than inside of Parliament. All they could do there was to secure, by statutory enactment the pinning down on the Statute-book, of every inch of ground they won outside; and if they attempted inside those walls to forestall public opinion, and go in advance of it, they would find very distinct intimation hereafter that their efforts were unnecessary, not required, and not demanded. What he asked of his hon. friend opposite, who had charge of this motion, was to consider whether, inasmuch as they could not tell whether or not they had jurisdiction over the liquor traffic, and inasmuch as they knew for a fact that a question before the Supreme Court would decide whether or not they had it, and inasmuch as they must know before the next Session of the Dominion Parliament whether they had control over the liquor traffic or not, it would not be unwise, in the interests of the temperance cause and prohibition itself, to press the question

Mr. Ross.

on the present occasion. Every temperance man with whom he had come in contact on the Council of the Dominion Alliance, which met in this city a few weeks ago, and the temperance press from all parts of the Dominion which he saw, agreed with him that, in the unsettled state of the question at the present moment, it would be unwise and injudicious to press for legislation. They should wait until they saw what power they had in the matter, and for this reason he objected to his hon. friend's motion; in the first place, because the House had already affirmed what his hon. friend's motion affirmed. This House had on a previous occasion declared that a Prohibitory Liquor Law was the best remedy for the evils of intemperance, and this resolution was recorded on the Journals of the House. In the second place, he objected to it because the second clause of the resolution was entirely unnecessary, because it accomplished nothing. If passed, the Government could do nothing until they had the decision of the Supreme Court. No Government could take any action in the matter at present. In view of all these circumstances, he was not prepared to support the resolution of his hon. friend from Lisgar, but he was prepared to offer an amendment to it. He would take upon himself personally the entire responsibility of standing by the ground he had taken as a temperance man—that they must work their way inch by inch—cautiously, firmly, steadily and honestly, and that any amount of “resolves” in the House of Commons placed on the paper would not aid the temperance cause as much as honest and steady work outside the walls of Parliament, and a consistent reputation on the part of those who were the advocates of the temperance cause.

He moved in amendment :

“That all the words after ‘that’ in the original motion be expunged, and the following substituted in lieu thereof:—Whereas grave doubts exist, whether, under the provisions of the British North America Act, 1867, this House has the power to deal with the sale of intoxicating liquors as a beverage, and whereas the Court of Error and Appeal in the Province of Ontario has referred a case to the Supreme Court, whereby the relative jurisdiction of the Provincial and

Dominion Legislatures over the liquor traffic will be argued; be it therefore resolved, That this House, while not receding from any previous declaration on the importance of a Prohibitory Liquor Law, deems it inexpedient, under these circumstances, at present, to express any opinion regarding the action to be taken by the Government in dealing with this question.”

Mr. DYMOND said, if any one had entertained a suspicion as to the promptings of the hon. member for Lisgar, his fears would have been justified by the speech of the hon. gentleman who seconded the motion. If any body, to use a very common expression, had “let the cat out of the bag,” it was the hon. gentleman who figured as seconder. That hon. gentleman was a party to the consultation or conference which took place in that House, when it was decided, on the suggestion he believed first thrown out by himself (Mr. Dymond), but for which others equally took the responsibility, to hold a convention in Montreal. If that hon. gentleman were on that occasion acting in good faith, and were earnest in the prohibition cause, he would not have made the speech which he had just delivered.

Mr. SCHULTZ : To whom does the hon. gentleman refer ?

Mr. DYMOND said he referred to the hon. seconder of the motion; but he might perhaps say a little about the mover, although he was not so sure that the peculiar relations of that hon. gentleman himself to the great cause of prohibition or its converse were not sufficiently transparent to require no observation from him. The object of the convention at Montreal was simply that they might collect from the friends of prohibition—not merely from temperance men, but from all parties who had the cause of temperance legislation at heart—the opinion held as to the practicability of taking parliamentary action. The object, so far as he understood it, was to take the movement out of the position of a purely temperance sentiment, and deal with it as a great practical issue to be presented in due time to the country. And nothing that was done on that occasion, and nothing that had been done by his hon. friend from West Middlesex (Mr. Ross) since, had been at all at variance with the

objects of that convention. Indeed, he might venture to say that, without any assistance from the hon. member for North Huron (Mr. Farrow) led or sustained by the gigantic efforts in the cause by the hon. member for Lisgar, in Manitoba and elsewhere, there was no cause that was making so much progress in the country at the present moment as the cause of the legislative suppression of the traffic in intoxicating liquors. If any one were behind-hand in that effort, it had not been the politicians. He believed that the House of Commons had been prepared to go just as far as sensible men outside its walls desired it should go. He had the pleasure only a short time ago of presiding at a large demonstration in East York, in the village of Markham, and there a lady, whose name has become a household word with this question, Mrs. Youmans, of Picton, told the people that the matter rested in their hands; that Parliament had, in the Dunkin Act, provided means whereby they might express their own will with regard to the liquor traffic, and that it was not for one moment to be expected Parliament would initiate fresh legislation until the people themselves had exhausted all the powers which Parliament had already placed in their hands. That advice was being acted upon, and the Dunkin Act agitation was assuming large proportions in all parts of Ontario and Quebec. In the county with which he (Mr. Dymond) was politically connected, the Dunkin Act had been carried by 45<sup>9</sup> majority. A great deal had been said by the hon. member for North Huron with regard to the private views or opinions of the hon. gentleman who led the Government. He (Mr. Dymond) took the opportunity a year ago of being present with the deputation who waited on that hon. gentleman. Every member of that delegation, with the exception of Mr. Malcolm Cameron, left the room with the conviction freely expressed that the Premier had said all that could be expected of him, and that he was just as earnest as any one of his visitors in his desire to see a Prohibitory Law take effect when the public opinion of this country could justify it. It happened, as they were

Mr. Dymond.

retiring, that a conversation between the Premier and Mr. Cameron took place, and that gentleman, misunderstanding something that the Premier had said, which he would have understood had he had a little patience, rushed out, and in the course of a few hours made the speech which had been alluded to, and from which some doubt upon the sincerity of the Premier seemed to be cast. This was the simple history of an occurrence of which much had been said by the Conservative press.

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

### After Recess.

#### PRIVATE AND LOCAL BILLS.

##### THIRD READINGS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:

Bill (No. 44) To amend the Act to incorporate the Bridge Company of Rivière du Loup, in the County of Maskinongé.—(Mr. Jetté.)

Bill (No. 58) To change the name of the Dominion Building Society to that of the City Mortgage Loan Company, and for other purposes.—(Mr. Ouimet.)

Bill (No. 33) To incorporate *La Société de construction St. Jacques* as a Permanent Building Society, and for other purposes.—(Mr. Jetté.)

##### CONSIDERED IN COMMITTEE.

The following Bill was considered in Committee of the Whole and reported with amendments:—

Bill (No. 61) To incorporate The Canadian Securities Company (Limited.)

#### MARTHA JEMIMA HAWKSHAW HOLIWELL DIVORCE BILL.

[BILL No. 93.]

(Mr. Cameron.)

##### THIRD READING.

Bill read the third time and passed, on a Division.

## STOUFFVILLE ELECTORS' REPRESENTATION BILL.

[BILL No. 70.]

(Mr. Metcalfe.)

BILL WITHDRAWN.

Order for second reading *read*.

Mr. MACDOUGALL (East Elgin) said he was obliged to the promoter of the Bill for having brought this matter to the attention of Parliament, because it was necessary that some legislation should be enacted as, otherwise, there would be some danger of a portion of some constituencies being entirely disfranchised. Local Legislatures could not help this matter, for, as he understood the law, they had no right to interfere with the territorial boundaries of constituencies represented in this House.

Mr. BLAKE said it was the fact that in such cases there was no adequate provision for the returning officer obtaining the proper voters' lists and adjusting such difficulties; some law ought to be enacted to meet the case. They ought not to be dependent upon the accident of a Local Legislature making special provision as in this case. He would be very glad to receive privately from his hon. friend the other instances to which he referred, and to consider them, with others, before the next Session, so that such alterations as were necessary in the Election Law might be made before the next election. The hon. gentleman would best consider the convenience of the House if he allowed the order to be discharged.

Mr. METCALFE moved that the order be discharged.

Order *discharged*, and Bill *withdrawn*.

## FLOATING OF CORDWOOD ON THE RIVER ST. FRANCIS BILL.

[BILL No. 88.]

(Mr. Gill.)

SECOND READING.

Order for second reading *read*.

Mr. BLAKE said it would be more convenient for the Bill to be discussed

in Committee, the House not committing itself to the principle of the Bill.

Bill *read the second time*.

## SAFETY OF PASSENGERS ON RAILWAYS BILL.—[BILL No. 89.]

(Mr. Trow.)

SECOND READING.

Mr. TROW said that for the last twenty years he had travelled extensively on railways both in the United States and Canada, and, whatever hon. gentlemen or the Government might think of this Bill, he was perfectly satisfied that some restrictions ought to be placed on the companies and better provision made for the protection of life and property. This country had paid very largely for the construction of railways and it behooved this Parliament to protect the travelling community to the best of their ability. In this Bill he had not overlooked the interests of the railway; they would receive what was right, but it was provided that they should take no undue advantage of the public. He had received a number of letters, one from a Canadian railway manager, approving of the principle of the Bill. If the Bill went before Committee, he would feel inclined to add even a few more clauses for the better protection of the travelling community which, since drafting the Bill, he had become convinced were necessary. The law required that returns of accidents should be made semi-annually, but he found that no return had been made since 1871. From the newspapers, however, he gathered that passengers not having tickets had been put off trains and lost their lives through walking on the tracks. It was necessary that some restriction should be imposed in that respect. The first clause provided that, whenever a passenger purchased a ticket, he should receive value for his money, even to the extent of returning to his starting point by another train if sickness or any other cause prevented him from completing his contemplated journey. It was also provided that no passenger should be required to produce his ticket or pay his fare if the company failed to find him a seat. This

was a very necessary reform, and one which could be easily carried out, if the railroad companies would show a little consideration for their passengers. It was not right that anyone should pay unless he received the accommodation for which he paid. He had seen ladies and infirm persons standing in crowded cars, when by putting on an extra car for the first few miles from the station the train started from, everyone could have been seated comfortably. There was another hardship which pressed upon the travelling community. Passengers not getting tickets before entering the cars were charged extra. At some stations the ticket-agent did not arrive until a few minutes before the train started, and there was a general rush for tickets; and it was almost impossible for everyone to pay their fare before starting, as desired. Besides, at some stations there were a gang of thieves, who were always on the alert to see where people, in a hurry, placed their purses; and the result of this regulation of the railway companies was that many persons were robbed. He also provided that anyone not getting a seat in one car should have the privilege of going into any other attached to the engine.

Mr. MACKENZIE: No matter whom it belongs to?

Mr. TROW said he had seen one person occupying a car in the Lower Provinces, and he did not think it was right that females and infirm persons should stand and one man have a whole car to himself. He was aware that the companies might assert that they required some safeguard to make the conductors honest, and that there was no other way of affecting this than having the fares prepaid at the stations. He had a better idea than this of the human family. He believed that conductors would be honest if sufficiently remunerated for their services. As a rule they were honest, and, if properly treated, they would no doubt make proper and honest returns. One particular clause he considered essential; this was that no conductor or railway official should put a passenger off, unless at a station. The wording of the present Act in this respect was indefi-

nite. It stated that any passenger refusing to pay his fare, should be put off the car with his baggage at any usual stopping place or near any dwelling-house. It would do no injury to the companies to put them off at a station or at some place of safety at all events. This would be much better than to eject them at some isolated point on the road; under such circumstances, persons at times had no opportunity of leaving the track and the result was that many valuable lives were lost. He thought that the wording of the Bill was so plain that it recommended itself to the members of the House. Some restrictions on present usages were highly essential and necessary. He proposed the second reading of the Bill.

Mr. BROUSE said it was the duty of the House to carefully legislate for the comfort and protection of the people, and at the same time to see that no legislation calculated to injure our railway system took place. He could not agree that, if all the clauses of the Bill were passed, the general public would be advantaged. For instance, the first clause stated that tickets should be good for the trip mentioned at any future time. They knew that railways in summer, when competing with navigation lines, were obliged to carry passengers at lower rates than during winter, and if this clause became law, tickets could be purchased in summer and used in winter. During summer the St. Lawrence and Ottawa Railway issued second class tickets between Ottawa and Montreal for \$2, while their price in winter was \$4; consequently if this clause was passed, persons desirous of sending four or five hundred men to the shanties, could buy their tickets in the summer at the reduced rate, defrauding the company of \$2 on each ticket. If passengers were allowed to remain over at stations, the effect would be that parties would traffic in railway tickets. They knew that, on competing lines, rates were very much lower for long than for short distances; and under this system, persons would buy tickets for long distances, travel a short distance on them, and then sell them, to the great injury of railways. If the clause

Mr. Trow.

requiring companies to find seats for passengers were adopted, no railway would know what accommodation to provide for each day, and this it would be impossible to ascertain. This regulation would consequently cripple roads and destroy the good effect of our general railway system. Another point was that an individual could take his seat in any car. They were aware, however, that railways had no control over the seating accommodation on Pullman cars, and hence this regulation would do an injury to the companies. Again, there were directors, and paymasters' cars, practically private offices, and it would not do to authorise people to take seats in them. Many points in the Bill should be carefully considered. He really trusted that his hon. friend would not force the Bill on the House in its present condition, and he hoped that in Committee, due protection would be given to the railway companies as well as to individuals.

Mr. OLIVER said he thought the mover of the Bill deserved the thanks of the House and the country for preparing it and bringing it before the House. It ought to be passed, in the interests of the travelling community. His hon. friend from South Grenville (Mr. Brouse) took exception to the first clause, providing that a ticket should be good for the trip for which it was sold. If he was not very much mistaken, in the State of New York a decision had been given to this effect. If this was law and justice in New York, why should it not be so here? If the price of a ticket from Toronto to Montreal was reduced from \$12 to \$8, in consequence of steamboat competition, this price became the regular fare for the time being; and, this being the case, those who bought tickets for \$8 did not ride at reduced rates. He could not see why a railway should not allow a passenger, under circumstances which could not be avoided, to get out of a train at one station, and take passage again on another train, on the same ticket. When people paid for anything at all, they expected to get that for which they paid. It was not at all to be supposed that the travelling community would, for the mere pleasure

of the thing, get off one train and get on other trains, under such circumstances, after intervals of an hour or two, or of a day or two. He thought it was but an act of justice for railway companies to find seats for those to whom they sold tickets. If they were not prepared of their own accord to do so, they should be compelled by law to do so. People did not buy tickets for the privilege of standing in cars. The mover of the Bill had referred to advantages which railway companies enjoyed in this country as well as in other countries, and, under these circumstances, the people certainly ought to expect a fair share of justice from them. Another important clause provided that passengers who, unfortunately, had no money with which to pay for tickets, ought to be put off at convenient points in place of being ejected at points where there was no shelter. Common humanity ought to compel railway companies to take proper care of the travelling community, even if unfortunate.

Mr. MACKENZIE: Common honesty ought to keep such persons off the cars.

Mr. OLIVER said that some people, under certain circumstances, had to take advantage of trains, who were not able to pay for the accommodation they received. Such people ought not to be thrown off the cars as was at present the case. A young man from his own town had, within the last twelve months, happened to enter the wrong train on the Grand Trunk, north of London, for which he had no ticket, and being thrown off had his leg broken by a freight train which was following, and the leg had to be amputated a short time afterwards. He thought that at all events the travelling community ought to be dealt leniently with. He would only take one exception to the Bill, and this had reference to the payment for tickets on the train itself. He had some doubts as to the wisdom of compelling companies to take the same amount for tickets on trains as at the regular offices. He hoped that the Bill would be allowed to pass the second reading, and to be referred to the Com-

mittee on Railways, where it would be dealt with fairly, as was usual in such cases.

Mr. POWER said he thought that the Bill in its present state would be more injurious than beneficial to the travelling public. If, for instance, there were thirty or forty more passengers applying for tickets than was customary, the result would be that seats would either have to be provided, or the overplus could not enter the cars, for the companies would not allow any to enter whom they could not seat. He thought, however, that these companies should be obliged to open their offices for the sale of tickets at least half an hour before trains started, preventing the rush for tickets and the confusion that was now prevalent under such circumstances. It was a common thing for travellers to secure cars for themselves or for families, and it would not be just to allow, say second class passengers, to force their way into such cars. Several of the clauses of the Bill would not have a beneficial effect, and before it should be permitted to become law they should be struck out.

Mr. BOWELL said any one looking over the Bill must have come to the conclusion that, if it was not framed in the interest of spongers, who desired free rides, and of dishonest conductors, certainly if it ever became law it would have that effect. It provided among other things, that if a man without money jumped on a train a railway company would be compelled to convey him to the next station, and this ruse could be repeated until such a person arrived at his destination. It would be preferable to make it compulsory on these companies to carry people to their destinations, and, if they had no money, they could sue them for their fares. This would make business for the lawyers, and it would matter very little whether the company was defeated on the execution or not. However, it did seem that a proposition of this kind was not only absurd but monstrous. The hon. gentleman said he had provided for special or irregular trains. Let him instance a case: There were five or seven regular trains between Toronto and

Hamilton each day. During the Provincial fair, there were a number of special or extra trains. Under this Bill there would be no protection to those who desired to go to the fair. The extra trains would be, of course, crowded to excess, and it would be impossible for the railway company to procure carriages enough to meet this particular case. All the trains, both regular and irregular, would be crowded; yet it was only upon the irregular trains that the company were allowed to do as they pleased. There were three trains between Hamilton and Toronto which did not stop at every station, but went through in about an hour and ten minutes; and, on every one of them, any person who desired to be dishonest enough could steal a free ride each way. The second clause provided for making the ticket good for the full journey. There was some force in that provision. And yet there were cases in which that might be abused. He had been informed and he believed it was true that sometimes a person who had purchased a through return ticket from Toronto to Montreal would, when he had arrived at one or two stations this side of Montreal, step out and buy another ticket for the rest of the journey, which he would hand to the conductor when he collected the tickets. On returning he would buy a ticket the same way, a station or two this side of Toronto, and thus he could retain possession of his return ticket for future use. Of course that was a fraud, and it was punishable but still there was great difficulty in ascertaining the fact whether he had travelled over the road or not. The clause also which provided for the purchasing of tickets seemed to be very objectionable. He was of the opinion that no clause could be framed which would be so much in the interest of dishonest conductors as that. There were many other objections to the Bill, which he was sure would have to be met before the Railway Committee. If it was understood that the Bill should go before that Committee, he would have no objection to its being read the second time. As the Bill stood, no practical man, acquainted with the running of trains, would consent to its being placed on the Statute-book. He could

Mr. OLIVER.

not understand why every passenger train was required to stop three minutes at every station. The stoppages were already long enough, and, unless there was business enough to make it pay, trains should not be made to stop three minutes at every station. While it might be necessary to place some restrictions upon the conduct of railway owners in the protection of passengers and railway employes, he could conceive it possible that any country would adopt a Bill of this character.

Mr. MACKENZIE said he had no doubt this Bill had been prepared by his hon. friend from South Perth (Mr. Trow) with the greatest desire to accommodate the travelling public. But, on the other hand, the Government had a duty to perform towards railway companies, especially as they happened to be large railway owners themselves. Many of the clauses contained provisions which would be intolerable if carried into practice. For instance, a company had to pay a certain rate for each passenger in the Pullman cars; and yet, according to this Bill, persons might make the pretence that there were no seats in the other part of the train, might force themselves into the Pullman cars, and compel the company to pay for their riding there.

Mr. TROW said he only intended that persons should be able to go into the same grade of cars. He wished the Bill altered so as to be consonant with this.

Mr. MACKENZIE: It would not do, as provided in the 7th clause, to insist that all passenger trains should have platforms connecting each two carriages.

Mr. TROW said he intended that that clause should be omitted entirely.

Mr. MACKENZIE said the 9th clause provided for taking possession of all railroads, whether the Government had them under their jurisdiction or not. The Government could only deal with those roads that were under its jurisdiction. That matter was provided for fully in the General Railway Act. There were several provisions which, he was really afraid, would be disastrous to a company. It was toler-

ably clear that anyone could travel from Montreal to Chicago free, if he had plenty of time, by not taking a ticket, and by getting on again after being put off at each station, "if his hide held out," according to the old saying. The provision as to buying the tickets before entering the car had been made to prevent fraud on the part of conductors, who, however honest they might be as a class, had men amongst them who took advantage of people buying tickets on the trains to defraud their employers; and, therefore, it was only right that passengers should be discouraged, by having to pay a small additional price, from purchasing on the trains. The Great Western Railway had attempted to force all passengers to purchase their tickets before entering the trains, but it had failed on account of the open character of the stations which was so general throughout the country. The only protection companies had was in imposing a small additional price for tickets bought on the trains. He would not object to the Bill going before the Railway Committee, but he would warn his hon. friend that he must submit to a great many changes in it before he could get it through that Committee.

Mr. PLUMB said he was very much pleased at the position taken by the First Minister with regard to this Bill. It seemed to him that the time of this House should not be taken up with the consideration of such Bills. He could scarcely see why it should go before the Railway Committee. No doubt it was out of kindness to the hon. mover that the First Minister had assented to that course. He (Mr. Plumb) would like to know of a single clause which warranted its being recommended to the serious consideration of the Railway Committee. There was not a clause in it which had been framed by any one conversant with the necessities of railway companies. The first clause provided that railway companies should not be permitted to limit the use of their tickets to any particular time. But it was necessary that they should be allowed to do so, as otherwise, in case of an increase in the price of tickets, speculators could buy a number of tickets

and sell them at a profit to themselves. He had known this to be often done. There were many other clauses that were objectionable, and, under all the circumstances, he thought the Bill should not be permitted to have its second reading.

*Bill read the second time and referred.*

ONTARIO PERMANENT BUILDING SOCIETIES ACT AMENDMENT BILL.

[BILL No. 101.]

(*Mr. Wood.*)

SECOND READING.

Order for second reading, *read.*

Mr. McCARTHY said he had not heard the explanations that had been given by the hon. member for Hamilton, but, without pretending to object to this particular measure, he must confess that he had a very great objection to the way in which these building societies were managed throughout the Province of Ontario; and he thought, before any extension of power was given to them, it should be seen that the power they already possessed was not abused, as he believed it was to a very great extent. This Bill proposed to give building societies power to borrow more money than they were entitled to do under the present law. They sent out notices and circulars stating that they would lend money at 5 or 6 per cent., yet it was found, when a case came up for settlement, that from 15 to 20 per cent. was paid. He was informed, and he believed that his information was correct, that there were arrangements made with insurance companies to compel parties to insure in a particular company, and that they got a commission on the amount of each premium. The profits were so large that the salaries of the managers of some of these societies were larger than the salary of the Premier of Canada. He had had some little experience with these companies professionally, and he might mention some facts which came under his own knowledge. A farmer borrowed \$1,000,

and at the end of two or three years had paid between \$400 and \$500. At the end of that time he failed to pay anything, and he had to give a renewal mortgage, as it was called. In five or six years this unfortunate man had to pay twice the amount of the original debt, without being credited with what he had paid in the interim. They lent a man \$1,000 and capitalized it with the interest for a period of say ten years, so that he appeared to borrow \$2,000, and then, if he fell into arrears, he had to pay a fine of 12 or 12½ per cent. on the arrearages.

Mr. WOOD: What company does that?

Mr. McCARTHY said he would not name the company, but might say that it was not that with which the hon. gentleman was connected, but was one in Toronto. If the hon. gentleman wished for more information, he would give it to him privately. But it was the general practice to do this. He submitted that, if this was a sample of the mode in which these building societies carried on their business, the House ought to be very chary of granting them new power. If no action in the matter was taken this Session, he intended to move for a Committee next Session to enquire into the affairs of building societies.

Mr. OLIVER said, while the hon. member for Cardwell was moving for this Committee, he might extend his investigations to the banks as well as to building societies. There were two classes of building societies, one class were allowed to take deposits when they had a paid-up capital of \$40,000 to an equal amount, while the other class were only allowed to borrow to the extent of one and one-third more than the paid-up capital. The Bill proposed simply to deal with that class which had a capital of \$200,000; but, if one class was allowed to go into the English market, borrow money and afterwards lend it in Canada, the other class of societies should have the same privilege for the society with a small capital might be as safe as one with a large capital.

*Bill read the second time.*

Mr. PLUMB.

INCORPORATION OF JOINT  
STOCK COMPANIES BILL.

[BILL No. 67.]

(Mr. Cartwright.)

THIRD READING.

Order for the third reading read.

Mr. WORKMAN moved :

“That the Bill be referred back to a Committee of the Whole, with instructions that they have power to amend the same, by inserting the following Sections, after Clause 94 :—

“It shall be lawful for the company to unite, amalgamate and consolidate its stock, property, business and franchises with those of any other company or society incorporated or chartered to transact a like business and any other business in connection with such business, or any building, savings or loan company or society heretofore or hereafter incorporated or chartered, or to purchase and acquire the assets of any such company or society, and to enter into all contracts and agreements therewith necessary to such union, amalgamation, consolidation, purchase, or acquisition.

“The directors of the company, and of any other such company or society, may enter into a joint agreement under the corporate seals of each of the said corporations for the union, amalgamation or consolidation of the said corporations, or for the purchase and acquisition by the company of the assets of any other such company or society, prescribing the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number of the directors and other officers thereof, and who shall be the first directors and officers thereof, the manner of converting the capital stock of each of the said corporations into that of the new corporation, with such other details as they shall deem necessary to perfect such new organization, and the union, amalgamation and consolidation of the said corporations and the after management and working thereof, or the terms and mode of payment for the assets of any other such company or society purchased or acquired by the company.

“Such agreement shall be submitted to the shareholders of each of the said corporations at a meeting thereof to be held separately for the purpose of taking the same into consideration. Notice of the time and place of such meetings, and the objects thereof, shall be given by written or printed notices addressed to each shareholder of the said corporations respectively, at his last known post office address or place of residence, and also by a general notice to be published in a newspaper published at the chief place of business of such corporations, once a week, for six successive weeks. At such meetings

of shareholders such agreement shall be considered, and a vote by ballot taken for the adoption or rejection of the same, each share entitling the holder thereof to one vote, and the said ballots being cast in person or by proxy; and if two-thirds of the votes of all the shareholders of such corporations shall be for the adoption of such agreement, then that fact shall be certified upon the said agreement by the Secretary of each of such corporations under the corporate seals thereof; and if the said agreement shall be so adopted at the respective meetings of the shareholders of each of the said corporations, the agreement so adopted and the said certificates thereon shall be filed in the office of the Secretary of State of the Dominion of Canada, and the said agreement shall from thence be taken and deemed to be the agreement and act of union, amalgamation and consolidation of the said corporations, or the agreement and deed of purchase and acquisition by the Company of the assets of such company so selling, as the case may be, and a copy of such agreement so filed, and of the certificates thereon properly certified, shall be evidence of the existence of such new corporation.

“Provided nevertheless—that due proof of the foregoing facts shall be laid before the Governor in Council, and, it deemed expedient by the Governor in Council, letters patent shall be issued and notice thereof duly published by the Secretary of State in the *Canada Gazette*, after which the new corporation may transact business.

“Upon the making and perfecting of the said agreement and act of consolidation, as provided in the next preceding section, the several societies, parties thereto, shall be deemed and taken to be consolidated, and to form one corporation by the name in the said agreement, provided with a common seal, and shall possess all the rights, privileges, and franchises of each of such corporations.

“Upon the consummation of such act of consolidation as aforesaid, all and singular the business property, real, personal and mixed, and all rights and incidents appurtenant thereto, all stock, mortgages or other securities, subscriptions and other debts due on whatever account, and other things in action belonging to such corporations or either of them, shall be taken or deemed to be transferred to and vested in such new corporation without further act or deed; provided, however, that all rights of creditors and liens upon the property of either of such corporations shall be unimpaired by such consolidation, and all debts, liabilities, and duties of either of the said corporations shall thenceforth attach to the new corporation, and be enforced against it to the same extent as if the said debts, liabilities and duties had been incurred or been contracted by it; and provided also that no action or proceeding, legal or equitable, by or against the said corporations so consolidated, or either of them, shall abate or be affected by such consolidation, but for all the purposes of such action or proceeding such corporation may be

deemed still to exist; or the new corporation may be substituted in such action or proceeding in the place thereof."

Mr. HOLTON explained that these clauses had been struck out of a private Bill, not because they were objectionable, but because there was no provision of that kind in the general Bill. The clauses merely provided for amalgamation.

Mr. CARTWRIGHT said the Government were prepared to accept the clauses.

*Amendment agreed to.*

House resolved itself into Committee of the Whole.

(In the Committee.)

Bill amended in accordance with instruction.

*House resumed.*

Amendments reported, read the first and second times, and agreed to.

Question put on the third reading of the Bill, as amended.

Mr. JETTÉ moved that the Bill be recommitted to a Committee of the Whole, with instructions that they have power to amend it, by inserting, after section 42, the following section:—

"(a.) Whenever the interest in any share or shares of the capital stock of the company shall be transmitted, by the death of any shareholder or otherwise, or whenever the ownership of or legal right of possession in any such share or shares shall change by any lawful means, other than by transfer, according to the provisions of this Act, and the directors of the company shall entertain reasonable doubts as to the legality of any claim to and upon such share or shares of stock, then, and in such case, it shall be lawful for the company to make and file, in one of the Superior Courts of Law and Equity in the Province in which the head office of the company is situated, a declaration or petition, in writing, addressed to the Justices of the Court, setting forth the facts and the number of shares previously belonging to the party in whose name such shares stand in the books of the company, and praying for an order or judgment adjudicating and awarding the said shares to the party or parties legally entitled to the same, and by which order or judgment the company shall be guided and held fully harmless and indemnified and released from all and every other claim for the said share, or arising therefrom: Provided always, that notice of such petition shall be given to the party claiming such share or shares, or to the attorney of such party duly authorized for

Mr. WORKMAN.

the purpose, who shall, upon the filing of such petition, establish his right to the several shares referred to in such petition; and the delays to plead and all other proceedings in such cases shall be the same as those observed in analogous cases before the Superior Courts: Provided also, that the costs and expenses of procuring such order and adjudication shall be paid by the party or parties to whom the said shares shall be declared lawfully to belong, and such shares shall not be transferred until such costs and expenses be paid, saving the recourse of such party against any party contesting his right."

*Amendment agreed to.*

House resolved itself into Committee of the Whole.

(In the Committee.)

Bill amended in accordance with instruction.

*House resumed.*

Amendment reported, read the first and second times and agreed to.

Bill read the third time and passed.

## INSOLVENT ACT AMENDMENT BILL.—[BILL No. 60.]

(Mr. Blake.)

### THIRD READING.

Order for third reading read.

Mr. CARON moved: "That the Bill be not now read the third time, but that it be re-committed to a Committee of the Whole, with instructions that they have power to insert therein the following amendments:—

"That in the statement of liabilities and assets which the Insolvent is required, under the seventeenth section of the Act hereinbefore cited, to furnish to the Assignee, the Insolvent shall discriminate between his liabilities to traders and non-traders. At any time after the making of the assignment, or the issue of the writ of attachment and previous to the first meeting of the creditors, any creditor who is a non-trader may notify the Assignee in writing that such is the case, and that he proposes to avail himself of the provisions of this Act; and no non-trader who shall have so notified the Assignee shall be bound to accept the composition, or sign the discharge of the Insolvent, but the claim of such non-trader shall, nevertheless, be ranked by the Assignee upon the dividend sheet for a dividend or dividends in like manner as the claims of other creditors; and the receipt signed by the non-trader for such dividend shall be a receipt *pro tanto* in respect of such claim as aforesaid.

"That a non-trader, that is to say:—Any farmer, grazier, common labourer, work-

man for hire, or other person, who cannot be declared an Insolvent under the Act herein above cited, who has availed himself of the provisions of this Act, may attend at meetings of the creditors of the Insolvent and may vote thereat in the same manner as other creditors, except that such non-trader shall not vote upon any question touching the acceptance of any offer of composition, or the discharge of the Insolvent; and in calculating the number of creditors and the amount of the claims against the Insolvent, upon which the acceptance of a deed of composition and discharge, or the consent to the discharge of the Insolvent is based, non-traders who have availed themselves of the provisions of this Act, and the amount of their claims shall not be computed; and no deed of composition and discharge, nor any discharge from the Court or Judge shall in any way impair the right of a non-trader who has availed himself of the provisions of this Act, to recover from the Insolvent any balance that may remain unpaid upon the claim of such non-trader, but the said balance may be recovered in like manner as if no proceedings in Insolvency had been entered into, notwithstanding the acceptance by the non-trader of any dividend from the Assignee as herein before provided; Provided always that no non-trader shall avail himself of the provisions of this and the preceding clause, in the case of an Insolvent whom such non-trader has required or forced to go into Insolvency."

He said last Session he had the honor of moving an amendment to the Insolvent Act, which contained exactly what was contained in the amendment he now proposed. He would not have again troubled the House in this respect, did he not consider that the Act, as it now stood, was an injustice to the non-traders. It was stated that the law was intended to be a relief to one class. But he could not see why this relief should not be extended to the class of non-traders. If a non-trader were overtaken by misfortune, he ought to have the same opportunities for relief as a trader. He saw no reason why this clause should be excluded from the Insolvent Law. From the beginning, he had been opposed to such a law, but if it were to remain on the Statute-book, it ought to apply equally to traders and non-traders.

Mr. BLAKE said he would imitate the admirable brevity of the hon. gentleman, because the House had discussed this subject on several occasions, and it was useless to re-discuss it. The hon. gentleman had laid down three propositions in his remarks. First

that the benefit of the law should be extended to non-traders; second, that it should not be for the relief of one class; and, third, that he was opposed altogether to the principle of the law. The hon. gentleman must know that non-traders did not want the law extended to them. He acknowledged that this class did not want this alleged benefit, but he proposed that they should not be subject to accept the position that a trader's creditors obliged him to accept. There was only one principle upon which a discharge was justified: that it was not the interest of the state that a man whose property had been taken away, who fulfilled the general conditions under which a discharge was granted, should not be freed from his liabilities and enabled to start afresh. The proposition of his hon. friend would be entirely subversive of the very basis on which the discharge was founded, and, if admitted, would make the whole law inefficacious.

Mr. MITCHELL said he was surprised at the line of argument taken by the hon. the Minister of Justice, who said in effect that the object of the law was to give a man complete and final discharge.

Mr. BLAKE said that what he wished to convey was that one of the elements of the law was that the debtor should have his discharge.

Mr. MITCHELL said that was substantially what he said. The hon. the Minister of Justice had forced upon the country a law which exempted a large class from its operation. The position of the hon. gentleman was illogical and inconsistent. They did not want any hair-splitting on a subject of this character; no class should be debarred from the benefits of a law of this kind. When he thought of the effects of the Bill, it roused a feeling of indignation within him against the men who introduced it, and who perpetuated it in the country. The result of the law was shown by the statistics presented by the hon. member for Prince Edward proving that the average payments under it only amounted to 22 per cent. of the liabilities. The Minister of Justice wished to oblige such debtors to pay fifty cents on the dollars, and how were they to get their discharge under

the circumstances. The law was an outrage on the common sense of the community. He hoped that the amendment moved by the hon. member for Quebec would show whether or not these hon. gentlemen would prevent the farmers, who formed so large a class of the community, from getting the benefit of the Act, or, at least, protection from its tyrannical operation.

Mr. TROW said that, in looking over the Insolvent Acts of 1869 and 1875, and the amended Bill under discussion, he saw no provision made for the discharge or the personal reports of the assignee. Probably the Minister of Justice would give him some explanation on this point. Another provision he considered essential would be to the effect that when real estate was offered for sale by auction the assignee should have the privilege of selling it at private sale in the interest of the estate.

Mr. BLAKE: On the third reading I will inform my hon. friend. These points are not germane to the amendment.

Mr. POPE (Compton) said his hon. friend from Quebec (Mr. Caron) deserved credit for the position he had taken. Hon. gentlemen opposite said that about 75 per cent. of the whole population of the country were farmers, who could not take advantage of this law. (Great numbers of this class became security for merchants and others, and hence were often dragged into difficulty. The Government, nevertheless, took no steps to protect them, and they were obliged to pay every dollar of their debts. He had never believed that it would be well for farmers to be able to take advantage of the Bankruptcy Act, but, then, they ought not be compelled to accept less than the full payment from the merchant of every farthing due by the merchant or insolvent to such farmer, although the merchant might not pay more than five cents to other traders who came under the Insolvency Act, and could take advantage of the Act. The farmers should have fair play; they asked for nothing more and they would be content with nothing else. If this 75 per cent. of our population were in presence of the Minister of

Justice, to one man they would endorse this statement.

Mr. BLAKE: I represent 40,000 of them.

Mr. POPE said the hon. gentleman misrepresented 40,000 of them. The farmers only desired fair play and justice.

Mr. BABY said he had always opposed the Insolvent Act. It was based on class legislation. Between traders no difficulty was experienced in this relation. The wholesale merchant obtained all he could from the insolvent dealer, and consoled himself with the reflection that he would yet make up his loss out of his profits, by selling goods at such and such a price, and by charging interest on notes, etc. The same state of things, however, did not apply to the non-trader; generally speaking in rural constituencies, farmers looked up to the trader as an honest man. The latter bought grain, &c., from the farmers, and, if he failed, often occasioned them serious loss, though such losses might not be so considered by the wholesale merchant. Farmers, moreover, had generally no voice in the meeting of creditors and their interests were usually overlooked. He was desirous of seeing this condition of affairs done away with, and he would, consequently, vote for the amendment.

Mr. LAURIER said it was touching to see the interest showed by the hon. gentlemen opposite in the interest of the country, though, when they were in power, the Insolvency Acts of 1864 and 1865 had been passed. He was surprised to hear gentlemen occupying the positions of the hon. members for Quebec and Joliette express the sentiments to which they had given utterance. He had very recently heard the hon. member for Joliette (Mr. Baby) speak in high terms of the civil code of Lower Canada; and the hon. gentleman knew very well that the principle of the French law in insolvency matters applied to all creditors indiscriminately, whether they were traders or not. The hon. gentleman said the Act was immoral; but he was sure that his hon. friend was at variance with himself in this relation. In the French law, and he believed in the laws of every civilized nation, there

Mr. MITCHELL.

were *prescriptions*. In the English law he thought they were known as the Statute of Limitations, and this was then certainly more immoral than an Insolvency Act. But it was better that such provisions should exist, else greater prejudices would occur. He could not conceive, for the very reason which had been given by the Minister of Justice, that an Insolvency Law should not apply to all classes of creditors without distinction.

Mr. MITCHELL said that the Insolvent Act of 1864 applied to farmers and other persons.

Mr. LAURIER said that this law in Ontario applied to all persons indiscriminately. However, in Quebec, traders only had been able to take advantage of it.

Mr. MACDONALD (Centre Toronto) said that not one per cent. of the farmers were ruined by endorsing notes.

Mr. ROSS (Prince Edward) said that when the Bill included non-traders, he had moved in amendment that the clause relating to this class be struck out, and hon. gentlemen opposite had accepted it. Since then, he had conversed with a great many farmers on the subject, and they thought that it was an insult to them to be included in the Act. He did not believe that the majority of farmers desired to take advantage of it.

Mr. CIMON said he admitted there was something special in the law in Quebec with relation to this subject; but it did not follow, however, that it worked to the detriment of other classes of society. One creditor under the French law could not act to the detriment of the other creditors in an estate. He did not agree with the view that the law relating to prescription was more immoral than the Insolvency Law. The hon. member for Arthabaska (Mr. Laurier) reproached hon. members on his side of the House with an interest in the affairs of farmers and labourers; but this was certainly no ground for censure. Their constituents

would not be of the same opinion as had been expressed by the hon. member for Arthabaska. A trader in his county had purchased supplies from the farmers, and even borrowed money from them; he also owed wages to labourers; under these circumstances he got into difficulties, and the merchants of Quebec, whom he owed, made an arrangement according to which the insolvent secured his discharge, while the unfortunate farmers and labourers lost all that was due them. A bankruptcy law should be extended to all classes or else it should not exist at all. It should not provide for a privileged class--all classes should, with respect to the payment of their debts, be placed on the same footing. He would vote for the amendment.

Mr. McCARTHY pointed out that there were some kinds of debts for which a man could not get his discharge under the present law. He therefore thought the amendment merely extended a principle that had existed for a number of years, and this view of the matter would meet the objections of the hon. the Minister of Justice. Farmers, most likely, did not wish to come within the provisions of the Insolvent Law, but, if they could not get any of its advantages, he did not see why they should be compelled to accept a settlement under it.

Mr. BURPEE (Sunbury) said he had great doubt whether it was in the interests of the country that a Bankrupt Law should be upon the Statute-book as a permanent law. He had come to the House prepared to vote for its repeal, but, from the arguments that had been presented, he was content that it should remain another season. However, as a farmer, he was not willing that farmers should be amongst those who were exempted from the operations of the Act; he did not think it a compliment that they should be so placed. He would vote against the amendment, and, unless he changed his mind, he would support the repeal of the Act.

Question *put*, and amendment (Mr. Caron) *negatived*, on the following Division:—

## YEAS :

## Messieurs

Baby	Kirkpatrick
Barthe	Landerkin
Béchar	Langevin
Benoit	Lanthier
Bernier	Little
Blanchet	McDonald (Cape Breton)
Bolduc	Macmillan
Bourassa	McCallum
Bowell	McCarthy
Burk	McCraney
Caron	McQuade
Cheval	Mason
Cimon	Mitchell
Costigan	Monteith
Coupal	Orton
Currier	Quimet
Cuthbert	Pinsonneault
Daoust	Pope (Compton)
Desjardins	Robitaille
Dewdney	Rouleau
Farrow	Roy
Fiset	Rymal
Flesher	Thompson (Cariboo)
Gaudet	Wallace (S. Norfolk)
Gill	White (East Hastings)
Greenway	White (North Renfrew)
Harwood	Wright (Ottawa Co.)
Hurteau	—56.
Jones (South Leeds)	

## NAYS :

## Messieurs

Appleby	Jetté
Archibald	Kerr
Aylmer	Kirk
Bain	Lafamme
Bannatyne	Lajoie
Bertram	Laurier
Biggar	Macdonald (Cornwall)
Blackburn	Macdonald (Kingston)
Blake	Macdonald (Centre Toronto)
Borden	MacDonnell
Borron	Macdougall (E. Elgin)
Bowman	McDougall (S. Renfrew)
Brooks	McKay (Colchester)
Brouse	Mackenzie
Brown	McGregor
Buell	McIntyre
Burpee (St. John)	McIsaac
Burpee (Sunbury)	McLeod
Cartwright	McNab
Casey	Metcalfe
Casgrain	Mills
Cauchon	Oliver
Charlton	Oliver
Church	Paterson
Cockburn	Perry
Coffin	Pickard
Cunningham	Plumb
Davies	Ray
Delorme	Richard
De St. Georges	Robillard
De Veber	Ross (W. Middlesex)
Donahue	Ross (Prince Edward)
Dymond	Ryan
Fleming	Scatcherd
Flynn	Schultz
Forbes	Scrifer
Fraser	Shibley
Fréchette	Sinclair
Galbraith	Smita (Peel)
Geoffrion	Smith (Selkirk)
Gibbs (North Ontario)	St. Jean
Gibbs (South Ontario)	Taschereau

Mr. BURPEE.

Gillies	Thibaudeau
Gillmor	Thompson (Haldimand)
Goudge	Thomson (Welland)
Guthrie	Trov
Hagar	Tupper
Higinbotham	Vail
Holton	Wallace (Albert)
Horton	Wood
Huntington	Workman—101.

Bill read the third time.

Mr. BLAKE moved that the Bill do now pass.

Mr. GOUDGE moved in amendment:

“ That the said Bill do not now pass, but that it be referred back to Committee of the Whole with instructions that they have power to amend the same by adding the following proviso:—

“ Provided always that in such of the Provinces when by the laws thereof judgment of Courts of Record may be recorded against the lands, such judgments so recorded shall not be considered a lien on the said lands if recorded within thirty days before a writ of attachment has issued or an assignment has been made.”

Mr. BLAKE said he had considered a good deal what his hon. friend proposed, and he was not of opinion that it was the most satisfactory way of dealing with the subject to which he had referred. He was obliged to move another amendment, viz.: That the following be added to Section 133 as Sub-section 2:—

“ In any Province in which the record of registration against lands of a judgment creates a lien or charge against lands, any such record or registration effected against the lands of a debtor within thirty days next before a demand for an assignment or for the issue of a writ of attachment, whenever such demand shall have been followed by an assignment or by the issue of a writ of attachment, shall be null and void.”

Mr. GOUDGE said he would withdraw his amendment. The only reason he put it was that he feared the Bill would be allowed to pass without any such provision. In the Province of Nova Scotia it had been decided by the Courts that, when a judgment had been recorded or registered, it was a lien on real estate and the creditors were debarred from any benefit from the lands in consequence of the recording of the judgment. The law as it now stood in Nova Scotia was a source of much injury to parties interested, and he was glad that the Minister of Justice had taken the matter in hand.

Mr. McISAAC said the amendment proposed by the hon. member for Hants sought only a part of what was entirely provided by the very section he proposed to amend, and the amendment of the Minister of Justice, as a substitute therefor, was not materially different. The member for Hants stated that the Supreme Court of Nova Scotia had decided that a recorded judgment attached land and became preferential, but he probably forgot that the decision he meant had been given under the Insolvent Law of 1869, not that of 1875. The late Judge McCully, he believed it was, decided that a recorded judgment secured to the claimant its full amount, preferentially, out of the real estate of an insolvent, notwithstanding an assignment for the benefit of his creditors. The Judge maintained that, under the Act of 1869, a judgment duly registered created the same lien or privilege that a mortgage or hypothec did. Under that Act, like the Act of 1875, the recording of a judgment, even the placing of an execution thereof in the hands of a sheriff, did not affect the personal property of the insolvent so as to prevent its vesting in the assignee, unless in the case of actual sale, and the payment of the money realized to the party entitled. By the Act of 1875, so far as a registered judgment was concerned, the real and personal estate of an insolvent were put on a perfect equality, and the very clause the hon. member wished to amend was the one effecting the equality. It distinctly said that no lien or privilege upon either the personal or real estate of the insolvent should be created for the amount of any judgment debt, unless before assignment the money levied under an execution was actually paid over to the plaintiff. In that view, which he believed to be correct, the proposed amendments were entirely unnecessary.

Mr. GOUDGE said that, while a judgment might have been rendered under the Act of 1869, a judgment had also been rendered since 1875, which had been accepted as law in the Province of Nova Scotia, and it was a fact that all real estates against which judgments had been obtained were abandoned by the creditors, if the judgments had been

recorded but a single day before the assignment had been made. In consultation with business men, not only of Windsor, but of Halifax, he had found that the opinions were general that the present law was a great hardship as it referred to Nova Scotia. There it was not the execution of a judgment which gave it validity, but its mere recording. He believed that, since the passing of the Act of 1876, their judges in Nova Scotia had decided that it was not the issuing of the judgment, but its recording, which made it valid, and that a judgment once recorded, stood in the name and for the benefit of the party in whose favour it had been given alone. Therefore, he felt that no injustice could be done in placing judgments in the same category with all other transactions that might take place between the debtor and the creditor, even of the most proper kind, which required that 30 days should elapse between the date of the conveyance or sale and the time of the assignment, before it was valid. If the House refused to pass the amendment, the object of the section would be entirely frustrated as regarded the relations between debtor and creditor in Nova Scotia.

Mr. MACDONNELL said he apprehended that the amendment of the hon. the Minister of Justice must be of the same nature, and proposed the same effects as the amendment of the hon. member for Hants (Mr. Goudge). The only difference was that it was transposed from one section of the law to another. He thought it a great hardship that a creditor, asking to recover a just debt from a man in perfectly solvent circumstances, who, to defraud his creditor, put in a dilatory plea with which lawyers were so familiar, should, if he recovered judgment twenty-nine days before the Act was committed, be put in the same category as the man who had neglected his claim.

Sir JOHN A. MACDONALD rose to call attention to two points of order. First, the Minister of Justice having moved that the Bill do pass, could not afterwards move an amendment.

Mr. SPEAKER: I understand it becomes the motion of the member for Hants (Mr. Goudge).

Mr. Goudge's amendment *withdrawn*.

Mr. GOUDGE moved :

"That the Bill be re-committed to a Committee of the Whole, with instructions that they have power to add after section 133, the following sub-section: 'In any Province in which the record or registration against lands creates a lien or charge against lands, any such record or registration effected against the lands of a debtor within thirty days next before a demand for an assignment, or for the issue of a writ of attachment, whenever such demand shall have been followed by an assignment or by the issue of a writ of attachment, shall be null and void.'"

Sir JOHN A. MACDONALD said he did not see how the House could go into Committee. He thought they could amend the Bill at this stage, but not by going into Committee, because they had already read the Bill the third time. The 47th rule was as follows:—

"After report the Bill shall be open to debate and amendment before it is ordered for a third reading. But when a Bill is reported without amendment it is forthwith ordered to be read a third time, at such time as may be appointed by the House."

Mr. HOLTON said there was another point. No amendment could be made at the third reading without a day's notice.

Mr. SPEAKER said he thought he had been hasty in putting the question that the House go back into Committee. It was very unusual that, at this stage, any amendment should be made.

Mr. MASSON said, if the rule stated that it should be done in one way, it meant that it should not be done in another way.

Mr. SPEAKER said, if the rule were interpreted rigidly, it precluded amendments after the Bill was ordered for the third reading, though after that, when the Bill came up for the third reading, it was the almost invariable practice to move to refer it back to Committee to amend. He thought there was another question involved—whether they were not bound by the law of the Imperial Parliament in any case. He was quite satisfied that the Bill, at this stage, could not be re-committed to a Committee of the Whole.

Bill *passed*.

Mr. SPEAKER.

PAYMENT OF ACTIVE MILITIA BILL.—[BILL NO. 102.]

(Mr. Blake.)

THIRD READING.

Order for second reading, *read*.

Mr. DESJARDINS said he tried to call the attention of the Minister of Justice to the opportunity of extending further the enactments of this Bill. He read, in the 1st Clause of this Bill, that—

"Whereas it is provided that the Active Militia, or any corps thereof, may be called out for active service, in aid of the civil power, in any case in which a riot, disturbance of the peace, or other emergency requiring such service, and beyond the power of the civil authorities to deal with, occurs or is anticipated; and these officers and men, so called out, shall receive from the municipality, in which these services are required, pay and allowances."

It would seem to him that there were cases when it would be unjust to leave the burden and expenses of such calls of the Active Militia on the municipality where such emergencies would occur. Suppose the case of disturbances arising in the vicinity of large public works, undertaken for the benefit of the Dominion. For example: For the last two years a great number of strangers were employed on the Lachine Canal, and, as the authorities in the neighbourhood did not possess the means of controlling all these persons, serious disorders had ensued; and not only disorders, but even a case of murder had occurred. He called the attention of the Minister of Public Works to the fact that the municipality of Côte St. Paul had not enough means to go to the expense of maintaining a body of constables sufficient to act in such emergencies; and it was unjust to compel the municipality to do so, with regard to enterprises which concerned the entire Dominion; but he was answered that there was nothing to authorize the Government to interfere in the matter. He believed that, as the Minister of Justice had considered it proper to call out the militia in certain cases, as with relation to troubles on railways and in connection with enterprises of this nature, the law should go a little

farther, and provide for their use in cases where troubles broke out on public works, as important as those which were in question. A municipality like that of Côte St. Paul should not be obliged to defray the cost of maintaining such a force, when the cause of the difficulty indirectly lay with the Dominion authorities.

Mr. BLAKE said the object of the Bill was to extend the law to cases where the local authorities found themselves unable to deal with an emergency, such as that of disturbances on a railroad running through several municipalities, and in such cases it was proposed that the Dominion Government should pay a portion of the expense of calling out the militia. The hon. member for Hochelaga (Mr. Desjardins) had suggested that, where public works were being constructed in a particular locality and a disturbance arose, a portion of the expenses incurred by that locality should be borne by the Dominion Government. But there was an Act on the Statute-book which provided for the maintenance of the peace at public works; and any legislation such as that suggested, would be germane rather to that Act than to the present Bill. Personally, he was averse to calling out the militia, except in cases of the gravest necessity for the preservation of peace. He thought that, except under most exceptional circumstances, the force should not be called out, and he had very great objection to extending the function of the Dominion and applying its revenues to the maintenance of peace in any locality. Our whole system was opposed to it. Our system was that those matters were to be managed by the local authorities themselves, except in cases of grave public necessity. If a disturbance were local in its origin, it was the function of the municipality; and it was only in cases where disturbances extended to several municipalities that the Bill would apply.

Mr. KIRKPATRICK said the Bill had been introduced in consequence of the strike on the Grand Trunk Railway during the past winter; but it would be found that power would be given to the Dominion Government to

call out a local force if necessary to suppress a riot or outbreak, where, possibly, the local magistracy, being in sympathy with rioters, were unwilling to interfere. He concurred with the opinion expressed by the hon. the Minister of Justice, that the militia should only be called out as a last resort; but he feared the Bill would tend to the militia being called out more frequently when the local authorities knew they would not have to pay the cost. True, there was a provision in the measure leaving the question of whether the expense should be paid or not in the hands of the Governor in Council; but if some persons in authority in municipalities advised the calling out of the militia, they would bring influence to bear on the Government to have the cost paid.

Mr. BOWELL said he agreed with the principle of the Bill, but it did not go as far as he had wished. He desired to point out a defect in the Bill, in regard to calling out the militia in cases of strikes that were not local or provincial in their character. He agreed with the hon. the Minister of Justice, that the militia was not the best force to put down riots. The weapon with which the men were armed was not such as they liked to use. From what he had seen he was convinced that a police force of half the strength as the militia force would be more effectual in cases of riot. Had a municipality the power, in case of calling out the militia, to put a body of the men on board of a train, and accompany it for five, ten or twenty miles? If they had not, then the power sought to be obtained by the Bill would not be accomplished. Belleville was surrounded by municipalities within a short distance, and, in case of a general strike on the railway, the town authorities might order out the militia and force the mails through the town; but the question arose whether the force would be able to remain on board the train and force it through adjoining municipalities. In case of a general railroad strike, the Government should assume the power and responsibility of placing a force upon the trains and compelling the carriage of the mails.

Mr. BLAKE said there was great difficulty in dealing with acts which

happened after a strike, and which were no part of the strike. In cases of disturbances, where more than twelve people gathered together, the Riot Act could be read, and if the people remained at the spot one hour afterwards they were liable to punishment. In regard to the case of disturbances extending into several municipalities, difficulty might be obviated by concerted action on the part of the municipal authorities. Hon. members had urged that the Government should take to itself the power of calling out troops, and the hon. member for North Hastings (Mr. Bowell) had suggested that the Government should take the extensive power of forcing the mails through the country with the aid of the militia, in case of a general strike and disturbance. Would the hon. gentleman consider for a moment what it was to take out an armed force. When it was taken under the law in aid of the civil power, it was to act under the orders of the civil magistrate, who was amenable to the law for the orders he issued. In what position would any Minister, entrusted with the discharge of the duties be, supposing the telegraphic wires were not cut and he was able to give his orders, if he did not have this power? To whom was he to entrust the command of 25 or 50 men who, with rifle and revolver in hand, were required, in time of peace, to preserve the peace by force of arms?

Mr. BOWELL: To the officer in command.

Mr. BLAKE said we could not do that and retain British liberties. It was the essence of British liberty that the forces could not be taken out in aid of the civil power except under the orders of the civil authorities; and, once grant the commander the authority in the manner suggested, and we destroyed every essence of British liberty, for it would be establishing martial law. That was a step he was not disposed to sanction or permit. We must submit to those inconveniences which were essential to the conditions of the liberties we enjoyed; we should leave it to the civil power to keep the civil peace. In this country, sparsely settled as it was, subject as it was to

Mr. BLAKE.

disturbances, although the peaceable character of the people rendered them rare, we had to depend on that peaceable regular habit of life and feeling, and upon the general co-operation of all good citizens to keep the peace when a time of disturbance came, and he did not propose that the militia should be called out except by the direction and under the responsibility of the local civil authorities. That was the line necessary to be drawn. Whatever inconveniences might follow from drawing that line were infinitely less than the monstrous results which would follow from taking a different view. The hon. gentleman had suggested that cases might arise in which the municipal authorities might be in sympathy with the rioters and would not call out the militia; but he must remember that one law provided that not only the chief municipal officer and two magistrates had the power to call out the militia but also the chairman of the Quarter Sessions who was allowed to call out the militia if the others failed. That official was not dependent on popular suffrage for his position, and his habits and duties were such that he surely could not be suspected of being swayed by sympathy. In the recent case of the strike the trouble was not local in its origin. Belleville was selected as a convenient spot to cease operations; and it would be unfair to say that the trouble was local in its origin. It was not even provincial in its character, because it had reference to a railway which extended beyond the Province. The whole case was met by this clause so far as it was possible to meet it. Power and responsibility went hand in hand. If we added, by legislation, the power to the Government to call out the militia if they saw fit, could we expect that any municipality would call it out under the circumstances. The municipal authorities would say: "The Government has taken the power, and we will wait for them to act." Manifest inconveniences would result. Imperfect as the system might be, it was the best available one under all the circumstances of the country. Without a change of our conditions we could not have a perfect system of keeping the peace, and we had to rely principally

on the general principle of good order to which he had referred.

Mr. BROWN said he wished briefly to explain the circumstances connected with the calling out of the volunteers at Belleville. The request to do so was sent to him at 10 o'clock on Saturday night signed by the Mayor and two other magistrates. He at once handed it to the captain in command of No. 1 Co. of the 49th Battalion, the only company in town. Forty-two men responded at once to the call, and were marched down to the station. When they arrived there, they found a large number of things on the track to prevent the express train from coming in, and they set to work to remove them and guarded the men who did not belong to the striking party. Towards daylight the superintendent of the locomotive department volunteered to go out with an engine and bring up the express. The volunteers accompanied him and assisted in bringing the train in. They were sixteen hours on duty there, and he considered that time was long enough for any body of volunteers to be kept engaged at one time. If more men were required the country companies of the battalion could have been obtained at a short notice. The riot did not amount to anything. The men who formed the striking party were around all the time quietly smoking their pipes; and if there had been a well-organized police force in Belleville at the time there might have been no occasion to call out the volunteers at all. Hundreds of people assembled in the neighbourhood after daylight out of curiosity, and if a single shot had been fired he did not know how many innocent persons might have suffered. There was not much necessity for bringing the volunteers up from Toronto, because the Grand Trunk came to an arrangement shortly afterwards. At the same time, he thought it was very hard that a municipality like Belleville should have to guard the whole line from Coburg or Kingston to Napanee. He would, at the proper time, state the facts of the case with regard to the volunteers; but, whether they were properly equipped or not, that had nothing to do with the case, The volunteers had done their duty,

and there was no sympathy between them and the strikers. Not one of the volunteers had broken from the ranks on that occasion. He was glad that the Minister of Justice had introduced the Bill. It would have the effect of preventing, not only disturbances of this kind, but also troubles in large manufacturing establishments, where employers were perfectly at the mercy of a great number of employes. He trusted that persons guilty of these disorders would be severely punished. No doubt when the organization in question was first started for benevolent and mutual aid purposes, no fault was to be found with it; but, when the members of it went so far as to dictate what amount of wages they should receive, and the terms, and the hours of labour, they exceeded their just rights, and they ought to be punished for it. He considered the Bill of the Minister of Justice a move in the right direction.

*Bill read the second time.*

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Mr. BOWELL said he wished to set himself right with regard to the remarks made a few moments previously by the Minister of Justice. While personally he felt very thankful for the homily read them by the hon. gentleman on British liberty, and for the information given them and for the instructions communicated with reference to the duties of the local magistracy on occasions of this kind, he could not admit, and he said this with all due deference and a great degree of modesty, that the hon. gentleman had met the case he had desired to put before the House; what he had desired to point out was, that in case of a riot—he would not use the word strike as it seemed to offend hon. gentlemen opposite—

Mr. ROSS (Prince Edward): In the event of a row.

Mr. BOWELL: In case of a row, if this term was preferred, while the Bill to a certain extent would accomplish the object in view, it could not fully accomplish what he would like to see done. He had endeavoured to illus-

trate his point by instancing the fact of a number of stations along a line like that of the Grand Trunk, over which the mail was carried, at which, under such circumstances, it would be necessary for every municipality to call out some force to force—if he might use the expression—a way for the mail past these stations.

Mr. BLAKE: Hear, hear.

Mr. BOWELL: The hon. gentleman said, "hear, hear," but how else could it be accomplished? Take Belleville for instance. If a force was called out there to scatter the crowd and put down the rioters, after the Riot Act was read, and send on the train; when it reached Trenton it would be stopped in the same way because this was an organized riot along every station along the line.

Mr. BLAKE: No, no.

Mr. BOWELL said he begged the hon. gentleman's pardon. He said "yes, yes." After passing one station, the train was stopped at other stations.

Mr. BLAKE: That is not every station.

Mr. BOWELL said the train was stopped at Trenton, and similar attempts were made at Brighton and Colborne, and at different other stations.

Mr. MACKENZIE: Who stopped the train at Trenton?

Mr. BOWELL: The same organization, or the result of it, that did it in Belleville.

Mr. BLAKE: You cannot have a body of men all over the line.

Mr. BOWELL said this would not be necessary. If the hon. gentleman had been present on that occasion, he would have found that it was not necessary to have a body of men to stop a train. The hon. gentleman knew as well as he did, that one or two men, particularly of that class who understood the working of railways, could throw a train off the track, and do other damage as was done on such occasions, without having a body of men at all for the purpose. One or two men had succeeded, by rushing between the volunteers and the engine, to stop its progress before

Mr. BOWELL.

action could be taken to prevent it. And this might occur again. He was convinced that the Minister of Justice had made up his mind to go as he would go, and that he did not intend to recede or advance from the position he had taken. He understood that, in England for instance, if a riot or row occurred, the Government had the power to despatch a military force to keep the peace, placing it under the local authorities. He might be mistaken in this regard, but such was his recollection of the course pursued in Great Britain when difficulties of this or any other kind arose.

Mr. BLAKE: A requisition by the local authorities is the preliminary.

Mr. BOWELL: In all cases?

Mr. BLAKE: I think so.

Mr. BOWELL: If the hon. gentleman says so, it is no doubt the case.

Mr. BLAKE: I say I think so.

Mr. KIRKPATRICK: The Imperial Government sends the troops to act under the local authorities.

Mr. BLAKE: The Imperial Government sends the troops, but it does not call out troops.

Mr. BOWELL said the difference between the cases was that in England there was a standing army, while we had to call out volunteers. They always, he believed, placed the troops under such circumstances not exactly under the power but under the guidance, to a certain extent, of the local authorities.

Mr. KIRKPATRICK: Under the the civil power.

Mr. BOWELL: Yes. He still repeated that what he desired could be done without infringing on what they all not only admitted, but also gloried in—British liberty. In case of a riot of an extensive character, such as had taken place last winter, occurring again—and he trusted this would never be the case—he thought some power should be centralized somewhere other than in the different localities where the difficulties occurred, in order to see that Her Majesty's mails were carried through, and that the lives of the people generally were protected.

Mr. BLAKE said that the military force was to be called out only in case of the existence of a riot or disturbance of the peace, which was beyond the power of the civil authorities of the locality to deal with. Special constables should be sworn in before the military were called out at all, unless the riot had assumed such proportions before any body interested in repressing it knew anything about it, that it was necessary to call out both. It was perfectly true that a riot might, at any place, be beyond the power of the local authorities, while a man at another station, or a couple of men at a third station were putting an engine off the track; but this latter act might happen under ordinary circumstances. Along a whole line a number of persons might be engaged in the criminal enterprise of throwing engines off the track, or of injuring them, and probably this would be a more efficacious way of accomplishing the object than by creating a great disturbance at one place; but would they call out the militia and the military force to prevent this, or would it be said that such acts were beyond the power of the local authorities to control?

Mr. BOWELL: Certainly it is.

Mr. BLAKE: Would it be beyond the power of the local authorities to arrest one or two men, who were breakers of the peace, at any station in a municipality?

Mr. BOWELL: I want to prevent the necessity of a force accompanying the engine under the authority of a central power.

Mr. BLAKE: The hon. gentleman wants, in order to save the local authorities and peace officers from proceeding against one or two breakers of the peace, to call out the military force, in order that these one or two breakers of the peace may be shot.

Mr. BOWELL: Oh, no.

Mr. BLAKE: That is what the hon. gentleman wants. He wishes to do that by the central authority not acting under the responsibility of the law, for the shooting that may occur. That is what the hon. gentleman wants.

Mr. BOWELL said he was glad to be informed as to what he wanted,

but all he could say was that he wanted nothing of the kind. The Minister of Justice had no right, however prominent and influential he might be in the House, to put any such language in his mouth; nor had the hon. gentleman any right, from what he had said, to draw any such deductions. He desired to shoot no one; nor did he wish to have any one shot. The calling out of the militia should be avoided as much as possible on all occasions, and, if they had a Provincial or Dominion police force, it would be ten times more efficacious in putting down a riot of that kind, than volunteers with rifles in their hands could possibly be. He had stated this half-a-dozen times, and the hon. gentleman either designedly misrepresented his words or left an impression which was not justified in view of the remarks he had made on the subject.

Mr. ROSS (Prince Edward) said he had been a volunteer for fifteen years, and he considered it a misfortune for Belleville to have sent to Toronto for volunteers, when there was a sufficient number of them in Hastings for the purpose; and if these had not been able to put down the strike, the volunteers in Prince Edward county would have been available.

Mr. KIRKPATRICK: Does the Bill provide for the payment of the expenses of the militia called out when the mails are stopped?

Mr. BLAKE: Has the hon. gentleman read the preamble?

Mr. KIRKPATRICK: I have; and I see that it is divided into three clauses; and the second clause states that the municipality shall pay all costs, and is liable to be sued for it.

Mr. BLAKE said this was not the case. The Bill had two distinct objects. The existing law provided that in all cases in which a municipality called out the militia it should pay a certain per diem allowance for the men and provide accommodation for them; but it contained no provision for the municipality paying the cost of transport of the militia, although it empowered municipalities to make requisition on the militia at a great distance beyond their boundaries.

The second clause provided, in addition, that when the militia outside a municipality were called out, it should be liable to pay the cost of the transportation. This was complete in itself, and had nothing to do with the central Government at all.

Bill ordered to be reported.

House resumed.

Bill reported, read the third time and passed.

House adjourned at  
Thirty minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

Thursday, 5th April, 1877.

The Speaker took the Chair at Three o'clock.

### PILOTAGE ACT AMENDMENT BILL.

#### FIRST READING.

House resolved itself into Committee of the Whole to consider the following resolutions:—

"1. That it is expedient to amend the Pilotage Act of 1875, by providing that steamships employed in trading from port to port in the same Province, as well as those employed in trading between any one or more of the Provinces of Quebec, New Brunswick, Nova Scotia or Prince Edward Island, and any other or others of them, or between any port or ports in the said Provinces, or any of them, and the port of New York or any port of the United States of America on the Atlantic, north of New York, shall be exempt from payment of Pilotage dues, except only in the ports of Halifax and Pictou, as respects each of which the Pilotage Authorities, with the approval of the Governor in Council, from time to time, may determine what steamships shall or shall not be wholly or partially exempt from such payment; and that no clearance shall be granted at any port where there is Pilotage Authority, to any steamship on which such dues are payable, until they shall have been paid or settled.

"2. That it is expedient to provide that the tonnage of all steamships registered in Canada shall be ascertained by the same rules, and that steamships registered under the repealed Act, Chapter 41 of the Consolidated Statutes of the late Province of Canada, shall be remeasured, and their tonnage ascertained by the rules prescribed in the Imperial Act, known as the Merchant Shipping Act, 1854, as other steamships registered in Canada now are."

Mr. BLAKE.

(In the Committee.)

Mr. SMITH (Westmoreland) said he proposed to amend the Pilotage Act of 1875, so as to empower the pilotage authorities of Halifax and Pictou to make steamboats pay pilotage dues or not, as they chose. This change in the law had been asked for by the Pilotage Commissions of Halifax and Pictou, and it received the approval of the representatives of Halifax and Pictou in Parliament. It did not affect any other portion of the Dominion, and it supplied an omission in the Act of 1875. He also proposed, with the concurrence of the House, to direct that no clearance should be given to a ship unless a certificate was presented. He had received a communication from Halifax setting forth strong reasons why a change should be made in the law, as, under the present system, the pilotage authorities were exposed to very great inconvenience.

Mr. BLANCHET asked whether the resolutions affected the port of Quebec and ports below.

Mr. SMITH said not at all, save that steamboats passing from a port in one Province to another port in the same Province, were exempted from pilotage.

Mr. MITCHELL said the proposition altered the pilotage system as far as the ports of Halifax and Pictou were concerned, and also the other ports of the Dominion to this extent—that vessels enumerated in the resolution were exempt from pilotage. He entirely approved of this part of the resolution. Steamboats trading regularly between ports of a Province, or between them and ports on the Atlantic coast in the United States, ought not, where there were experienced men on board, to be compelled to undergo compulsory pilotage unless they desired it for the safety of themselves, their passengers, or their property. He did not think, however, that the ports of Halifax and Pictou should be exempted from the operation of the resolution. The system pursued in the ports of the Dominion should, as far as possible, be uniform. He was not prepared to say that he did not agree with the second resolution, but he did contend that the

general principle of making a system, believed to be right as applied to one place, universally applicable, should be adopted, unless some reason was shown why it ought not to be made applicable to any particular point. He did not see why the ports of Halifax and Pictou should be exempted as was proposed. This was a departure from the general principle embodied in the resolution, of which he approved, and which certainly recommended itself to the good sense of the people of the country. He could give his hon. friend some reasons why this exemption ought not to exist. It affected every port in the Dominion in reality. Vessels must go to the port of Pictou, a locality in which public money had been spent in supplying a railway terminus, which formed the connecting link with the Intercolonial Railway on the Atlantic coast. These two points commanded and attracted, owing to the outlay of public moneys on these railroads and the existence of immense coal-fields at Pictou, an amount of trade and commerce which they would not possess had it not been for these adventitious circumstances. This resolution would clearly enable the pilotage authorities of these ports to tax the tonnage of vessels coming from other ports, and consequently it did not apply solely to the shipping of Pictou and Halifax, but also to that of the whole Dominion and the whole world. Therefore, he could see no just reason why this exemption should take place. He could quite understand that, if it was granted, the pilotage authorities of his own port of Miramichi or of Quebec might desire to secure similar powers, and he could easily see the impolicy of permitting any one of these local bodies to contravene at any moment the avowed legislation and policy of this Parliament on the question of pilotage. This question had been discussed at considerable length in 1875 and during preceding years, and he felt it would be unfair to the pilotage authorities of Montreal, Quebec, Miramichi, St. John, Yarmouth and other ports to give this exceptional power to the pilotage authorities of Pictou and Halifax. It was quite right to correct an oversight in the original Bill of 1875. Other ports would probably ask for

this privilege if granted in this case, and he could not see that any good, but rather positive evil, could result from this portion of the resolution which he trusted would not be pressed by his hon. friend. Its effect would be unjust to trade, oppressive to the interests involved in the steamship lines, and unfair and unjust to the capitalists who had invested money in these lines. This principle was subversive of the theory of the Pilotage Law, and it would lead to a great deal of useless legislation and useless discussion on the floors of Parliament.

Mr. CARMICHAEL said that the resolution applied the same principle to steamship as to sailing vessels. It was made applicable only to the ports of Halifax and Pictou, whereas it should be applicable to all the ports of the Dominion. The Minister of Marine and the Governor in Council would not permit an excessive charge for pilotage to be made in the ports in question. If pilotage was to be compulsory at all, surely steamships should be placed in the same category with sailing vessels. This was only just, and this was all that was asked for in the resolution.

Mr. LANGEVIN said he could not agree with the resolution proposed by the Minister of Marine and Fisheries. He did not see why, because a steamship left Quebec to go to New York, it should not be required to have a pilot as well as the steamships which sailed from Quebec for Liverpool. In the latter case, this was required to prevent accidents, but certainly both vessels were exposed to the same dangers. Why should pilots be required at Pictou and Halifax and not in the St. Lawrence? He could understand this proposition if the Minister of Marine had introduced regulations compelling masters and captains of the steamships going to New York and other ports mentioned to pass certain examinations placing them on the same footing with pilots. It was a dangerous resolution, unless the regulation he had mentioned were adopted by which all steamships should be obliged to make use of the services of pilots. He agreed with his hon. friend from Northumberland that there was no reason apparent in the resolution,

at all events, why vessels entering the ports of Halifax and Pictou should be compelled to have pilots while this was not the case in the St. Lawrence. They should place as few impediments as possible in the way of the trade of Halifax particularly, because it was the terminus of the Intercolonial Railway. He wished to learn the reasons for the step it was proposed to take in the resolution.

Mr. McDONALD (Cape Breton) said, if he understood the matter properly, this proposed law was altogether for the benefit of the ports of Pictou and Halifax. He would like to know whether the hon. the Minister of Marine and Fisheries had consulted the pilots of the port of Sydney, or whether the representatives of the county approved of the change. That port was second to none in the Dominion, and yet the pilots were more poorly paid than at any other port, their average salaries being only about \$300 a year. He did not think it would be right to exempt Sydney and favour the ports of Halifax and Pictou. At present, the law exempted steamers from all ports if the captains chose to take out licenses for those ports, and he saw no reason for the proposed change in the law with a view to exempting all steamers.

Mr. SMITH (Westmoreland) said he did not propose to change the law affecting Quebec at all, except in regard to steamers going from one port to another. A steamer now going from Halifax to Quebec was exempt, and he saw no reason why a steamer going from Sorel should not also be exempt. There was no reason for this discrimination, and all he proposed to do was to correct this manifest error in the Act. This application came from the Pilotage Commissioners of Halifax and Pictou, and was sustained by the representatives of those counties. He thought it would be wise to allow the local authorities to regulate their own pilotage affairs, as was the case in Great Britain and the United States. He acknowledged the importance of Sydney as a port, which was entitled to every consideration; and, if it was thought expedient that the pilotage authorities of that port should have

the same power as was proposed to be given to Halifax and Pictou, there would be no objection if application came from the proper quarters.

Mr. McDONALD (Cape Breton) said the port of Sydney was rather unfortunately situated with regard to its Pilotage Commission. The majority were interested in shipping and coal mines. It would be in the interests of the shipping of this country and also in the interests of the pilots of that port if some little change was made in the Board. One member was interested in coal mining and two were interested as charterers of vessels in getting ships out of the port free of pilotage.

Mr. SMITH (Westmoreland) said he thought the gentleman referred to would be particularly interested in seeing that proper rules and regulations were made for securing efficient pilots, and making the port a safe one for vessels.

Mr. BLANCHET said he thought it was a mistake to exempt a steamer from pilotage, because it was more dangerous for a steamer to navigate the St. Lawrence than a sailing vessel. He would like to know what the opinion of the hon. the President of the Council, who had always acted as a protector of the pilots, was in regard to the proposed change in the law.

Mr. SMITH (Westmoreland) said his Department was the proper one to receive communications in relation to this subject, and he might state that no communication had been received from Quebec. He had reason to believe that the pilotage regulations at present existing there had given entire and complete satisfaction, not only to the commercial community, but to the pilots themselves. If it was thought desirable Quebec should have the same powers as were proposed to be conferred on Halifax and Pictou, he was not prepared to say that the Government would not meet their wishes in that respect.

Mr. CARON said he failed to see why steamers should be exempt. He would like to know whether the hon. the President of the Council had consulted the pilots of Quebec in regard to this proposed change in the law.

Mr. LANGEVIN

Mr. SMITH: This amendment does not affect them at all.

Mr. CARON: It must affect them, because certain steamers would not carry pilots.

Mr. SMITH: The law is not changed at all.

Mr. CARON said certain steamers trading between the different ports in Quebec were bound to carry pilots, and he understood the effect of the proposed alteration would be that they would not be obliged to carry pilots. That would make a great change in the receipts of the pilots.

Mr. SMITH: Do you object to that?

Mr. CARON: I do. Of course it may appear strange that the objection should come from this side, in view of the fact that the hon. the President of the Council has always pretended to look after the interests of the pilots.

Mr. BLANCHET said he would be satisfied if his hon. friend said that there would be no change in the pilotage system of the port of Quebec.

Mr. SMITH (Westmoreland) said there was no change whatever with regard to sailing vessels. There was no change in regard to steamers, with this exception: that, under the 3rd sub-section of the Act of 1875, it was provided that a steamer going from one Province into the port of another should be exempt from pilotage, and he simply proposed to extend this provision to steamers going from one port to another in the same Province. This was simply remedying an obvious omission in the Act.

Mr. MITCHELL said his hon. friend the Minister of Marine and Fisheries proposed to take away the privilege given to vessels navigating between the ports of Halifax and Quebec, and compel them to employ pilots whether they would or not.

Mr. SMITH: Oh, no.

Mr. MITCHELL said his hon. friend said "no"; but they differed about that. The change proposed to be effected by the resolution was two-fold. In the Act of 1875, doubtless from an oversight, it was provided that, while vessels trading from a port in one

Province to a port in another Province did not have to pay pilotage dues, yet a vessel trading from one port to another in the same Province had to pay dues. The change proposed in the resolutions was most proper, as far as this was concerned. But the resolutions exempted from the operations of the third sub-section of the Act of 1875, the ports of Halifax and Pictou, provided the pilotage authorities for those ports should so declare. He contended that the principle of pilotage dues from steamships was one recognized by the House in the passage of that Act of 1875, and why Halifax and Pictou should be exceptions to the general rule, he could not understand. It was said that the pilotage authorities of these ports asked for the change; but, he would ask, was such a matter, so important to the trade and commerce of Canada, to be left with local authorities? It was said that these authorities would not, as a matter of course, act in a manner prejudicial to the maritime interests of Halifax and Pictou. But these two ports were so placed on the Atlantic seaboard, and with respect to the coal mines, that steam vessels had to call there for coal whether they desired to do so or not. The hon. the Minister of Marine and Fisheries had said that the pilotage system of the St. Lawrence was entirely satisfactory. But he (Mr. Mitchell) would say that that system, as it existed to-day, was not satisfactory. He would admit that there were many unjust complaints against the pilots of the St. Lawrence, but his experience with the mercantile community, with Boards of Trade, with shipmasters and shipowners, convinced him that there was a great deal of dissatisfaction in reference to the system. He knew that it stood alone in the world, with its distance ranging from 500 to 600 miles; and he knew that it was the most dangerous system in the world. But, while the difficulties were great, the administration of the system was also very defective, and the class of men on the service were not of that high standard of education which they ought to be. Commercial men found that pilots who had been negligent and thereby caused loss to property were

not punished; traders had not the choice of their own pilots, they had to take whoever was sent them, no matter how incompetent they might be; and it was found that no remedies were proposed for the existing evils. Was it any wonder, therefore, that there should be dissatisfaction? It might be asked why he did not remedy this state of things when he was Minister of Marine and Fisheries. He would answer by saying that it was because of the obstructions placed in his way by hon. gentlemen opposite and by those who represented constituencies in which there were a large number of pilots. He made considerable progress, but there was a great deal to do yet.

Mr. SMITH said he certainly had no personal knowledge of the character of the pilots of the St. Lawrence, but he had always understood that they were a very respectable intelligent class of men. His hon. friend chose to malign and slander them, and he professed to speak from personal observation and experience; but he (Mr. Smith) was sure that the House would be disposed to give the pilots fair play. Notwithstanding all that had been said by his hon. friend he had believed the pilots were respectable and capable, and he believed so still. With reference to the changes in the law he had endeavoured to give full explanations, and he did not think it necessary to enter into the matter fully again. It would be admitted on all hands that, where a steamship trading from a port in one Province to a port in another Province did not have to pay pilotage dues, it was certainly right that a vessel trading from one port to another in the same Province should not have to pay dues. As to the other change he had always thought that one port should not be an exception to another, and he continued in this belief. In nearly all other parts of the world, each port had its own rules and was governed entirely by its own local authorities; and he would not oppose such a system here. It was not proposed to imperatively exempt steamships paying dues or to make them pay dues at Halifax and Pictou, but the resolution would leave it discretionary with the local pilotage authorities. This was proposed in con-

sequence of the representations made by these authorities. He had no doubt that they were animated by a desire to promote the interests of these ports. He had already stated that the change would not affect the port at all. The general Pilotage Act was not altered, because, there being no complaints, or none of such importance as to warrant Parliament to be asked to consider them, it was presumed it was satisfactory.

Mr. MITCHELL denied that he had "maligned" or "slandered" the pilots. He had simply told the truth when he said that the pilots were not so capable as they ought to be.

Mr. LANGEVIN said he was sorry the Minister of Marine and Fisheries had not given a better reason for exempting Halifax and Pictou from the general Act than that the pilotage authorities of those two ports desired that it should be done. That was not sufficient. Why should steamships from New York to Halifax pay dues while they would not from New York to Quebec? There was no reason in the anomaly. He understood that by this resolution a steamship going from Sorel to Quebec would not have to pay dues; and also from Montreal to Quebec, and *vice versa*—was he correct?

Mr. SMITH: Yes; is not that right?

Mr. LANGEVIN said, if the steamships were commanded by competent captains, men who knew the river well, of course it was right. But there ought to be some safeguard against men who did not know the river keeping charge of their ships. This ought to be done for the safety of life and property. As to the pilots of Quebec, he must say that, as a class, they were a most respectable and deserving body of men, and they had always performed their duty, he thought, as well as any other pilots in the world. They might not be highly educated enough to take charge of vessels on the high seas, but they were educated enough to know how to perform their duties. He would admit, however, that it would be well to require the apprentices, in the future, to attain to a higher standard of education.

Mr. MITCHELL.

Mr. BLANCHET asked that, to avoid any ambiguity or misunderstanding, the word "Quebec" should follow "Halifax and Pictou."

Mr. SMITH said he would assent to this addition.

Mr. McDONALD (Cape Breton) said the same that applied to Halifax and Pictou would apply to the port of Sydney.

Mr. MACKAY (Cape Breton) said the Minister of Marine and Fisheries proposed certain advantages to the ports of Halifax and Pictou. It seemed to him that the same privilege should be given to the different pilotage authorities throughout, at any rate, the Province of Nova Scotia. He failed to see any good reason why the pilotage authorities of the city of Halifax and Pictou should be allowed to decide as to what steamers should enter their respective ports, and as to whether they should pay any pilotage dues or not, while the other pilotage authorities in Nova Scotia had not the same power. He drew the attention of the hon. the Minister of Marine and Fisheries to that part in the measure which would be looked upon as a piece of exceptional legislation, and he held that the same power should be granted to the pilotage authorities throughout Nova Scotia.

Mr. SMITH (Westmoreland) said that, in regard to the second resolution, attention had already been called by the hon. member for Rouville (Mr. Cheval) to the great inequality and injustice which existed with regard to the payment by steamships of canal tolls and harbour and other dues, arising from the two systems of measurement in force. Under the Act passed in 1873, vessels registered according to the rates which prevailed in Ontario and Quebec were not required to be remeasured, but all vessels registered hereafter were to be measured according to the Merchant Shipping Act of 1854. The consequence was that vessels were measured by two different systems. By the measurement under the Merchant Shipping Act of 1854, a vessel would measure about three times as much as a vessel of the same size under the old system. It was manifestly unjust that

vessels should pay dues on different systems of measurement. The object of the Government proposal was to readjust the matter, and the Government did not propose to increase the income derived from vessels above its present amount. The Government also proposed, inasmuch as this was exceptional legislation, to bear the expense of the measurement of those vessels which would require to be measured; the number of which would be from two hundred to six hundred.

Mr. MITCHELL said he quite approved of the motives of the hon. the Minister of Marine and Fisheries in introducing the resolution, and, having heard the hon. gentleman's explanations, he thought it would remove what at first blush appeared to be an act of injustice to existing vessels. In the debate the other night he understood the hon. member for Rouville to state that an act of injustice had been done by the passage of the Act of 1873, in not changing the registration of existing steamships, and the hon. member so far forgot what was due to hon. members as to imply that he (Mr. Mitchell) was influenced in his action owing to some interest he possessed in steamers, or because he was interested in the Richelieu Company's line.

Mr. CHEVAL said the hon. gentleman had misinterpreted his meaning. He had said he did not think the hon. member had submitted and carried the Bill for the purpose of protecting himself.

Mr. MITCHELL said the hon. member for Richelieu had, on a former occasion, referred to the Richelieu Navigation Company. He had no interest in the company or in any ship affected by the change in the system of registration. The only vessels with which he was connected were measured under the new system. The shipping interests were similar in importance to the banking interests of the country, and the laws required to be modified and changed. He introduced the Bill of 1873 because it was necessary in the interests of trade and commerce. He found that, when vessels proceeded from the great lakes to ports of Great Britain, the tonnage measurement did not agree with that prevailing in the mother

country, and frequent and serious difficulties had arisen between Custom-house officials and ship-owners. The Bill was introduced for the purpose of avoiding those difficulties and of creating a uniform system throughout the British Dominions, making the Canadian system the same as that of England, which was understood in the United States and on the European Continent, and which would prove beneficial to Canadian vessels trading with foreign countries. It was intended to obviate the great distinctions which existed between the system of measurement in Ontario, Quebec and the Maritime Provinces. The Government, when it entered upon the task of carrying the Bill was met by almost innumerable difficulties; it almost imperilled the existence of the Government, and during one whole Session it caused great difficulties which were not confined to the floor of Parliament. If he had made the system of registration enforced throughout the Dominion, as applicable not only to ships going to foreign ports, but trading on the inland waters, he would have done a complete injustice especially in regard to shipping on the lakes. In the case of the Richelieu Navigation Company, which owned 21 boats, if that system had been applied, twenty per cent. would have been added to the working expenses of each vessel. There was no particular reason why so great an injustice should have been committed to secure uniformity. The main object which he sought to accomplish was to provide for re-registration in the case of vessels going to foreign ports, and, therefore, he provided that the system of vessels should not be changed in respect to existing vessels, but that in regard to new vessels the system should be changed.

Resolution agreed to, and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

Mr. SMITH asked leave to introduce a Bill (No. 106) To amend the Act further to amend the Pilotage Act of 1875.

Bill read the first time.

Mr. MITCHELL.

## BANK SHAREHOLDERS' VOTES BILL.

### FIRST READING.

Mr. CARTWRIGHT moved the first reading of Bill (No. 107) (from the Senate) To remove doubts as to the right to vote of shareholders in certain Banks.

Bill read the first time.

## MEASUREMENT OF REGISTERED SHIPS BILL.

### FIRST READING.

Mr. SMITH (Westmoreland) moved for leave to introduce a Bill (No. 106) Respecting the measurement of ships registered under the repealed Act of the late Province of Canada.

Bill read the first time.

## TRANSFER OF PUBLIC WORKS

### RESOLUTION CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider the following resolution:—

“That it is expedient to transfer the control, management and maintenance, as respects ordinary repairs, of all harbours, wharves, piers and breakwaters, being the property of the Dominion, except those under the management of Commissioners appointed under an Act of the Parliament of Canada, and the harbours of St. John, N.B., and Pictou, from the Department of Public Works to that of Marine and Fisheries, the construction and extraordinary repairs remaining under the control of the Department first named; and to empower the Governor in Council, from time to time, on the recommendation of the Minister of Marine and Fisheries, to make, alter or rescind rules and regulations for the management and a tariff or tariffs of tolls and dues for the use of the said works respectively, and to impose penalties for contravention of such rules and regulations; such tolls and penalties to belong to Her Majesty for the public uses of the Dominion.”

(In the Committee.)

Mr. TUPPER said he would like to ask his hon. friend the Minister of Marine and Fisheries how he proposed to discriminate in the class of cases falling under the administration of the Fisheries Department, and of the Public Works Department.

Mr. SMITH (Westmoreland) said he supposed that the Government would determine what were ordinary and what extraordinary repairs.

Mr. MITCHELL said the same principle was applied to lighthouses. The resolution was founded on public economy and the public interest, and he therefore supported it. He might say he sometimes recollected an old statement made by the First Minister when in Opposition, to the effect that the Department he had had the honour to preside over as Minister of Marine and Fisheries was, like the fifth wheel to a coach, unimportant, one in which there was nothing to do, and which never amounted to anything.

Mr. MACKENZIE: I said much worse things than that.

Mr. MITCHELL said he did not doubt it; but his hon. friend, he thought, should now, in all candour, admit that this Department was efficient and useful, attracting a great deal of public attention, and representing important interests. His hon. friend should retract his former expression.

Mr. MACKENZIE: I retract it, Sir.

Mr. HOLTON said his hon. friend from Northumberland had succeeded, by his extraordinary activity and energy, in gathering in, from all quarters, business for the Department, which was correctly characterized by his hon. friend the First Minister as the fifth wheel to a coach, which was created when it became necessary to provide a Department for his hon. friend from Northumberland. The hon. gentleman's activity was, ultimately, useful there, no doubt, in doing a great variety of things which might, with greater fitness and advantage to the country, have been done by the Ministers of the other Departments. This was the position they held when they occupied seats on the other side of the House. Not being very much given to retraction, he adhered to his original opinion; but he admitted that his hon. friend (Mr. Mitchell), by his unwonted energy in gathering to himself all sorts of odds and ends of business, had consolidated the Department into one of respectability and usefulness for his successor.

Mr. MITCHELL said the difference between his hon. friend from Chateauguay and the First Minister was that the former was a perfect man, never in the wrong, always in the right, and always knowing the rules of order. Everybody admitted this. His hon. friend the First Minister, however, was not perfect; and he (Mr. Mackenzie) admitted sometimes, though very rarely, that he was in the wrong. The resolution took away from the Department of the First Minister, the most powerful Minister in the Cabinet, a very important charge; and this showed that the Government, which his hon. friend from Chateauguay supported, believed the late Administration were right in pursuing the course they did with reference to this Department.

Resolution agreed to, and ordered to be reported.

House resumed.

Resolution reported, read the first and second times, and agreed to.

#### APPEALS FROM JUSTICES OF THE PEACE BILL.—[BILL No. 78.]

(Mr. Blake.)

##### THIRD READING.

House resolved itself into Committee of the Whole to consider Bill (No. 78) To amend the law respecting appeals from convictions before, or orders by, Justices of the Peace.

(In the Committee.)

Mr. BLAKE said he proposed to make some trifling amendments, which he explained.

Mr. LAURIER said he would direct the attention of the hon. the Minister of Justice to the fact that the Courts of Quarter Session were becoming obsolete in Quebec. There was a disposition in the Province that their jurisdiction in appeal and summary conviction should be abolished, and the powers given to the Court of Queen's Bench. Judge Ramsay had suggested the propriety of making this change, and, if such was the disposition, he thought, for the sake of harmony, the law should be altered in accordance. He would, therefore, propose an amendment to that effect.

Mr. BABY said he agreed with his hon. friend from Arthabaska that this change should be made. As properly remarked, the Court was becoming almost obsolete, and would in a short time disappear entirely from the cities of Montreal and Quebec. He hoped the hon. the Minister of Justice would agree to the amendment.

Mr. BLAKE said the hon. gentlemen who had spoken on this question were thoroughly conversant with the working of the law, and he could have no better guarantee in making this change than their representations. If he heard no objections, he would accept the views of those hon. gentlemen, and agree to the amendment.

Bill, as amended, *ordered to be reported.*

House resumed.

Bill reported.

Amendments read the first and second times and agreed to.

Bill read the third time and passed.

## CULLING OF TIMBER ACT AMENDMENT BILL.

[BILL No. 103.]

(Mr Laflamme.)

SECOND READING.

Order for second reading read.

Mr. CARON said he altogether concurred in the provision of the Bill as to reducing the number of cullers, but, from all the information that he had been able to collect, he could not agree with the proposition to average the wages of the men at \$700. If the expenses of the cullers were considered, this seemed to be almost a ridiculous remuneration. If he were correctly informed, in many cases these expenses amounted to 25 and even 30 per cent., and he thought it was not right to reduce their salaries as low as \$700. When the deputation from Quebec waited upon the hon. the Minister of Inland Revenue, that hon. gentleman very kindly expressed his determination to take into consideration the views which were laid before him. He (Mr. Caron) hoped that even at this stage of the Bill the Government would find it possible to change it in

**Mr. LAURIER.**

such a way as to make the remuneration of the cullers, who were subjected to a great many hardships and were prevented by their business from obtaining other employment after the culling season was over, more commensurate to their positions.

Mr. LAFLAMME said it was first proposed that the remuneration should be \$800, but it was ultimately agreed that \$700 was sufficient under the circumstances. The Bill was the result of a compromise between the two parties interested, and he thought it would meet their approval.

Mr. THIBAudeau said, as one of the parties in the arrangement, he distinctly understood that the amount agreed upon was \$800. The fact that that sum was first printed in the resolution supported him in this statement. He had just come from Quebec, where he had had interviews, with the cullers, and he could tell the House that they had come to the conclusion that \$700 was far too little. As had been stated, the expenses of those men were very heavy, and, if the amount was not increased, they could hardly make a living. He had done his best to press this matter on the hon. the Minister of Inland Revenue, but perhaps other and stronger influences than his had prevented him from fixing the salary at \$800.

Mr. McDougall (South Renfrew) said he had in previous Sessions taken some interest in this matter, and he wished to make a few observations on this occasion. During last summer he had occasion, in common with other persons engaged in the production of square timber, to meet frequently the hon. the President of the Council, and, if any one had formed the impression that that hon. gentleman had not paid as much attention as he ought to the interests of the cullers, he was happy to bear testimony to the fact that they were entirely deceived. In the conferences which he, together with other persons engaged in the lumber trade had with him, the hon. the President of the Council showed that he had no disposition to see the interests of the cullers neglected. If those gentlemen who represented constituencies where cullers lived were to consider the fact

that the lumbermen were willing to pay the \$200 superannuation, in case it could not be given out of the Consolidated Revenue Fund, and that they were agreeable that the cullers should earn an average of \$700 each instead of \$480, it would have to be acknowledged that they were making some concessions on their side. It was agreed at first that the cullers should have \$800, it being understood that they would make out their own specifications, which he thought they were perfectly able to do. But the general impression was that the specifications had better be made out by the clerk as before, and he felt bound to raise no objections to that. When the Government found out what was acceptable to the lumbermen, they considered fairly the interests of the cullers, and he thought that every fair-minded man would say that justice was done to the cullers, especially in view of the fact that the lumber trade was in a very depressed condition and could not bear any undue burdens. Although it was true that the cullers could undertake no permanent work in the summer other than that of culling, yet there was nothing to prevent their getting employment during the winter. They did not have to work more than 35 or 40 days during the culling season, and it was unreasonable to expect that for this they should get enough to keep them all the rest of the year, although he would be very sorry to see them unfairly treated. Of anything, he would sooner see them overpaid than underpaid.

Mr. CAUCHON said the understanding was that the cullers should receive \$800, making out their own specifications; but then it was thought that this would occupy too much of their time, and that it was better that the average of the salaries should be made \$700, the specifications to be made at the office. This difference of \$100 was really in favour of the cullers. The hon. member for Quebec East (Mr. Thibaudeau) acceded to that arrangement, but he afterwards, in a letter, insisted that they should have \$800. He (Mr. Cauchon) tried to get the several parties to agree to this, but could not.

Mr. CARON said under the old system it required thirty-six cullers to do the work, they receiving on the average \$480 each; and as there were now only eighteen, they of course would have to do twice as much work, and consequently ought certainly to receive \$800. If they prepared their own specifications, their position would be worth \$1,000. From all the letters he had received, it would appear that the cullers had agreed that \$700 was about the value of the work they were required to do.

Mr. WHITE (North Renfrew) enquired the amount of the surplus fund paid into the Consolidated Revenue, over and above the cost of maintaining the cullers' office at Quebec, and whether a fair amount of interest had been allowed.

Mr. BLANCHET said it was to be regretted that the salaries of the cullers had not been increased. If there was any class of men deserving the consideration of the Government it was the cullers. The lumber trade could surely afford the trifle more required to make the amount \$800, and if it could not the Government might make the advance. It was well-known that, since 1867, some \$40,000 had been accumulated out of the surplus of the office, and, as the Government had used the money, they ought to be willing to deal with the cullers.

Mr. McDOUGALL (South Renfrew) remarked that the 36 cullers had not been paid \$480 average each on account of the actual work performed by them, but with the view of giving them a reasonable sum to keep them for the year. They then worked on an average only about 18 to 20 days in the year, and now they would have to work 35 days during the season. He thought \$700 a very good recompence. Without desiring to say anything against them, he would say they were in education and position very little beyond ordinary labours.

Mr. CURRIER said he thought \$700 pretty good pay for a month's work, off and on, especially as the cullers could turn their attention to other things during the winter. This year

lumbermen would have to pay a larger amount in fees and annuities than they had done before.

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

### After Recess.

Mr. MACKENZIE said he would suggest, as some of the gentlemen interested in the lumber business wanted to be absent, the House should take the second reading now, and give an opportunity to discuss the Bill in Committee to-morrow. It affected the lumber interest chiefly, and the desire of the Government was to meet the views of the lumber trade as far as possible, with a reasonable consideration for those who had been engaged as cullers under the previous arrangement.

Bill read the second time.

### ADMISSION OF NEWFOUNDLAND FISH AND FISH OILS BILL.

[BILL No. 104.]

(Mr. Laflamme.)

THIRD READING.

Bill read the second time.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Mr. LAFLAMME said the object of this Bill was to allow fish and fish oil from Newfoundland, when it was ascertained by the Government here that the inspection there agreed entirely with the inspection ordered by the Federal Government, to be admitted as if they had been inspected in the Dominion of Canada. The Government of Newfoundland had adopted the same principles as to inspection as this Government, and this measure was intended to facilitate trade between the Dominion and Newfoundland, which supplied the greatest quantity of fish to the Dominion.

Bill ordered to be reported.

House resumed.

Bill reported, read the third time, and passed.

Mr. CURRIER.

### INLAND REVENUE ACT AMENDMENT BILL.—[BILL No. 91.]

(Mr. Laflamme.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 91) To amend the Act respecting the Inland Revenue.

(In the Committee.)

Mr. LAFLAMME said the object of this Bill was to secure a better collection of the revenue from Excise. It proposed to impose on those who imported stills or worms for the purpose of distilling, the obligation of taking a license, in order that the revenue officers might be informed where these stills or worms were destined to be used, so that they could follow their use and prevent illicit distillation. The second provision of the Bill was to establish four classes of licenses instead of three, in order to allow the smaller brewers to obtain licenses by paying duties.

Mr. TUPPER asked whether the operation of this change in the latter part of the Bill was not likely to be attended with a considerable loss of revenue. As he understood it, the hon. the Minister of Inland Revenue proposed to reduce the amount for licenses which were now required to be taken out by brewers, and the effect of that would be two-fold, and from both points of view would be injurious as far as the revenue was concerned. Parties who now took out licenses at a higher rate would take them out in the lower class, and the Government would receive a smaller sum for licenses than they now received, and, as it would tend to multiply the number of brewers, a largely increased cost would be entailed in the appointment of officers to supervise the different breweries. He did not know exactly the object aimed at by the Government in proposing this change, and it was open to these two objections.

Mr. LAFLAMME said that, as the law now stood there were really only two classes of licenses—the first class, which composed the largest number of brewers, and the second class, which

fixed the license fee at two hundred dollars for those who manufactured only to a certain extent, and the whole of the brewers were actually comprised in these two classes. The third class escaped entirely, because the amount they manufactured was too small. The decrease of revenue would be quite insignificant, while it would allow those who produced a very small quantity to take a license at one hundred and fifty dollars instead of two hundred dollars. The cost of collection would be the same, because, as the law existed, wherever there was a brewery there must be an officer to attend to it. The only difference was that the Bill established a more equitable system in favour of those who paid less for the less amount produced.

On Section 4,

Mr. PATERSON said he would like to have an explanation with regard to the necessity of requiring persons who manufactured or imported stills and worms to take out licenses for which they were to pay \$30. It seemed to him that the imposition of such a restriction on the trade might perhaps prove onerous and irksome.

Mr. LAFLAMME said it appeared that a great number of stills and worms were manufactured in a secret manner or imported them from the United States for the purpose of illicit distillation; and the object of the amendment was to secure information being given to the Excise officer of their manufacture or importation. The same practice had been adopted in the United States and in England. Any person who manufactured or imported a still or worm for the purpose of distillation, was there bound to give information to the Excise officer as to the object for which and the party for whom it was manufactured or imported, in order that the officer might ascertain its destination, and whether it was used for illicit distillation or not. This was the only mode by which this information could be secured.

Mr. PATERSON said he still perceived a difficulty. He could readily understand the desire of the Inland Revenue officers to secure this knowledge, in order to prevent illicit distillation; but this was provided for in

Section 3 in the new sub-section proposed to be added. This required a license to be taken out and heavy bonds to be entered into; and yet it was proposed, in addition, to impose a further penalty of \$30. The Excise regulations were very onerous, and very distasteful to the business portion of the community which they concerned; and, under the imposition of more stringent regulations, especially with regard to Excise, they would likely become restless. The manufacture of a single still or fermenting tun would require the carpenter engaged in making it to apply for a license in the first place, and to secure good and sufficient sureties in the second place; and, over and above this, he was to be obliged to inform the Excise officers for whom it was made, and of its capacity and dimensions. The article might not be worth the amount of money to be paid for the license. Again, a person might not need to import or make one of these articles in a year's time. In that case, it was a direct charge on the brewer or distiller, who already largely contributed to the revenue of the country.

Mr. LAFLAMME said that brewers and distillers were exempted from the operation of this section. There was no doubt whatever that the decrease in the revenue from the Excise on spirits during the last few years arose chiefly from illicit distillation, and the adoption of such a regulation was necessary to secure the requisite information, since, under it, no person would be allowed to manufacture or import a still unless he reported the fact to the Excise officers. As the law now stood, a person could not be punished for having in his possession a still which he did not use.

Mr. PATERSON said this regulation would more likely have the effect of inducing those who manufactured or imported these articles to refrain from giving such information to the Department, inasmuch as it would entail the taking out of a license and the payment of \$30.

Mr. LAFLAMME said at present no means existed of ascertaining where stills were manufactured, consequently any tinsmith or coppersmith could

manufacture them privately, without the knowledge of the Excise officer. When those stills were manufactured it was for the purpose of illicit distillation. This Bill provided that no man should enter into their manufacture unless he paid a license fee of \$30. This was a very trifling amount, but it would undoubtedly have the effect of checking a great deal of illicit distillation.

Sir JOHN A. MACDONALD: Suppose an importer or manufacturer pays the license fee, how are you to compel him to tell to whom he sells?

Mr. LAFLAMME: He is bound to report under Section 6.

Mr. MILLS: The Act makes him a distiller, treats him as such, and subjects him to all the penalties.

Sir JOHN A. MACDONALD said under the proposed law any copper-smith who should make a single still would have to pay this \$30 fee, which would be very hard in many cases. The consequence would be that the manufacture of stills would be confined to the large centres, and brewers and distillers would be compelled, often at great inconvenience, to get their apparatus from those places, whereas, now, they could get them made in the vicinity of their establishments.

Mr. LAFLAMME said the manufacture of stills was now almost entirely confined to cities. Some establishments made them themselves within their premises, and in such cases no additional license was to be paid.

Mr. PATERSON said, if a copper-smith, in Guelph for instance, should make a still for a distillery, he would, according to this Bill, be violating the Revenue Law. He did not think that was right.

Mr. LAFLAMME: It would be at the worst only an additional tax on the distiller.

Mr. PATERSON said the hon. the Ministers should consider the distillers were weighed down enough now.

Mr. LAFLAMME said he did not suppose any distiller would complain, because it would tend to prevent illicit distillation, and so benefit the honest distiller.

Mr. LAFLAMME.

Mr. PATERSON said the Bill would have the effect of transferring the manufacture of stills and utensils to the large cities.

Mr. CARTWRIGHT said illicit distillation had increased very much of late. They had found in practice that without stringent regulations this practice could not be suppressed. No doubt the proposed measure was a severe regulation, but it was undoubtedly in favour of the honest distiller.

Mr. TUPPER asked the meaning of the words in the clause "apart from the manufacture of beer, wash, or spirits."

Mr. LAFLAMME said they meant the beer, wash, or spirits from which spirits were made.

Mr. PATERSON said he understood the phrase was put there to distinguish the importer or manufacturer from the distiller.

Section agreed to.

On Section 8,

Sir JOHN A. MACDONALD pointed out that, under the first subsection, hammers, nails, iron, coppers, all of which were "suitable for making stills," &c., were liable to be seized or destroyed.

Mr. LAFLAMME said this was only when it was plain that they were in connection with the making of stills, &c. There was the same provision with reference to the illicit manufacture of tobacco. Revenue officers were obliged to destroy these articles every day.

SIR JOHN A. MACDONALD said the provision that "all horses, vehicles and other appliances which have been or are being used for the purpose of removing any spirits, malt," &c., should be seized, would cause a carter's horse and vehicle, engaged in removing dutiable goods without any knowledge that anything was wrong, to be seized. There was no discretion about it if even the carter was innocent of any wrong. And the unfortunate horse, by force of the words "have been," would, for the rest of its life, be subject to seizure by the Government if it had ever drawn contraband goods.

Mr. MACKENZIE said the hon. gentleman knew very well that all horses engaged in smuggling were seized, and the provision of this Act was, on precisely the same principle, applied to the Inland Revenue purposes. The tools and appliances referred to were those "peculiar to the manufacture of stills and worms," which hammers, nails, &c., were not. "Peculiar" would be a more explicit word than "suitable." The words "have been" might also be struck out.

Section, as amended, *agreed to*.

On Section 14,

Mr. LAFLAMME said that under the present law, 100lb. of barley was held to be equal to 82lb. of malt. It was proposed by the Bill to reduce it to 75lb. of malt.

Mr. BUNSTER said that every practical brewer knew that, under the floating test, 100lb. of barley would not produce 75lb. of malt.

Mr. WORKMAN considered the proportion too great. He had also been assured by a prominent brewer in Montreal that, if the Bill passed, half of the breweries in the Dominion would be closed.

Mr. PLATT said 75lb. was a very high average, though it was sometimes obtained from barley grown in Upper Canada; 75lb. was even a high average.

Section *agreed to*.

Bill, as amended, *ordered to be reported*.

House *resumed*.

Bill *reported*.

Amendments *read the first and second times and agreed to*.

#### WAYS AND MEANS—CONCURRENCE—THE TARIFF.

Order for consideration of Resolutions 2 to 9, inclusively, as reported from the Committee of Ways and Means, on Tuesday, the 20th of February last, *read*.

Mr. SPEAKER said there could be no discussion on the general policy of the Government, but merely on the subject matter of each resolution.

Sir JOHN A. MACDONALD: We cannot be robbed and cheated out of our rights. This is nothing more or less than cheating us out of our rights.

Mr. MACKENZIE: It was perfectly understood that the debate should be taken on the previous particular stage.

Sir JOHN A. MACDONALD: There was no understanding of the kind. I say distinctly that there was no understanding of the kind.

Mr. MACKENZIE: Yes, there was. The hon. gentleman should not get into a passion. He should keep cool. His contradictions affect us very little. The hon. gentleman has no right to make that statement.

Sir JOHN A. MACDONALD: I do make it.

Mr. MACKENZIE: The hon. gentleman has no right to do so. He is grossly out of order, and, is violating parliamentary propriety in using that sort of language. The hon. gentleman has no right to use such language.

SIR JOHN A. MACDONALD: Oh.

Mr. MACKENZIE: He is allowed to state his opinions and views on the Speaker's ruling, and, when I begin to state mine, he flies into a passion and uses improper language. I say that was the understanding.

Sir JOHN A. MACDONALD: Not at all.

Mr. MACKENZIE: The understanding on the last night of the debate was that the hon. gentleman was to endeavour to take a vote without any further general discussion, as far as he was concerned; and he made that statement explicitly.

Sir JOHN A. MACDONALD: Mr. Speaker, as to the question of order, I am not out of order in stating that there was no such understanding. My recollection cannot be at fault, and I am sure that I am right. The Journals of the House show that I am right: "The House resumed further the adjourned debate on Mr. Cartwright's proposed motion for the second reading of resolution number one as reported from the Committee of Ways and Means, and the motion of Sir John A. Macdonald in amendment thereto." It is quite true that, after a long debate on the first resolution, I stated, in my desire to assist in the progress of business, as far as I was concerned, that I would move a resolution respecting

the tea duty, and aid in getting through business as fast as possible. The question was distinctly put on the first resolution, as the Journals say, and, if the Journals are altered or amended, they would be falsified; I have no hesitation in saying that.

Mr. SPEAKER said he thought he made a statement at the close of the long debate on the amendment that it would be then only open to hon. members to discuss the subsequent resolutions, and, in that view of the case, the right hon. member had concurred.

Sir JOHN A. MACDONALD: No, I did not.

Mr. SPEAKER: I so understood the hon. member, at all events.

Mr. TUPPER said it was quite true that the Speaker had made that remark. He had refrained from addressing the House in answer to a number of comments made on the remarks he had made when he followed the Minister of Finance in his Budget speech. The moment the Speaker had made the remark in question, he had observed to the right hon. gentleman that in this case he would be precluded from answering any of the speeches delivered, and his right hon. friend had at once said he was satisfied that the Speaker was entirely wrong; and that the matter would be brought up at a subsequent sitting. It was quite true that his hon. friend stated he would endeavour as much as possible to limit the range of the discussion at future stages of the question, but that was all. He thought that what had taken place between the hon. the leader of the House and the right hon. gentleman who led the Opposition, conclusive as to the view then taken was by the hon. gentleman who led the Government.

Mr. SPEAKER said he had looked very carefully into the whole subject, as the last debate had been very protracted, and as he thought it was possible he might have to make a ruling on it. He found, as far as he could judge from the Journals of the English House of Commons, that a record was made there of the reading of the first resolution, which was then read the second time and agreed to. When read the

second time, an amendment was proposed, and the second resolution was read the second time and agreed to. The question went on the motion for the reading of the resolutions, the second reading was allowed, and then, and then, only, could he find that the whole subject-matter was open for general discussion, as to the tariff and the policy of the Government. He did not find a single instance where this was subsequently allowed. He had, in his research, obtained the assistance of the Assistant Clerk of the House who was familiar with subjects of the kind, and he had consulted Mr. Todd, the Librarian, a very high authority, who took the same view he did on the point.

Mr. MASSON: When did the second reading of the resolutions *en bloc* take place?

Mr. SPEAKER: It was only a formal motion.

Mr. MASSON: But when was it done?

Mr. SPEAKER: I believe that it was not done.

Mr. MASSON said this was just the point. According to the rules, if he was not mistaken, the resolutions were to be read the first time; concurrence was moved on the second reading *en bloc*, and on that motion the discussion could take the widest range; and, when the Clerk read the resolutions one by one, any hon. member could move an amendment; but in this case the discussion must be confined to the particular amendment proposed. However, instead of following the proper practice and putting the resolutions *en bloc*, the Finance Minister, of his own accord, had moved them one by one, which could only properly be done by the Clerk. Consequently they could not discuss the whole question on its merits. They had, however, established their precedent, and they could not be deprived by the act of the Speaker himself of the right of discussing the whole policy of the Government on the second reading of the resolutions, for the Speaker, for some reason or other, had not put the second reading.

Sir JOHN A. MACDONALD.

Sir JOHN A. MACDONALD said a report was made by the Committee of Ways and Means to the Speaker, and that report was either read the second time, or it was not so read. If not, then the second reading had still to be moved. It was not read the second time, for the Journals said "Mr. Cartwright moved that Resolution No.1 be now read a second time," and he moved in amendment "that the said resolution be not now read a second time, but," &c. If, by some error, Resolution No.1 was read, instead of the whole report, then this must be read the second time.

Mr. SPEAKER said their practice had been, after the first formal reading, that the question should be put from the Chair: "Is it the pleasure of the House that this resolution or resolutions be read a second time and concurred in?" He had followed this old practice, but it was exceedingly faulty and it was not according to the rules laid down in *May*.

Mr. MASSON said he would like to know how they could logically be deprived, under the circumstances, of going into the whole subject again on the second resolution. The House had made a precedent, and they acted on precedents. Were they going to decide one way one day, and the contrary on the day following? The Speaker admitted that they had not acted properly and the people and the Ministry should have the benefit of it. The Government should not be afraid to allow the freest and the widest discussion. They had expected the debate would continue, and he hoped that the Minister of Public Works would be in their favour in this respect and not hide himself behind the rules of the House. A wide range should be allowed to the discussion.

Mr. SPEAKER said he had not known what the Government's views on the subject were, nor did he care. It was his duty as Speaker of the House to conduct the debates according to the laws of Parliament.

Sir JOHN A. MACDONALD said he did not think it competent for the Speaker to look into a question of order not raised by the House. This

had been occurring during the whole Session.

Mr. MACKENZIE said he took exception to that statement, over and over again. The Speaker of the House of Commons in England made statements to the House regarding the order of the debates, and the order of business. The ground taken by the hon. member for Terrebonne (Mr. Masson), was a remarkable one. The hon. gentleman said they must be governed by precedents even if they were bad; but this was, however, no justification for pursuing a wrong course. He had merely to say that he had had no communication with any one directly or indirectly on this subject.

Sir JOHN A. MACDONALD: Nobody said so.

Mr. MACKENZIE: The hon. gentleman (Mr. Masson) spoke of my hiding myself behind something.

Mr. MASSON said he had intimated that, if the First Minister insisted on the course indicated being pursued, when they had established a kind of precedent for themselves, he would have a right to say that the hon. gentleman was not dealing quite fairly with the Opposition.

Mr. POPE (Compton) said that every Speaker they had had had considered it his duty to allow the broadest and freest discussion on this subject. Supposing they had a Government which tried to stifle discussion, what would the country say to it? The people would think that an injustice had been done. He did not doubt that Mr. Speaker considered he was right, but he was taking a strong stand and a doubtful course and a course which, if not condemned by the majority in this House, would be condemned by the majority of the people. He was afraid the people would think that decision was not one calculated to aid freedom of discussion of those great questions which hon. members had been sent here to discuss. He would not have risen to address the House had he not felt that it would have been a dereliction of his duty to sit silently in his seat when such a decision was given.

Mr. MACKENZIE: So far as affording an opportunity to discuss the general policy of the Government is concerned, my impression is that that was very well availed of; but, if there should be any disposition to do that further, it is quite open for any hon. member to move that the Government does not possess the confidence of the House. Upon that, hon. gentlemen will have the most abundant opportunity to go into anything they please in regard to the administration of the affairs of the country, and, for my own part, I am quite indifferent how soon that should be done.

Mr. MASSON said that was not what they wanted. They did not want to be allowed to go over the whole subject and find faults, but they wanted the right to do it if they chose. Since he had not succeeded with the hon. the Minister of Public Works, he would ask the hon. the Finance Minister if he were not responsible for the position in which they were at this moment. He asked him as a public man whether justice was being done in depriving them of their privilege to debate this question.

Mr. CARTWRIGHT said they had had three weeks discussion of the general policy of the Government; and did his hon. friend propose to discuss this question at each of the nine resolutions? Personally, he had no objection. It would be merely an inconvenience to his hon. friend and the House, and not altogether in accordance with the understanding come to, which was that as much as possible the debate would be confined to specific objects. If the rules of the House did not permit such motions being discussed *de die in diem*, he thought it expedient they should be amended. The debates dragged when there were intervals of two or three days, and they would have had a much better debate, one which would have done more good for the country and been pleasanter all round, if it had been continuous.

Mr. SPEAKER said, on looking over the authorities, he had found a passage, which was to the effect that, when the resolution was read the second time, and the question was that the House should agree to the said resolution, no observations of a gen-

eral character might be made, but the speakers must refer to the resolution under discussion. He had also sent for a copy of the Journals of the English House of Commons. He found that the whole report of the Committee on Ways and Means was given, and then this report was read the first time *pro forma*. Then, a motion being made and the question being proposed, that "the said resolutions be now read the second time," an amendment of a general character was proposed. That was discussed, and that question was put and disposed of; and then the record went on to say:—"Ordered, that the said resolutions be now read the second time." The first resolution being read the second time was agreed to; the second, third, and fourth resolutions were read a second time and re-committed; the fifth and sixth resolutions were read a second time and agreed to. So that, practically, the course followed in the English House was precisely that which it was suggested they should follow now.

Sir JOHN A. MACDONALD said the hon. the Minister of Finance had referred to the inconvenience arising from the debate being dropped for intervals, but the hon. gentleman should remember that he was himself responsible for that. From the discussion of Ways and Means, instead of going into Ways and Means, the hon. gentleman went into Committee of Supply.

Mr. MACKENZIE said the Government wanted to have the debate go on *de die in diem*, but Mr. Speaker ruled that this was not necessarily a vote of want of confidence, and the rule did not apply.

Mr. CARTWRIGHT said he did not think they went into Supply when the motion was made.

Several HON. MEMBERS: Yes.

Sir JOHN A. MACDONALD said if the Government wanted to go their own road they must submit, and let the country judge of the way in which the Opposition had been treated.

Some HON. MEMBERS: Hear, hear.

Sir JOHN A. MACDONALD said he heard the mechanical majority over there, and he saw the hon. the Minis-

ter of Militia, who could agree to nothing else but laughing and jeering in such a derisive way.

Mr. VAIL: I do not think the hon. gentleman is in order in referring to me in that way.

Sir JOHN A. MACDONALD said the hon. member (Mr. Vail) should behave with something like courtesy when he was in his seat. They would leave this matter to the country, for he knew the country were behind the Opposition. Hon. members on the other side knew that well also. The might laugh and jeer, and the hon. the Premier might whistle to keep their courage up; but their courage was sinking down to their boots. The Opposition must submit for a time, and they would submit with all the grace they could, and with all the resignation that they ought; but the honest indignation with which he spoke would resound from one end of the country to the other, and receive the support of the people from one end of the country to the other.

Mr. MASSON said he would not say they had been cheated out of their rights—he never used that expression—but he would repeat that, by the act of the Government, and by the putting of the question by Mr. Speaker, they were deprived of their rights.

Resolution 2 read the second time, and agreed to, on a Division.

Resolution 3 read the second time.

Question put on concurrence in the said Resolution.

Sir JOHN A. MACDONALD moved in amendment:

“That the said resolution be not now concurred in, but that it be referred back to the Committee on Ways and Means, with instructions that they shall have power to substitute for the said duties on tea some tax that, while bringing to the Treasury an equivalent amount of revenue, will, at the same time, aid the various industries of the country.”

He said he had had occasion to say before, and he would repeat that this tax had no merit except that it was easily collected. In the first place it was a tax on the consumer, and upon everybody, whether farmer, agriculturist, mechanic, manufacturer or merchant; everybody who drank tea was made liable for the increase of the tax on

tea, at the rate of two cents a pound additional. It had been said that this was a small tax, that it did not amount to anything. But, in raising the price of tea two cents on the pound, it did so not only on the tea which would be hereafter imported, but upon all the tea which was at present in the country. The Government had indubitable evidence from all parts that this country was suffering greatly from depression. They knew that they might have arranged this tariff so that, while it would have raised the revenue, it would, at the same time, in some degree have given encouragement, some support, some cheer to the various struggling industries, and thus have benefited both the labourer and employer. True to his promise he did not propose to make a speech on this occasion, and, therefore, he would be content with moving the resolution.

Mr. BOWELL said as a matter of dispute had arisen just now he would take this opportunity of setting the House right upon it. It was positively asserted that the Government did not go into Supply during the discussion upon the motion made by his right hon. friend from Kingston; and then again it was asserted, with equal positiveness, that they did go into Supply between the divisions which took place and during that debate. If they referred to the Journal, which he held in his hand, of the 15th March, they would find that the first division took place upon the motion of the hon. member for Hamilton, and on the 16th, on page 163, it would be seen that the Finance Minister moved the House again into Committee of Supply, and the debate continued after that, and the division upon the motion of the hon. member for Centre Wellington and the hon. member for Kingston did not take place until the 23rd March. So that, as a matter of fact, the Government did move the House into Supply during the time when this discussion was going on, on a motion which the Government themselves said was a motion of want of confidence.

Mr. TUPPER said he did not intend to occupy the time of the House long in relation to this matter, although he considered it one of great importance.

The policy of the Government he considered a most unfortunate one in relation to the duty which they proposed to raise. If, in the present condition of the country, the Government had exhausted their ingenuity in endeavouring to discover some means more objectionable than another of imposing a tax upon the country, he did not think they could have been more successful than in increasing the duty upon tea. It was well known that tea entered into the consumption of all classes, and was a necessary of life to the masses of the people. The people, at the present moment, were suffering a great amount of privation, owing to the great depression which existed. As the hon. the Finance Minister had expressed it, the present condition of the country was one of deep distress. The poor man must have his tea. While it might be an article of luxury to the rich, it was one of necessity to the poor. There was no people ever discovered so savage but that they had some beverage which contained within it the essential principles of tea and coffee. Many persons supposed that tea was a luxury, and that the masses of the people wasted their means in the consumption of an article that was not a necessary of life. A grander mistake was never made. The fact to which he had just alluded established, beyond controversy, the fact that tea contained those principles that were necessary for the preservation of health. The rich could obtain an abundant supply of fresh animal food, and did not stand in the same position as the poor man who could not obtain this article. The rich man did not need to use tea to the same extent as the poor man, who used tea because it enabled him in a cheap way to obtain the nourishment necessary for his life and health. Under these circumstances, it would be seen that the plan of the Government for raising the revenue, so far as this was concerned, would press onerously upon the great masses of the people. At the very time when it was acknowledged that the employment could not be given to the labouring classes which they were desirous of obtaining, the Government imposed an additional tax upon one of their necessaries of life. It would be,

Mr. TUPPER.

in his opinion, impossible to devise a tax more mischievous, oppressive and injurious than the one which had been presented to the House. Not only was the tax objectionable itself, under the circumstances of the country, but the form in which it was presented was objectionable, the poor man being taxed to an inordinate proportion. The masses of the people were obliged to get the cheapest kinds of teas, say that at 25c. a pound, and yet as large an amount would be wrung out of their hard earned money for this tea as the rich man would have to pay for his tea at \$1 a pound. Thus the form in which the tax was presented was most unfair in its distribution, as between the poor and the rich. If, from the condition of the country brought on by the mismanagement of this Administration, the Government were forced to increase the taxation on the necessaries of life, they were bound to consider how they could so levy it as to make the burden fall as lightly as possible upon the struggling masses of the people at the present time, instead of imposing it in the way they had. Had they imposed it in the form of an *ad valorem* duty, then the poor man would not be compelled to bear the burden to the extent he now would have to bear it. He would be compelled to pay for the article which his means would only enable him to obtain—the poorer and cheaper quality of tea—the same as the wealthier and richer portion of the community, who could indulge in the more expensive luxury of a higher class tea. Was there a man in the House who did not know that, as far as the essential principle was concerned, one pound of the tea consumed by the wealthier class contained more of that principle than that which the poorer class indulged in. The Government not only imposed this tax, but did it in such a way as to make the poor poorer and to lessen the burdens on the rich. He did not think they could congratulate themselves either on the subject of taxation or on the mode—the unjust, oppressive and unfair mode—in which they proposed to levy this tax. There was another consideration which, apparently, ran through the whole policy of the Administration, and the country were to be told: “We will levy an

additional tax upon tea, and upon beer, and upon anything and everything that is at all innocent or beneficial in its nature; but we will leave free from any increased taxation the most mischievous, hurtful and injurious beverage in use by the people of Canada." The whole policy of this Administration was to drive the masses of the people of this country into drunkenness, and to leave, as the only beverage, the only stimulant, the only thing which the man suffering in strength and exhausted from the want of being able to supply himself with the ordinary amount of comforts which we desired the great mass of our people to have within their reach—neither tea nor beer, but a glass of whiskey. He thought if the hon. member for West Middlesex (Mr. Ross), who had presented himself to this House as a champion of temperance, were true to his vocation, to the principles he professed so loudly, he would not be found sustaining the Administration in adopting a course which every one must feel could only conduce to the demoralization and injury of the great mass of the people. This was a question upon which any man, who felt what was due to the masses of the people of the country, was bound to raise his voice in protest. The course of the Government and their whole policy was one which he did not think could reflect credit upon them, or would be regarded by the people as just towards them. He believed, as he had stated, that the result would be to take an unjust and unfair proportion of the tax from those who were least able to bear it. And that would not be the worst, it would drive parties who otherwise would be unable to indulge in "the cup that cheers but not inebriates" to the same unfortunate result by leading them to partake of an article of a more stimulating, but less expensive character. If that did not result from this proposal it would not be because the Government had not done all in their power towards an end so undesirable and so much to be regretted.

Mr. CARTWRIGHT said it must be a great satisfaction to many members of this House whose memories extended back a few years, to discover how completely the hon. member for Cum-

berland (Mr. Tupper) and those who were in the same Administration with him had turned their backs on their previous course in regard to this and other questions before the House. It must be news to hon. gentlemen who were not in the House before to learn that the duty imposed by those hon. gentlemen amounted to seven cents specific on green tea and fifteen per cent. *ad valorem*. It must distress the mind of every true patriot to reflect what an immense amount of mischief, of increased drunkenness, of ruin to the whole labouring classes, those gentlemen must have had to answer for, who permitted that tax to exist for five years out of the six during which they held the reins of power. Moreover, as they were fond of following English precedent, it might be well to remind those extra loyal gentlemen that the English Parliament, who were certainly not to blame for indifference to the lower classes, lately, at all events, had placed a specific tax of twelve cents on every pound of tea, good, bad and indifferent. The hon. member for Kingston had charged against the Government, as a crime that they did not re-arrange the tariff. He (Mr. Cartwright) would do that if he saw any means of attaining the object which the hon. gentleman and his friends professed to think they could attain, but he knew that any so-called readjustment of the tariff must mean, not a lightening of the burdens of the people, but the transference of the burdens in favour of a small class of the people to a larger class of the people; that it must mean the loss of large sums, far larger than could come into the Treasury, to the great bulk of the people; and it was because the Government would not attempt to get cheap popularity with a small class at the expense of the whole people of the country that they had refused to so re-arrange the tariff. His hon. friend the member for Cumberland made it a ground of complaint that the Government had preferred a specific to an *ad valorem* tax. They had done so designedly, because any one who had experience in these matters knew that on tea, of all articles, an *ad valorem* tax was the one productive of the most unfairness

to the consumer, the most injustice to the poorer portion of the community. It was not the case that the great majority of the people in Canada consumed cheap tea. That to some extent was the case in England, where a large number of the people were unhappily in a condition of far greater poverty than our people were. Our people, compared with them and the people of other countries, obtained a better degree of comfort and required a very good article in the way of tea, and the tea consumed here was comparatively of a high price. Inquiries made by the Government before they proposed the tax had convinced the Minister of Customs and himself that the proportion of low-priced teas was very small compared with the teas generally consumed in this country, so that they would have been chasing a shadow by putting on an *ad valorem* duty. The hon. gentleman declared that the labourer must have tea, and that it was a prime necessity of life, and that it was cruel to tax a prime necessity of life; but he and his friends would tax the fuel, the bread, the clothes, and the sugar of the labourer. What was it they would not tax if they had the opportunity, under the feeble guise of a National Policy, which nearly every man in the United States was beginning to see would produce a worse state of things than they now deplored? He would read from a speech recently delivered in Congress, and not contradicted. It was describing a state of things in the United States, where protection advocates had had their own sweet way:—

“ Even in the small manufacturing towns are found people seeking for work, and the general cry is: ‘ It is our trade relations that are wrong and unsound; what have you to suggest to lift us out of this slough of despond?’ ”

Mr. SPEAKER: The hon. gentleman is discussing the general question.

Mr. CARTWRIGHT said he thought something was said in that way before, and, when the hon. gentleman referred to the great injury done by the policy of the Government to the labouring population, he thought it desirable to show that this was not confined to our own country alone. Now, what was this tax which was to bring ruin and

dismay to every labourer and struggling manufacturer? What was the additional tax per head which the Government proposed to impose? The average consumption of tea per head was three pounds per annum, and this tax would inflict a loss, at the utmost, of six cents per head per annum. This Government, which did so little to relieve the labourer, would, by the removal of the tax on coal oil, afford relief of at least thirty or forty cents per head per annum. He thought the distressed population of Canada would not find that they were dealing very ill with them when, in consideration of a tax of six cents per head, they gave them relief to four or five times that amount. The last argument the hon. gentleman brought forward was that all this tended to make the people drunk, because the Government would not levy a tax on whiskey. He (Mr. Cartwright) might remind the House that the first tax which they imposed was an additional tax on whiskey. If he thought that article could fairly bear it he would be the first to propose an additional tax on it instead of on beer, or on tea; but they knew that illicit distillation was making such progress that it was almost impossible to check it, and they were obliged to ask new powers from Parliament for the purpose. They knew that nearly four times the number of illicit stills had, within the last twelve months, been seized in Canada, than ever before; therefore, he thought the Government were not to be blamed for saying that they considered the tax on whiskey to be as high as could be collected. If the hon. gentleman could show him that, with safety to the revenue and the habits of the people, an additional tax could be imposed on whiskey, he would be glad to propose it, but he did not believe it would be either politic or wise for them to attempt, at present, at any rate, to add anything to the tax upon whiskey. These were the reasons which had induced the Government to impose a tax upon this article of tea. As the right hon. member for Kingston had said, it was a tax tolerably sure in its operation, easily collected, and sure to bring a good round sum into the revenue. He (Mr. Cartwright) did

Mr. CARTWRIGHT.

not pretend that this or the preceding tax was one which he would like to inflict. The circumstances of the country were peculiar. We had to raise a considerable sum of money in addition to the present taxes, which he thought were heavy enough, and which he did not desire to see increased, if possible, and he thought the House would concur with him that the Government had done wisely in selecting a tax which could be easily collected, and could be removed with a minimum of disturbance, and which would not take out of the pockets of the people as much as the taxes proposed by the hon. gentleman.

Mr. POPE (Compton) said the hon. the Minister of Finance had stated that the Government of which he (Mr. Pope) was a member had put a duty of seven cents on tea. It would have been only fair of the hon. gentleman to have stated that that Government took that duty off; that this country was relieved to the extent of a million of dollars of the tax on tea by the Government of his his hon. friend from Kingston. The hon. member had said that the present Government had brought down this proposition because it was easily collected, and because it was the most just and reasonable tax, and he took to himself credit for having relieved the country of the tax upon coal oil. The House knew all about coal oil; how the Government were opposed to reducing the tax upon that article, and how it was only on a resolution moved by his hon. friend from Stanstead (Mr. Colby) that they took it off, and then only yielded to a pressure which they could not withstand. The hon. gentleman said that the Opposition would take the tax off tea, but would tax breadstuffs and other necessaries of the people of this country. Let him remember that the people would not complain, would not oppose his tax on tea if it had been necessary to impose it, if he had placed them in a position to buy that tea. It was the very policy of the Government which made this tax on tea even ten times worse and more obnoxious to the people of this country than it otherwise would be. The course hon. gentlemen opposite were pursuing was likely to lead to

very great disasters in the country. It placed the poor man in such a position that he could neither secure labour nor money wherewith to buy his bread. The poor man would not object to pay one dollar more a barrel for his flour if he could get employment and money wherewith to buy it. The policy of the Government deprived the poor man of labour and money to purchase his bread. This was the position of the hon. gentleman opposite. The levy of a tax on tea was not the end of it. Public works would now cost more. If the Georgian Bay Branch, of which these gentlemen were so proud, were to be built, it would cost more than would be otherwise the case. This tax was going to be a heavy burden on the country. Besides, many and various works were being prosecuted in the country. Even printers used tea; and printers had work and jobs to do. The labouring man drank tea and, owing to its increased price, this must be paid for; and men who did work must be paid more for it. The country had to pay the piper. There was no escape from this position. Employers would have to pay more for the labour they secured. Men engaged on steamboats drank tea, and even when they were shipping steel rails they drank it, and they must pay the increased price. No encouragement was given by the Government to the various industries of the country, and still the price of tea was increased. Hundreds of men were employed on the St. Francis Locks, and they drank tea more or less. These public works must cost more in order to pay for the tax imposed on tea. The country must pay it. This was a bad policy. There were a thousand other things on which a tax might have been levied. Protection to our industries might have been granted, and the country relieved from this tax on tea. Undoubtedly every Government should consider the question how they could best distribute taxation and yet lay the lightest burdens on the people; but the tax on tea would not make these burdens less. It was not going to make the country richer or the people happier. The best thing the Government could do was to place the people in a position to buy the necessaries of life, and this the

Government either refused or neglected to do. If he were to speak on the question of Protection *versus* Free Trade, he would say that the great question was how they could enable men to obtain a subsistence in the easiest manner in this country. Labour should be rendered valuable. The question was how to make it the most valuable; and this could only be done by protecting those industries which gave employment to the people, and not by placing a tax on tea. They should enable our people to obtain a living for themselves; when the manufactories were prosperous, this furnished employment, and that created competition, by means of which the labourer was enabled to buy his tea and flour as he would like to do. This was the position he would like to see the Government take. If, after adopting such a policy, they should find it necessary to put this tax on tea, he would not object to it; because they, by protection, would enable the people to pay the tax on tea. In the straitened circumstances of the country he objected to this tax being placed on this necessary of life, since no means were taken to place the people in a position to pay it. When his hon. friend (Mr. Cartwright) said that the Opposition wished to tax bread, he had only to reply he would guarantee that, if the Dominion was polled from one end to the other, nine votes would be found cast in favour of encouraging the industries of the country, by means of which policy they could buy bread and pay a little more for it, against one to the contrary. This was the sense and feeling of the country. It was perfectly absurd to suppose that his hon. friend was going to remedy all this by this tax on tea. The hon. gentleman had indeed declared that the Government had nothing to do with this matter, and nothing more to do with the distress or prosperity of the country than so many flies on a wheel.

Mr. CARTWRIGHT: My hon. friend has mis-stated what I stated. I explicitly said that, in my judgment, the right hon. gentleman and his friends opposite had no more claim to say that they had created the prosperity of the country, nor had they any more

power to create it, than so many flies on a wheel.

Sir JOHN A. MACDONALD: That is the same thing. You said that your Government had no more to do with it than that.

Mr. CARTWRIGHT: I spoke of your own Government.

Mr. POPE said it followed that hon. gentlemen opposite had nothing more to do with the condition of the country than so many flies on a wheel. They were, no doubt, abler men, and much bigger flies, but after all they were nothing but flies, and they were not supposed to have more effect on the wheel than had his right hon. friend. He had wished to show that this tax would increase the cost of living, and consequently of employment and of public works. This increased cost must come out of the country, and the larger part of the cost would have to be paid by the poor men, who were now quite unable to meet it. Under these circumstances he desired to protest against the course which the Government had pursued. He could have mentioned many other matters, but from doing this he had been debarred by the ruling of the Speaker.

Mr. THOMPSON (Cariboo) said he objected, on the first reading of the resolution, as he did still, to the duty on tea and malt, these being two of the articles which he believed were largely consumed by the poorer classes of the Dominion. The duty was now six cents a pound on green and five cents a pound on black tea, and he thought that, if it was to be raised at all, it ought to be levied on the *ad valorem* principle. He could not see why the duty should be higher on Japan than on China tea. The *ad valorem* was the fairest system, if a duty on tea was to exist, because, under it, the purchasers of tea contributed to the revenue in proportion to their means. The Finance Minister should admit that he should pay more duty than the poor man who drank an inferior grade of tea. He wished to point out what he considered to be an illegality. The hon. gentleman (Mr. Cartwright) said that a duty of six cents should be levied on coal oil per wine gallon, but in Chap. 47, 36 Vic., Sec. 4 it was provided that

Mr. POPE.

the imperial gallon was the only standard for the measure of liquids; and sub-section 3 of section 5 of the same Act provided for the use of the wine gallon by mutual consent, until the 23rd May, 1880; therefore the hon. gentleman's proposition was contrary to law and to the provisions of the Weights and Measures Act of which they had heard so much during the present Session, and which was passed in 1873. The use of the wine gallon had been distinctly abolished four years ago.

Mr. PALMER said the principle on which this tax was levied was objectionable. Indeed he could conceive of nothing so very objectionable as it was. The hon. gentleman (Mr. Cartwright) had stated, as he had said that evening, that the policy of the right hon. member for Kingston had had no more influence on the prosperity or want of prosperity of the country than so many flies on a wheel. If this was true, no Government could occupy any different position; therefore he took it that the hon. gentleman announced to the House that this was his view with regard to the Government, and then it would make no difference whether a tax was levied on tea or anything else. Hon. members on that side of the House had complained that this tax was obnoxious and that the people could not bear increased taxation in the present depressed state of the country; and he had been surprised to hear the hon. the Finance Minister say in this relation that, after all, what was it? It was only adding six cents a piece to the taxation of the people; and this was gravely adduced as a reason why this additional tax shall be imposed on tea. Had it come to this, that a Minister, who had imposed a tax upon an article, could afford to sneer at the amount of revenue which it raised? No Government should take money from the people in this way without giving reasons for it; the country would not accept mere sneers as reasons, however insignificant the amount might be. He hoped that no such principle as that would ever be advocated in this House again. Then, again, the hon. the Finance Minister excused his course by stating that this

was an imposition which could be easily taken off. In that respect he agreed with the hon. gentleman, because he was satisfied that if the tax remained in operation a year it would raise such a feeling in the country that it would be hard to keep it on. The House had heard the hon. the Minister of the Interior on this subject of the tariff, and it seemed that the policy of the Government was somewhat at variance with the views of that hon. gentleman. If the policy were incidental protection, as had been frequently proclaimed, what kind of an excuse could there be for putting an additional tax upon tea. That, surely, could not be called incidental protection, for we did not, and could never be expected to, grow tea in this country. He appealed to hon. members to say whether any other article could have been taxed which would be a greater drain on the energies of the people than tea. If any principle of taxation were correct, it was that capital should bear its fair proportion of the burdens; but if the capital were not to pay the whole of the burdens, the whole tax should not be placed upon the energies of the men without capital. But, under this system which had been inaugurated, the labouring men would pay more than the rich men into the public Treasury. In view of the depressed circumstances of the country, this policy of the Government, instead of encouraging the industries and giving employment to the idle population, would have the effect of driving them out of the country. It was not too late for the hon. the Finance Minister to reconsider his decision in this matter, and he urged him to do so; otherwise, he would have to vote against the resolution.

Mr. JONES (South Leeds) said he could not allow the policy of the Government, in regard to the tariff, to go unchallenged. What had the country been promised all along? We had been led to believe that, when the Government had an opportunity, they would give incidental protection to the industries of this country as far as lay in their power. That policy had been promised throughout the length and breadth of this land; had been promised on the floor of this House; but the

first thing the Administration had done was to put a tax upon tea, one of the necessities of life. The hon. the Finance Minister used the *tu quoque* argument, and excused himself for the position he had taken, by stating that he had simply done what the right hon. member for Kingston did during his fifteen or twenty years' tenure of office; but he forgot to tell the House that, when the present Administration came into power, they found no tax on tea and coffee, and, as soon as they had the opportunity, instead of giving the promised incidental protection to our industries, they raised a million dollars out of those very articles which could not be produced here, by a duty of 5c. on green and 6c. on black tea. They had always promised that what we could not to advantage produce, or manufacture, or grow in Canada, the people should have free; and that our home productions should be protected; and yet the declared policy of the Government now was, according to the resolution under discussion, in open variance with those sound doctrines of political economy they had promised this House and the country. It might be said that the Government had put 2½ per cent. on the tariff and taken off the duty on coal oil. That latter change was brought about by the hon. member for Stanstead (Mr. Colby), who forced it upon the attention of the Government. Even now, however, there was a duty of 50 per cent. on coal oil, which was a sufficient answer to the taunt that the Protectionists voted for the reduction. They wanted no such duty on coal oil; they asked for no 17½ per cent., or other particular duty. What they wanted the Government to do, and what they had refused, and to-night confessed their incapacity to do, was to readjust the tariff and place it on a satisfactory basis, so that every interest, both agricultural, commercial and manufacturing, from the Atlantic to the Pacific, might be benefitted. Compare the United States Government with ours in this respect, and mark the difference. Notwithstanding the diversity of interests in that country, their southern interests of cotton, tobacco and sugar, they managed to carry out a fiscal policy which was beneficial to the

people. They did not tax tea or coffee at all, they could not produce it, and it was altogether free, and they had shown themselves capable of adjusting a tariff, while our Government had confessed their inability to do so. The position of the Ministry was something like this: "We take our salaries and confess our inability at the present juncture, by any legislation that we could make, to assist our different interests, or alleviate the present distress." The hon. the Finance Minister read an extract from a speech made in the House of Representatives at Washington, to show that a worse state of things existed in the United States than in this country. But what were the facts? Their depreciated currency was coming to a gold basis; they were paying off their national debt rapidly; their blast furnaces were operating more continuously; and the country generally was advancing to its normal state. But, in contrast, we had a deficit of \$2,000,000; all our industries were depressed; and now it was proposed to put a tax, in the most absurd manner, upon a necessary of the working classes, and, in fact, of every class in the country. He rose strongly to protest against the policy of the Government with regard to placing this duty on tea, and in such a form as would bear harder upon the farmer, labouring man and mechanic than upon any other class of the community.

Mr. FARROW said he had come to the conclusion to differ from his hon. friends a little. He thought the Opposition ought not to complain of the Government exactly, because they were doing a good turn to them. He was persuaded that the policy of the Government on the tariff would help to kill them the quicker. He would enquire whether the Government knew what they were doing. Women drank more tea than men, as he could vouch by an experience of twenty years in selling tea. When the ladies of this country saw that the price of tea was raised, the Government might be sure that they would oppose them; and, with the ladies of the country against them, they could not succeed. The Minister of Finance, referring to illicit distillation, said that it had increased very much during the last few months.

It was not the high duty on whiskey which caused this illicit distilling; it was the hard times. If the duties were advanced 50 per cent., this illicit distilling would still go on. In the back country, many farmers had failed in their wheat crops, and their coarse grain, if sold, would realize very little. So, many of them went into the swamps and manufactured "Swamp whiskey," which they could sell for 75c. a gallon. To a certain extent, the Government had brought on the hard times and to the hard times was attributable much of the evil of illicit distilling. It would seem, from what the Government said, that this extra duty of 2c. a pound on tea was the only duty; but it was not so; there was already a tax, and with the 2c. additional it would be 5c. and 6c. One pound of good tea was worth, in its properties, three pounds of poor tea, which the poorer classes had to buy on account of its cheapness. The poor man would therefore have to pay three times as much duty as the rich man on his tea, the duty being the same on each pound, whether good or bad. In every way in which the Government had handled the tariff they had acted against the interest of the poor man. When the Finance Minister meddled with the duties on wines, he put as much upon the light cheap French wines as upon the costly sparkling champagnes. Such a policy could not but end in the defeat of any Government, and he trusted that the reign of the present Government would soon end, as he believed it would.

Mr. PLUMB said the Finance Minister went back 18 or 20 years to criticize the fiscal policy of the country, and to show that the right hon. member for Kingston put a duty upon tea. He did not think it was necessary to go back so far. He thought it was quite sufficient to go back to the record of the last ten years, during which Canada had been a united Confederation. It would be seen that under the management of the right hon. member for Kingston, during that time, at least \$13,000,000 had been spent upon permanent structures in the country, upon works properly chargeable to capital and not to income, besides putting \$3,000,000 into the Sinking Fund. And, in addition

to that, that Government had taken off the tax on tea and coffee, which had raised a revenue of \$1,000,000. The Finance Minister had stated that the great majority of the people in Canada did not consume cheap tea, and that therefore an *ad valorem* duty would not be the true principle to apply to this tax. He (Mr. Plumb) had it from men practically acquainted with the subject that three-quarters of the tea used in Canada was that sold at less than 50c. a pound. The hon. the Minister of the Interior quoted to some extent from a letter written by a very able financier (Sir A. T. Galt), and the Finance Minister also read from a newspaper as if that letter strengthened the position of the Government. He (Mr. Plumb) had in his hand the reply of Mr. Galt to a letter sent by the hon. the Minister of the Interior, in which was the following:—

"The Government that, having the power, refuses to alter, must be held to occupy the position that no change can be made for the better; and you, as a member of the present Government, are therefore as fully committed as myself to the principle embodied in all our past fiscal legislation, that Free-Trade cannot be adopted—without grave modification—in Canada at least.

"If I may be pardoned for saying it, you have addressed me from the standpoint of a student of political economy—and not as a practical statesman. You appear to regard political economy as an exact science; but of all the eminent men you quote, I know not one who, having the power, has strictly applied its rules in all cases without discrimination.

"I assert that the true application of Political Economy to trade does not mean simply an absence of Customs duties, which in the present state of the world is admittedly impossible, but such a careful adjustment of burdens upon industry as will permit the interchange of products on the nearest practicable footing of equality.

"I deny that this has ever yet been done in any country in the world—certainly not in England, and I therefore hold and repeat that 'on the principle laid down in 1859, and having regard to our business relations with the Mother Country and other nations, especially the United States, a readjustment of the tariff now, would greatly tend to the amelioration of the present commercial distress, and would certainly place our suffering industries in a better position to take early advantage of the recurrence of more prosperous days.'

"I have now, I hope, with sufficient distinctiveness, reaffirmed my position, that the tariff of Canada must be dealt with on the basis of 'modified Free Trade,' or 'incidental Protection,' while I frankly admit any inconsistency there may be in desiring to impose differential duties on many articles of American production. The real question at issue, however, is whether the present tariff is the best possible for the present circumstances of Canada. You, by your inaction, assume the affirmative, and must, consequently, be held to the position that when unexampled commercial suffering exists in the country, you can, as a Government, do nothing whatever to relieve it. You allege that the causes are beyond your control, and that Nature must supply the remedy. I take the contrary position, and affirm that the present tariff is eminently artificial, and therefore open at all times to beneficial change, and that in a period of severe distress the duty of the Government is to try the effect of changes. It has a most gloomy and depressing influence on the mind of the country for the Parliament to assume the attitude of admitted incapacity to afford relief for two successive years.

"I contend, on the other hand, that it is false economy to purchase an evanescent and purely artificial reduction of a very considerable amount on refined sugar, at the cost of driving out of the country an industry regarded by all commercial nations as of the highest importance, and entailing the sacrifice of our foreign trade with the West Indies, who ought to be our best customers, and whose trade can alone make us commercially independent of the United States. To obtain this trade, I would rather reduce duties, so as to make refined sugar actually cheaper than at present.

"I might cite the working of the American law in reference to the Tea Trade and other instances connected with the development of our foreign trade, in which changes in our present tariff are desirable, but those two illustrations will, I think, sufficiently indicate the direction in which it appears to me a re-adjustment of the tariff might be advantageously made, and which would, I hope, as stated in my first letter to you, 'greatly tend to the amelioration of the present commercial distress, and certainly place our suffering industries in a better position to take early advantage of the recurrence of more prosperous days.'"

The views here expressed were even stronger than the views expressed by the Opposition. The gentlemen opposite had always made the House understand that in any tariff changes they made they did not contemplate any protection.

Mr. DYMOND: I rise to a point of order. Is not the course of the hon.

Mr. PLUMB.

gentleman directly at variance with your ruling, when the hon. the Finance Minister was on his feet?

Mr. PLUMB said he thought he was speaking directly to the point. It was intended to show that the resolution of the right hon. member for Kingston was a pertinent resolution, that the tariff could have been distributed in some other way. He would support the motion of the right hon. member for Kingston.

Mr. DELORME said he could not reconcile the position of the right hon. member for Kingston and his supporters with that occupied by them a few evenings ago, when they sought to tax the flour and wheat of the people. Those hon. gentlemen seemed to be very nervous in regard to the question under discussion, and he would read to them a quotation from the writings of Mr. Horace Greeley, as follows:—

"The experience of Great Britain for the last twenty years in regard to tea, as a source of revenue under the Customs, had established this curious fact, that a decrease of the tariff on this article, brings no corresponding benefit in the way of reduction of price to the consumer. Thus, for example, while the duty on tea, under the British tariff, was reduced to the extent of 77 per cent. between the years 1849 and 1866 (from 2s. 2½d. in 1849 to 6d. in 1866), the average price of tea in bond or duty free, during the same period, exhibited a corresponding increase of about fifty per cent. (i.e. from 1s. 1d. to 1s. 7½d.); and this, too, notwithstanding the fact that the supply through importation had in no wise abated, but, on the contrary, increased during the years 1862-63 to an extent sufficient to overstock the market. The explanation of this commercial phenomena is that there being practically but one tea-producing country, the trade partakes of the character of monopoly to such a degree that a decrease of the duty enures mainly to the advantage of the producer, and an increase, conversely, to his disadvantage. The opinion, therefore, so often expressed of late, that a reduction of the present duty on tea would result to the advantage of the American consumer, is not likely to be practically realized."

That was not the opinion of one authority only; but a consultation of various writers would show that the opinion was generally held that the price of tea could not be increased to the dealer without an increased price having to be paid by the consumer. Hon. gentlemen opposite, who had advocated the imposition of a

duty on wheat and flour, would not be received so favourably in the Province of Quebec as they anticipated. If those hon. gentlemen hoped to obtain office, it would not be by supporting such a motion as that submitted by the right hon. member for Kingston; for, if that course were pursued, the people would keep them in Opposition twenty years more. The tax on tea was one which would not materially affect the people, for it would be distributed over such a vast body of the population.

Mr. ROSS (Prince Edward) said he had listened with much interest to many speeches made by hon. gentlemen opposite, and he found there were few of them who properly understood the tea question. Admitting there were 2c. per pound added this year to the price of the poor man's tea, it must be remembered that he obtained the article 50c. per pound cheaper than he did three or four years ago. Tea which was sold two years ago at 40c. was now sold at 25c., and that at 50c. could now be had for 40c., and there was little tea sold for over 75c. per lb. He represented a county which consumed as much tea as any county in the Dominion, but he was not afraid to go to his constituents and fight out the question. If the Government should be condemned for imposing a duty of 2c. per lb. on tea, they should get credit for removing a duty of 9c. per gallon on coal oil, an article which every farmer used.

Question put, and amendment (Sir John A. Macdonald) *negatived*, on the following Division:—

YEAS:

Messieurs

- Baby
- Benoit
- Blanchet
- Bolduc
- Bowell
- Brooks
- Bunster
- Cameron
- Campbell
- Caron
- Cimon
- Colby
- Costigan
- Carrier
- Cuthbert
- Daoust
- Desjardins
- De St. Georges
- Dewdney
- Lanthier
- Little
- Macdonald (Kingston)
- McDonald (Cape Breton)
- McDougall (Three Riv.)
- McKay (Colchester)
- Macmillan
- McCallum
- McCarthy
- McQuade
- Masson
- Mitchell
- Monteith
- Orton
- Quimet
- Palmer
- Pinsonneault
- Platt
- Plumb

- Donahue
- Farrow
- Ferguson
- Flesher
- Fraser
- Gaudet
- Gibbs (North Ontario)
- Gibbs (South Ontario)
- Gill
- Haggart
- Harwood
- Hurteau
- Jones (South Leeds)
- Kirkpatrick
- Langevin
- Pope (Compton)
- Robillard
- Robitaille
- Rouleau
- Roy
- Short
- Stephenson
- Thompson (Cariboo)
- Tupper
- Wallace (S. Norfolk)
- White (East Hastings)
- White (North Renfrew)
- Wright (Ottawa Co.)
- Wright (Pontiac).—67.

NATS:

Messieurs

- Appleby
- Archibald
- Aylmer
- Bain
- Barthe
- Bécharde
- Bernier
- Bertram
- Biggar
- Blackburn
- Blain
- Blake
- Borden
- Borron
- Bourassa
- Bowman
- Boyer
- Brouse
- Brown
- Buell
- Burk
- Burpee (St. John)
- Burpee (Sunbury)
- Carmichael
- Cartwright
- Casey
- Casgrain
- Cauchon
- Charlton
- Cheval
- Christie
- Church
- Cockburn
- Coffin
- Cook
- Coupal
- Cunningham
- Davies
- Dawson
- Delorme
- DeVeber
- Dymond
- Ferris
- Fleming
- Flynn
- Forbes
- Fréchette
- Galbraith
- Geoffrion
- Gibson
- Gillies
- Gillmor
- Goudge
- Greenway
- Guthrie
- Hagar
- Hall
- Higinbotham
- Holton
- Horton
- Huntington
- Irving
- Jette
- Kerr
- Killam
- Kirk
- Laflamme
- Lajoie
- Landerkin
- Laurier
- Macdonald (Cornwall)
- Macdonald (Centre Toronto)
- MacDonnell
- Macdougall (E. Elgin)
- McDougall (S. Renfrew)
- MacKay (Cape Breton)
- Mackenzie
- McCraney
- McGregor
- McIntyre
- McIsaac
- McLeod
- McNab
- Metcalfe
- Mills
- Oliver
- Paterson
- Perry
- Pettes
- Pickard
- Pouliot
- Power
- Ray
- Richard
- Roscoe
- Ross (East Durham)
- Ross (West Middlesex)
- Ross (Prince Edward)
- Ryan
- Rymal
- Scatcherd
- Scriver
- Shibley
- Sinclair
- Smith (Paël)
- Smith (Selkirk)
- Smith (Westmoreland)
- Snider
- St. Jean
- Taschereau
- Thibaudeau
- Thompson (Haldimand)
- Thomson (Welland)
- Trow
- Vail
- Wallace (Albert)
- Wood
- Workman
- Young.—119.

Question put, that the resolution be now concurred in.

Mr. WALLACE (South Norfolk) said that, if the Finance Minister's object in levying an increased duty on tea had been to injure everybody and benefit nobody, he had succeeded most admirably; and, if the hon. gentleman's object had been to do an injustice, he had succeeded admirably. If the hon. gentleman had wished to do an injustice to those who were least able to bear it, the result suited his purpose. According to the manner in which the duty was levied, tea which cost twenty cents a pound paid as much duty as tea that cost \$1 a pound. He found that fourteen million pounds of tea were imported into the Dominion at a cost of a little over four millions of dollars, or at an average price of about thirty cents a pound. Hence a larger proportion of it must be of inferior quality, which would be consumed by the poorer classes. Among the many articles imported he thought that some articles might have been chosen on which the imposition of duties would have been less oppressive than in this case. It was true, as hon. gentlemen on the opposite side of the House said, that this was only a small—a trifling matter of two or three cents a pound; but, on the whole, it amounted to a tax of nearly a million of dollars, and this million could have been obtained in a way which would have been less injurious to the interests of the country. From the Trade and Navigation Returns, he found that there was imported into the country, of iron and of iron manufactures, something like ten millions of dollars worth; and a duty of five per cent. on this amount would have raised double what would be the result of this tax; and would any one say that such a duty would have been more injurious than this one to the industries and the people of the country? But this would not have suited the Finance Minister, who evidently intended to levy a duty in such a manner as to ignore everybody and benefit no one. It was possible that a duty of five per cent. on iron and iron goods imported, might have been beneficial to our iron manufacturers, and led to the use of some of the iron which was under our soil, but

Mr. Ross.

which would be valueless until utilized. Such a duty might have helped to develop the resources and to add to the wealth of the country. Of animals and their products, we imported to the value of something like \$3,210,000, and a duty of ten per cent. on these would have procured \$321,000 of revenue. But this might have been beneficial to farmers, and consequently it would not have suited the hon. gentleman's purpose. We imported, for consumption, 371,000 bbls. of flour, and a duty of 50c. a barrel would have raised nearly as much as would this duty on tea; but, again, this might have been beneficial to the farmers of this country. We imported for consumption 2,550,000 bushels of wheat, and a duty of 10c. a bushel would have secured a larger amount of revenue than this tea duty but this also would have been beneficial to the farmers. We imported 1,595,000 bushels of corn, the greater portion of which was used for distilling purposes, and a duty of 10c. a bushel would have, perhaps, been equal to 2½c. a gallon on whiskey, with which these hon. gentlemen who were advocates of the temperance could not have found fault; but such a duty would have been beneficial to the farmers. We imported to the value of something like \$9,000,000 of what might be called fancy goods, such as musical instruments, silks, satins, velvets, &c., and a duty of 5 per cent. on these would have raised double the revenue that would be procured by means of this tax; such a duty would have fallen more largely on the richer classes of the people who were better able to pay duties than the consumers of tea, as a whole; but it would not have suited perhaps the hon. gentleman as well, because it would have imposed duties on those who were better able to pay them, and, therefore, this course had not been adopted. We imported, of copper goods, some \$630,000 worth, and a duty on these of ten per cent. would have raised \$60,000, and this might have been instrumental in calling into use the products of the copper mines of lakes Huron and Superior, and been a benefit to the industries in that respect; but the hon. gentleman in levying duties did not seem to care a

straw about the interests of the country, but was only concerned to impose them in the way that they could be most easily collected without reference to whether this was just or whether it was in the interests of the country. He had heard it said that Parliament was the fountain-head of justice; but, if so, these hon. gentlemen, who controlled the House, were perverting the duties of Parliament, because they imposed duties in such a manner as to be positively unjust—and was it the duty of Parliament to enact an injustice? No man could say that it was just in principle to make twenty cents pay as much tax as forty, fifty or sixty cents, or even a larger sum. Yet the Government was about to commit this injustice; but it was easier to increase the duty on tea by two cents than to levy an *ad valorem* duty to raise an equal amount, consequently the specific duty had been adopted. It was said that the revenue could be defrauded if an *ad valorem* duty were imposed, but he did not believe that the mercantile community were ready to perjure themselves when making their Customs entries, for the sake of saving a little duty on anything they imported; and to declare the contrary was to insult the merchants, because the inference was that they were prepared to commit wilful and designed perjury. He would move in amendment:

“That the said resolution be not now concurred in, but that it be referred back to the Committee of Ways and Means, with instructions that they shall have power to amend it by substituting for the present and proposed specific duty on tea, an *ad valorem* duty, in such a manner as not to increase the burden of taxation, but which will be more just to the masses who are the consumers of cheap tea.”

Question put, and amendment (Mr. Wallace, South Norfolk) *negatived*, on the following Division:—

YEAS :

Messieurs

- Baby
- Benoit
- Biggar
- Blackburn
- Blanchet
- Bolduc
- Bowell
- Brooks
- Bunster
- Cameron
- Kirkpatrick
- Langevin
- Lanthier
- Little
- Macdonald (Kingston)
- McDonald (Cape Breton)
- McDougall (Three Riv.)
- McKay (Colchester)
- Macmillan
- McCallum

- Caron
- Cimon
- Colby
- Costigan
- Currier
- Cuthbert
- Daoust
- Desjardins
- De St. Georges
- Dewdney
- Donahue
- Farrow
- Ferguson
- Flesher
- Fraser
- Gandet
- Gibbs (North Ontario)
- Gibbs (South Ontario)
- Gill
- Haggart
- Harwood
- Hurteau
- Jones (South Leeds)
- McCarthy
- McQuade
- Masson
- Monteith
- Orton
- Ottinet
- Palmer
- Pinsonneault
- Platt
- Plumb
- Pope (Compton)
- Robitaille
- Rouleau
- Roy
- Short
- Stephenson
- Thompson (Cariboo)
- Tupper
- Wallace (S. Norfolk)
- White (East Hastings)
- White (North Renfrew)
- Wright (O.t.a.w.a Co.)

NAYS :

Messieurs

- Appleby
- Archibald
- Aylmer
- Bain
- Barthe
- Bécharde
- Bernier
- Bertram
- Blain
- Blake
- Borden
- Borron
- Bourassa
- Bowman
- Boyer
- Brouse
- Brown
- Buell
- Burk
- Burpee (St. John)
- Burpee (Sunbury)
- Carmichael
- Cartwright
- Casey
- Casgrain
- Cauchon
- Charlton
- Cheval
- Christie
- Church
- Cockburn
- Coffin
- Cook
- Coupal
- Cunningham
- Dawson
- Delorme
- DeVeber
- Dymond
- Ferris
- Fleming
- Flynn
- Forbes
- Fréchette
- Galbraith
- Geoffrion
- Gibson
- Gillies
- Gillmor
- Goudge
- Greenway
- Irving
- Jette
- Kerr
- Killam
- Kirk
- Lafamme
- Lajoie
- Landerkin
- Laurier
- Macdonald (Cornwall)
- Macdonald (Centre Toronto)
- MacDonnell
- Macdougall (E. Elgin)
- McDougall (S. Renfrew)
- MacKay (Cape Breton)
- Mackenzie
- McCraney
- McGregor
- McIntyre
- McIsaac
- McLeod
- McNab
- Me'calfe
- Mills
- Oliver
- Paterson
- Perry
- Pettes
- Pickard
- Pouliot
- Power
- Ray
- Richard
- Robillard
- Ross (East Durham)
- Ross (West Middlesex)
- Ross (Prince Edward)
- Ryan
- Rymal
- Scatcherd
- Scriver
- Shibley
- Sinclair
- Smith (Westmoreland)
- Snider
- St. Jean
- Taschereau
- Thibaudeau
- Thompson (Haldimand)
- Thomson (Welland)

Guthrie	Trow
Hagar	Vail
Hall	Wallace (Albert)
Higinbotham	Wood
Holton	Workman
Horton	Young.—114.
Huntington	

Resolution agreed to.

Resolutions 4 and 5 read the second time and agreed to on a Division.

On Resolution 6,

Mr. CARTWRIGHT said the House was probably aware that the reason why tubing of various kinds was put on the free list, by Order in Council passed, if he remembered aright, by their predecessors, was not to admit all kinds of tubing free, but certain portions supposed to be desirable for use in manufactures. They found that in practice this Order was construed by the Courts in a sense vastly wider than there was reason to believe the Customs authorities intended. In point of fact, as nearly as he could calculate, this had occasioned a loss of something like \$50,000 to the revenue, though of this not exceeding \$4,000 or \$5,000 was intended to be admitted free. He did not believe it expedient to modify the wording of the clause, but, with the aid of the Minister of Customs, he proposed under the general power thus possessed, to hereafter modify, by Order in Council carefully prepared, the application of it, and a drawback would be allowed after they had received clear proof that the tubing in question had actually been used in manufacturing boilers.

Sir JOHN A. MACDONALD asked by what authority it was proposed to prepare these Orders in Council?

Mr. CARTWRIGHT said there was the general Act, which could be used for the purpose, because it was only fair to do this in order to encourage manufactures where the tubing was used as raw material.

Sir JOHN A. MACDONALD said the hon. gentleman should well consider the matter before the resolutions were finally adopted.

Mr. TUPPER said he was extremely glad that the hon. the Finance Minister had got new light on this subject, and he was only surprised that the hon. gentleman had not the candour to confess to the House that he had imposed this

tax without understanding the exact bearing of the proposition. Tubing was not manufactured in this country. It entered into all manufactures connected with steam, water and gas, and the proposed duty would have amounted to a complete reversal of the advantages which the manufacturers enjoyed in this regard. The House was told that a tube factory could not be established without an expenditure of \$250,000 to \$300,000, and the hon. the Finance Minister said if the House would allow him to impose this tax the Governor in Council would exercise his power to take it off. The same reason which induced the hon. gentleman to take that course ought to have led him to step forward and withdraw a proposition to impose a tax which would have had so injurious and oppressive an effect on our manufacturing industries. He was glad that the hon. gentleman had come to the conclusion that he had on this subject, but regretted that he had not done, what on a former occasion he was compelled to do,—admit that he had made a blunder.

Mr. YOUNG said he desired to express his gratification at the announcement made by the hon. the Finance Minister in regard to tubing. This article entered largely into the construction of machinery and also into the construction of fine buildings. In the latter case he thought it was a fair subject for taxation, and he thought the statement of the hon. the Finance Minister was a sufficient justification of the course he had pursued in regard to this matter. He was sure that the announcement would be heard with gratification by the manufacturers of the country. It had evidently taken the hon. member for Cumberland by surprise, and he had not been able to make the whole of his intended speech on this question. The announcement to which the House had listened went to show that the Government would, in every proper and legitimate manner, protect the interests of the manufacturers as well as those of other classes in the community.

Mr. WORKMAN said he was very much pleased to hear the announcement that had been made, because he knew there was a great deal of dissatis-

Mr. WALLACE.

faction in regard to the proposed treatment of tubing. A deputation had waited upon the Government, and, without having any positive knowledge of the fact, he was led to believe that this change would be made, and that a drawback would be allowed on tubing used in the construction of boilers. He thought the manufacturers would be satisfied with the arrangement.

Mr. WOOD said he was very glad the hon. the Finance Minister had seen his way to place boiler tubes virtually on the free list, which he thought was a step in the right direction. He wished to draw the attention of the hon. member for Cumberland to the fact that gas tubes could be manufactured in Canada under the outlay named. He was assured that a gas-tube factory could be established for \$25,000, and he therefore thought the Government had done right in retaining the duty on that class of tubing which could afford to pay a duty.

Mr. BUNSTER said he thought it would have been much better for the Government to have left this item out altogether. A small manufacturer might not have sufficient money to pay the duty on the gas-tubes he imported. Then, when the trouble of applying for and getting the drawback was taken into consideration, he did not think there was much advantage in the change. He considered the duty would press unfairly on the manufacturers. In his city they had a boiler factory employing about 140 hands, and he thought the duty would injure that industry.

Mr. JONES (South Leeds) asked what proportion of the duty would be allowed for a drawback.

Mr. CARTWRIGHT: The whole imposed on boiler tubes.

Mr. PLUMB asked whether it was not possible so to arrange that the duty upon boiler tubes could be remitted at once.

Mr. CARTWRIGHT said they had found in practice that great frauds had been committed on the revenue. It was quite clear that tubing should bear some small portion of the duty; and they would be only able to collect the

small sums in this way. The hon. the Minister of Customs would take the point raised by his hon. friend (Mr. Plumb), and also that of the hon. member for Kingston (Sir John A. Macdonald), into careful consideration.

Mr. CURRIER said he could not understand how the hon. gentleman (Mr. Cartwright) could justify his course in remitting the duty on boiler tubes and not upon other kinds of tubing. It had been stated that \$25,000 would suffice to establish a gas-tube and water-pipe factory, but he understood that the same machinery was required for the manufacture of that description of tubing as would be required for making boiler tubes. He could not see how his hon. friend could justify himself in admitting pipe-tubing free and not gas meter-pipes. He would much prefer to see the duty remain on boiler-tubing, as there was no reason why we should not manufacture that as well as England and the United States.

Mr. MACKAY (Cape Breton) said he was not satisfied at all that it was a judicious act on the part of the Government to impose a duty on pipes, when they entered so largely into use in the different collieries throughout Nova Scotia. Nearly every article used at a mine was charged a duty of 17½ per cent., and he thought it unwise to add to that list. If drawbacks were to be allowed on anything, they should certainly be allowed on an article used at the collieries.

Resolution read the second time and agreed to, on a Division.

On Resolution 8,

Mr. CURRIER asked whether pork barrels would have a duty charged upon them.

Mr. CARTWRIGHT: Yes.

Mr. CURRIER said he did not think this was right, as, when pork was brought into the country, it was sent to the backwoods for the lumbermen, and the barrels were of no use.

Mr. WRIGHT (Ottawa County) said he agreed with this view. It was most unfair to tax both pork and barrel, when the barrel could not be used afterwards.

Mr. WOOD said it was no more unfair than to tax hardware casks.

Resolution read the second time and agreed to, on a Division.

On Resolution 9,

Mr. MILLS said it would probably be remembered that the hon. member for South Ontario (Mr. Gibbs), during the discussion on the tariff, had quoted from a letter written by Sir Alexander T. Galt to Mr. Ferrier, as showing that that hon. gentleman advocated a retaliatory policy towards the United States, and a protective policy towards Canada. He (Mr. Mills) replied, quoting a letter of Sir Alexander T. Galt's in return. He had recently received a letter from Sir A. T. Galt on the subject.

Mr. BOWELL: Is the hon. gentleman in order, according to your ruling that only observations pertinent to the resolution can be made?

Mr. SPEAKER said he understood the hon. member rose for the purpose of making a personal observation.

Mr. DESJARDINS: We have all read that letter.

Mr. HOLTON called for the point of order to be sustained.

Resolution read the second time and agreed to, on a Division.

Mr. GIBBS (South Ontario) said he hoped the House, before it adjourned, will give the hon. the Minister of the Interior an opportunity of replying and of reading the letter, in accordance with a promise to him that Sir Alexander T. Galt's letter should be read in the House.

Mr. HOLTON: The whole thing is out of order. The hon. the Minister of the Interior was called to order.

Mr. GIBBS: I am only requesting that the House might yet give the hon. member an opportunity to explain himself.

Mr. HOLTON: There is no question before the House which admits of the discussion of this question.

Mr. GIBBS: In order, therefore, to make the discussion in order, I must move the adjournment of the House. The hon. gentleman desires to carry out in good faith the promise he made to Sir Alexander T. Galt and myself,

Mr. WRIGHT.

and I hope he will have an opportunity of doing so.

Mr. BLAKE: He wanted to, but you would not let him.

Mr. KIRKPATRICK said he rose to second the motion for adjournment. In doing so, he desired to call attention to the fact that, if the Minister of the Interior had desired to read the letter to the House, he could have done so before now, when the debate was over, and it was two o'clock in the morning.

Mr. DYMOND: What question is before the House?

Mr. SPEAKER: The question of adjournment.

Mr. KIRKPATRICK said he hoped the House would give the Minister of the Interior an opportunity to carry out the pledge he had given.

Mr. TUPPER said he hoped the House would give the hon. gentleman an opportunity of making a statement which was very much demanded at his hands. That hon. gentleman, a member of the Cabinet, stood in the position of having advanced what he claimed to be the views and principles of a gentleman of high authority and standing in this country. And yet, with information in his hand showing that he had misrepresented that gentleman, he permitted the debate to close, and it to be so very late before he attempted to make any correction, or to fulfil the promise he had made.

Mr. SPEAKER: There is a question involved here of great importance: Whether it is desirable to allow gentlemen, not members of this House, to interpose in the debates of this House? It is directly contrary to the rule laid down, which also extends to any letter or newspaper article commenting on anything said in the debates of the House; and, entirely from a parliamentary point of view, I cannot imagine anything so improper as that any gentleman, no matter how eminent, should be allowed to take his place in the House, by having his opinions or his comments introduced upon what any hon. gentleman might say in his place in the House. I think there is a manifest impropriety. When I saw the letter, I saw there was a demand made that it should be read in

the House, and it appeared to me to be objectionable on that ground. That the comments of any gentleman not a member of the House should be read in the House, that we should increase the debating powers of the House by means of gentlemen not members, is, I think, highly objectionable.

Mr. MILLS said he thought, after the observations made by the hon. member for Fontenac (Mr. Kirkpatrick) and of the hon. member for Cumberland (Mr. Tupper), the House would permit him to make some remarks with reference to this correspondence. He had felt that there were parliamentary difficulties in the way of reading this correspondence, if any one should take objection, and he had stated to Sir Alexander Galt that he would read it if no objections were made. The letter bore date March 17th, but he (Mr. Mills) did not receive it till two or three days later. When he received it, a discussion was proceeding, and he had already spoken; and, having occupied the attention of the House for some time in relation to the tariff, he had no right to obtrude himself in an irregular way on the House, and by sufferance, until a vote had been taken. After that vote, which was taken at three o'clock in the morning, the motion of the hon. member for South Wellington was made, or he (Mr. Mills) might have read the correspondence. If he had misrepresented Sir Alexander Galt—which he denied, because he had said nothing except to quote the speeches he made in Parliament; but, so far as Sir Alexander Galt complained of anything he had said—it was his duty to correct any mistake or mis-statement he had made—if there were any such. When, however, that gentleman asked him to put before the members of this House the views he (Sir Alexander Galt) at present entertained, which were, perhaps, at variance with those of the Government, when he wished to be put in the position of a member of this House without having a seat, he (Mr. Mills) thought he was asking a great deal at his hands; and that it was not without the consent of his colleagues that he would be at liberty to read that portion of the letter. After receiving the letter and obtain-

ing their consent, he named the fact to the member for South Ontario (Mr. Gibbs), but, when the debate was renewed, eight or ten gentlemen had risen who had not spoken before. He (Mr. Mills) waited there with the intention of reading the correspondence, when the House permitted him or an opportunity offered. Hon. gentlemen knew at what time the debate closed that day; it was nearly five o'clock in the morning, and there was no opportunity of reading it. Hon. gentlemen were excited with the discussion, and he was sure no one would have patiently listened to his reading the letter of Sir Alexander Galt, occupying a column of a newspaper, and one two or three times as long which he (Mr. Mills) had felt it necessary to write in reply. He felt it necessary to show that he had not misrepresented Sir Alexander Galt, or stated or attributed to him any opinions he had not expressed on the floor of Parliament. Under these circumstances, he (Mr. Mills) had a note from him stating he thought the letters might be given to the public, and he (Sir Alexander Galt) would write him in reply. The debate on the tariff had not been renewed until to-day, and he thought Sir Alexander Galt was desirous that the letters should be given to the public, and that he looked to the press, and not to Parliament, for the purpose of presenting his views to the public. This being the case, he (Mr. Mills) had crossed the floor of the House this evening and asked the hon. member for South Ontario (Mr. Gibbs) whether he felt, after the long time which had transpired, and in view of the letters having been given to the public at the desire of Sir Alexander Galt himself, it was now desirable to read them. The hon. member said he thought he (Mr. Mills) was in honour bound to do so, and, that being his opinion, he had endeavoured this evening to read the communication of Sir Alexander Galt, but the hon. member for North Hastings (Mr. Bowell) had raised a point of order and had stopped his doing so. He supposed there was not a gentleman in the House who had not read Sir Alexander Galt's letter, but, with the permission of the House, and Mr. Speaker's approval, he was ready to

read it; but, if he did, he thought it was but fair that he should read his own letter in reply.

Some HON. GENTLEMEN: Dis-  
pense.

Mr. BOWELL said the reason he had taken objection was on account of the decision given by the Speaker to-night, restricting the debate to the resolution under discussion, whatever it might be. He had no objection that Sir Alexander Galt's letters should be read to the House, but he thought that, at this hour of the morning and in this discussion, for the hon. Minister of the Interior to take advantage of it, after allowing a week or ten days or a fortnight to elapse—

Mr. MILLS: I had no opportunity.

Mr. BOWELL: I differ with the hon. gentleman; he had lots of opportunities on different occasions.

Mr. MILLS: When?

Mr. BOWELL: Whenever he asked leave of the House on the calling of the Orders of the Day, and he could have done it just as well when the debate closed at two o'clock in the morning as now; but he has written a long letter in reply, and I presume every member of the House has read the correspondence.

Mr. HOLTON: I rise to a point of order. You, Sir, have decided that it would not be in order to read Sir Alexander Galt's letter.

Mr. MASSON: No.

Mr. HOLTON submitted whether it were in order to discuss the propriety of doing that which the Speaker had decided to be out of order.

Mr. BOWELL said he was not urging the necessity of reading that letter, or defending the reading of it. He was pointing out that the Minister of Interior had the opportunity of doing it before he gave the letter to the public. He (Mr. Bowell) held that, upon the question of adjournment of the House, they had a right to discuss every conceivable thing they pleased, and, as the adjournment was moved for the express purpose, he did not think he was breaking the rule in giving reasons why he objected to the hon. gentleman's going on.

Mr. MILLS.

Mr. SPEAKER said he did not exactly rule on the matter, but he saw from the tendency of the conversation what he thought to be very objectionable.

Mr. HOLTON: And objectionable because out of order.

Mr. SPEAKER said he did not intend it exactly as a ruling, but called the attention of the House to the exceeding irregularity of the proceedings.

Mr. GIBBS (South Ontario) said he did not think the hon. member (Mr. Mills) had done himself or Sir Alexander Galt justice in the matter. He did not hesitate to say that the House would have allowed him to read the letter any day, whether the discussion was over or not.

Motion to adjourn the House *withdrawn*.

## THE TARIFF BILL.

### FIRST READING.

Mr. CARTWRIGHT introduced a Bill (No. 109) To amend the Acts respecting duties of Customs and Excise.

*Bill read the first time.*

House adjourned at  
Ten minutes after  
Two o'clock.

## HOUSE OF COMMONS.

*Friday, 6th April, 1877.*

The Speaker took the Chair at Three o'clock.

## TRANSFER OF PUBLIC WORKS BILL.

### FIRST READING.

Mr. SMITH introduced a Bill (No. 110) To transfer the management of certain harbours, piers and breakwaters from the Department of Public Works to the Department of Marine and Fisheries.

*Bill read the first time.*

## BUSINESS OF THE HOUSE.

## SPECIAL ORDER MADE.

Mr. MACKENZIE moved :

“That the House shall for the remainder of the Session sit on Saturdays, that the Government measures shall then have precedence; and that when the House adjourns to-day it shall stand adjourned until to-morrow at 3 o'clock p.m.”

Motion agreed to.

## A DEFECTIVE RETURN.

## QUESTION AND REMARKS.

Mr. STEPHENSON asked when the balance of the return he called attention to two days ago would be supplied.

Mr. MACKENZIE said he asked the hon. gentleman to send Mr. Kingsford word as to the portion that was extracted, and he had heard nothing of the matter since.

Mr. SPEAKER said endeavour had been made to ascertain how the missing portion of the papers was lost, but without success. He was informed that the hon. gentleman himself had had the papers in his possession.

Mr. MILLS: Hear, hear.

Mr. STEPHENSON said he had an interest in getting this return. Other gentlemen had an interest in not having those details exposed to the public eye, and he inferred as a natural sequence that those parties possibly might have extracted the papers.

Mr. MACKENZIE said he could not conceive of anything more improper than the hon. gentleman making that insinuation; it could only refer to himself and the members of the Printing Committee. He did not know anything about the return which it was the slightest interest of anybody to suppress. The hon. gentleman could not expect to get another copy of the missing part when he did not tell the officer of the Department what it was.

Sir JOHN A. MACDONALD said the hon. gentleman (Mr. Stephenson) had not insinuated anything against any hon. member of the House. The Speaker must remember that he (Mr. Speaker) said that his hon. friend himself (Mr. Stephenson) had the

papers for some time, and at that moment the hon. member for Bothwell (Mr. Mills) exclaimed “hear, hear,” as if here was a find. His hon. friend then alluded to the insinuation which came from the hon. member for Bothwell, and said he understood what it meant. His hon. friend said it could not be himself as he had an interest in the details, but some one who had an interest in suppressing them. His hon. friend had not made the slightest allusion to the First Minister.

Mr. BLAKE said the hon. member for Kent (Mr. Stephenson) had alluded to somebody. The hon. member's notions of honour and morality were such that he supposed some one had suppressed the details and made himself guilty of a crime and misdemeanour in abstracting papers in the possession of the House. It was the bounden duty of the hon. gentleman, if he could do so, to mention the member of the House who had been guilty of conduct that would disgrace him and render him unfit to retain a seat in the House. The hon. gentleman had no right to make such an insinuation unless he had evidence with which to support it, but, if he had made it without evidence, he ought himself to receive the reward of a calumnious accuser.

Mr. TUPPER said the hon. member for Kent had simply repelled an insinuation, and made no insinuation.

Mr. MILLS: He did.

Mr. TUPPER: The hon. member for Kent made no insinuation.

Mr. MILLS: Yes, he did.

Mr. TUPPER said the hon. member had simply repelled the unwarranted and calumnious insinuation thrown across the floor of the House by the Minister of the Interior.

Mr. MILLS said the hon. member for Kent had made an insinuation against some hon. member, or an officer of the House. It was not unusual for papers to be lost or mislaid under such circumstances. The hon. member for Kent had dealt in slander through his paper over and over again.

Mr. TUPPER: I rise to a question of order.

Mr. SPEAKER: The hon. member is out of order.

Mr. TUPPER: Who is out of order?

Mr. SPEAKER: The hon. member for Bothwell (Mr. Mills) is out of order.

Mr. STEPHENSON said he had not made any slanderous insinuations against any member of the House. The papers must have been, however, abstracted by some one. He did not think that any one, except one with a guilty conscience, would feel that he was accused touching this matter.

Mr. SPEAKER said Mr. Stewart had numbered the pages when they came into his hands, and the numbers marked were still to be seen. He assumed that the missing papers had been mislaid or lost by a page.

Mr. STEPHENSON said the pages had been numbered once, and then re-numbered.

Mr. HOLTON said a matter of this kind ought not to be brought before the House, unless with the view of complaining of the conduct of some member or some officer of the House.

Sir JOHN A. MACDONALD said, when the matter first came up the hon. member for Kent, had simply asked for a copy of the missing papers.

Mr. BLAKE: The hon. member then said it was a serious question to which he called the attention of the House.

#### INSURANCE ACTS AMENDMENT BILL.—[BILL No. 36.]

(Mr. Cartwright.)

##### THIRD READING.

Order for third reading read.

Mr. YOUNG said he rose to move the amendment of which he had given notice. He fancied hon. members had already made themselves tolerably familiar with its import. He concurred in the principle of the Bill brought in by the Government. He regarded it as an improvement on the existing Insurance Law; but he considered that it contained one serious defect—it did not go far enough. It in fact stopped short of its legitimate and logical

conclusion. To remedy the defect he moved:

“That the Bill be not now read a third time but be referred back to the Committee of the Whole, with instructions that they shall have power to provide that the reserves to be held by all foreign insurance companies under this Act, shall be solely for the benefit of Canadian policy-holders.”

This amendment happily did not involve any political considerations, nor did it strike at the principle of the Bill; on the contrary, it aimed at carrying out more fully this principle than the Finance Minister had seen fit to do. He, therefore, hoped the Government would see their way clear to regard it as an open question, and that the House would consider it wholly on its merits and free from all party considerations. When the Bill was brought in last year, he understood that its chief object was to give additional security to the policy-holders of life insurance companies, and with this he was sure the House and country both sympathized, not only on account of the large amounts now being invested in life insurance in Canada, but also on account of the numerous failures and losses in these companies which had taken place in other countries, and notably in the United States. He observed, by the report of the Superintendent of Insurance last year, that there were written and existing in Canada at that time life insurance policies to the extent of \$85,000,000, and of this amount no less than \$63,000,000 as insured in foreign companies, chiefly in the United States. In fact, of the total amount of \$85,000,000, more than half was written in American companies. He desired to say, with regard to the American insurance companies doing business in Canada, that, so far as he was aware, they were among the strongest and best of American companies; and, in the remarks he intended to offer, he wished especially to guard against any supposition that he cast the slightest suspicion on the standing and good faith of those companies who were doing business in Canada. The position of many other companies in the United States, however, was entirely different. In the State of New York alone, a statement he held in his hands showed that

Mr. TUPPER.

no less than twenty different companies, in that State alone, had either failed or disappeared within the last few years; and he felt, therefore, that it was the bounden duty of the Government to take up this subject of life insurance, and, being warned by the losses and failures resulting in the United States, from which tens of thousands of the American people had suffered great hardships, enact such a law as would prevent similar failures and disasters taking place in Canada. The most obvious mode of doing this was to enact that all companies doing business in Canada should hold full reserves—such reserves as they knew were, by actuaries, held to be necessary to meet the policies when they matured. Canadian companies had to do this. They knew that the assets of these companies were in Canada, and their shareholders were also in the country. The security to their policy-holders was ample; but this was not the case so far as foreign companies were concerned, and, therefore, he considered that this was the true course for the Government to take. This was the course proposed to be taken in the Bill before the House; and, in fact, he regarded it as the principle of the measure. The 7th clause of the Bill read as follows:—

“If from the annual statements, or after examination of the affairs, the condition of any Company (as hereinafter provided for) it appears that its liabilities to policy-holders in Canada (including matured claims, and the full reserve or reinsurance value for outstanding policies as hereinafter described, after deducting any claim the Company may have against such policies) exceed its assets in Canada, including the deposit in the hands of the Receiver-General, then the Company shall be called upon by the Minister of Finance to make good the deficiency, and, on failure to do so within sixty days, he shall withdraw its license.”

It was quite evident from this clause that the principle of the measure was, that companies should hold a full reserve in Canada as a security for the policies issued, and this object was laudable. In his opinion it was the true provision for the Government to make in this matter; but when he looked over the Bill he found in the 16th clause a paragraph which practically nullified the

effect of this excellent provision. In this clause it was provided that, as to all persons insured in a mutual company, the reserve held against their policies should not be held for the benefit of Canadian policy-holders only, but be exposed to all the risks and vicissitudes of the business of these companies in all the various countries in which they operated. They must look at the practical effect of this exception, which was a very wide one. In fact it covered 90 per cent. of the whole policies written in Canada. He held in his hand a statement published in the official *Gazette*, showing the numbers of companies in Canada doing business with profits and without profits. He found that of 29 foreign companies doing business in Canada, 27 issued policies on the mutual system or with profits, and it must be recollected that all these policies written with profits, were covered under the exception of the last paragraph of the 16th clause. The practical effect was, therefore, as was well known to all those acquainted with the statistics of life insurance, that, as to 90 per cent. of all the policies written, the reserves would not be held for the benefit of Canadian policy-holders alone, but be exposed to all the vicissitudes of the business of these companies in all the different countries in which they issued policies. Not over ten per cent., as all acquainted with insurance statistics were aware,—and in fact the proportion was said to be less—of all the policies written by life insurance companies were without profits, while 90 per cent. of them were written with profits; and, therefore, the provision of the Bill that full reserves should be held for the benefit of policy-holders in Canada was applied simply to ten per cent. of those insured, while 90 per cent. would not have the security which the other ten per cent. had. It appeared to him that persons insuring would not be in one whit better position under the new Bill than under the old in this particular. It was known that under the existing law all new companies doing business in Canada had to make a deposit for the benefit of the Canadian policy-holders alone, and quite a large number of them had made a deposit in that way. So that, under the operation of the law

as it at present existed, the position of the policy-holders was quite as good as it would be under the operations of this Bill. Some of these foreign companies did business in 30 or 40 different States and countries, and, if the reserves held in Canada were to be subject to all the wide ramifications of their business, and exposed to all the losses and frauds that might be committed, they would be like the fabled apples of gold, which, when grasped, turned to ashes. If there was to be reserve at all it should be made a real thing, something that the policy-holders could look at and fall back upon to recoup them to some extent in case any company became insolvent. It was urged that while this was a right and proper principle to apply to those who insured without profits it was not a sound principle to apply to those who insured with profits, and that in the latter case, the risks ought to be taken as well as the profits, and that those taking this policy ought to be able to judge for themselves of the soundness of the companies. But the great difficulty was that people who insured did not examine into these matters. They were compelled necessarily to take the statements of the agents; and it was a fact that the financial statements of many of them were so made up that even the best bookkeeper in the country could not tell whether the companies occupied a solvent position or not. An argument on this basis would be against any deposit being exacted from the companies at all. It went on the supposition that life insurance was as any ordinary business that might be entered into, whereas they all knew that it could not be so considered, and that all Governments had held that a reasonable security should be given by the companies, in order that they might be able to meet their policies when they matured. It must be recollected that those persons who insured with profits or on the mutual plan, paid a larger sum than those who insured without profits; and it appeared to him that it was a sound principle for the State to exact some protection for those who insured without profits. The same principle should apply to those who insured with profits. It was objected that, if they in-

**Mr. Young.**

sisted on that legislation, if they enacted that a reserve should be held for the benefit of Canadian policy-holders alone, American companies would be driven out of the country. This was just the cry that had been raised on every occasion that Parliament had undertaken to improve our life insurance laws. When Sir John Rose brought in a Bill five or six years ago, the very same cry was raised: that the American companies would withdraw. And yet, it was a fact that only one American company withdrew. He would be very sorry to have the American companies withdraw; but he would say that, if these companies or any other foreign companies were not prepared to give a reasonable and fair protection to Canadian policy-holders, then the country was better without them than with them. The first duty of the House was to our own people, to Canadian policy-holders; and, in making the request that these deposits should be made solely for their benefit, in view of the numerous failures and losses, and even frauds and right-down dishonesty, such as were being exposed at the present time in the State of New York, they were doing nothing more than asking that a fair measure of security should be given to the people of this country, who were so very largely interested in these companies. If some of the American companies did withdraw, he was not prepared to say that it would be such a great calamity, but that the country could exist afterwards.

**Mr. KILLAM:** It would not be such a calamity to the Canadian companies.

**Mr. YOUNG** said that, while he would not wish to keep out the companies of any foreign country, he would say that no man ought to be ashamed to prefer to say that Canadian companies and Canadian enterprises should flourish above all others. He did not wish any partial or exceptional legislation. But Canadian companies had to give security. The whole of their assets and their shareholders were in this country, and could be got at if there was any failure. And the House would be doing nothing more than its duty in seeing that foreign companies should have to put up a

reserve, as this Bill required, for the sole benefit of Canadian policy-holders. He could easily understand that, if all the life insurance business of Canada was done in this country, if the large amount of money that was being sent out of the country was kept here, the policy-holders would be in a safer condition. He wished particularly to call the attention of the House to the fact that in making the new proposition which he had, he was proposing nothing new, no new departure, but simply to keep the law in principle as it was at the present time, which was that no new insurance company could come into Canada, either stock or mutual, without putting up a deposit for the benefit of Canadian policy-holders alone. Therefore he was not making a new departure, but the principle of the last part of the 16th clause was a new departure, and seemed to be such a change as was not contemplated when the other portions of the Bill were drawn up. When they saw that such a large amount was being invested in life insurance, as was being done at the present time, it was their bounden duty to see that a fair and reasonable security was given by insurance companies, and that our people were made secure against the losses which had overtaken tens of thousands of people in the United States. The Superintendent of Insurance in his report said that \$3,000,000 per annum were contributed by the people of Canada for life insurance. Of this, over \$2,000,000 went out of the country, chiefly to the United States. It was also shown that there was held by these foreign companies, as reserves against the Canadian policies, somewhere about \$9,000,000; and of this amount, some \$6,000,000 or \$7,000,000 was held in the United States. When it was considered that the reserves represented policies to the extent of \$63,000,000, and that the people who were dependent upon their payments were chiefly widows and orphans, he felt that it was their bounden duty as legislators, as it was in accordance with the dictates of humanity, that they should see that the security given by all life insurance companies was at once ample and real. In conclusion, he

would only add, that the existence of this Bill assumed that additional security was necessary. The principle of the Bill was that a full reserve should be held in Canada, and the natural and logical conclusion from this was, that it should be held for Canadian policy-holders only. He hoped the Government would see their way clear to accept his amendment, which, he believed, would improve the very excellent Bill which the Minister of Finance had brought in.

Mr. COLBY said he agreed with most of the observations which had fallen from the lips of the hon. member for South Waterloo (Mr. Young), only he was not sure that he would not be disposed to go even further than he did, in the same direction, although he thought that the end might be attained more effectively than by the method which that hon. gentleman had proposed. He could agree with his hon. friend that this question of life insurance was one that rose and ought to rise entirely above the sphere of party politics, and he knew that the members of this House would discuss it without any political or party end; but with the view of attaining what should be desired by every member of this House, namely, the utmost possible security to the policy-holders of this country, and at the same time that other and almost equal desideratum, the greatest cheapness of life insurance, by which the benefits of life insurance might be most widely disseminated and the greatest amount of insurance for the least money might be purchased. When they considered who the persons were in this and every other country who insured their lives, the objects they had, and the persons for whom they insured, and the methods to which they resorted in order to be able to meet their obligations, they must clearly see that this class of persons, of all other classes, had the highest claim upon the consideration of the members of this House. It was not found that the class who invested largely in life insurance had a surplus of money. Very few sought life insurance purely as a matter of pecuniary investment, because by handling their money themselves they could put it to better advantage.

But it was the labouring men, that class of men whose families were dependent purely upon their labour, whether professional or mechanical, that mostly sought the benefits of life insurance. And they only provided the funds through which they could do it by economy and retrenchment, and by denying themselves many of the luxuries and conveniences of life which they might otherwise enjoy. It was for no selfish purpose, but for the benefit of their wives and children and those most dear to them. It was for the support and education of their children; and the welfare of the rising generation of this country depended largely upon the security which surrounded life insurance companies. Therefore any effort made by the Government to provide further security was a laudable effort, and it should be sustained by every member of this House, so far as it could be done without restricting or impairing that other feature of life insurance which was next in importance, namely, cheapness. He was very glad to see that the Government had so far embraced this view that they had given the negative to the statement of the Finance Minister in his Budget speech last year, when he said that a Government could not be a free Government and a paternal Government. But the Finance Minister had shown that he had a paternal solicitude for one of the great institutions upon which the welfare of the people of this country largely depended. And he (Mr. Colby) thought they could not be too grateful to that hon. gentleman if the methods which he had selected proved to be as well-considered and as wise as the object of his Bill was laudable and patriotic. It must be borne in mind, in considering this subject, that two points must be kept in view. The first was the security of the policyholders, and the second was that to be attained by leaving these companies so open and unfettered, or by so giving them the control and management of their own affairs that they would be enabled to sell the largest amount of life insurance for the least amount of money. The clause which the hon. member for South Waterloo attacked, and which he proposed to modify, was a clause by which an ex-

ception was made in favour of mutual life insurance companies. The hon. member had stated that 90 per cent. of the life insurance business in this country was done upon the mutual plan. The remedy proposed by the hon. member for South Waterloo would exclude mutual insurance companies from the United States from doing business in Canada. That was its purpose. Its effect could not be otherwise, and it was for the House to consider whether the same security could not be obtained without this happening, whether this was a desirable result. Nothing was more evident than that the proposition of the hon. member would be entirely subversive of the principle of mutuality, and of the essential and distinctive principles upon which mutual companies were founded, if any portion of their funds were to be set aside for the exclusive benefit of any portion of the insured. It could not be done. It was unconstitutional. It was unsound, and struck at the very life and vitals of these companies. Any company so doing would expose itself to an injunction, at the suggestion or motion of any shareholder, who could prevent it being done. Without wishing to say anything to the disparagement of any other company, he would say that the most important mutual company, or stock company either, in the world, the New York Mutual Life Insurance Company, withdrew from Canada the moment Sir John Rose's Bill proposed that a portion, and but a small portion, of funds should be set aside for the exclusive benefit of any of its shareholders. They said they could not do it, for they would be breaking faith with every man who held a mutual insurance policy. Every other foreign insurance company joined it in that protest, but said, however, that they would hold on for a time; that they had an established business in Canada, which was profitable to all parties concerned, and they hoped that the Canadian Parliament would alter the law, and then the amount, \$50,000, was comparatively insignificant, compared to \$44,000,000 or \$45,000,000 of assets, and, as their stockholders did not object, they tacitly acquiesced. The seventh clause—the security clause—of the Bill provided that the whole of the reinsurance fund, the

fund reserved to reinsure all policy-holders in Canada, should be invested for the security of the Canadian policy-holders. That meant that three-fourths of the entire income in Canada should be invested in Canada or held in some form for the benefit of policy-holders in this country. That was an impossibility, and every mutual insurance company doing business in Canada would be obliged to walk out of the Dominion the moment that law was passed. Was it desirable that such should occur; or was it desirable in the interests of the people that they should continue to have in the future, as they had in the past, the benefit of cheap life insurance? He did not wish to draw invidious comparisons and to elevate one company at the expense of another. He was obliged, however, to illustrate his position, in order that the House might see the injury which would be done to the people by excluding the American companies. He held in his hand the report of one of the American mutual companies doing business in Canada. That document showed that the company's assets were \$46,000,000, that over and above its reinsurance fund, which was sufficient for the reinsurance of all its policy-holders on a four per cent. basis, there was a surplus of four millions. It showed—and this was a point to which he specially directed the attention of the House and the Government, though no doubt the Government were aware of it—that it cost less than seven per cent. of the income to cover the expenses of management. If he paid the company \$100, \$7 were withdrawn and \$93 were invested at compound interest for the benefit of him and his successors. He held in his hand the report of a Canadian company which might be considered a fairly representative company in Canada—a company which the hon. member for South Waterloo (Mr. Young) would so recognize, for reasons which the hon. member well knew. That company, having a capital of \$190,000 or thereabouts, paid 30 per cent. of its entire income for the management of its affairs. If he paid in \$100, \$30 would be withdrawn from his premiums to cover cost of management, and only \$70 was invested at compound interest for his advan-

tage. Was he to be unnecessarily deprived of that great advantage, amounting to about 25 per cent. of the entire amount paid in premiums, and of the greater benefit of investing in a company which was thoroughly established and solvent, and which had passed through its experimental stage, under which \$93 out of \$100 was invested for the benefit of the policy-holders, or was he to be compelled by legislation to invest in a company which set aside only \$70? It would be an extreme hardship if he were compelled to do that. He was sure his free-trade friends at the head of the Government would never compel him to do that of their own accord; and it was for that reason—and he commended them for it—that the hon. the Finance Minister had been willing to give the people of Canada the benefit of cheap life insurance, and had resisted the importunities of the hon. member for Waterloo and other members, whose sympathies and interests were in favour of the Canadian life insurance companies, in the Banking and Commerce Committee. That 7th clause, the saving clause, and that which would permit foreign companies to do business in Canada, was introduced by their free-trade friends, as consistent with free-trade views; for, while they adopted a protective policy to give policy-holders security, they did not wish to obtain that security at so great a loss and cost to the companies as to drive them from the country. He commended the Government for the course they had pursued. If the security could not be obtained in any other way than by depriving the policy-holders of 25 per cent. of amounts paid in as premiums, it was, perhaps, better to have the security even at that cost. But he wished to call attention to a method by which the security could be more effectually gained than by such method as had been proposed by the hon. member for South Waterloo, and it was to permit the companies now doing business to continue their operations, which would allow both classes of companies to do business, and thus permit patriotic citizens who wished to build up Canadian companies, at their own cost, to deal with them, but to permit

economical citizens, who acted irrespective of patriotic considerations, the privilege of making their choice, and trusting in those companies which they believed it was to their interest to patronise. The provision of the seventh clause was that every company doing business in Canada should invest or should have in Canada, either in the hands of the Government or in the hands of trustees, an amount which would be sufficient to reinsure all its policies in Canada. That was the Government proposal, and he commended them for their efforts to provide valid protection, but they had not succeeded in that object. The House should consider how the plan would work. A company might be, as to its Canadian policy-holders, perfectly solvent under the proposed law, having its reinsurance fund in Canada, and yet might be perfectly rotten and unsound in other countries. The effect would be, that when a company, doing business elsewhere than in Canada went into liquidation, the funds in this country would pass into the general funds of the company and be distributed among policy-holders everywhere. Consequently there was no security to Canadian policy-holders under the present law. Besides, there was always the liability to fraud. A company might commence business and deposit \$50,000 with the Government. It might commence doing a little business and working up a connection, and, in the second year, make a big push, and might take a much larger amount of insurances than the amount of its deposit in Canada, then wind up its affairs; while the Company would lose the \$50,000, they would gain \$100,000, \$200,000, or \$300,000, acquired during the second year. The security proposed by the Government in the present Bill was not a sufficient and adequate one, and he wished the Government to go further and impose, in addition, other and more stringent security. In order that the House might understand his meaning he would now move his amendment, as follows:—

“That all the words after ‘to provide’ in the motion be struck out, and the following substituted therefor: That the following words be added to the first clause of the 7th

section of the Bill: ‘Unless the said Company, if incorporated elsewhere than in Canada, shall establish to the satisfaction of the Finance Minister that it is possessed of well invested assets sufficient to re-insure all its outstanding policies, and pay all its liabilities, and has also a surplus sufficient to re-insure all its outstanding policies in Canada.’”

That was a more rigid test to be applied to foreign companies than any Canadian company would be willing or able to submit to. If such a demand were made upon the Confederation Life Company it would bring the company to a dead lock. His purpose in submitting the amendment was to drive out the weak and insecure American companies, if there were any such doing business in the Dominion, and to retain and permit to do business here only such foreign companies as would submit to the most thorough test, such strong and sound companies as we could not expect to have in Canada for many years. Unless the companies were prepared to undergo that test, and proved to be sound to the core, he did not wish them to be allowed to do business. But if there were companies which would subject themselves to such a rigorous test, it would be unwise in the interests of the Canadian people to drive out of the country companies of that class. He desired to call the attention of the hon. the Finance Minister to this consideration: a company might, if it chose, deposit re-insurance funds enough to meet its liabilities. That was a very convenient method for English companies, from a financial point of view, because the rate of interest was higher in Canada than in England, and those companies would, and did, invest large amounts here for the purposes of investment alone. The English companies did not care, however, to submit to the test of examination. They were not so accustomed as were United States companies to an inspection by an Insurance Superintendent. They complied with the law by keeping their re-insurance funds good, and that did not put them to the slightest inconvenience. In regard to the American companies, the investment was to be made in a certain class of securities—bonds of the United States Government, the Canadian Gov-

Mr. COLBY.

ernment, bonds of the American States, and a class of securities which had a low rate of interest. He asked the House to consider how that regulation would affect not only the American companies, but the policy-holders of those companies. He would give an illustration. He had been personally insured for fourteen years in an American mutual company not doing business in Canada. During that period he had received yearly a dividend applied in reduction of the premium amounting to 40 per cent. That company was a sound and strong one, and its assets to liabilities were as 160 to 100. The company was able to return those amounts to policy-holders because they were able to invest their money advantageously. If the company had been compelled to invest its money in securities bearing 5 per cent., or a lower rate of interest, instead of returning annually 40 per cent. of the premium, they would probably have been able to return only 10, 15, 20 or 25 per cent. In mutual companies, the managers were the agents of the policy-holders and had no personal interest in the matter, and there were no stockholders to take away the profits. Many of the investments made by the companies consisted of securities which were as good as Government securities, but which paid better interest, such as mortgages upon farming property in Illinois, Iowa, Wisconsin, Minnesota and other Western States to a limit not exceeding one-third of the value, the rate of interest being 10 per cent. Was it in the interest of the people of Canada that those companies should be asked to invest their money in securities bearing only 5 per cent., instead of leaving them to make judicious investments and give to the policy-holders that amount of dividend which they had been able to give, having control of the investment of their money? Hon. members might ask how the test proposed in this amendment was to be applied to the companies. The country possessed a Superintendent of Insurance, an actuary who had given his time and attention to that question. It would not be more difficult, in case the sworn statement of any company should not prove satisfactory,

for the Superintendent to visit New York or Hartford and examine the vaults and books of the company, than for an Insurance Inspector from Michigan or Illinois to make that investigation. If companies would not submit to that examination, they might as well close their blinds and close business, for they would be condemned by their own action, and utterly discredited in Canada, where we have an actuary who was not appointed for political considerations, but a person of skill and peculiar fitness for his place—not liable, as such officers were in New York, to rotation in office, and dependent upon the varying exigencies of party. Where we had such an officer appointed for his skill and special knowledge, with power, and armed with the responsibility to make those examinations, we need have no apprehension that the examinations would not be made in the most thorough and satisfactory manner. The prestige, character, and everything which this officer prized, depended upon his making no mistake in his examination into the affairs of the companies; and they dare not impede him in the search, for, if they did, it would be an acknowledgement that they were unsound. That test was better than any re-insurance fund which could be put up in Canada. In the State of New York, the inspector was frequently changed for political considerations. In the State of Massachusetts, they made it a point, irrespective of political considerations, to keep a competent man in the office; and he was informed that no company which had ever done business in that State had failed since that law went into effect. Any company that stood the Massachusetts test was considered to be sound. Life insurance was becoming so general in the United States that nearly every man had a personal and direct pecuniary interest, overshadowing all political or other considerations, to make him vigilant and alert in securing the appointment of a good man. Unfortunately, from political considerations, in some States this had not been done; but, where this system had been inaugurated, it had produced good results. We had the benefit of that test in the first

place, and then to that was to be super-added the test we might make for ourselves. He had no desire to weaken the security, but, on the contrary, he desired to strengthen it, and make the examination more thorough and searching—to retain all the burdens the Government proposed to lay on those companies, and superadd to the American companies this further test : that, if they failed to make their deposit, then they should not be permitted to continue business here, that their licenses should be withdrawn, and that they could not get licenses unless they submitted to this almost infallible test of solvency. The expenses of management of most of the leading American companies, including all costs, was from 6, 7, 8 to 9 per cent. in ratio to their income. He was not aware of a single Canadian company that did business at a less cost than 25 per cent. and in some that he knew the expenses amounted to more than 30 per cent. Now the Canadian people, our labouring people, who were anxious, by economy, to set aside the largest possible sum for insurance and desired to obtain the largest possible amount of insurance for their money, should not be deprived of the right of selection among companies sound and solvent, and limited to a class of companies that must for some time be more expensive than others. He wished the House to understand that he was not in the slightest degree criticising the Canadian companies unfairly. So far as he had any knowledge of them, they were under the control of sound men; he was not aware of any bogus company or one that was liable to adverse criticism. He believed them to be commendable enterprises, but with them, as with life insurance companies everywhere else, the early years were the expensive years. In getting their first policies they had to pay larger sums than in getting subsequent policies; and would be some years before they could offer the same advantages as older companies. He wished them to have every latitude in the world. He did not wish them to have a difficulty or burden resting upon them that was not absolutely necessary; but, at the same time, he hoped the Government might be willing to accept that further test

Mr. COLBY.

on American companies. He sympathized and approved of the purpose and object of the hon. the Finance Minister, but he believed if this other alternative test were adopted, without driving out some companies or embarrassing them in the investment of their funds, it would prove sound, thorough and satisfactory.

Mr. CARTWRIGHT said he need hardly say he had and could have but one interest in this matter, and that was to provide, as far as might be, security for policy-holders without, as the hon member for Stanstead observed, unduly disturbing the existing condition of things. He did not come to this question as a new question. They found engagements to a great amount existing, which they were obliged to consider, and they were obliged in preparing this Bill to give full weight to the contracts existing between citizens and companies having their headquarters elsewhere. In justice to some of the American companies, he might say that the terms of the deposit originally made by them, enabled companies to make it without violating their engagements to their shareholders and policy-holders. Subsequently, by the Act of 1871, that was altered, and the deposits which had been placed in this country were subjected to special liabilities in favour of Canadian policy-holders, which it did not appear existed to its full extent under old legislation. It was quite true, as the hon. member for South Waterloo (Mr. Young) had said, that about one-half of the total policies existing in Canada, amounting to \$40,000,000, were held by American companies; and it was also true, which should be remembered, that they did not propose by this legislation to affect existing policies at all. It was held, and he thought the House would concur in the view, that after foreign companies had come here and entered into contracts with citizens, whatever might be done for the future, it was advisable, on grounds of public policy, not to have retroactive legislation affecting those contracts. It was only, therefore, as regarded future policies that this question raised by his hon. friend would have a practical bearing and force. The view the Government had taken of the matter was

this: They fairly considered it part of the Government business, in a matter having such wide interest as life insurance, to see that the companies doing business here were able to fulfil their contracts; and that they proposed to do under the system of inspection which they had established. But the amendment proposed to go further than that. It proposed not only to take precautions to see that the companies could fulfil their contracts, but to prevent the people, with their eyes open, from entering into a particular species of contracts with those American companies. It must be remembered that every man who entered into a contract whereby he shared the profits and losses of the companies, did so with a full understanding of what he was about; and he did not think it was consonant with sound policy to deliberately attempt by legislative enactments to prevent him from doing that. If the hon. member had contended that it was necessary to take measures that those companies should state fully and explicitly that contracts under this particular clause were necessarily entered into in such a manner as to deprive the Canadian policy-holders of the special lien for the policies which they had expressly taken on condition of sharing the risks as well as the profits, the Government would have been happy to consider the proposition. The proposition, however, was this: that, if a Canadian should knowingly and willingly enter into a contract with an American company on the condition of sharing the risks and profits, nevertheless, the assets held in Canada should be held for his exclusive benefit. It might be quite true that a large number of policies were now held on this principle, and, as he had mentioned, it was not proposed to interfere with existing policies. As for future policies, with all the pains which he was sure his hon. friend and the company with which he was connected would take to extend to Canadian policy-holders the advantages they would have in insuring with Canadian companies, he felt tolerably confident that their interests would be well looked after. Those companies were keenly alive to pointing out the rela-

tive advantage which they had over their American brethren in this respect. He gave his hon. friend from South Waterloo the fullest credit for a desire to promote the interests of the Canadian policy-holders, and his other hon. friend who seconded the motion also a little credit for not being oblivious to their interests. It was not the interest of the House to provide for Canadian shareholders or for American shareholders, but for a fair inspection of this very important branch of business which was increasing in such rapid proportions in Canada, and reasonable security for Canadian policy-holders. He did not mean to say that the clause to which the hon. gentleman alluded did not, to a certain extent, interfere with the security which would be given by a stock company; but he desired to point out that from this time out everybody who did it would do it deliberately and with full knowledge, and he thought this a sufficient answer to the greater portion of the argument of the hon. gentleman (Mr. Young). To the proposition of his hon. friend from Stanstead he would simply say they had taken power by an amendment introduced in the Bill to authorise the Minister of Finance, acting through the Superintendent of Insurance, to carry out such inspection as would meet the case of the American companies, should it appear desirable to the Government to have such an inspection made, as no doubt would be required if there existed any reasonable suspicion regarding the solvency of any of the companies doing business here.

Mr COLBY: May I ask if that is not an alternative test.

Mr. CARTWRIGHT said it was not. He thought this proposition to a considerable extent met the point raised by the hon. member for Stanstead. As to the question of securities, though he was not very conversant with the rates of interest in the more remote western States, he thought he was correct in saying that any American companies investing in Canada would be able to get as good rates of interest on good security as they could in New York or Pennsylvania, or any of the New England States, where he was advised the

greater part of their investments were made. They were able to invest here in municipal securities of various kinds paying a much higher rate of interest than Government securities, and those securities were only taken for the purpose of making good the deposit required by the Act. Their other securities might be of a class usually taken by insurance companies.

Mr. COLBY: Such as mortgages?

Mr. CARTWRIGHT: Yes. They were only required, as were our own people, to show that they held in Canada in the hands of Trustees or the Receiver-General, a sufficient amount of securities to enable them to protect Canadian policy-holders. On the whole, he thought the House—if it would consider the present position of the subject, and remember that very large interests had accrued which must be respected, and that there was no immediate likelihood of any very great increase of life insurance because, he was sorry to say, that one of the effects of the depression now unhappily existing always was that a smaller number of people were able to enter into new insurances—would see that no great peril could arise to any considerable class at any rate of Canadian policy-holders by allowing this Act to go into operation and to watch for a time its progress. If any evil should arise, they would have ample power to check and remedy it hereafter. His hon. friend from Stanstead (Mr. Colby) was perfectly correct in saying that some of these great American companies owing to their long standing and perfect organization were able to transact business at much smaller cost than our Canadian companies, which were for the most part of very short existence, and although he believed they were well managed, and had every ground for hoping that they would grow and prosper, yet they did not give the same undoubted security which the best of the English and American companies furnished. For these reasons it was not desirable for them, in this initial legislation on so important a subject, to deprive our people who chose deliberately to do it with their eyes open of the power of entering into a

Mr. CARTWRIGHT.

special class of contracts with American companies. His hon. friends from Waterloo and Stanstead had placed their respective views plainly before the House, and he hoped that the House would very shortly be able to give a distinct expression of opinion on the subject.

Mr. TUPPER said he regretted very much that the Minister of Finance had not seen fit to accept the proposition made by the hon. member for South Waterloo; and, if he could not accept this proposal, that he had not seen his way clear to adopt the further proviso as to additional security proposed by the hon. member for Stanstead. He was quite satisfied that the House would agree with him that both proposals were calculated to afford additional security; and this was the primary object which was before them. The House, he was sure, would agree with the opinion expressed on a former occasion by the Finance Minister that this was one of the questions on which the Government could fairly rely, on approaching the House, without any fear of the influence of party feeling, on hon. gentlemen on either side of the House. He gave the Government full credit for the effort made in this Bill to deal with one of the most important questions that could be brought under their consideration—the affording of additional securities, as far as possible, to the large class of people who invested their money in life insurance policies. He was in favour of the Bill to a very large extent. He believed that in many respects it was an improvement on previous legislation, though there were some points in it—to which he would draw attention in Committee—which he thought were susceptible of some improvement; and, although in this relation the Finance Minister, might not be able to agree with him, he was certain that his suggestions would be received in the spirit in which they were offered. The very able and exhaustive argument addressed to the House by the hon. member for South Waterloo, in his judgment, covered the whole ground, and it was unnecessary to sustain that argument at any considerable length. He had been in hopes, as the hon. gentleman proceeded from point to

point, making out a very strong case for the consideration of the Government, that the Finance Minister might be able, even at this period of the Bill, to somewhat modify his views so as to embrace, at all events to some extent, some of the provisions offered. He did not think it would be easy to have a more powerful and able argument addressed to the House in favour of American companies than that of the hon. member for Stanstead, to whom he had listened with attention, as did every member when the hon. gentleman addressed the House on any subject; but he failed to be convinced by the arguments adduced in support of the pretension that there was no reason for the apprehension expressed by the hon. member for South Waterloo with relation to the position the people of Canada occupied towards those foreign companies. The fact that over two million of dollars per annum went into foreign countries for life insurance purposes from Canada, was one which only required to be stated in order to present the magnitude of this question to the fullest extent. The Finance Minister met the proposition of the hon. member for South Waterloo with the very forcible argument that the House must have regard to existing engagements; and that a very considerable amount of responsibility devolved upon the Government in dealing with a question in which prior engagements had been made between the people and the parties with whom they contracted; but the Finance Minister should not carry this argument too far, or, if he did, they would have no legislation at all on the subject. The Bill introduced by Sir John Rose was based on the principle that, although this was a strong ground for consideration, yet it was not sufficient to preclude them from legislating where they considered it necessary, and this Bill rested on the broad foundation that, when it became requisite to have additional legislation for the security of the people, Parliament had the power to exercise it. The fear, on a former occasion expressed, that this would drive the American companies out of the country, was found to be fallacious. This convinced him that, if the proposal of

the hon. member for South Waterloo was adopted in its entirety, it would not be attended with the result which seemed to be apprehended; but, if it were so attended, he had no hesitation in saying that, while he had no hostility towards the American companies, and while he preferred the British to the American companies, he preferred the Canadian companies to either, for the reason that the money of the people of Canada now sent out of the country would then be invested in Canada, a matter of no slight importance to a new and young country like this. It was most important that the capital brought into it for its development and expansion, should have the advantage of the investment of these two millions now annually drained out of the country; it would then be invested among our own people, who would have a better opportunity of judging of the character of their investments than otherwise would be the case. The hon. member for South Waterloo had drawn the attention of the House to a most important feature, which was this: that the great mass of the people who it was desirable should avail themselves of this means of preventing their widows and orphans from suffering from penury and poverty, were those who were not able to judge of commercial matters and questions in the broad sense and acceptation of the term. The competition going on in this country between these companies which sent their agents into every section and village and hamlet to induce people to invest their earnings in life insurance, rendered it incumbent on the Government to endeavour, as far as possible, to guard against imposition, owing to the want of knowledge of any portion of the people, from parties who were not entitled to their confidence. He regarded this proposal, confined as it was by the principle of the Bill requiring gigantic foreign companies doing business in all parts of the world to invest \$50,000 in the hands of the Government of Canada, as worse than nothing, and useless, and for this reason: It would enable these companies to go to every ignorant man in Canada and in its back settlements, and say to him: "We

have got the imprimatur of the Government of Canada; here is the certificate of the Receiver-General of Canada showing that we have deposited in your vaults a large sum of money, and this is the evidence we give you of our ability to meet at any time these claims"; and this would afford additional means of operating upon the credulity of the people, which they otherwise would never have had. He held that this amount was utterly insignificant and insufficient to secure the payment of policies when they became due. He believed it would be better for the people of Canada regarding foreign companies, if they were not in a position to make any such claim, if this amount was to remain unchanged. The additional security proposed to be provided was that of inspection. He had the fullest confidence in the gentleman appointed by the Government as Insurance Inspector, who was an able actuary and a man of high character, having every quality requisite to command the confidence of the House and country. He believed that this officer would be of great value because he was not only able to examine the books of companies, but also to exercise a wholesome judgment as to the character of the investments made; but what could he do when he went abroad. Where able and keen officials failed in the United States, how could a stranger be expected to probe matters to the bottom and ascertain the solvency or condition of foreign companies? He did not think that hon. gentlemen should rely too much on this plan as a means of security. He was struck with two or three admissions made by the hon. member for Stanstead. The hon. member said one of the results of the measure would be to drive out the weak insurance companies from the country, and here the whole case was given up. The Government was bound to take such measures as should prevent the existence in Canada of such companies. When one thought of the wide-spread misery that resulted from the breaking down of one of the large companies, he could see at once the duty devolving upon the Government of sparing no effort to use every

possible means of rendering it impossible that the property of our citizens should be frittered away in an unwise attempt to provide security that would become perfectly delusive. But there was more than that. If the money that was paid for the purpose of life insurance was invested in the country the country would get the advantage of it, but if it was invested in a foreign company and that company broke down, not only would the policy-holders lose the money but the country would suffer to that extent, \$2,000,000 annually being taken out. This amount would improve the foreign country so much and our country would be without that much to assist in its development. There was nearly \$3,000,000 now paid. He could quite understand the Finance Minister when he said that this being a time of depression a great expansion of new policies could not be looked for. But he (Mr Tupper) and the Opposition believed that the rising tide of prosperity would set in before long, and then this \$3,000,000 would be expanded. He did not make his objections from political motives, as he believed the Bill in many respects was a good one, and the object of the Finance Minister most praiseworthy and deserving. The Finance Minister said they must place reliance largely upon inspection, but it was well known that the system of inspection in the United States was not to be relied upon on account of the changes through political influence. The hon. member for Stanstead had referred to the cheaper rate at which insurance could be obtained in the American companies. But this was because they were older and had more business, and one reason why they gave such profitable returns was, to a certain extent, because of the \$2,000,000 of Canadian money annually going into their coffers. The hon. the Finance Minister said people joined these companies with their eyes open, but the fact was that there were thousands of people in Canada who could not withstand the inducements and solicitations of American agents. He would call attention to several alterations which he thought should be made. On the third page where it was provided "that the requirements of this section shall apply to any policy

MR. TUPPER.

issued," he would suggest that the words "policy issued" be struck out, and "premiums received" substituted. And after "1878" he would suggest that there should be added "but shall apply to all premiums received on policies, whether they are issued subsequent or previous to the date." The bill would make the provision apply to all premiums received on future policies, but he would make it apply to all premiums received on policies whether now existing or in the future. Another alteration that he would suggest was on page 8. Instead of saying that "the amount so tendered may be paid over to the Company and the policy shall continue in force," he would say that "the amount so tendered shall not be paid over." The money was there for the security of the policy-holders, and he would take away the power to divert it for any other purpose.

Mr. CARTWRIGHT said he could not agree to this alteration as it would be opening up the whole subject again and necessitate the Bill being sent back to the Committee on Banking and Commerce, which could not be done now, after the understanding arrived at with the representatives of the Insurance Companies.

Mr. MILLS said he could not understand how the hon. member for Cumberland could say that, if the amendment of the hon. member for Stanstead (Mr. Colby) were not carried, he would vote for that of the hon. member for South Waterloo (Mr. Young). They were directly in antagonism.

Mr. TUPPER said he understood that the latter amendment was proposed in addition to the provisions of the Bill.

Mr. CARTWRIGHT: No.

Mr. MILLS said the hon. member for Cumberland had told them that such was the extraordinary character of the American insurance agents that it was not possible for Canadians to resist their importunities. But the fact was that the class of people who insured were generally shrewd and intelligent and perfectly competent to make their own bargains. As the

American companies only took 7 per cent. for administration expenses, and the Canadian companies 30 per cent., the position of the hon. member for Cumberland was that the advantages of the American companies were so great that, unless the Government interfered they would take the whole business out of the hands of the Canadian companies. To strengthen his argument, the hon. member stated that \$2,000,000 of Canadian money was annually taken away by the foreign companies. But he seemed to forget to mention that this came back in the shape of payments. It would appear that the hon. member was the special advocate of the interests of the Canadian companies. While it was important that Canadian companies should not be placed at any disadvantage, it should be remembered that the Government could not legislate in the interest of any particular company, but must act in the interest of the whole country. It had also been urged that the measure was not in the interest of Canada and that such a policy as was embodied in the clause should not be placed on the Statute-book.

Mr. TUPPER: I did not say that.

Mr. MILLS said the hon. member for Cumberland had attacked the law, and pointed to the two millions going out of the country yearly, and that under a law for which the hon. gentleman himself was responsible. The hon. gentleman informed the House that inspection in the United States was delusive, and stated the reason was to be found in the fact that in every instance the Inspector appointed would be in a great measure unacquainted with the work, and before he became acquainted with it, he was superseded. While those observations might be practically applicable to inspectors appointed by the various States of America to enquire into the condition of the American insurance companies, they had no force in regard to the Inspector of Insurance in this country. Here a different system prevailed. The Canadian Inspector was quite as likely to be thoroughly competent to discharge his duties with respect to foreign companies as with regard to Canadian companies. If the

argument had any weight, it was in the direction of the Inspector being a useless officer, who could not acquire any information which would be the slightest value to policy-holders and insurers. He was glad to have heard the hon. member for Stanstead urge the question in such an admirable manner. He had hitherto been under the impression that the hon. member had formed very erroneous opinions with regard to matters of trade and commerce.

Mr. COLBY said he had complimented the Government for having taken the Protectionist view of giving security.

Mr. MILLS said he was glad the hon. member did not call on the Government to build up Canadian insurance companies at the expense of the great mass of the population; that he was willing that individuals who were ready to effect an insurance should invest it in the company where they would obtain the best value for their money. He (Mr. Mills) believed that was an able and admirable doctrine, and it was that doctrine embraced in the Bill. He hoped the hon. member would not hold on to the little flag of protection, for it was a mere delusion. Inspection was not protection, in the sense protection had been so frequently referred to in the discussions. He congratulated the hon. member for Stanstead on having taken such a clear and common-sense view of the question, and on having come to the rescue and defence of the people against the few capitalists who wished to make a larger profit than they were entitled to make on the money which they invested in that particular business.

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

### After Recess.

#### PRIVATE AND LOCAL BILLS.

##### THIRD READING.

The following Bill was read the third time and passed:—

Bill (No. 61) To incorporate the Canadian Securities Company (Limited).—(Mr. Casgrain.)

Mr. MILLS.

The following Bills were severally considered in Committee of the Whole, reported, read the third time, and passed:—

Bill (No. 59) To amend the Act incorporating the Union Life and Accident Assurance Company of Canada, and to change the name thereof to the Union Assurance Company of Canada.—(Mr. Kirkpatrick.)

Bill (No. 98) To amend the Coteau and Province Line Railway and Bridge Act.—(Mr. Currier.)

#### INSURANCE ACTS AMENDMENT BILL.

##### DEBATE RESUMED.

Mr. GIBBS (North Ontario) resumed the debate on the Insurance Bill. He said no doubt the object of the Bill was a proper one. The question of life insurance was becoming of great importance all the world over, and it was necessary that it should receive careful consideration. When it was remembered that policies amounting to \$35,000,000 were held in this country, and that a large portion of them were held in American companies, the advisability of protecting the policy-holders would strike everyone; and he was glad to see that the Government was taking a paternal view of the matter. He feared, however, that the Bill would fail to accomplish its object. When it was remembered that fully 90 per cent. of the insured were insured on the mutual principle, and those who insured in stock companies participated in the profits as well as the former, they would not receive any benefit from the deposit required to be placed in the hands of the Government. It would be better if this clause were eliminated from the Bill altogether, as he thought it would have an injurious effect, inasmuch as it would have the tendency to drive out solvent American companies. If the clause was intended as a security to the Canadian policy-holders, he thought it would be like Samson shorn of his locks. This matter rose above party feeling; both sides of the House were actuated with the same desire to give the best possible security to policy-holders; and he would be glad

if the Government could see their way clear to strike out the clause under discussion.

Mr. KILLAM said it was strange that the hon. member for Cumberland should have fallen into the error he did in regard to the nature of the amendments before the House. If the hon. gentleman had listened as attentively to the able, eloquent and convincing argument of the hon. member for Stanstead as he did to the hon. member for Waterloo, whom he commended in the most flattering way, he certainly could not have been in doubt on this point. In his (Mr. Killam's) opinion the amendments were diametrically opposed to each other. The effect of the amendment of the hon. member for South Waterloo was to compel foreign companies to make investments of their re-insurance reserve in this country, which, in case of the insolvency of the company or its failure to comply with the regulations of the Finance Department, was to be confiscated for the benefit of the Canadian policy-holders alone. The amendment of the hon. member for Stanstead proposed to take away the clause compelling the foreign companies to invest to so large an extent in this country and require them to prove that they were in such a condition that there was no necessity for them to make such an investment. The reason why he was opposed to the Bill was because it was too much of a protective measure. It was not at all in the direction of free trade. As it stood its effect would be to compel foreign companies to invest their money in this country, and to prevent Canadians investing in foreign companies if they desired to do so. The Government had no right to dictate, as this Bill in a measure did, where the people should invest their money. Besides, in legislating in this manner, we also practically compelled the subjects of a foreign State to invest their money in this country. If the various States were to pass similar laws, this legislation would become inoperative, because they would take more money from the companies than they had to invest. He had not yet heard any convincing proof that this Parliament had the power to deal with this question at all. He did not, of

course, agree with the hon. movers of the amendments in this respect, but speaking from a free-trade view he was bound to say that a great deal of legislation here in regard to insurance was unnecessary, undesirable and undue interference with the rights and privileges of individuals to make what contracts they chose. The whole force of this Bill was to restrict individual liberty to a very great extent. He was not interested in any company, Canadian or foreign; he had no personal interest whatever in the matter; but he had a large number of constituents who had been wise enough to invest their money in this way, and he had never heard any of them say that they desired the Government to interfere in this question in the way proposed. He was bound to say that his constituents who were insured in strong American companies felt as good security now as they would if this Bill went into law, and they did not want Parliament to meddle in their concerns at all. They were all wrong in fact in calling those companies foreign, as the United States mutual companies were just as much Canadian companies as American. The policy-holders were stockholders to all intents and purposes, and Government had no right to interfere with them by such legislation. He could not agree with the amendment of the hon. member for Waterloo at all. The absolute effect of it would be to prevent him from making any bargain with a foreign company or going outside the Dominion to make a contract with an individual, if it was carried to its full extent. It was the most ultra-protective resolution ever moved on the floor of the Canadian Parliament, though it came from one of the greatest apostles of free trade in this country. The real question he was anxious to ventilate was whether it was necessary for these mutual companies to invest their money in Canada at all. He did not think it was, nor did he consider that protection would be of any particular benefit to the Canadian policy-holders. If companies managed their affairs well, and kept their working expenses within a small percentage of their income, and the policy-holders were satisfied, no Government

interference was required. Wherever this principle was adopted, the business of these companies would be entirely ruined, and the strongest, finest and most benevolent institutions in the world would be compelled to change their whole mode of doing business. The gentlemen who had advocated the views of the hon. member for South Waterloo were directors and shareholders of, and largely and intimately interested in, Canadian insurance companies. It would be quite improper for him to say that these gentlemen had any sinister designs in trying to deprive the Dominion of the advantages accruing from institutions like the Connecticut Mutual, the New York Life, and the Ætna Insurance Company to enable themselves to secure the business of these companies, but he must say he failed to see the reasons which induced these gentlemen to take the ground they did. He thought it would have been eminently more proper, and it would have looked much better, if such motions were made by gentlemen who were not at all interested in Canadian companies. He knew pretty nearly what institutions did business in his constituency, and he had never heard his constituents ask for any such legislation as was proposed by the Government, not to mention the more extreme steps advocated by the hon. members for South Waterloo and North Ontario. He, further, was not aware of any petitions having been presented to the House asking for the cure of the evils complained of, and he did not see why there should be such undue haste shown in providing this legislation. If they had two or three thousand petitions pouring in every Session for the protection of unfortunate Canadians against the abilities of these wonderful and terrible American insurance drummers, who were going about the country and defrauding people out of their honest earnings, he would not blame the Government for their action; but, as this measure was merely urged on behalf of a few weak, struggling offices in this country, one-half of whose premiums, obtained from unfortunate people in the back of the country, went to pay directors' and other ex-

penses, he thought the Government was rather in too much of a hurry in paying so much attention to these representations. However, the Bill was reasonable and proper, compared with the outrageous one laid before the House last year. He hoped that the Bill would not be passed until the matter was fully looked into; it was not desirable to drive strong mutual institutions out of the country. If the amendment of his hon. friend from Stanstead was accepted by the Government, full security would be given to policy-holders, and more than was provided for in the Bill, which interfered with the rights of Canadian stockholders in foreign companies.

Mr. PLUMB said the late Government, with admirable foresight, had obliged foreign insurance companies doing business in this country to place a certain deposit under their control, as an earnest of good faith, of the soundness of the companies, and of their ability to carry on their business in a proper manner, giving also security to those insuring in these companies. The business of life insurance was increasing from year to year, and had become one of the most important features in social economy and modern life. A great many companies had been established and many of them had deviated from the original principle that a company should have a certain amount of capital for its basis. Many had thus been formed on the mutual principle, and the insurers depended entirely on the management and good faith of the managers for the final provisions to be made for the families they would leave behind them. Their business, which was now enormous, was growing larger from year to year; and anything tending to induce them to embark in speculations, seek high rates of interest, attempt to make large profits, and pay heavy expenses and large salaries, should be deprecated; therefore, to a certain extent, the argument, eloquently and ably put by the hon. member for Stanstead, failed in so far as he desired that a company doing business in the United States should not be required to make a deposit of their funds here, in order that they might swell their profits at home by investing in a class of securities which

Mr. KILLAM.

would not be recognized at all in this country. This was the weakest point in the hon. gentleman's argument. The clause now inserted in the Bill left the Canadian policy-holder insured in foreign companies under the impression that he was protected, when, in fact, he was not, inasmuch as the mutual principle on which a large amount of insurance was obtained in this country comprising 90 per cent. of the whole amount insured, as he understood, left the policy-holders under that principle without protection. The terms of the Bill "kept the promise to the ear and broke it to the hope." Holders of life insurance policies would suppose they were secured under the provisions of the Bill, when this was really not the case. The seventh clause apparently provided security; but its provisions were neutralized by the last paragraph of the sixteenth clause, which, in case of the insolvency of a foreign company, authorized that the assets held in Canada should be subject to the claims of all the policy-holders *pro rata*, whether in Canada or elsewhere. He thought it was very difficult to see that those who undertook engagements with mutual companies, going into partnership, as it were, were entitled to protection, but he also thought the Bill would be imperfect unless some such clause was introduced as that proposed by the hon. member for Waterloo, in order to give to Canadian policy-holders that protection which the Bill ostensibly proposed. If this was not the object, why was it necessary to frame the Bill at all. It would be perfectly easy to require every foreign company doing business in the country to continue increasing its deposit, in proportion to the increased business done in the country, and enough to re-insure its risks here, and to retain at all times a sufficient deposit to cover the amount of premiums taken in Canada. He feared the Bill would be fatal to the public interest, by leaving policy-holders to entertain false and erroneous impressions, lulling them into a false security and teaching them to depend rather on the Government than on their own judgment in taking out or continuing life policies. The strongest competition existed among the life insurance companies, and it was well

known that those who were most desirous of extending their business were not always the soundest and the safest. Immense assets or a large income were not always satisfactory evidences of soundness. Insured persons who lived the longest and paid the largest premiums were often likely to suffer the most, owing to the manner in which so many companies were conducted. A late instance showed that an American manager had been paid \$30,000 per annum as a salary. This fact had been brought out in a recent investigation into the affairs of an American company. With all due deference to the hon. member for Stanstead, he must say that he did not think there was any safety in the plan the hon. gentleman proposed. It was not a sound principle and it should not be embodied in any measure brought before the House. With this view he thought it sound principle to support the amendment brought in by the hon. member for South Waterloo.

Mr. BLAIN said he thought the Government had succeeded in striking the mean, so as to meet the necessities of the business. He did not agree with either amendment. Life insurance was so exceptional in its character that special legislation seemed to be required for it. There were three different kinds of life insurance, but for the sake of convenience there might be said to be two, namely, the stock and mutual plans. The Government had recognized the necessity of these companies giving ample security for covering the amounts of the policies. The mutual principle was essentially one of partnership. But, by the amendment of the hon. member for South Waterloo, the very essentials of the contract would be violated. It would be contrary to the constitutions of the companies, and any parties in the United States could enter an injunction against them and restrain them from so misappropriating the fund. The result would be that the American mutual companies would be forced to withdraw from the country. While he thought our own companies might eventually be able to compete with the American companies, yet this amendment would be altogether too violent and would throw nearly all the policies now in

the hands of American companies into the hands of the Canadian companies before they were able to deal with them successfully. He held that it would be disastrous to take that course. It might be in the future that these companies would get into such difficulties with the policy-holders that they might not get that security which they ought to have. In that contingency the policy-holders could come to Parliament and make their representations, and, if thought necessary, the law could be changed so as to give them due protection. If the amendment of the hon. member for Stanstead were adopted, it would place the companies in much the same condition as they were at present, and the entire Bill would be rendered of no effect, although it was generally conceded that legislation of some kind was necessary. It was rather strange that an out-and-out Free-trader like the hon. member for South Waterloo (Mr. Young) should move a violent protectionist motion, while an outspoken Protectionist, like the hon. member for Stanstead (Mr. Colby) should move a violent free-trade motion. He thought the only prudent course was to follow the Bill as the Government had presented it before the House.

Mr. CAMERON said the hon. member for Yarmouth (Mr. Killam) had raised an important question as to the constitutional powers of the House in legislating at all in the matter, or at any rate to the extent to which it had been proposed. The Local Legislatures claimed the right to deal with insurance companies. The question had arisen in the Province of Ontario, and ultimately it would come to the Supreme Court for settlement. The more prudent course to adopt would be to take the advice of the hon. member for West Middlesex (Mr. Ross) as to the Prohibitory Liquor Law, namely, to defer legislation until the Supreme Court decided whether they had any right to legislate or not. He presumed, however, that the Government had decided that they had jurisdiction, and were prepared to take the responsibilities upon themselves. He must confess that it seemed to him that it pertained more to the nature of property and civil rights than to trade and

commerce. Unless the matter came within the definition of these two latter classes he did not know under what head of the British North America Act it would come. As to the two amendments, it seemed to him that nine-tenths of the policy-holders in American companies residing in Canada would not be duly protected by the Government Bill as it now stood. While he did not desire to drive American companies out of the country, he felt that he would have to vote for the amendment of the hon. member for South Waterloo. If he thought it would drive the American companies out, he would not support it, as he did not think they should act rashly in such a matter. While, perhaps, the amendment of the hon. member for Stanstead was inconsistent in principle with the amendment of the hon. member for South Waterloo, yet it was possible that a member of the House might, with perfect consistency, vote for both. He would vote for the amendment of the hon. member for Stanstead, upon the principle that, inasmuch as the Bill as it stood afforded no security to Canadian policy-holders, he thought it better that the security offered by the amendment should be accepted, namely, that of Government inspection. Still, there were many objections to Government inspection, as developed in the United States. Mr. Lewis, who was considered the highest authority, said that the result of the system had been disappointment to its friends, and he also said it rapidly taught the public to rely upon the certificate of the company, instead of to discriminate for themselves between the good and the bad companies. He (Mr. Cameron) thought, on the whole, that the objects sought would not be attained by the Government Bill, and he doubted very much whether the amendment of the hon. member for Stanstead would much improve matters.

Mr. WORKMAN said he thought the Canadian policy-holders should have as much protection as possible, and, therefore, he would support the amendment of the hon. member for South Waterloo. There were a great many respectable American companies which were perfectly solvent, and

**Mr. BLAIN.**

conducted their business with some regard for the interests of the policy-holders, but there were others which required to give special security. Any one who devoted attention to the question of life insurance, must know that in the United States, during the past six months, a very great amount of distress and of bankruptcy had taken place in connection with life insurance companies, and particularly with regard to mutual companies. He was not aware how many of those companies had been doing business in Canada, but the result in the United States had been disastrous. That arose in a great measure from the expensive manner in which the companies were managed. It was well known that some of the presidents and officials connected with New York companies received larger salaries than that paid to the President of the United States. Every official in the companies was paid an enormous salary, and the extravagance was something that was unknown in Canada. The natural result had been the failure recently of a company doing a very large business. He would read an extract from an American insurance journal, in order that the House might understand what kind of security the Canadian people would have if the United States companies were allowed to come in here and carry on business without a guarantee in the shape of deposits being held for the benefit of Canadian policy-holders. The journal said:

“The investigation into the affairs of the Continental Life Insurance Company, which failed in New York some months ago, shows that there is a prospect of policy-holders receiving forty to fifty cents on the dollar. The claims amount to \$5,300,000, and the assets are set down at \$2,630,000, but will likely be further reduced by litigation before payments are made.”

After the expenses of litigation were paid, the assets would probably not realize more than 20c. on the dollar. The following extract would show the House the character of many of those companies which were encouraging to force a business in Canada:—

“The Attorney-General of New York State having made application to the Supreme Court, receivers have been appointed for the five following Life Insurance companies:—The Guardian Mutual Life Insurance

Company, the Widows and Orphans' Life Insurance Company, the Reserve Mutual Life Insurance Company, the New York State Life Insurance Company, the North America Life Insurance Company. An examination made previous to taking proceedings, had shown that their assets were insufficient to re-insure their outstanding risks. All were in business for a number of years, and exhibited in their dealings with the assured many of the evils which have come to light in American insurance matters within the past four months.”

It would be observed that they were mainly mutual companies. The Continental Company did a very large business, with a large staff of employes, and an establishment like a large London or New York banking house, and yet it would be unable to pay 40c. on the dollar. It was the duty of the House, and of the Government particularly, to protect Canadian policy-holders, and reserve money deposited by those companies for the benefit of the insured here. The House had been told that such action on the part of Parliament would drive a large number of American companies out of Canada. He thought that, with few exceptions, the companies would make the required deposits; if they did not, the sooner they left the country the better. It would be in the interest of the whole people, and especially of those who wished to provide a future maintenance for their wives and children, by means of insurance policies, that the funds deposited by foreign companies should be held to be specially applied for the benefit of policy-holders in Canada, and not to be divided among the general policy-holders.

Mr. DYMOND said that although the subject had been almost exhausted, he could not deny himself the gratification of expressing the delight he felt at finding the hon. member for Stanstead at last a convert to that school of political economy of which he (Mr. Dymond) professed to be a humble member. The hon. member, too, deserved congratulation for having, with the zeal of a new convert, applied himself energetically to destroying the protectionist amendment of the hon. member for South Waterloo, over whose departure from the true faith he was bound to mourn, as he rejoiced

over the conversion of the hon. gentleman to whom he had referred. He fancied, however, that on some not very remote occasion the hon. member for Waterloo would wander back to the true fold. He had no doubt that when the amendment had been voted down that hon. member would once more turn a loving glance to the pastures in which he usually wandered, and from which a very narrow line at present divided him. No hon. member was entitled for a moment to question the absolute disinterestedness of any hon. gentleman who addressed the House, but he could not help wondering, while listening to some of the speeches, and knowing a little of the connections of some of the speakers, whether any one, at this time, when the independence of Parliament was so especially dear to every one of them, had been very critically studying the sixteenth rule, which said :

“No member is entitled to vote upon any question in which he has a direct pecuniary interest, and the vote of any member so interested will be disallowed.”

He thought, if the spirit of that rule should be rigidly observed, they would find a very meagre vote in favour of the amendment of the hon. member for South Waterloo. That amendment had been fairly demolished by the hon. member for Stanstead (Mr. Colby) and the hon. member for West York (Mr. Blain). It appeared to him (Mr. Dymond) simply to contravene the fundamental principle of mutual insurance. It assumed that men might enter into a contract, might reap all the benefits of that contract and all the profits accruing, but, at the same time, might be exempted from or protected against all loss, if loss should happen to ensue. In effect, the amendment carried to a mischievous, injurious and extreme extent what he felt was a somewhat doubtful principle in the Bill itself. He could not conceive any reason—except it were the one he had ventured to allude to in passing—why hon. gentlemen should be so terribly alarmed lest persons desirous of effecting insurances should patronize American companies. They were told that the Bill must be passed because several of the insurance companies had lately failed most disastrously. So much the

less reason was there, then, for such a Bill as the present one. The old adage “a burnt child dreads the fire” applied in this case as in many other cases, and, if there ever was a time when it might be supposed Canadian companies were placed at an advantage, it would be the present, when something like a panic had been created with respect to the American institutions. Nor did he think it was, under any circumstances, the business of the State to protect those who were able to protect themselves, but who wilfully refused to do so. With regard to the amendment of the hon. member for Stanstead (Mr. Colby), he could not speak of it as favourably from his (Mr. Dymond's) point of view as of the argument which the hon. member had addressed to the House in answer to the hon. member for Waterloo (Mr. Young). The hon. gentleman's amendment also appeared to carry out, what he would venture to call the coddling principle, the principle of saddling somebody else with the duty of taking care of persons who ought to be sufficiently intelligent, under most circumstances, to see where they were going and shape their proceedings accordingly. So far as the Bill itself was concerned, on which he supposed, as they were now at the third reading, they were entitled to comment, it was conceived, no doubt, with very excellent intentions, and would be carried into effect by a gentleman—the Superintendent of Insurance—of marked ability and most unquestionable integrity. Nevertheless, he believed, as giving actual security, it would fall very far short of the expectation of its promoters. It was calculated to convey the impression that the State was in some measure responsible where no real responsibility existed. He remembered, many years ago, hearing a remark regarding burial societies and some other small institutions of that kind in England, formed especially for the convenience of the working classes, that a great number of persons were deluded into entering them in consequence of the certificate of Mr. Tidd Platt, whose duty was to certify their rules in all cases. “Here,” said the representatives of those societies, “is the certificate of a Government

officer; he would not, of course, put his name to anything that was not solvent, that was not responsible and not strictly to be relied upon." And the same idea would be created in a great number of cases, when people were told that there was a Government Inspector who presided over these companies at their birth, over their matrimonial arrangements when they amalgamated, as they often did, and as the undertaker at their funeral when they experienced the fate of dissolution. The reasons given for Government interference had been various but might be classified pretty generally under three heads. In the first place, it was said that a great number of persons accepted a policy without being fully aware of the terms on which it was to be granted; that an agent, perhaps in some country place, sought out his victims, made a specious representation, received a deposit, gave a receipt, and, at some subsequent date, forwarded a policy. It might not be amiss—not perhaps at that late stage of the Session and of the Bill, but at some future time—to enact that no agreement of that kind should be valid except when the receipt of the agent contained an abstract of the terms of the policy. If that were adopted, the objection would be to a certain extent avoided. Then it was said—he thought his hon. friend from Waterloo was very eloquent on the point—that this was not a matter so much affecting the contractor, the person who assured, as his widow and orphans. He believed he (Mr. Dymond) had as much right to be concerned with regard to those whom he would leave behind him as the hon. member for South Waterloo; but he did not consider it was his duty to ask Parliament to supply his deficiency if he failed to take care to provide for his family. If the country were to do that, they might as well have one vast infirmary, hospital or institute within which all could take refuge for whom proper provision had not been made by their natural protectors. Then it was said that agents and canvassers were especially deceitful. They all knew something about agents and canvassers. His (Mr. Dymond's) agents had no doubt been most trustworthy and reliable

people, and when sent out on political missions were always fair and reliable. But there were agents, political agents, not trustworthy, who did sometimes make false representations, who libelled political opponents, who extolled highly the merits of political friends; but Parliament did not pass Acts to protect anybody against them. Then there were agents who furnished quack remedies and patent medicines, yet the State had not provided any protection against their representations; and it rather encouraged the importation of such remedies into the country as a source of revenue. Then there were agents who induced people to purchase spurious patent mouse-traps and many other things known as Yankee notions, by which, in some cases, people were defrauded of their money; but against which no legislative remedy was provided. Unless Parliament was prepared to enter into a grand crusade against agents in general, and against all persons who might be sent out on any mission whatever, as the representatives of certain principles or interests, either in the market, the political arena or elsewhere, he did not think they need be so specially concerned as to the acts of agents who might obtain a livelihood by canvassing for insurance premiums. Having offered those remarks as a mild protest against the Bill, he did not desire to offer to the measure any further opposition, for it had been well considered, both by the Government and in the Banking and Commerce Committee; he was, therefore prepared to surrender his judgment to those interested, not only in framing the Bill, but in submitting it to the House in its present shape. He desired to second the observations of the hon. member for Cumberland in favour of Government insurance. He believed that, instead of attempting to regulate and manage the affairs of private companies, it would be far better that the Government should act as in the case of the Savings Bank, and become the insurance medium of the country. But it would probably be a long time before that system could possibly attain anything like extensive proportions. He would therefore take the liberty of suggesting that in that matter they might proceed on an

experimental and tentative principle. It had occurred to him that, in the first instance, it might be advisable through the medium of the Government Savings Bank, to take insurances or to grant deferred endowments for a certain limited amount, perhaps \$500 or \$1,000. That could be done at very little expense. Of course it could be confined to certain districts, but they would be chiefly in the neighbourhood of cities and large towns, where insurance of that class was most necessary and most likely to be availed of. If the cost of the medical examination were paid by the person who desired to be insured, there would be little expense incurred in issuing a class of policies of the description referred to. Then there came in another class of insurances which might also be subjected to a Government guarantee, and respecting which a scheme had recently been set on foot. By this plan, it was provided that the whole assets of the Company should be invested in Government funds at a low rate of interest, say 4 per cent. The premiums in that case would be low, the profits not large—as they were in the cases mentioned by the hon. member for Stanstead (Mr. Colby) where large amounts were invested by companies at very high rates of interest, and very high profits were divided,—but, while the premiums would be low, and the rate of profit not high, the security would be unquestionable. He thought, if the public were aware that there existed, first, the opportunity, so far as policies for small sums were concerned, of having the absolute security of the Government, and, secondly, that there were offices of which the security was almost absolute, those modes of insurance would be exceeding popular and the ordinary system of insurance might be left to take its chance without the costly machinery provided for supervising that branch of business throughout the country. Persons would have an opportunity of making their choice, and it would be their fault if they elected to go into an undertaking which was not able to give absolute security. The great principle of self reliance and individual independence, it seemed to him, would be imperilled by the class of legislation

**Mr. Dymond.**

of which the present Bill was an illustration.

Mr. WOOD said the American agents had said that if this Bill passed they would be forced to leave the country. He held in his hand a letter from Mr. Walter Burke, agent of one of the leading companies of the United States, from which it appeared there was no foundation in this. The American companies, indeed, found the business here of too profitable a character for them to withdraw on account of the passage of this Bill. Mr. Burke said :

“ I wish you to understand that the New York Life Insurance Company is not going to cease doing business in Canada. . . . should the Bill you refer to pass as law . . . The questions involved are too lengthy to put here, but I can assure you the New York Life has no intention of being driven out of Canada, and should the Bill become law, we shall still continue to do business and we predict that nine-tenths of all the business in future will be done by two or three of the first-class American companies. We shall then be on equal footing with the Canadian companies as regards the terms of the law, besides having advantages of which they know nothing.”

It would appear from this that the American companies would remain in Canada, but even should they leave we had enough public spirit and companies strong enough to do all the business that was required. Insurance companies on the other side did not seem to be in a very good condition. They could scarcely take up any New York paper without reading that some company had passed into the hands of the receiver. The Security Life, which had borne a good name and might, if it had come to Canada, have been received with as much confidence as other American companies, had recently failed. It had been found that the most corrupt perjury had been resorted to by that company, in order to keep things straight before the Insurance Inspector. The report of the Inspector who examined into its affairs said :

“ The last sworn statement of its officials, as of Dec. 31, 1875, showing a surplus of \$515,034, in comparison with the present deficiency of \$2,053,824, makes it a plain duty to place on the records of the department a statement of the chicanery and fraud that characterize the previous exhibits of the company.”

This company had been doing business under a system of fraud and deception from the beginning. He was quite prepared to admit that the principal American companies doing business in Canada were respectable, and deserving of the consideration of the policy-holders; but their business should be surrounded with the safeguards provided in this Bill. The report went on to say:

“The next item, where my examination revealed a discrepancy between the statement as made to the Department and the facts as I found them, was the return of ‘cash in bank and office, \$205,708.68.’ At no time during 1875 did any such balance exist as an asset of the company, nor has it existed as such since. By including the receipts up to the 20th January, 1876, the books were made to show a balance of \$55,708.68; but, as a matter of fact, it is doubtful if, at any time during the period mentioned, there was one-tenth of that sum subject to the cheque of the officers. To the forced exhibit above described, \$150,000 was added, ‘give a good appearance to the statement,’ although the credit had no foundation in fact, and involved deliberate perjury on the part of the company’s officials swearing to it.”

Hon. members had been asked how much of the money taken out of Canada had returned in the shape of matured policies. He had a statement which showed that only 20 per cent. returned, that 15 per cent. of the premiums was consumed in expenses in this country, and that the balance went into the pockets of the American companies. If they wished to give security to policy-holders, the amendment offered by the hon. member for South Waterloo ought to be adopted.

Mr. SMITH (Selkirk) said very few questions came before this House which so intimately affected the interests of the whole people as the one under discussion. He thought the Bill was a step in the right direction, but it scarcely went far enough. The hon. member for North York (Mr. Dymond) seemed to consider that we should look upon the efforts of life insurance agents as we would upon sewing machine and patent medicine agents. He did not agree with the hon. gentleman. If a man bought a bad sewing machine or took a bad patent medicine, the effect rested with the individual; but the efforts of the life insurance agent went further than the individual,

they extended to those dependent upon him and for whom he had to make provision. That being the case, policy-holders ought to have the largest amount of protection and security possible. The hon. member for North York seemed to think that the defection of the hon. member for Waterloo was to be regretted. He (Mr. Smith) thought it showed a spirit of independence on the part of that hon. gentleman greatly to his credit. This was not a political question, nor was it looked upon as such by the House; and he thought members on both sides, who wished to see the interests of Canadian policy-holders protected, would support the amendment of the hon. member for Waterloo, as without it the Bill scarcely went far enough. He did not think the American companies were in as solvent and secure a state as was desirable. The system of inspection had not met the case, but, in his opinion, the amendment would give the security which was required by the public.

Mr. YOUNG said before the question was put he wished to reply briefly to some arguments advanced in opposition to the amendment. It was very unfair for any hon. gentleman in discussing this question to declare that those advocating this amendment were actuated by a desire to favour Canadian companies. He might say for himself that he had been actuated by no such feeling whatever, and he threw back that statement to the hon. gentleman who had made it. He had taken the position he had after full consideration, and after he had seen the vast development of life insurance among the people of this country, and also the very great number of losses and failures among these companies across the line. Under these circumstances he felt it to be his duty as a representative of the people to endeavour, if possible, to see that, if additional security was to be given to Canadian policy-holders as proposed, it was a real security, and one that could always be depended upon when they went to look for it. He was very much pleased with the fair and candid tone in which the Minister of Finance referred to the amendment he had had

the honour to move, but he was not at all convinced by the hon. gentleman's reasoning. The hon. gentleman took the ground, as he had done on other occasions—and he had no doubt he candidly held these views—that, in a matter of this kind, those who insured on the mutual principle did it with their eyes open, and could judge for themselves; and the hon. the Minister of the Interior told them the people could make contracts for themselves, and that they were asking the Government to do for the people what the people could do better for themselves. His answer to this was—the Bill of the Government. That argument, if it possessed any force at all, was an argument against the Government Bill, and against any security being provided for Canadian policy-holders. He submitted to the House, that having brought in a Bill, the principle of which was, that additional securities should be given to Canadian policy-holders, and a full reserve put up, the Finance Minister was debarred from arguing that the people could judge for themselves in these matters. It was just because the people were not able to do so, and because all Governments considered that life insurance differed from ordinary business, that guarantees were considered necessary for those who invested money in these institutions. He had listened with some attention to the remarks of the hon. member for North York, and, he must say that he (Mr. Dymond) was the first speaker, so far as he was aware, who had made any remarks of a nature calculated to cause any feeling between members who were discussing this question. It was not the first time he had addressed him (Mr. Young) in that tone, and it ill-became the hon. gentleman. It would ill-become an hon. gentleman, occupying a position in the Government of the day, to speak in that tone; but it was simply intolerable in an hon. gentleman who only held the same position he himself did, as a humble representative of the people; and he would tell the hon. gentleman that this tone, when adopted towards supporters of the Government, was not likely to be any more popular than when used towards hon. gentlemen sitting on the other side of the

Mr. Young.

House. The hon. gentleman charged him with moving a protectionist resolution, and the hon. member for Yarmouth had been good enough to refer to it in the same sense. The hon. member for West York (Mr. Blain) had described him as an extreme Free-trader, but, as a matter of fact, he had never held extreme free-trade views. He had explained, on more than one occasion on the floor of the House, that, whilst he approved of the general principles of free trade, he believed the true fiscal policy for Canada was a Revenue Tariff running neither to extreme free trade nor extreme protection. He maintained, however, that this was not a question involving the principle of protection. It was improperly so described, and this argument was brought up with the view of defeating his motion by a side wind instead of on its merits. He regarded life insurance very much in the same light as the money placed by many people in savings banks, in order to lay up something for a rainy day; money was invested in life insurance in very much the same way, and he knew of nothing sadder than for a man to pay year after year for a large portion of his life an amount of money in this way, denying to his family and himself certain comforts and advantages, in order that when he died they might have some means of support, and then to find that, before this time came, the company failed, and that little or nothing was left of all he had devoted to this purpose during a large portion of his life. It was incorrect, he repeated, to describe this question as one to which the principle of protection applied, but, if it had applied, the member for North York ought to have urged it against the Government Bill itself. It was open to the very same objection in that respect, because, as he understood its principle, it was that those who insured in these companies ought to be protected to a fair and reasonable extent. The member for North York had not argued in a very courteous tone, nor was the hon. gentleman more consistent in his argument. The hon. gentleman had objected to the measure being placed under the control of the Government for the benefit of Canadian policy-holders alone, and yet he closed

his remarks by stating that not only the reserves but the profits as well should be held by the Government for the benefit of these policy-holders. The hon. gentleman began by arguing in favour of free trade in life insurance and ended by arguing in favour of an extreme measure of protection, holding that the Government should wipe out all Canadian, British and American companies and do the whole business themselves.

Mr. DYMOND said he desired to correct the hon. gentleman. He had suggested that there were three or four methods—one based on absolute Government security; another on absolute security while Government insurance companies were allowed to carry on business, as was at present the case, availing themselves of any business that might come to them without the slightest interference, or without more interference, than the general inspection to which they were always accustomed.

Mr. YOUNG said the impression left on his mind by the hon. gentleman's argument was as he had stated it. What stronger measure of protection—if it was proper to use that term at all in this connection—could there be than for the Government to do the whole of the life insurance business themselves? The proposition of the hon. member for Stanstead was open to a serious objection—it was impracticable. It was difficult for the Superintendent of Insurance to examine into the state of companies in our own country; and he ventured to say that the ablest man that could be obtained could not make a full report on the affairs of some large foreign companies of this kind in less than five or six months; hence it was really impracticable. He entirely denied the correctness of the statement that, if his motion was carried, it would drive American companies out of the country. The hon. member for Hamilton (Mr. Wood) had read a letter shewing that the New York Mutual Company, with a capital of \$30,000,000, one of the largest and best companies doing business in this country, intended to continue doing business here if the Bill of last year, which was more restrictive than the present one, had been

adopted. They made too much money out of the people of Canada to be willing to withdraw without very good reason for doing so; and under the Bill they had until March, 1878, to get their charter amended if that were necessary. If his motion were adopted, in fifteen years it was calculated there would be a full reserve for the whole of the insurance policies held in this country. The hon. member for Stanstead said that American rates of insurance were lower than Canadian, and that the cost of managing a large American company, in which he was insured, was a mere trifle compared to its receipts; but there were very few United States companies the cost of carrying on whose business did not amount to at least 30 per cent., and in many cases it was 40 or 50 per cent. Some of these large American companies also failed—for example the Continental. It had swallowed up three or four other companies and then failed itself, paying but a small percentage on the dollar. A very large company, the largest he believed in the Western States, the St. Louis Mutual, a few years ago began business in Canada and made the requisite deposit. Since then it had failed, and although not many Canadians lost, still the failure ought to warn us of our danger. The recent investigation in the State of New York into the affairs of these companies revealed the grossest extravagance, dishonesty, and fraud as having been perpetrated on the public by some of them, caused largely no doubt by undue competition. He found the following in an article which appeared a few days ago in that able journal, the *Toronto Globe*:—

“Life Insurance Companies have, for some time past, in the United States especially, been on their trial, and it scarcely seems to be as yet quite settled whether they are to be regarded as a great blessing or something of a delusion and a snare. Recent investigations have shown that too many of these are conducted on a very loose, unsatisfactory basis, and that their officials have been guilty of frauds and cruelties which ought long ere this to have sent them to the States' Prison. Some of these companies have been forced into liquidation, and many facts of the most scandalous character have been brought out in the course of the investigations rendered necessary. Robbery, with some of them, has been shown to have

been reduced to a science, and has been carried through with a remorselessness to the possession of which few ordinary foot-pads could justly lay claim. The investigations still going on under the care of the Legislature of New York have awakened a great deal of suspicion, and have interfered even with legitimate business."

The proposal contained in his resolution would not do any injustice whatever to the policy-holders in these companies in the United States. It asked that reserves in proportion to the premiums contributed by Canadians, should be held in this country for the benefit of Canadian policy-holders, and the portion paid in the United States could be retained and reserved for their people, as well as all profits obtained on the business done. He thought there was no injustice to American policy-holders in the proposal, but that it was fair and just and ought to commend itself to the members of the House. Their first duty was to look after the interests of Canadian policy-holders. The Bill of the Government admitted that some additional security was necessary; its principle was that a full reserve ought to be put up in Canada as against the policies issued by the foreign companies. The Bill either went too far or did not go far enough. If the argument that the people were able to judge for themselves in such matters were sound, then no additional security was necessary, and there was no necessity for a full reserve. But, if the principle of the Bill was correct, that additional security and a full reserve were necessary, then he maintained that the reserve should be made a reality by being held for Canadian policy-holders only. If it was subject to the losses of these companies all over the world, then it might disappear like the morning dew, and some day bring disaster to many a Canadian family.

Question put, and amendment to the amendment (Mr. Colby) *negatived*, on the following Division:—

## YEAS :

## Messieurs

Bain	Gillmor
Barthe	Harwood
Blanchet	Killam
Bourassa	Macmillan
Brooks	McCarthy
Cameron	Quimet
Colby	Palmer

Mr. YOUNG.

Coupal  
Dewdney  
Farrow  
Ferguson  
Fraser

Stephenson  
Thompson (Cariboo)  
Wright (Ottawa Co.)  
Wright (Pontiac).—23.

## NAYS :

## Messieurs

Appleby	Kirk
Archibald	Kirkpatrick
Aylmer	Laflamme
Baby	Lajoie
Béchar	Landerkin
Henoit	Langevin
Bernier	Lanthier
Bertram	Laurier
Biggar	Little
Blackburn	Macdonald (Cornwall)
Blain	Macdonald (Kingston)
Blake	Macdonald (Centre Toronto)
Bolduc	McDonald (Cape Breton)
Borden	MacDonnell
Borron	Macdougall (E. Elgin)
Bowell	Macdougall (S. Renfrew)
Boyer	MacKay (Cape Breton)
Brouse	MacKay (Colchester)
Brown	Mackenzie
Buell	McCallum
Bunster	McCraney
Burk	McGregor
Burpee (St. John)	McIntyre
Burpee (Sunbury)	McIsaac
Carmichael	McLeod
Caron	McNab
Cartwright	McQuade
Casey	Masson
Casgrain	Metcalfe
Cauchon	Mills
Charlton	Mitchell
Cheval	Moffat
Christie	Monteith
Church	Olivier
Cockburn	Orton
Coffin	Paterson
Cook	Perry
Costigan	Pettes
Cunningham	Pickard
Currier	Pinsonneault
Cuthbert	Platt
Daoust	Plumb
Davies	Pope (Compton)
Dawson	Pouliot
DeCosmos	Power
Delorme	Ray
Desjardins	Richard
De St. Georges	Robinson
DeVeber	Robitaille
Donahue	Rochester
Dymond	Ross (East Durham)
Ferris	Ross (West Middlesex)
Fiset	Ross (Prince Edward)
Fleming	Rouleau
Flesher	Roy
Flynn	Ryan
Forbes	Schultz
Galbraith	Scriver
Gaudet	Shibley
Geoffrion	Short
Gibbs (North Ontario)	Smith (Peel)
Gibbs (South Ontario)	Smith (Selkirk)
Gibson	Smith (Westmoreland)
Gillies	Snider
Goudge	St. Jean
Greenway	Taschereau
Guthrie	Thibaudeau
Hagar	Thompson (Haldimand)
Haggart	

Hall	Thomson (Welland)
Higinbotham	Trow
Holton	Tupper
Horton	Vail
Huntington	Wallace (Albert)
Hurteau	Wallace (South Norfolk)
Irving	White (North Renfrew)
Jetté	Wood
Jones (South Leeds)	Workman
Kerr	Young.—157.

Question put, and amendment (Mr. Young) *negatived*, on the following Division:—

YEAS:  
Messieurs

Appleby	McDonald (Cape Breton)
Baby	McKay (Colchester)
Benoit	Macmillan
Bertram	McCallum
Blackburn	McCraney
Blanchet	McQuade
Bowell	Masson
Brouse	Metcalfe
Cameron	Mitchell
Caron	Moffat
Casgrain	Monteith
Cimon	Orton
Costigan	Quimet
Currier	Palmer
Cuthbert	Pettes
Daoust	Pinsonneault
DeCosmos	Platt
Desjardins	Plumb
Dewdney	Pope (Compton)
Donahue	Pouliot
Farrow	Robinson
Ferguson	Robitaille
Fiset	Rochester
Flesher	Rouleau
Fraser	Roy
Gaudet	Short
Gibbs (North Ontario)	Smith (Selkirk)
Gibbs (South Ontario)	Stephenson
Greenway	Thompson (Cariboo)
Haggart	Tupper
Harwood	Wallace (Albert)
Hurteau	Wallace (S. Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)
Langevin	Wood
Lanther	Workman
Little	Wright (Pontiac)
Macdonald (Cornwall)	Young.—77.
Macdonald (Kingston)	

NAYS:  
Messieurs

Archibald	Higinbotham
Aylmer	Holton
Bain	Horton
Barthe	Huntington
Béchar	Irving
Bernier	Jetté
Biggar	Kerr
Blain	Killam
Blake	Kirk
Bolduc	Laffamme
Borden	Lajoie
Borron	Landerkin
Bourassa	Laurier
Boyer	Macdonald (Centre Toronto)
Brooks	MacDonnell
Brown	MacDougall (East Elgin)
Buell	MacDougall (S. Renfrew)
Bunster	

Burk	MacKay (Cape Breton)
Burpee (St. John)	Mackenzie
Burpee (Sunbury)	McCarthy
Carmichael	McGregor
Cartwright	McIntyre
Casey	McIsaac
Cauchon	McLeod
Charlton	McNab
Cheval	Mills
Christie	Oliver
Church	Paterson
Cockburn	Perry
Coffin	Pickard
Colby	Power
Cook	Ray
Cunningham	Richard
Davies	Ross (East Durham)
Dawson	Ross (West Middlesex)
Delorme	Ross (Prince Edward)
De St. Georges	Ryan
DeVeber	Schultz
Dymond	Scriver
Ferris	Sibley
Fleming	Smith (Peel)
Flynn	Smith (Westmoreland)
Forbes	Snider
Galbraith	St. Jean
Geoffrion	Taschereau
Gibson	Thibaudeau
Gillies	Thompson (Haldimand)
Gillmor	Thomson (Welland)
Goudge	Trow
Guthrie	Vail
Hagar	Wright (Ottawa Co)
Hall	—104.

Question put on the third reading.

Mr. CAMERON said he thought a more medium course should be adopted. As he understood it, the objection to the amendment of the hon. member for South Waterloo was that it drove all American companies out, inasmuch as all policies which were mutual would be affected under the words of the 16th clause. It seemed to him that the objection only applied to policies issued by mutual companies. It was said that putting up money in Canada for the exclusive benefit of Canadian policy-holders would be a violation of their charters. But that did not apply to cases of stock companies which also did business upon the mutual principle of allowing a number of the policy-holders to share in the profits. It would be reasonable to exclude them from the provision of the Act, so as to make their reserves for the exclusive benefit of Canadian policy-holders. He therefore moved:

“That the said Bill be not now read the third time, but be referred back to Committee of the whole House, with instructions that they shall have power to amend Section 16 of the Bill, by providing that the reserves to be held by all foreign insurance companies, not incorporated as mutual companies only, and prohibited by their charter Act of

incorporation, or articles of association of the Company, from setting apart any portion of their assets for the benefit of any special number of their policy-holders, shall be held solely for the benefit of Canadian policy-holders."

Mr. TUPPER said his hon. friend simply meant to strike out from the clause the words "and from the conditions of the policy."

Mr. BLAIN said he thought the Act correct as it stood. The amendment was intended to cover what were considered as "mixed" companies; that was, companies that had business upon both stock and mutual principles, and the Bill expressly confined the operation of it to those policies which had been effected upon the stock principle. He did not think the amendment would benefit the Act in any way.

Mr. COLBY said there were certain companies which were essentially mutual companies, but which had a small constituency of shareholders. Such a company would be virtually excluded from the intent of the Act, as being virtually mutual. He might instance a company of that kind doing business in Canada, whose assets amounted to \$22,000,000, out of which only \$150,000 was held by stockholders, and by the terms of organization of that company, the dividend which could be paid upon that stock was limited to 10 per cent. So that the interest of the stockholders was very moderate. If the amendment of the hon. member for South Waterloo was objectionable, so also was the amendment now proposed.

Mr. WOOD said it would be inconsistent with the vote already taken to sanction the amendment, which was aimed purely at stock companies.

Amendment *negatived* on a Division.  
Bill *read the third time* and *passed*.

#### BANK SHAREHOLDERS VOTING BILL.—[BILL No. 107.]

(*Mr. Cartwright*.)

#### THIRD READING.

Bill *read the second time, considered in Committee of the Whole, reported, read the third time, and passed.*

Mr. CAMERON.

#### IMPROPER USE OF FIREARMS BILL.—[BILL No. 79.]

(*Mr. Blake*.)

#### THIRD READING.

House *resolved* itself into Committee of the Whole to consider Bill (No. 79) To make provision against the improper use of firearms.

(In the Committee.)

Mr. BLAKE moved that the words "or air-gun" should be inserted after the word "pistol."

Amendment *agreed to*.

Bill, as amended, *ordered* to be reported.

House *resumed*.

Bill *reported*.

Amendments *read the first and second times, and agreed to*.

Bill *read the third time, and passed*.

House adjourned at  
Thirty minutes after  
Eleven o'clock.

#### HOUSE OF COMMONS.

*Saturday, 7th April, 1877.*

The Speaker took the Chair at Three o'clock.

#### GOVERNMENT PRINTING IN NEW BRUNSWICK.

#### RESOLUTION PROPOSED.

Order for House to go again into Committee of Supply, *read*.

Mr. CARTWRIGHT moved that the Speaker do now leave the Chair.

Mr. BOWELL said, before the Speaker left the Chair, he desired to bring under the notice of the House a question which had been agitated in the press and among the people of the country for the last two years. He might premise by saying that he would have brought this matter before the House at an earlier period, had the Government made the motion at an earlier period to go into Committee of Supply; but, having taken up other business on all Government days without making the motion to go into

Supply, he was unable to pursue the course he had marked out for himself, and make the motion he desired to place in the Speaker's hands. It was well known that for some time, not only in the House, but out of the House and in the press, the question of Government patronage to members of the House had been freely discussed, and in order that the House might fairly understand the subject he desired to discuss at the present moment, he would read the resolution he was about to move:—

“That the Speaker do not now leave the Chair, but that it be resolved, That, in the opinion of this House, it is inexpedient and improper for the Government to enter into any agreement or contract whereby public money is paid to members of Parliament—such as the Postmaster-General's Reports of 1875 and 1876, and the vouchers laid on the table of this House on the 15th of March ult., show to have been paid to Timothy Warren Anglin, a member of this House for the county of Gloucester; namely, \$8,126.31 for the year ended 30th June, 1875, and \$10,263.24 for the year ended 30th June, 1876, and \$2,709.55 being for the quarter ended 30th September, 1876, in payment for printing and stationery done for and furnished by him to the Post Office Department of Canada ‘per agreement;’ as shown by the return laid before Parliament by the Postmaster-General on the 1st March last, and the vouchers reported to the House by the Select Standing Committee on Public Accounts on the 16th March, 1877—as such payments are in contravention of an Act passed in the 31st year of Her Majesty's reign intitled: ‘An Act further to secure the independence of Parliament,’ which provides that: ‘No person, whatsoever, holding, enjoying, undertaking or executing, directly or indirectly, alone or with any other, by himself or by the interposition of any trustee or third party, any contract or agreement with Her Majesty, or with any public officer or Department, with respect to the public service of Canada, or under which any public money of Canada is paid for any service or work, shall be eligible as a member of the House of Commons, nor shall he sit or vote in the same;’ and are calculated to detract from the independence of the members of this House.”

He had taken this course instead of that which had been pursued on many occasions in the Imperial Parliament, when circumstances of a similar or analogous character had been brought before the House,—that of moving for the issue of a writ or the reference to a Select Committee, in order to decide whether the member so receiving public money

for services rendered had vacated his seat. He stated frankly that he had taken this course because it was the precedent laid down by the gentlemen who now occupied the Treasury Benches, when they occupied seats on that side of the House, and, as far as it was possible, other than relating to the circumstances, he had adopted the language used by the present Minister of Justice, when he moved his resolution condemnatory of the late Government, for employing Col. Gray, then a member of Parliament. It might not be, however, out of place, or improper, to refer to the course that had been pursued in the Parliament of England upon questions of this character, and, with the indulgence of the House, he proposed to recite a few precedents which he had been enabled to gather from looking at *Hansard* and other Parliamentary documents in the Library. He found, as early as 1826, that a most peculiar case was brought before the House in the case of Mr. Bish, who, at that time, had contracted with the Government for the drawing of a lottery,—he could scarcely conceive that such strong objections to lottery and gambling existed then as this Parliament, at least, had shown during the present Session,—but in that case the drawing of this lottery was to have taken place at a certain date; and, according to the agreement with the Lords of the Treasury, the drawing was delayed until a later period in that year, and before the drawing took place an election was held, at which Mr. Bish was returned. The drawing having taken place subsequently, this matter was brought before Parliament, and the election was declared null and void, and Mr. Bish was obliged to return to his constituency, Mr. Speaker having, on the order of a Special Committee, issued a new writ. In November, 1847, they had the case of Mr. Cowan, who was elected for the city of Edinburgh. After having been elected it was ascertained that he had an interest or was interested in a contract with the Stationery Department of the Government. The result of that having been called to his notice, the election was declared null and void, and a new writ was issued. In another

case, in 1869—he was referring to these cases to show that the course pursued there had been consistent from the time of the passage of the Independence of Parliament Act up to the present day—in the Dumfriesshire election Sir Sydney Waterlow was the member elected, and a motion was made to vacate the seat, and it was subsequently ascertained that this member had a stationery account, or a stationery contract, and furnished some Departments of the Government; and, on motion of Mr. Chambers, a Select Committee was appointed and the result was that his seat was declared vacant and a new writ issued. This was considered to be a somewhat harsh interpretation of the law at that time, and Mr. Ryland asked the Government whether they intended to repeal it, and Mr. Gladstone replied that they did not. Mr. Ryland, however, thought it should be, and he used this language:—

“That the Act was passed when a vast amount of jobbery had been perpetrated in connection with the members of the House, and when members represented rotten boroughs, and only came into Parliament for the purpose of making merchandise of their seats.”

Notwithstanding this language, and notwithstanding the desire expressed by many members of the Imperial Parliament at that time in favour of the relaxation of the law, the Government steadily refused to do it, except to meet one case, and that was in the case of Baron Rothschild, a member elect for the city of London, whose case was also brought before the House by an hon. member, he having entered into a contract for the negotiation of a loan of sixteen millions sterling for the Government. That case was referred to the Select Committee, who reported in favour of the Baron, and he was not unseated; but so grave were the doubts in the minds of members of the House which seated him at that time, as to the interpretation of the Independence of Parliament Act, that it was so amended as to specially exempt members of that character, who were employed, or might, in the future, be employed, to negotiate loans on behalf of the Government. But they had a much later case—one as late as 1874

Mr. BOWELL.

—and this case was somewhat analogous to one that, in all probability, judging from the Notice Paper, would be brought under the consideration of the House at a very early date. He found, in referring to *Hansard's Debates*, volume 218, March 19th, 1874, that Mr. Ramsay was elected for Falkirk. Subsequently, he (Mr. Ramsay) ascertained that he owned 4-64th shares of a steamer which had contracted for the carrying of the mails between the mainland and one of the adjacent islands. The amount paid to this company was £150 sterling per annum. Mr. Ramsay divested himself of his share—that was, he sold it; but, notwithstanding this fact of his having done so, it was held by his legal adviser that he could not take his seat; he refused to take the oath, and a new writ was issued. In this case his share, as stated by himself, in the contract, amounted to the sum of £9 7s. 6d. per annum, and yet the receipt of that insignificant sum in the contract was sufficient to justify Mr. Ramsay in refusing to take the oath and his seat. It might be a matter of regret in this country that members did not hesitate to take much larger sums of money for the conveyance of freight by steamers in different sections of the country; but, however, as this was not pertinent to the question at the present moment, he would not refer to it. Now, what was their position in this country in reference to this subject? When the gentlemen who now occupied the Treasury benches were in Opposition, one of their principles, or, to use what he might term a Canadianism, one of the planks in their platform, was the question of the independence of Parliament. They well knew the many motions that were made in this House upon that question. He found, on referring to the Journals, that, in 1868, as early a period after Confederation as possible, Mr. Blake moved, seconded by Mr. Holton, a resolution to render all officials ineligible. In 1869, Mr. Mackenzie moved, seconded by Mr. Holton, a motion to render it impossible—or rather not impossible, because they had now illustrations of the fact that it was not impossible to do that which was even contrary to

law—but declaring it to be objectionable for any member to receive payment under the grant for the assimilation of provincial lines. The House would remember at whom that motion was aimed, and what the effect of it was.

Mr. HOLTON: And the result.

Mr. BOWELL said they would come to the result presently. It seemed somewhat strange—though not at all strange, considering the strong opinions held by the hon. member for Chateauguay on this question—that he should find in every single instance, from 1868 down to 1871, the hon. member for Chateauguay (Mr. Holton) seconded all the resolutions he could discover moved in the direction of the independence of Parliament, and to prevent, if possible, the payment to any member of the House by the Government of the day, of any sums of money.

Mr. HOLTON: That is quite true.

Mr. BOWELL said he had no doubt he should find that, even now, notwithstanding what those with whom he (Mr. Holton) formerly acted might have done even at this day, he had not only not changed his mind, but also he would not be much mistaken, as also would be the House and the country, if he found the hon. gentleman voting in favour of the perpetuation of a principle that he had so long condemned. In 1871, he found Mr. Blake moving, seconded by Mr. Holton, a motion declaring it improper for any public emoluments to be paid to any member of the House. In 1871, Mr. Blake moved, seconded by Mr. Holton, the passage of a Bill to render the Senate independent. Not satisfied with endeavouring to make members of this House independent, they also took under their protection the other branch of the Legislature. Again, in 1871, he found that Mr. Blake moved, seconded by Mr. Holton, to declare the then Chairman of the Inter-colonial Commission ineligible, though the House knew well that the special Act, making him eligible for a seat in this House, was passed before the Chairman was appointed. Again, in 1871, Mr. Blake moved, seconded by Mr. Holton, a resolution to declare sheriffs

and other officers of Local Governments ineligible to seats here. Another motion was made in 1871 rendering Provincial Ministers and other members of the Local House ineligible, for reasons which those in Parliament at that time knew well. Members of the present Government used very strong language condemnatory of this principle, and he would ask the indulgence of the House to show the position those hon. gentlemen occupied a few years ago to show how easily it was to change front, to change position, and to change opinion since they passed from the left side of the House to the right.

Mr. HOLTON: Or from the right to the left.

Mr. BOWELL said he understood the insinuation, but as he had never sat on that side of the House the remark could not apply to him, and if the hon. member for Chateauguay would refer to the Journals, he would find that he voted against the then Government, and recorded his name with that of the hon. the Minister of Justice on the question of rendering the Senate independent, and upon the motion attacking Col. Gray. During his first two years in Parliament he voted against the motion, but when he saw what he believed to be evil results which followed the employment of members of the House by the Government, he came to the conclusion that it must, in some way or other, interfere with their independence, and, having come to that conclusion, he steadily voted with those hon. gentlemen when this question came up.

Mr. HOLTON: I meant not that the hon. gentleman did, but that his party did.

Mr. BOWELL said that he had already explained that, while the party, of which he was an humble member, took the ground they did, he steadily voted against them, and he hoped the hon. member for Chateauguay would be consistent, and follow his example in that respect when the division took place. The motion to which he referred was as follows:—

“That in the opinion of this House it is inexpedient that any member of this House should, for the future, be engaged in the service of the Government of Canada in any

paid employment, such as that in respect of which the Hon. John Hamilton Gray, member of the city and county of St. John, in 1868 entered into the receipt of \$300 a month for the public service.

When that motion was made the present Prime Minister used this language :

“ A motion, however, to the same effect as the one before them was defeated, and it would be remembered that last Session the Opposition failed by only eighty votes to carry a resolution which he (Mr. Mackenzie) had proposed, so that the hon. gentlemen could not say that he ever had the slightest countenance or support in these transgressions of a good public law, from the Opposition side of the House. They had taken a consistent course on this matter throughout, and now, he was glad to see that the hon. gentleman was compelled, by the gross immorality of the Act, and by the force of public opinion, to put an end to system which had proved to be a scandal and disgrace to this Legislature.”

The terms of the resolution he had read showed that while the payment might be an infringement of the spirit of the law as it existed, it was not an infringement of the letter of the law ; still, it was declared by the present leader of the Government, that it created a gross public scandal and immorality. Now, if the payment to an eminent lawyer of \$300 a month to codify the laws and do work in connection with the question of a boundary line, how much greater must that immorality and public scandal be when we found the Government of the day subsidizing, if he might use that expression, the First Commoner to the amount of from \$8,000 to \$10,000 a year? That was a question which he left for the House to decide, and for the country to decide hereafter. But the hon. gentleman did not confine his denunciations of the immorality of such a practice to the Commons. On every occasion, whether visiting his constituency or at public demonstrations, in the west or east, we found him using language equally strong. In 1870, at the Reform banquet given in Toronto, the Hon. Mr. Mackenzie said :—

“ The Government have tampered with the Independence of Parliament Act. They have loosened the reins of Parliamentary immorality alike in the country and Parliament.”

**Mr. BOWELL.**

He could not conceive of any stronger language than that to condemn that of which he was now guilty. At London the hon. gentleman said :—

“ It was not right that legal gentlemen should be employed by the Government while they sat in Parliament, and were supposed to represent independent constituencies. The Reform party wanted to put it out of the power of any Government to wield an influence of this kind.”

At St. Catharines in 1870, the hon. gentleman used this language :

“ He would never accept office upon any consideration if, in doing so, he had to abandon the least of the principles he now professed. The man who taught one thing in Opposition and another when he was in power was a demagogue in whom the people could have no confidence.”

He might occupy the time of the House for hours with further quotations who the demagogues now were. An hon. gentleman he observed was smiling. There was a couplet he could quote, but it perhaps might not be polite or parliamentary to do so.

**Mr. DYMOND:** Quote.

**Mr. BOWELL** said the hon. gentleman was sufficiently well acquainted with the English bards to know to what couplet he referred to, and he might make the application. He had an extract or two for the hon. gentleman ; and would pay his respects to the hon. member for North York (Mr. Dymond) in a short time, and would endeavour to show the House that he could write one thing, when, if he had consulted documents on the table, he must have come to a different conclusion, or have written that which he knew to be incorrect. But the hon. the Premier went on to say :

“ He was prepared, at any moment, when any Reform Government should come into power, when they were ready to depart from the principles which actuated them in Opposition, to take the same ground against them that he took against their natural enemies to-night.”

The House would see whether the hon. gentleman proposed to take that ground against his own supporters who had been subsidised in the way pointed out in the resolution, or whether he intended to take what he (Mr. Bowell) should deem—but he did not want the hon. gentleman to accept his dictum—

the more honorable course of resigning himself, and leave his supporters to take what course they pleased. The hon. Minister of the Interior had a little to say on the occasion referred to, and as the hon. gentleman was now one of those who were responsible for the acts of the Government, whether in his department or not, he (Mr. Bowell) presumed he would not take it amiss if he quoted to the House a few of his utterances on the question. The hon. gentleman did not make a very long speech, as was his wont, but, as he usually did, he spoke pertinently and to the point. The hon. gentleman was referring to the rotten boroughs which existed in England; he remarked that the wealth of English members of Parliament placed them above the temptations of any representative body in this country. He said:

“Our position being different from that of the English Government in this respect demands different safeguards. Our Government should not be able to employ members of Parliament. It was no longer possible to influence English as it was Canadian members.”

Whatever patronage their predecessors might have exercised, it was quite clear that the present Government were not long in office before they began to pursue the same policy and to a much greater extent. He found, also, in this debate to which he had referred, that the hon. gentleman who moved the resolution spoke feelingly, eloquently, and much to the amusement of the House: and as the hon. Minister of Justice, upon one occasion, informed him that reading from his speeches was the best thing he could do, he would indulge the hon. gentleman's vanity for a few moments and edify the House by reading from the speech he made on that occasion. It would be a matter of curiosity to know whether the hon. gentleman was prepared to repeat the language with regard to the Hon. Timothy Warren Anglin which he applied to the case of Col. Gray. Mr. Blake was reported to have spoken as follows:—

“Shortly after the first Session of the present Parliament, the Act, mis-called a Bill, to establish the Independence of Parliament, was introduced; and, in spite of the protest of the Opposition, it became law in its present objectionable shape. It was passed in

the shape that, while it acknowledged the independence of members of this House was likely to be sapped by a yearly salary, fee or emolument from the Government, it would not in the least be interfered with, only if the fee or salary be not annual. That was the distinction, that the independence of a member, who was employed by the year at a yearly salary, would be interfered with; but the independence of a member who was employed for two years at a two years' salary, or by the month at a monthly salary, would not be interfered with in the least. He agreed with the hon. members opposite that there was a distinction between them, but it had always appeared to him that the distinction was in favour of the man who was employed yearly, for then he might maintain his independence; but if employed by the month, he would be the more submissive servant. The Opposition had endeavoured to prevent the law from passing in that shape, but were defeated. On subsequent occasions, when appointments were made which they considered objectionable, they protested against them, but were defeated; and now, when this Parliament was about to close, and there had been ample evidence afforded of how badly the Act worked, he ventured to appeal to the House to re-consider the question, and to determine, guided not merely by reason, but by experience, that it was not expedient in future that a person, in receipt of such emolument, should have a seat in this Chamber. There were instances of the fact that a man need not have a long engagement, and yet remain a long time employed. The case to which he desired to apply a remedy was one in which a man held office for nearly, if not quite, two years. The hon. gentleman received large sums—sums which, he thought, would stagger the House when their attention should be called to them. For about two years the hon. member for St. John, while holding a seat in this House, received from the public funds as Commissioner, or while in the employ of the Minister of Justice in the codification of the laws, or in some work for the Government, \$3,600,—no, not that; only \$300 a month, which was the equivalent to that amount for the year, realizing for the two years a total of \$7,200. Then as Arbitrator, \$5,500 was paid to him. He received what each member got, a sessional allowance of \$600 a year, \$1,200 for the two years; and there was the mileage, the earned mileage, amounting to \$584. The hon. gentleman received from the Government in various ways, the total sum of \$14,844, while a private member of Parliament. He (Mr. Blake) would contrast this with the salary of a Crown Minister. The yearly salary of a Cabinet Minister was \$5,000, which, with mileage, amounted to less for two years than the hon. member for St. John received within the same time. It was time that there should be an end of this system. The House should solemnly declare that it had not adduced to the independence or dignity of this Chamber, that its members should have been in the

pay of the Ministry of the day, whether that pay were weekly, monthly or yearly. It did seem to him that there were plenty of gentlemen quite competent for the purposes of the Government, and by such men it should be done, and that hon. members who wished to pick up their crumbs from the public table, should resign their seats in the House. It seemed to him that the Act recognized, but in the wrong way, that the distinction between monthly and yearly hire had produced injurious results, and should be amended for the future. He had no desire to make personal attacks, but when the hon. member for St. John, as a member of this House, held an office of emolument under the Government, he should expect such criticism. He had no objection that the hon. member should be employed. But it was said to-day that the hon. member had ceased to be employed. He (Mr. Blake) was glad of it, for it now left the House clear of this case. For his own part he could say sincerely he desired, if the hon. member wished to be employed on the public service, that he should receive such share of the public patronage of the House as he was fit to earn, always on condition that the hon. member cease to hold a seat in this House while so employed. Long might his gallant bosom swell; long might his vest pockets fill with the stream of the treasury benches—but not while he represented the people here.”

He had no doubt that the hon. member held the same opinion to-day; but in the position he occupied whether he would have the same boldness in declaring them to the country that he had in 1871, was a question which the future alone could solve. The hon. gentleman was not satisfied even with that. He said, in relation to what might be called the “personalities” of the discussion:

“His opinion was, and he thought this might have proved it, that the best way of carrying an abstract principle was to impress upon the House the importance of it, by embodying in the resolution an illustration of its importance.”

Precisely as he (Mr. Bowell) had done to-day, he having been, on that occasion and upon that question, an humble follower of the hon. gentleman, and he adhered to his opinions.

Mr. BLAKE: The hon. gentleman moved an amendment.

Mr. BOWELL: Yes, but not in the direction of destroying the principle. If the hon. gentleman will refer to the matter he will find that I voted for the principle involved in his resolution—as to the employment by monthly salary.

Mr. BOWELL.

Mr. BLAKE: That is so.

Mr. BOWELL said these were the opinions held by the hon. gentleman at that time. He (Mr. Bowell) might occupy the time of the House long after six o'clock upon this very subject, in which that hon. gentleman so eloquently, and with that force he was known to possess, impressed upon the minds of the electors whenever he met them, the importance of adopting in the legislative halls of this country a law and rule in order to arrest this evil. One thing was quite clear, that the hon. gentleman out of the House reiterated the opinions he had expressed in the House. He (Mr. Bowell) would give one or two quotations. In London the hon. gentleman said:—

“In reference to this very expenditure on Col. Gray's employment, and to the appointment of Mr. Smith, of one of the ridings of Leeds, by the Ontario Government. \* ”

In the case of Mr. Smith no emolument from the Government was attached to it. He was trustee for the holding and distribution of some funds, he thought.

Mr. BLAKE: Arbitrator of the municipalities.

Mr. BOWELL: For which the municipalities had to pay him. He supposed it would not be considered either invidious or improper, if he adopted the same line of argument adopted by the hon. the Minister of Justice to illustrate his subject and calculate the amount which the hon. gentleman, to whom the resolution referred, had received within the last two years. He had no doubt that, had not that precedent been set him, he would be denounced by gentlemen opposite for doing this, as travelling beyond the record. But what the Minister of Justice did in 1871 it might not be amiss that he (Mr. Bowell) should repeat in 1877. And thus he would show how much money had been paid to the hon. member of the House referred to, in his various positions. By the Postmaster-General's return for the year 1875, it appeared that there was paid to the Hon. T. W. Anglin, for Post Office printing and stationery, the sum of \$8,126.31; for the year ending 30th June, 1876, for the same service \$10,263.24. And a point to which he

wished particularly to call the attention of the House, was the fact that for the quarter ending 30th September, 1876, there was paid the sum of \$2,709.55. There were paid for two years, salary as Speaker, \$8,000; Sessional allowance for two years, \$2,000, mileage \$584, taking the same calculation as the hon. the Minister of Justice had with reference to Colonel Gray, for both he and the Hon. Mr. Anglin resided in the same city. These sums made a total of \$31,683.80 received in two years, or nearly \$16,000 per annum, in addition to all the perquisites attendant upon his position as First Commoner of the land. Carrying out the same comparisons as the hon. the Minister of Justice had, they knew that in the Cabinet the Premier received but \$8,000 a year, and other Ministers \$7,000, with their sessional allowances. So that this favoured member, in order to violate the principle which they had professed, received nearly double the amount which the Cabinet Ministers received. He might go further, and paraphrase the hon. the Minister of Justice's speech, and say: "Let the hon. gentleman's gallant bosom swell, and his vest pockets expand with the overflowing of the wealth that streams from the Treasury benches, but not while he is a member of this House." Upon more than one occasion an excuse had been made for this departure from former principle, and for this grave violation of it. The leading organ of the hon. gentleman opposite had called it an "inadvertence," and stated that it was put a stop to as soon as it came to the knowledge of the Government. That excuse was given some months ago; it had been repeated, not only in the Press, but in the lobbies of the House. Whether the excuse referred to was written by an hon. member of the House or not he could not say. The article was written on the 4th inst., and was to the following effect:—

"About the principal facts of Mr. Anglin's case there was no dispute. The only room for difference of opinion is as to the sufficiency of the explanation. It is important to remember that as soon as the fact of Mr. Anglin holding the contract for printing came under the notice of the Government, they not only prevented the granting of any

more work to him, but put a stop to the system altogether. The fact that his name appeared in the Public Accounts of 1875 and 1876, as well as of 1874 and 1875, is due to the contract not having been completed in time for the account to be closed in the latter year. They brought the whole system to an end of their own accord, and before any member or organ of the Opposition had even noticed the abuse. The fact that they did so is sufficient guarantee, not only of freedom from corrupt intent, but also of the non-concurrence in the future of any similar Departmental abuse."

He would see how far these statements were borne out by the facts as they were laid before Parliament. In 1876, when the House was in Committee of Supply, he called attention to the payment of \$10,000 last year to the *Citizen Publishing Company of Halifax* for departmental printing, of which company the hon. the Minister of Militia and the hon. member for Halifax (Mr. Jones), were charged with being partners, and they did not deny, or, at any rate, they appeared to be aware of the fact that the House would accept their silence as an admission, that a Minister had used his influence in putting printing in the way of this Company and had pocketed his share of the profit. He found, also, that the St. John *Freeman* had received \$9,000 for similar work. In that debate the hon. the Premier took part, and spoke two or three times, which showed that the Government must have been aware of what their organ called an "abuse." This debate was on the 24th March. The hon. the Premier showed that there was a difference between job printing and advertising. Upon two occasions during that debate the hon. gentleman referred to the subject. The second report of the Select Standing Committee on Public Accounts said:

"That it appears from the vouchers now before them that large sums of money have, from time to time, been paid to T. W. Anglin, a member of this House, for printing and stationery, while a member of this House."

That was evidence sufficient, without having the duty imposed upon him (Mr. Bowell) of showing that money had been paid on these vouchers to a member of the House. If hon. members would refer to the last account which had been passed, they would find that the last charge in it was July 25th, 1876, and the voucher signed for

the money, \$2,709.55, was for the quarter ending 30th September, 1876. So that the work was continued from March for four or five months afterwards. Hon. gentleman opposite, therefore, knew, for their attention was called to it, that the abuse had been continued ever since they had been in power, until, at least, the 25th July, the date of the last charge in the account, and how much longer he could not tell, because hon. members had not the Public Accounts before them, and they had nothing to shew that such was the case. But, apart from that fact, he hoped at this late day that, even supposing the Government did not know that the abuse had been perpetrated, or was being continued, the Government would not endeavour to shirk the responsibility attached to the giving out of work to members of the House by the late or present Postmaster General, whether it was by the Postmaster General of that day and continued by his successor, or not. If hon. members would examine that point in the constitution of this country, they would find that an excuse of that kind was not tenable. If hon. members would refer to the debates in the Senate in April last, they would find that the question was brought under the notice of the Government by Hon. Mr. Aikins who moved a resolution, and in the course of his speech he called attention to the facts which he (Mr. Bowell) subsequently brought before this House. Thus a plea of ignorance of what had taken place was neither tenable nor justifiable on the part of those who attempted to use it. He found that on the question of responsibility Lord Palmerston, in discussing the question when brought up in the House of Commons, laid down the principle very clearly. The question submitted to Parliament was with regard to acts of a subordinate which were considered improper, and some friends attempted the same excuse that had been attempted by hon. members in order to shield Lord Palmerston from the responsibility which attached to him as a responsible adviser of Her Majesty, but Lord Palmerston repudiated such a doctrine and said :

“ He could not constitutionally admit that any person who gave advice to the Crown

upon the public service was an irresponsible officer. The truth was that the Cabinet—the Ministry of the day—were the parties who were responsible for everything that was done in any Department of the State.”

The principle, he (Mr. Bowell) thought, was one that was recognised in every British deliberative body, and it was plainly and clearly laid by that eminent statesman in that language, which it was impossible to controvert. The same principle was laid down by Lord Palmerston on July 16, 1861 in a debate raised on a motion by Col. Hillary in regard to some military matter; and that principle was laid down by Professor Austin, in his plea for the constitution of Great Britain, in language so plain that no one could misunderstand it. He thought he had placed the question sufficiently clearly before the House to justify it taking those steps which it was in honour bound to take. He had shown, from British precedents, that the Government could not be permitted to shirk the responsibility; that the Government of the day were the loudest in their denunciations of the employment of any member of Parliament while in Opposition; that so soon as they obtained the reins of power they not only exceeded their predecessors in the attempt, he would not say to influence the members of the House, but in giving to hon. members that patronage which they had no right to give, and which they had themselves declared could not be received by any independent member of Parliament. He had shown also that the subject was brought under the notice of the the House four or five months previous to the time they had evidence it was stopped; that, from the voucher of the Department, it appeared that nearly \$3,000 was paid for work done for the quarter, the last item being dated 25th July, 1876. He found that the hon. the Secretary of State, in the debate to which he referred a few moments ago, on a motion regarding public printing made by Hon. Mr. Aikins, said that the Government had endeavored to inaugurate a new system (admitting that the system had been in existence), and he gave notice to all parties who had been doing printing and supplying materials, that it must cease at the end

Mr. BOWELL.

of the present half-year. That would have been in June. However bad the practice might be in principle, it was continued for at least four months after attention had been called to it. Now, to say that the work had not been completed was a fallacy, because an examination of the return would show such items as 100 reams of note paper at \$4 a ream. If the Government desired to put an end to such a system, why buy the paper, when the whole matter could have been stopped at the moment? Any excuse on that head was, therefore, fallacious, and could not, by any possibility, be accepted by the House or the country. He, therefore, desired to submit a motion to the House, and, in doing so, he would not be surprised to find, not only the Government which enunciated the opinion he had presented to the House in their speeches, voting against him to-day, but he would be prepared, and he thought the country would be prepared, to find those hon. gentlemen in this instance proving as inconsistent upon this question as upon every other question. There was scarcely a principle hon. gentlemen advocated when in Opposition that they had not violated since they came into power. One of the principal planks of hon. gentlemen opposite was that there was to be no coalition. Such action by the late Government was denounced as vicious and immoral, and tending to demoralize the country. But the principle was violated by the Government in the case of the hon. the President of the Council and the hon. the Minister of the Finance. Yet the hon. members of Government worked, harmoniously, and no doubt would continue to do so just as long as they could retain their offices with the salaries attached thereto. Hon. gentlemen opposite would reply that the Government was not a coalition. But when an hon. member, formerly belonging to the late Opposition, crossed the floor and became a member of the Cabinet of the right hon. member for Kingston, then it was an immoral act, not only degrading but demoralizing the whole public sentiment of the country. There was a famous resolution passed by the House in respect to the Senate, in which the hon. the Minister of the

Interior used very strong language, denouncing that body as a "Magdalene Asylum for political prostitutes seduced by the Government of the day." He thought he was quoting correctly the words of the hon. gentleman.

An Hon. MEMBER: No.

Mr. BOWELL said if the hon. gentleman would refer to the *Globe*, he would find the language used to be that which he had quoted. Hon. gentlemen opposite had declared that the Senate was an effete body, and, while not altogether unnecessary, it was an incubus on the body politic; yet, though those hon. gentlemen had been in power three or four years, no attempt had been made either to re-organize it or change its constitution. They had, too, the famous speech of the hon. the Minister of Justice at Aurora, according to which the whole British Empire was to be re-organized. It was true the hon. Minister had said he was afraid he had made a disturbing speech. But it did not disturb many people, for so soon as the great leader of the party, the controller of the political destinies of hon. gentlemen opposite, placed his foot upon them, and told the hon. member for South Bruce that he must enter the Cabinet, the hon. gentleman cast aside all his former professions, and acted as some of the more humble members of his party had done—lay them aside, and obey the command of his master. He had no doubt the expression used by that journal had its effect, not only upon the hon. the Minister of Justice, but upon his colleagues behind him, "that the stern realities of office would dispel those vagaries of the mind which they had been endeavouring to float upon the popular tide at the time." Everyone knew that no attempt had been made to change the constitution of the country; and, further, no attempt had been made to inaugurate that which they considered would be of the most vital importance to the interests of the country. Those opinions had been frozen, and he feared they would never be thawed out until they returned again into Opposition. Then, when it became necessary to arouse popular prejudice, to stir up turmoil, trouble,

and difficulty in the country, as they had done, more particularly the hon. the Minister of Justice, in regard to the North-West troubles, hon. gentlemen opposite would be found just as ready in the future, as they had been in the past, to adopt the same system of arraying man against man in order to regain seats on the Treasury benches. If the hon. the Minister of Justice did not so act, he (Mr. Bowell) would be very much mistaken, and he would be only too glad to compliment the hon. gentleman on the fact that he was consistent with the opinions he had expressed, and was not that demagogue which the hon. the Premier had declared every man to be who was not prepared to advocate and carry out when in office those principles which he had advocated when in Opposition. He might go on and point out how hon. gentlemen opposite had carried out that principle of purity of which the country had heard so much; how they had elevated the standard of public morality in their political actions. But he would not weary the House with any such rehearsal; he would merely say that the composition of the present Cabinet was such as the country had never seen in the past, and, he trusted, never would see repeated in the future. He begged to move the resolution which he had read.

Mr. MACKENZIE said he did not propose to follow the example of the hon. gentleman in mingling with a special subject general remarks as to the position of the members of the Government in relation to general affairs. The hon. gentleman had chosen, while practically giving notice of his intention to bring this matter under the notice of the House, to diverge into a general attack on the Administration, and upon his hon. friend who sat beside him, and who might have, at some period of his political life, expressed opinions adverse to those he might at sometime have advocated. He trusted that he should never be one of that narrow class of men who would believe that it was impossible for men to associate together if a speech should be made by any one of them which should indicate a desire for political changes that might be or might not be desirable in the near

future. And so far from having any fault to find with his hon. friend the Minister of Justice with regard to the celebrated speech to which reference had been made, he thought there was nothing more calculated to advance political intelligence in the country than to have new subjects of political interest discussed and developed in public addresses; and he dared say he was one of the very first to congratulate his hon. friend on his successful discussion of many subjects in that speech. But they might or might not agree upon matters of general interest which had not yet become actual living questions in the country, and which might so become in the future. He was always willing, as a member of the Reform Party, to consider anything which might have a tendency to advance the interests of political life, which might have a tendency to develop some better method of conducting public business, and which might have a tendency, in short, to advance national interests, even if they should conflict with the opinions which he might himself have previously held. He might say there were two or three subjects which he had assisted in legislating upon, regarding which he had held opinions somewhat diverse, he dared say, to every one of his colleagues. He had not been particularly in favour of the Ballot Act, but he recognized the fact that it was passed for the country. He recognized the justice in the argument for the ballot—an argument which could scarcely be controverted; and he himself admitted his difficulty in controverting it. He also had held diverse opinions from some, if not all of his colleagues on the subject of insolvency; and the mere fact that afterwards he had aided in legislating upon that subject, in the view taken by the country generally, did not mean that he was not in any way doing anything that would justify any one in saying that he was prostituting his public and political opinions. With these general remarks upon the last few sentences of the hon. gentleman's speech, he would merely say further, he should always be glad to discuss with the hon. gentleman, or any other of the hon. members of this House, the question whether the Gov-

Mr. BOWELL.

ernment was, upon general grounds, entitled or not entitled to the confidence of the country; and when any considerable number of those who had usually supported the Government in the House, expressed any opinion of that kind they should certainly give it due weight. He did not expect the hon. gentleman from North Hastings to give them his confidence, he scarcely expected the hon. gentleman to give them fair play, they happened to have quite a sufficient number of the members of the House who would give them fair play; they happened to be able to set the exceedingly factious disposition that had been manifested throughout this Session by the Opposition at defiance, and they hoped to be able to carry on the public business, as they had done, to the satisfaction of the country generally. Now, the hon. gentleman had given notice of, or at least moved, a motion which he might, with propriety, have moved a year ago. It was brought under the notice of the House a year ago, that this work had been done by a member of the House—the member referred to in the motion. It was also stated to the House a year ago by the Postmaster General in his place, that this practice had been put a stop to. Had the hon. gentleman confined his motion to a simple expression of opinion, as contained in the earlier part of his resolution, “that it is inexpedient and improper for the Government to enter into any agreement or contract whereby public money is paid to members of Parliament,” he would probably have found no divergence of opinion on that side of the House from that professed to exist on the other side of the House. Whether there would be divergence of opinion to any extent on the other side of the House, he did not know; and whether they would adhere to the votes they had given on previous occasions, with reference to Col. Gray’s case, he did not know; but it could never make any difference to those who had expressed opinions adverse to the employment of members of Parliament in the manner in question. They must, of course, adhere to the views which they had always felt were the proper views on that subject. This subject which

formed the subject of discussion at present was one, he did not hesitate to say, he exceedingly regretted. It was one, he did not hesitate to say, which the Government took steps more than a year ago to prevent occurring again; for whatever might be the precise nature of the understanding upon which these orders were executed by a member of the House, there was no doubt whatever that it was desirable to prevent, as far as possible, the interests of the public from conflicting with the interests of an individual member of the House. The Act was based on that general principle, and the Government had endeavoured to give effect to that principle. Sometime—he was not able to fix the precise day, but he was able to fix it as occurring after the Christmas Holidays—in 1875, the Postmaster-General had brought under the notice of the Government the fact that printing was being done in the Lower Provinces by private offices, as before it had always been done by the previous Administration in the offices of political friends. For economical as well as for parliamentary reasons, it was at once decided by the Government that this practice must be put an end to. It seemed that the members of the Government then present, individually, were not aware of the fact that it had been the practice of the Department since the organization of the Dominion, to have the printing required for the Lower Provinces performed at offices in Halifax and St. John; and the new Postmaster-General in the Administration, as seemed very natural, gave orders to change the printing from the offices, which were those of their political opponents, to the offices of their political friends. This was quite proper. It was quite proper that any public work that was to be done in this way, or any purchases which were to be made in this way, should be given to the friends of the Government. That was the principle, though it had since been changed into a system entirely of contract. The contractors for the public printing since that period were executing all the work which they were able to do, and it was only when they were required, for special reasons, to go to

other offices, that they had any printing done elsewhere. This was the position of affairs revealed by the explanations given to them by the Postmaster-General of the period he had alluded to.

Sir JOHN A. MACDONALD: When was that?

Mr. MACKENZIE: Sometime after the Christmas holidays.

Sir JOHN A. MACDONALD: Was it stated by the late Postmaster-General?

Mr. MACKENZIE: No; it was stated by the present Postmaster-General. His hon. friend (Mr. Huntington) behind him came into office, it would be recollected, he thought, in October, 1875, or in November; he was not sure of the precise date, but, in the course of having his report drawn up, this real state of matters came to his knowledge. This letter was, therefore, written to the Post Office Inspectors in the Lower Provinces:

“15th JANUARY.

“SIR,—I am to inform you that, from the receipt of this letter, no further printing of any description, either from your own office or from the Post Offices of St. John and Fredericton, is to be done in New Brunswick. When such printing is required, a requisition for the same must be addressed to this Department. I am requested to state that you will be good enough to advise the postmasters of St. John and Fredericton accordingly. Please acknowledge the receipt of this letter.

“To the Post Office Inspector

“at St. John.”

Sir JOHN A. MACDONALD: What is the daté?

Mr. MACKENZIE: January 15th.

Sir JOHN A. MACDONALD: Of 1876?

Mr. MACKENZIE: Of 1876. On the 3rd of March, the following letter was addressed to the Inspector:—

“SIR,—With reference to my letter of the 15th of January last, No. 787, I am to inform you that it has been represented to the Postmaster-General that the parties who printed the forms for your division have a large quantity of paper on hand only suitable for such a purpose. You will, therefore, be so good as to make enquiry at once into this matter, and obtain from the parties in question a statement in writing of the stocks so claimed to be on hand, and send a reply

Mr. MACKENZIE.

to this Department; and I am to request that you will be good enough to inform those parties that this Department is prepared either to purchase the paper from them at its market value or to continue the printing of such forms as the paper on hand may be suitable for, to the extent required by you for use in your offices during the ensuing three months, provided that no new stock whatever is to be purchased, and that the quantity to be supplied to you does not exceed what may fairly be required for use during three months. Of course you will understand that this instruction applies to the whole of the printing required for every branch of this Department within your division.

“Your obedient servant,

“WILLIAM WHITE,

“Secretary.”

The following letter was received on April 8th from Mr. McMillan:—

“Referring to your communication of the 30th of March, on the subject of printing for this division, I beg to report that Mr. Chubb, the head of the firm of H. Chubb & Co., was absent from the city when your letter reached this office, and nothing could be done until his return. The stock on hand when your communication was received was small, but orders were forwarded for a new supply in January or December. I enclose a letter addressed to me by Messrs. Chubb & Co.; I received it this morning. I had a personal interview with Mr. Chubb, and he represented that his firm will suffer considerable loss if the printing is not continued with him until the stock ordered is exhausted, and that a three months' ordinary supply would come far short of doing this. The Messrs. Chubb are highly respectable.

“Yours, etc.,

“JOHN McMILLAN.”

Mr. Chubb's letter was as follows—there was no date to this letter, but it was written prior to April 8th:—

“ST. JOHN, N.B.,

“DEAR SIR,—As the parties referred to in your communication of March last, we beg to reply, and, at the same time, apologize for the delay caused by Mr. Chubb's absence from the city.

“When we undertook to supply the paper and do a portion of the printing in connection with the *Freeman* office, we found that, in order to meet the requirements of the service, it was necessary to keep on hand large stocks, of particular sizes and weights, of paper especially adapted for that work. This, as you are aware, is necessitated by the frequent sudden demands for forms of various kinds occasioned by the alterations in the working of the Department (of which there have been many during the past year, as the frequent changes in the forms indicate), the opening of new post offices, changing way offices to post offices, etc., etc.

"We need hardly inform you that it is not necessary, in our ordinary business, to keep such large stocks, and the action of the Postmaster-General, by which this paper is thrown on our hands, without previous notice or intimation of any kind, seems to us to be scarcely fair in a business point of view. It was to prevent delays, and therefore for the benefit of the service, that we find ourselves in this position, and we certainly ought to be treated with ordinary business courtesy at least.

"We do not expect, nor do we ask for, any favour from the Department, but simply justice and an honourable appreciation of the situation.

"With regard to the stock on hand, and that expected to arrive, had the *Freeman* office been officially notified at the time that we had rumours of the change in the arrangements, we could have countermanded our orders. As the matter now stands, we can hardly send a detailed statement until the arrival of the goods; but, if we are to take last year's consumption as a criterion, we may safely say that we will have nearly a year's supply. The orders were sent forward in December and early in January, 1875-76.

"If any more particular account of the stock is required immediately, we, of course, will make up one of the amount in our store just now, but we should think that our business reputation, extending over nearly half a century, ought to be sufficient guarantee of the correctness of our assertions.

"As reference has been made to the probability of using up the stock in three months, we can only say that we will be very glad to do so, if it is possible, and this course might probably be more satisfactory to all concerned.

"We remain,  
"Your obedient servants

(Signed), "H. CHUBB & Co.

"Hon. JOHN McMILLAN."

He would also read the following letters, which completed the correspondence:—

"POST OFFICE DEPARTMENT,  
"OTTAWA, 22nd April, 1876.

"SIR,—With reference to your report, No. 564 of the 8th instant, I am to inform you that the Postmaster-General has consented to the printing by the *Freeman* office of such forms as are required in large quantities for use in your office for the ensuing three months. This of course applies to all the printing required in your division.

"I am, Sir,  
"Your very obedient servant,  
(Signed), "WM. WHITE,  
"Secretary.

"JOHN McMILLAN, Esq.,  
"Post Office Inspector,  
"St. John, N.B."

"POST OFFICE DEPARTMENT,  
"OTTAWA, 27th June, 1876.

"SIR,—I have to remind you, by direction of the Postmaster-General, that it will be necessary for you, on and after 1st July next, to obtain all supplies of printing and stationery of every description for your office from this Department, and that no accounts for such articles obtained elsewhere, without the special authority of the Postmaster-General, will be paid by the Department.

"I am also to request you to be so good as to observe strictly the rules that have already been sent to you as to the manner in which your requisitions are to be prepared.

"I am, Sir,  
"Your obedient servant,  
(Signed), "WM. WHITE,  
"Secretary.

"The Post Office Inspector,  
"St. John, N.B.

"Postmasters in your division will hereafter apply direct to this Department for supplies, instead of to you as heretofore."

"POST OFFICE DEPARTMENT,  
"INSPECTOR'S OFFICE,  
"ST. JOHN, N.B., 3rd July, 1876.

"SIR,—Referring to your communication of date 27th ultimo, regarding printing and stationery, and intimating that the postmasters in this division will hereafter apply direct to the Department at Ottawa for their supplies, I beg to ask how the stock on hand here is to be disposed of.

"Yours respectfully,  
(Signed), "JOHN McMILLAN.

"The Hon. the  
"Postmaster-General."

"POST OFFICE DEPARTMENT,  
"OTTAWA, 6th July, 1876.

"SIR,—I am to acknowledge the receipt of your report, No. 642, of 3rd instant, on subject of printing and stationery, and asking how the stock of forms, etc., at present in your possession, is to be disposed of.

"In reply I am desired by the Postmaster-General to request you to forward to this office, with the least possible delay, the whole of the stock of forms, etc., in question.

"I am, Sir,  
"Your very obedient servant,  
(Signed), "WM. WHITE,  
"Secretary.

"The Post Office Inspector,  
"St. John, N.B."

"POST OFFICE DEPARTMENT,  
"OTTAWA, 13th July, 1876.

"SIR,—I am directed by the Postmaster-General to request that you will be so good as to forward to this Department, with the least possible delay, all accounts now due for

printing and stationery supplied to your office; and I am at the same time to take the opportunity of repeating the Postmaster-General's instructions that you will, in future, give no orders whatever, either for printing or for stationery, but make requisition to this Department for all supplies of either that you may require.

"I am, Sir,

"Your obedient servant,

(Signed), "W. M. WHITE,  
"Secretary.

"J. McMILLAN, Esq.,

"Post Office Inspector,  
"St. John, N.B."

Those letters would show that the Government had taken decisive and final action on this matter at the periods mentioned in the respective letters that he had read, and that, therefore, during the last session of Parliament, the matter was, practically, at an end; all except the finishing up of the printing that they were allowed to do on account of the allegations made in the letters of those parties that they had this stock in hand which would be useless for all other purposes.

Mr. BOWELL: Would the hon. gentleman inform the House what I have to do with reference to Mr. Chubb?

Mr. MACKENZIE: If the hon. gentleman will always ask my advice as to what he has to do, I will be glad to give it; but, I am afraid, he will not act on my advice.

Mr. BOWELL: I am not aware that I attacked Mr. Chubb, whoever he may be.

Mr. MACKENZIE: He was the party supplying paper to the *Freeman* office; that is clear from what I read.

Mr. BOWELL: And doing part of the work?

Mr. MACKENZIE: Yes, and doing a portion of the work. There was nothing special to give information upon that he was aware of. The hon. gentleman had laid a great deal of stress upon the alleged fact that \$2,709.55 were paid in the September quarter of 1876, showing, if that were correct, that the system which they had informed the House last session was at an end, and which they now alleged was at an end, had been continued beyond the period to

Mr. MACKENZIE.

which allusion was made. It was quite true that the voucher the hon. gentleman read had a heading "For quarter ending 30th September," but he read the whole voucher in his place, and some how or other substituted September for June. The voucher was as follows:—

"Received from the Postmaster-General of Canada, at the hands of \_\_\_\_\_, \$2,709.55, being for printing blank forms for the New Brunswick Postal Division, June quarter, 1876, as per annexed account."

The hon. gentleman also referred to an account accompanying the said voucher, and he stated certain items to bear out his statement. If the hon. gentleman examined the account critically, he would find that about three-fourths of it was up to the 30th June; the balance was between the 1st January and the 20th or 25th July, and that was settled for and accounted for in the June quarter. Therefore, the total amount alleged in the motion was wrong, and the question of \$2,709.55, in other words, the \$10,263.94, embraced the entire printing for 1875-6, and the few days in the month of July which appeared to have been necessary for finishing the stock they had in hand.

Mr. BOWELL: Do I understand, then, that the amounts were included in the Postmaster-General's account ending 30th January, 1876, and were not paid until the last voucher, which has no date?

Mr. MACKENZIE: That is my information.

Mr. BOWELL: It cannot possibly be.

Mr. MACKENZIE said he had sent to the accountant specially to ask with reference to that particular point, and that gentleman replied:—

"No payment for printing has been made to the St. John *Freeman* office since payment was made for the printing account to be found in the Post Office Report for the year ending 30th June, 1876, page 242, the total amount being \$10,263.92

"H. WICKSTEED."

This was the reply of the accountant of the Department to whom he applied for specific information on the subject. He quite admitted that if the hon. gentlemen had been able to show that

they had continued this practice, which they told Parliament last session would not be continued, into the September quarter, which his speech and reading of the voucher would seem to imply, it would have been a serious matter for complaint. So far as the accounts were concerned, he thought he had made the matter sufficiently clear that the hon. gentleman was mistaken, although it was, perhaps, a natural mistake from the heading. The only thing he could not account for was the hon. gentleman reading for the month of September when the word June was apparently intended. The hon. gentleman had enlarged a great deal upon the speeches made when they were made by gentlemen now on the Ministerial side of the House, but who were at that time sitting on the Opposition side, in reference to the case of Colonel Gray. He had no word to retract of all he said concerning that transaction. He had no change to avow or admit in his own views in regard to that matter. The hon. gentleman said that he pursued precisely the language used by us in reference to the motion in Col. Gray's case; but that case was materially different from this. There had always been a very great jealousy of office holders sitting in Parliament, unless they were such office holders as were recognized by Act of Parliament, and whose position was defined in such Acts. Col. Gray had no such position. He was simply employed and paid by the month, by the then Administration, in order to avoid paying him by the year, which would have unseated him. That was admitted, and Col. Gray continued for considerably over two years to occupy that unenviable position. He did not suppose that any hon. gentleman in the then House had the slightest personal ill-feeling towards that gentleman; on the contrary, he believed that he was generally very much liked by his fellow-members in the House. But Col. Gray, as the hon. member stated, received a sum of about \$12,000 as direct payment of salary, every cent of which was profit. The party who did the printing did work for the money received,—work that was re-

quired for the Government, and no doubt there was a profit upon that work. But the difference in the two cases was that the one was sitting here, with the knowledge of every one, as being a salaried officer, but the salary was so arranged that they should be unable under it to contravene the Act of Parliament. Now, the hon. gentleman said that he adopted the precise language they used on that occasion. On the 27th February, 1871, Mr. Blake moved:

“That in the opinion of this House it is inexpedient that any member of this House should, for the future, be engaged in the service of the Government of Canada in any paid employment such as that in respect of which the Hon. John Hamilton Gray, member for the city and county of St. John in 1868, entered into, the receipt of \$300 a month of the public monies.”

Mr. Savary moved in amendment, seconded by Mr. Bowell:—

“That all the words after ‘Canada’ to the end of the question be left out, and the words ‘to which any monthly salary is payable or attached, and that the Independence of Parliament Act be amended in that particular,’ be inserted in lieu thereof.”

The Independence of Parliament Act was therefore admitted by the hon. member at that time practically to be opposed to what was going on.

Mr. BOWELL: Hence the amendment would meet all that was necessary.

Mr. MACKENZIE: No. It was so arranged to meet it that the Act of Parliament should be altered in the sense of the words employed by the hon. gentleman, and it was altered soon afterwards. If the hon. gentleman had confined himself to an assertion of what was practically carried out for the last year, he would have found no difference of opinion and would have had the support of every member of the House in the assertion of that principle. But he proceeded to state that such payments as had been referred to were in contravention of the Act, passed in the 31st year of Her Majesty's reign, for the further securing of the independence of Parliament. The hon. gentleman, by this part of his motion, stated in effect that the seat of the person who so offended was vacant; because, if that Act was contravened, in his opinion,

if it was not a matter of controversy of any kind, then it was practically declaring the seat vacant; and proceeding upon an unusual motion, at an unusual time, without giving the slightest opportunity for any investigation—he passed no opinion as to whether a motion of that kind would be strictly correct—but he said, if a motion of that kind, which affected the seat of an hon. member, was to be made upon going into Supply, that the hon. gentleman was endeavouring to take advantage of a motion which could not be amended, to assert that which every member of the House might not be prepared to assert. The hon. gentleman was endeavouring, in fact, by moving, upon going into Committee of Supply, a motion which the rules of the House forbade that it should be amended in any way, in order that he might, by a side wind, have the House declare the seat vacant, and thereby require the issue of a new writ. Whether that was the case or not, it was tolerably clear from the speech of the hon. gentleman, from the previous records of Parliament, that when anything of this kind was intended that it should at least be referred to the Committee on Privileges and Elections, in order that that Committee might make due inquiry into the allegations, arguments and statements advanced, examine into precedents, and make a report to the House, on which report the House, at a future time, could act. That had been the case in some instances of precisely similar character to this—where printers and publishers obtained money from the Government to a greater or less extent, and were merely supposed to be liable to have the validity of their seats called in question. The hon. gentleman who led the Opposition, no doubt remembered some of those cases. The hon. member for Hastings was endeavouring to embarrass the Government in going into Committee of Supply by moving a motion which could not be assented to for the reason he had stated.

**Sir JOHN A. MACDONALD:** Why?

**Mr. MACKENZIE:** Because it is a motion which ought to be made for reference to the Committee on Privi-

**Mr. MACKENZIE.**

leges and Elections as it directly calls in question the validity of the seat occupied by an hon. member of this House. He had, therefore, no hesitation at all in asking the supporters of the Government to aid them in resisting an improper motion; while, at the same time, he did not ask a single one of them to sanction any practice which they considered irreconcilable either with past professions or that just regard to Parliamentary independence which every member of the Liberal party had always endeavoured to carry into practice. He did not, as he had said, intend to indulge in any general discussion as to the capacity or incapacity either of opponents on the opposite side or friends associated with him in the Administration; but he wished to say that the motion which the hon. gentleman had made was one which ought not to be sanctioned by the House, moved in the terms it was and with the object sought to be accomplished viz., simply to embarrass the Government, and especially when the Government, last year, instead of waiting to have their attention called to this matter, called attention to it, and placed themselves in a position which every one could understand and fully approve.

Sir JOHN A. MACDONALD said that no one could regret more than himself the necessity for his speaking, or that the circumstances were such as to necessitate the subject being brought up before the House and the country. But it was impossible that this case could be quietly passed over, for, if the subject had not been brought up in the House, the country from one end to the other would have been scandalized. He had no hesitation in saying that there was no one subject that had so greatly excited the minds of the people as this same subject. He had no hesitation in saying that the country demanded at the hands of this House some expression of opinion on this question. His regret was greatly heightened when he remembered that the name of Mr. Speaker was brought into the matter, more especially as it was his privilege at that moment to give his highest testimony to the ability and impartiality with which he had filled the Chair. It would be

remembered that, when the hon. gentleman at the head of the Government proposed Mr. Speaker for his position, he (Sir John A. Macdonald) took occasion to say that he believed the House and the country would have been better satisfied if an abler and more experienced member had been selected, and that the voice of the country seemed to point to his hon. friend from Chateauguay (Mr. Holton) as being the man, beyond all others, who ought to fill that position. But, at the same time, he said, from his acquaintance with the very great abilities of Mr. Speaker, his unwearied industry, his great knowledge of every political subject, he believed he would soon make himself in every way equal to the first Speaker in the land, even the equal of the hon. member for Chateauguay. He (Sir John A. Macdonald) had to give his evidence to the ability and impartiality of Mr. Speaker so far as his evidence was of value, and his pleasure in knowing that his prognostications had been fully borne out by Mr. Speaker's conduct in the Chair. Occasionally, it was true, he (Sir John A. Macdonald) might have had occasion to differ with the judgment of Mr. Speaker; they sometimes could not agree upon decisions or points of practice, but to say so would be only to make the same statement with regard to him as would be made with regard to any Speaker in any representative body in the world. He (Sir John A. Macdonald) believed that Mr. Speaker had been impartial in performing his duty, and he said so freely and emphatically. The speech of the hon. the First Minister did not flow with its usual fluency or force. He avoided making allusion to Mr. Speaker, except to tell the House and country that he had no objection, so far as he was concerned, nor as far as his friends were concerned, for Mr. Speaker to be made the scape-goat. His (Mr. Mackenzie's) objection to the motion was that it did not declare the Speaker's seat vacant. All he wanted was to be let alone; but he would sacrifice the Speaker, or even sacrifice his wife's relations. The Speaker had been a supporter of the Government. He took no unimportant part in the fight which resulted

in the victory which placed them in power in 1873, but he was now to be sacrificed, and nothing but a motion to void his seat and drive him out of Parliament would be permitted by gentlemen opposite. The hon. the First Minister took occasion to tell his followers that he would not ask them, he would not insinuate to them, to act contrary to their stern duty as Anti-Corruptionists, even though they might vote Mr. Speaker out of Parliament, but they must not censure the Government. The Government were censurable, and on two grounds—First, that they allowed these contracts to be entered into at all; and, secondly, that the moment they found it out they did not attempt to repair the error, although they might have easily repaired it if they had chosen. The hon. gentleman might have come forward and admitted that the Government had committed an error, and that the Post Office Department had infringed upon the Statute. They were, however, obliged to admit this at the last hour. If the Government had not desired to leave Mr. Speaker to be sacrificed rather than admit that they had, by any possibility, committed an error, they would not have placed him in the painful position in which he now found himself. He (Sir John A. Macdonald) would say that the Government were censurable for entering into this arrangement at all. He had hoped and expected that some excuse would have been made; the hon. gentleman who moved the motion expected that some excuse would be made. It was expected that the Government did not know anything about it; that they never heard of it; that it was merely some subordinate who made the arrangement behind their backs; that it was an inadvertance of some blundering subordinate—for it would be easy to kill and cut off the head of a subordinate. But even that excuse was not set up by the Premier. It was, in fact, admitted that the Post Office Department had made the arrangement; that they had wilfully committed this enormous breach of the independence of Parliament. It was admitted that the order came from Ottawa to make the change. It

might be said that the Government were merely following the example of their predecessors. As he (Sir John A. Macdonald) understood it, the late Government had the local printing for the local post-offices in the Maritime Provinces done there. Whether it was right or wrong, it was a mere matter of expense and expediency, the Maritime Provinces thinking they ought not to be left out in the cold, and not get any of the employment from Government which they got before confederation. Whether this was right or wrong there was no allegation that the late Government employed members of Parliament to do the work. They employed their political friends, it was true, and there would be no objection to the present Government giving it to their political friends, so long as these political friends were not members of Parliament. But the contractor in this case was a member of Parliament. There was the infringement of the Statute. There was the breach of the Independence of Parliament Act. The Government knew they were committing a breach of the Independence of Parliament Act, and they could not answer that assertion. The excuse was that it was inconvenient to change the work until the stock was worked out. It did not seem, from the correspondence, that the fact that a breach of the Statute had been committed, was the reason for the withdrawal of the contract. The reason given was, that it was advisable to concentrate the work at Ottawa. There was not the slightest indication that the contract was withdrawn because the Government had discovered they had committed a breach of the law of the land. The law was wilfully broken. The Government knew that the work was done at the *Freeman* office, and that a member of Parliament was owner of that office, and that the contract was with a member of Parliament. Consequently they must be held to know that they were deliberately committing a breach of the Statute. There was no reason, there could be no reason, for the statement made by the Premier. The Premier had admitted the whole case. True, he had tried to draw away the attention of the House in his

speech. But there was a great difference between Col. Gray's case and this. Whether the late Government were right or wrong in employing Col. Gray, they did not commit a breach of the Statute, and the Government, yielding to the sense of the country, introduced a law for the purpose of preventing for the future the employment of persons in the position of Col. Gray. So, in the same way, with respect to the employment of Mr. Walsh as Commissioner of the Intercolonial Railway. Whether Parliament was right or wrong, there was a special provision in the Act relative thereto, that one of the Commissioners should have a seat in Parliament. The law was passed and no breach of it was made. But in the present case it was admitted there could be no such justification. It was admitted there was an open, avowed, clear, undisputed and undefended breach of the Independence of Parliament Act. And this came from the hon. gentlemen opposite, who were so loud in their professions of purity. The whole country had rang with their attacks upon the late Government for their alleged refusal to purify Parliament, and to make Judges the tribunal to try breaches of the Election Law. Every effort was made by those hon. gentlemen, in season and out of season, on the stump and in the House, to force the late Government to protect the electors from bribery. There had to be a provision to protect the voter in depositing his ballot, and another against undue influence and for assuring the independence of Parliament. But those hon. gentlemen had apparently found out an easier mode of attaining their ends than by bribing the electors. While they were protecting the electors from corruption, they were exercising an undue influence upon those elected. They were giving contracts here and contracts there. Not only in this House, but even in the Senate, the seducing influence of these hon. gentlemen opposite extended. They professed to be the guardians of this House, and the whole country, from undue influence and bribery and corruption. Nevertheless, they had introduced a system by which the independence of members was attacked and by which the most seducing

Sir JOHN A. MACDONALD.

inducements were offered. Under these circumstances, the fact that Mr. Speaker had not departed from his duty as an impartial presiding officer, was all the more meritorious. This process was well known by Russia. Whenever it went to war with Turkey, it never bribed the poor soldiers, but it bought up the Pashas. When a Russian army approached a Turkish one, they would buy up the Vizier or the Commander-in-Chief, and not the common soldier. And so in the United States. No party could bribe the ten millions of electors there, but they bought up the rings and the monopolies, the man behind the scenes, and manipulated him. This was the course adopted by the Government, when they used their corrupting influences with members of this House and the other House. In comparing this case with Colonel Gray's, the hon. gentleman said Colonel Gray received \$12,000 from the Government in two years. But he did nothing of the kind. He received \$7,000 in two years for the codification of the Statutes, and \$5,000 as arbitrator between Upper and Lower Canada, for which position he was selected as the most fit person; and this \$5,000 was not paid out of the Dominion Treasury at all, but the Provinces of Upper and Lower Canada paid it. So that Colonel Gray merely received the allowance that was given him to carry out the commission entrusted to him, he being considered more competent, it was believed, than any other man at the disposal of the Government for the codification of the laws of the different Provinces. He was employed in that; he had been one of the codifiers of the law in New Brunswick. The British North America Act had a provision by which all the laws of the Provinces, except Quebec, should be codified and he was employed for the purpose of preparing the consolidation and codification of those laws; and he was to receive, and did receive, the allowance which had been mentioned. But the hon. gentleman said every cent of that was profit. Colonel Gray had given his time for the whole of two years, and it was a very small professional remuneration at the rate of \$3,600 per year, for the codification of the Statutes, while, on the other

hand, the Speaker had not given an hour, a day, or any portion of his time as a return for the profits he made out of these contracts. The work was underlet to Messrs. Chubb and two others, so that the whole amount of the profit, whatever it was, was put into the hands of the contractor without his expending any money or giving any time or exertion, except signing the receipts and receiving the money. The hon. the Premier had said it was a very wrong thing, an excessively wrong thing to employ members of Parliament and give them salaries and emoluments. Why the law so declared it, and there was end to it; but he (Sir John A. Macdonald) assented that the giving of contracts was infinitely more dangerous—it sapped the very basis of the independence of members of Parliament.

Mr. BLAKE: Hear, hear.

Sir JOHN A. MACDONALD said in the case of a salary, it was known that the person was drawing it, and that he was under a compliment to the Government; his conduct was watched; his votes were watched; but contracts were given which might be secret contracts.

Mr. BLAKE: Hear, hear.

Sir JOHN A. MACDONALD said it might not be known; it might be a contract which nobody had heard of, in which the profits might be enormous, and might be increased or decreased in the manner which Governments and contractors well knew.

Mr. BLAKE: Hear, hear.

Sir JOHN A. MACDONALD said yes. Let them look at Mr. A. B. Foster. The present Government knew right well how to remunerate a friendly contractor, and, instead of making Mr. Foster forfeit his deposit, they paid it all back and many thousand dollars more. The practice of giving contracts directly or indirectly to members of Parliament, was infinitely more destructive of the independence of Parliament than any known salary, however large. The great difference was that the transaction with Col. Gray, whether expedient or inexpedient, was a breach of no Statute. The contracts in this case were a direct breach of the

Statute. If the hon. gentleman looked back at the history of England, he would find that the earliest attempt to purify Parliament was made in regard to sweeping out office-holders and contractors long before there was any attempt to protect the electors from corrupting influence, because it was felt that, injurious as corrupting individual electors was to the public morals and independent voting of the people, the ill was infinitely greater in corrupting a member, a representative of the people, in buying him up in his own person. So it would be found that the earliest and most strenuous efforts that were made by the Reformers of the House of Commons were made to sweep office-holders and contractors out of Parliament, but the hon. gentlemen had taken the other course. Oh, yes; they were going to protect the elector, but they had deliberately commenced, and were now carrying out, a system of corrupting the two branches of the Legislature at their very root and foundation.

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

### After Recess.

Sir JOHN A. MACDONALD said that when the hour of six came he was referring to the sincerity of the conduct of the Government in having allowed this contract to exist at all. Now, what excuse had his hon. friend (Mr. Mackenzie) to offer on behalf of the Government. He offered none; in fact he said that in the first part of the resolution, that it was inexpedient and improper for the Government to enter into the agreement specified in the resolution, he (Mr. Mackenzie) concurred; and therefore there could be no doubt that the whole case was given up by his hon. friend; but he objected to the resolution so far as the second part was concerned. The first part the hon. gentleman admitted—that it was inexpedient and improper for the Government to enter into any agreement or contract, whereby public money was paid to members of Parliament, under the circumstances detailed in the report. The second part of the

Sir JOHN A. MACDONALD.

resolution was, in his opinion, equally incontrovertible with the first part, because it simply alleged this fact: it stated that such payments were in contravention of the Independence of Parliament Act, and were calculated to detract from the independence of members of this House. How could any hon. member honestly vote against these two propositions; no matter on what side of the House he sat, and no matter what his political predilections might be? Could any hon. member put his hand on his heart and say, first—It is inexpedient and improper to enter into any such agreement between the Government and a member of Parliament; and then say, that such agreement, if made, was not in contravention of the Independence of Parliament Act. Those were the two propositions contained in this resolution, and the only proposition contained in it; and they would see by the vote that night what hon. members were inclined or resolved, no matter at what sacrifice, to support the independence and purity of Parliament, and intended to carry out into strict and stern execution the Independence of Parliament Act. As regarded the conduct of the Government from 1874, there could be no doubt with reference to the personal responsibility of the Postmaster-General, who was at the head of the Department, and who was responsible for the management of it to the country, to his colleagues and to the House. This hon. gentleman had deliberately ordered that these contracts should be changed, and given to political friends—in other words, that they should be given to the *Freeman* office. There was no means of escape, personal or political, on the part of the Postmaster-General. It appeared by the statement of the Premier, that it was not until 1875, that this statement of the facts was communicated by the Postmaster-General to his colleagues. Up to that time although by the constitutional principle all the members of the Cabinet were politically responsible for the conduct of the Postmaster-General, there was no personal or moral responsibility on the part of the other members of the Administration; but from that time they all, as a body, shared the responsibility of their

colleagues. From that time they stood in the same position with their colleagues. They were then informed of a contract for printing and stationery between the *Freeman* office, which belonged to a member of the House, and the Government, and this contract was illegal and invalid, and in contravention of the Independence of Parliament Act; but they did not close it. What was their duty the moment this fact became known to them; and what should the Premier have done the moment he knew that a contract had been entered into behind his back without his knowledge, and in contravention of the law, and in decided opposition to all those principles which he, as a member of Parliament and a leading representative of the country and the head of the Government, had always professed should be carried out? There was only one thing for the hon. gentleman to do, and that was at once to say that this contract must be closed, no matter what the cost might be, no matter what the loss might be, and no matter what the inconvenience might be, because it was in direct, obvious and clear contravention of the law of Parliament and the law of the land. What did they find? From Dec. 1875, until, in fact, this Session, the country did not authoritatively know it. The House did not authoritatively know it until this Session. As he understood the facts, it came before the Committee of Public Accounts last Session, but it was not submitted to the House; it was not reported to the House, and it did not come before Parliament until this Session. His hon. friend the mover of the motion, as he understood it,—as a member of the Committee on Public Accounts, saw the accounts, and brought the subject before Parliament in rather an irregular way by discussion last Session.

Mr. BLAKE: Hear, hear.

Sir JOHN A. MACDONALD: My hon. friend exclaims "hear, hear," but it is so.

Mr. BLAKE: Why, sir, they were entered in the Public Accounts, and mentioned on the floor of the House as being in the Public Accounts, and they were printed in the Public Accounts.

Mr. KIRKPATRICK: But no names were given.

Mr. BLAKE: It was mentioned in the Postmaster-General's Report.

Sir JOHN A. MACDONALD said the names were not before the House; the papers were not before the House; the receipts were not before the House, and the parties to this contract were not before the House until this Session. The course that ought to have been taken by the Government would have been at once to have closed the contract—at once to have stopped it, to have washed their hands of it, and to have freed their skirts from it. Had they done so, how infinitely better it would have been, not only for themselves but for the other parties to the contract. How infinitely better it would have been for the Speaker if they had at once conveyed to the Speaker the fact, that the contract must be closed, and that it was closed; and as to the idea that any presumed loss that would take place interfering for a moment with their action, it was too absurd to think of for an instant. Why, what was this contract for? It was for a supply of stationery, and for some printing. As to the paper and the stationery, they could be sold as they could be bought, and easily disposed of; and, as far as the printing was concerned, that might have been done by other parties; but whether the loss was great or little, the duty of the Government was the same. Then, had the Government treated Mr. Speaker as they ought to have done, and given it as their opinion that this contract must be closed as being in contravention of the Independence of Parliament Act, Mr. Speaker's course would have been clearly indicated. It would have been the same as had been taken by Mr. Cowan and other parties quoted by his hon. friend (Mr. Bowell) in opening the case. Mr. Speaker could have at once resigned his seat, and he had no doubt that Mr. Speaker's constituency would have restored him to his position as a member and re-elected him; and he had no doubt that the House would have at once replaced Mr. Speaker in the Chair he now so worthily filled. But the Government did not have the magnan-

imity to do that. Rather than admit that they had committed any error, that any mistake had been made, that any breach of the law had occurred, that their colleague, the Postmaster General had placed them in this unfortunate position, and that they were politically liable to the charge of a breach of a solemn Act—rather than admit that, they allowed all this to go on, and to run from 1875 to 1876, and forced this discussion and all its possible consequences. His hon. friend, the Premier, said that there was no remark made by the Opposition, and no steps taken by the Opposition. Why, who was bound to defend the independence of Parliament; who was bound to assert and carry out the privileges of Parliament? Not the minority, surely. They could not do so. Responsibility and power went hand in hand, and the power rested with the hon. gentlemen opposite; the power rested solely with these hon. gentlemen, who were before their friends and supporters, and who alone could defend the privileges of Parliament and denounce any contravention of the Independence of Parliament Act. Had this been done before, no doubt it would have been called, as it had been called in the speech of the Premier, factiousness on their part. They were said to be guilty of factiousness for moving in this matter. The hon. gentleman (Mr. Mackenzie) had complained of their factiousness. The Government, with their large majority, their strong majority, and their overwhelming majority, might have, if they had chosen, in 1875 and 1876, and now in 1877, risen in their places and stated the case as in contravention of the independence of Parliament Act, and said: "We find it our duty to call on our friends and the whole of the House to vindicate the privileges of Parliament and the independence of Parliament." It rested upon them to do so. They alone could do it. There was no obligation thrown on the Opposition as an Opposition. Every hon. member had the power to move that the purity and privileges of Parliament should be sustained, but who had called, who had roused the attention of the country to the necessity for electoral reform? Who had rung the changes over the whole of the vast Dominion as

to the necessity for the protection of the purity of Parliament in and out of Parliament, among the electorate and among the elected; who had asserted that the late Government and the late majority were altogether wanting in their duty because they did not do so; and who stated, when they came into power, that a change would now take place; that a golden age was about to commence; that there would be no longer fraud or corruption, either in Parliament or out of Parliament; that no longer would the electors be bribed; that no longer would a contractor sit in Parliament; and that no longer would a member of Parliament receive a salary or emolument of any kind. These were the hon. gentlemen who said these things, and who declared that they would purify the infested atmosphere, and introduce purity, and honour, and candour, and independence, and freedom, where there had been corruption and bribery, and members improperly sitting in Parliament. These hon. gentlemen had pledged themselves to this; and his hon. friend, the member for North Hastings, had quoted the very prominent statement in the Premier's speech, in which he had condemned any man who would say out of power what he would not carry into effect and vote for in Parliament. Why did not his hon. friend the Premier carry out this principle when, in December, 1875, he knew that the law of Parliament had been broken. Why had not his hon. friend done this then, and why had he not done so during this Session? During this Session the Opposition had sat there waiting patiently to see what his hon. friend the Premier would do, and to see whether they would be true to their principles, and true to what they had said they would do when they came into power, and in accordance with what they did do, the Minister of Justice amongst the rest, with respect to Col. Gray, when they were out of power; but his hon. friend the Premier said: "Why, the Opposition did not move in the matter at all." Still, if the Opposition had been untrue to their duty, had they, in Opposition, carried to the left of the Speaker, those corrupt principles they were alleged to have

carried into effect when on the other side of the House—if they had been false to their duty, was that any excuse for the hon. gentlemen opposite? His hon. friend might move in it; he might move in it; any hon. member might move in it; but these hon. gentlemen stated that they were a corrupt bribery party, and these hon. gentlemen had no right to wait for them to do it; they who had been charged on every stump and from every hustings through the country as being guilty of corruption. These hon. gentleman had no right to throw this duty on the Opposition; they (the Ministerialists) who were the purifiers and the rectifiers—the rectifiers of wrong and the purifiers of evil. The Opposition had sat still during the whole of this Session, up to the present, and during the whole of last Session, and yet the Premier complained of them as factious, because at the last hour his hon. friend moved that it was inexpedient and improper to make such contract with a member of Parliament, and that such a contract was in contravention of the Independence of Parliament Act. The case now stood before the House, and it was for members of the House to say whether they would vote against the resolution or not. It was for the House to say whether they would vote against, and put down and reject the resolution containing these two simple propositions. The resolution contained only two propositions. They were explicit in themselves, and it was for the House to say whether they would reject that resolution. The first proposition was that it was inexpedient to enter into such a contract, and the second proposition was that the entry into such an agreement was in contravention of the law of Parliament. The whole country, as he had already said, was aroused to the matter. Hon. gentlemen opposite laughed at this now, but then they knew well what that meant. These hon. gentlemen knew, in their heart of hearts, very well that the country felt sensitively and sensibly and strongly in the matter. They had only to look at the press, and the Liberal press of the Dominion, to find this out. He believed that if there was ever any press in the world

that was loyal and true to the hon gentlemen opposite it was the Liberal press of the Dominion. He believed that there was no set of newspaper writers or newspaper periodicals in the world that had ever stood more loyally and truly, *fas aut nefas*, right or wrong, by the hon. gentlemen opposite, than those of the Liberal press of the Dominion. He believed that many of them had gone contrary to their convictions, or rather had strained their convictions, in the exercise of all their ability and all their zeal, and all their ingenuity, to defend and support the acts of the Government; and yet, if they looked over the files in the Reading Room, it would be found that no newspaper which generally supported the Government, but came out and denounced this matter; and called for an investigation into it, and the attention of Parliament to it; and said it was a question which had risen to larger proportions than a mere party question, and they called upon the members of Parliament to carry out and defend the purity of Parliament and the independence of the House. He knew not what might be the course the majority of the House might pursue. Some hon. gentlemen, from a mistaken but a natural desire to support those in whom they were expected to confide, though it might be perhaps against their secret convictions and their wishes and feelings on this point, might sacrifice themselves for hon gentlemen opposite. They felt themselves bound to lead a forlorn hope, and to cast themselves into the breach; but he was afraid that if these hon. gentlemen did so, they would find that political virtue was its own reward, and that political sacrifice on the altar of party would not be appreciated by country. These hon. gentlemen might make of themselves martyrs, as they would make themselves martyrs for the sake of their party, and they would have the pleasing consciousness afterwards, that, by so doing, they might have sustained their party for a time, but that it was the ruin of themselves, the ruin of their political standing, and the ruin of their political future. This was a matter for them to consider, and for them to judge of.

He had no doubt that these hon. gentlemen had taken stock, and had considered the subject fully. Some of them would make the leap, and they must take the consequences from an indignant country.

Mr. BLAKE said that, in discussing this subject, he rejoiced that the opening remarks of the right hon. member for Kingston, however they might be consistent with several observations which the hon. gentleman had subsequently introduced into his address, had relieved the question of one of those elements which the speech of the hon. member for North Hastings (Mr. Bowell) might have imported into it. It was, indeed, stated at a subsequent portion of the address of the right hon. member for Kingston, by inference, and by comparison rather than directly, but by a sufficiently obvious inference, sufficiently clearly presented, that the transaction which formed the subject of this discussion had purchased a commander-in-chief, and that this Government was engaged in the corruption of prominent members of Parliament. Taken in connection with the subject matter of debate, he said that these observations were entirely inconsistent with the prefatory remarks of the right hon. member; but he was not willing to believe that the hon. gentleman was not as sincere as he was warm in these opening remarks. He was not willing to believe that the hon. gentleman did otherwise than express his genuine sentiments when he spoke of the way in which Mr. Speaker had discharged, from the time at which he had taken the chair, the high duties of that office, inasmuch as the hon. gentleman had stated, and stated plainly, and he assumed sincerely, and certainly in accordance with the views of members generally, that Mr. Speaker's duties had been discharged with the utmost impartiality and fairness; and hence they were enabled to keep this discussion free from anything of a personal nature, free from any consideration, such as was implied in some of his remarks, that there had been an attempted purchase of the Speaker of this House. Observations had been made by the hon. member for North Hastings with

Sir JOHN A. MACDONALD.

reference to the several opinions which he (Mr. Blake) had spoken, and several resolutions which he had moved at various times during his public life. Of these he saw nothing to regret, nothing to relieve the opinions which he entertained, and to which the hon. gentleman had been good enough to give redoubled currency. He had always believed that it was important to dissociate from the position of a member of this House any pecuniary relations whatever with the Government of the day. His efforts had been from time to time towards such an amendment of the law as would render such a thing impossible. What were the provisions of the law generally on this subject? There were provisions forbidding contracts with members of Parliament; there were provisions forbidding members of Parliament being appointed to office, there were provisions which vacated the seat of a member who accepted an office or entered into a contract. No crime was committed by the member in accepting, or the Government in offering, an office or contract. Members of Parliament were appointed to the bench or appointed to different offices, but the law said that the member who was appointed to an office or accepted a contract should vacate his seat. The only question in any particular case was, whether the circumstances brought it within the law. If the circumstances did not bring it within the law, then the case was not provided for, and the question was, whether it should be provided for by Parliament. The question was whether the law was wide enough and embraced all cases. The hon. member for North Hastings referred to the fact that he (Mr. Blake) had referred to the narrowness of the term of the Independence of Parliament Act. It was true that he pointed out that the law, as it formerly stood in the old Province, was more extensive than the law proposed to be enacted for the new Dominion; and he suggested that the law ought to be made conformable to the old law, and that temporary offices and employments should be embraced within it as well as the more permanent employments to which the old law applied. He failed in those efforts, and, if he

rightly remembered, he was not sustained on that occasion by the hon. member for North Hastings. The hon. member for Kingston had told them that it was the prime, the sole duty, of a Government to sustain the independence and purity of Parliament—that it was their business to vindicate that independence, that it was their business to see that proper laws were enacted for that object, and to see that those laws were observed. Judge how long the hon. member for Kingston discharged that duty when leading the Government, when he deliberately determined and forced upon the House, against the wishes of the opposition, an alteration in the law in regard to the independence of Parliament, in order to enable the Government, designedly and openly, as the hon. gentlemen confessed, to avail themselves of the temporary services of members of Parliament. What was the answer to his (Mr. Blake's) question? The hon. gentleman said that occasions might occur,—and on that occasion he did him (Mr. Blake) the honour to suggest his name—in which the services of professional men might be required, and when it might be disastrous to the interests of the Dominion if eminent members of the bar, who were also members of Parliament, should not enter the service of the Crown as counsel and so forth. And acting upon that view, and expressly in order that he might be enabled to create those relations between members of Parliament and the Government, the hon. gentleman rejected the proposition to extend the law—not to extend it beyond what it was, but to retain it in its pristine character, and proposed to modify the law which was sarcastically called a law further to retain the independence of Parliament. Judge whether the hon. gentleman discharged, on that occasion, the functions which, he said, were not merely the chief, not merely the plain, but the exclusive functions of the Government. It was not so very many years after—only from 1868 to 1871—when the shocking example, which the hon. gentleman had produced to this very useful practice, which he insisted upon having the power to enter into, pro-

duced such a feeling in the House and country that he was forced, by the motion that was made, to amend the law, and to bring it to the condition in which it existed before Confederation, to deprive himself of the power of that law which he thought was essential to the interests of the Dominion. The hon. gentleman insisted that the practice of employing barristers who were members of Parliament, which was held to be useful, essential and necessary, be abandoned as indefensible, improper, and fit to be prohibited by the law which was introduced and carried by the Government under the pressure of the motion referred to. Let them contrast the virtuous principles which the abstractions and studies in Opposition had led the hon. gentleman into—by what painful processes he would not, at this moment, endeavour to account—with his practice. Did the House remember the proposition for the creation of the company to build the Pacific Railway? It was not the scandal connected with the taking of the money of Sir Hugh Allen to which he now referred, but to the conduct of the hon. gentleman, as leader of the Government, when he was proposing to Parliament a scheme for the construction of this great work, and for the creation of a company to prosecute it. They argued, as the hon. gentleman did to-night, and pointed out how dangerous it would be to allow members of Parliament to become directors in this great enterprise. Consider the project. The company was to have \$30,000,000 and 50,000,000 acres of land, and the money and the acres were to be dealt out, in a great measure, at the discretion of the Government. Upon the good-will of the Government might depend the question whether the contracts might be profitable or ruinous; upon the good-will of the Government might hang the fortunes of the contractors; and, under those circumstances, it was expedient to secure the independence of Parliament that no member should be permitted to be a shareholder in that great company. They moved that, and the hon. gentleman resisted it successfully, and defeated the proposition; and he used precisely the same argument which he used in reference to the mem-

bers of the Bar in 1868, and which he was obliged to repudiate in 1871. The hon. gentleman said: "There are two hundred prominent men of Canada in Parliament: are you going to deprive the country of the wealth, the energy, the prominent position, the advantages of having those men in the company? It cannot be; the company cannot get on without it." If the hon. gentleman had said the Government could not get on without it, he (Mr. Blake) would have understood the argument. No doubt the famous company would fare better at the hands of the hon. gentleman the more members of Parliament there were in it. But, although the hon. gentleman learned some wisdom upon that occasion, although he successfully defeated the motion, he found there was a feeling in the country which he could not afford altogether to ignore, even in that very matter, and his ultimate determination was one of those happy compromises which he was so fond of making, in which he threw away the shadow and kept the substance. Ultimately it was decided that none of the men who should appear before the public in connection with the company should be members of Parliament. So much was found in the records of the Royal Commission on the Pacific Railway matter. Why was that? Because the hon. gentleman thought though they could defeat the then Opposition in the House, it would be dangerous to affront the people by making an open contract with members of Parliament, and so he arranged to make the contracts with A, B, C, and D, not members of Parliament, and allow them to be sublet to E, F, G, and H, who were members of Parliament. They knew, by the records of the Pacific Railway scandal, that two hon. members were to be co-sharers in those contracts. There was an opportunity for secret and unknown influence in this matter of contracts, which did not exist in reference to the salaries, and he was sure the hon. gentleman would thank him for enforcing his arguments by those opposite illustrations. It was a comfortable thing to know that although for twenty years those views were unremittingly forced upon the

attention of the hon. gentleman, and, admittedly, had no more effect upon him than the water upon the rocks, that conviction was all this time slowly stealing into his mind—that the impression was really being made, though he appeared as obdurate as ever, and that now he had been fully converted, and was now convinced of the propriety of the views he resisted while he had the power of enforcing them. The hon. gentleman had taken up the Gray case as a precedent for this one. Now, observe the course taken in that case. In the first place, no such unfair advantage of the rule of Parliament with reference to this particular motion to which this amendment was moved was attempted as had been done to-night. He did not, on that occasion, move a motion in amendment to go into Supply. He moved an independent motion so that the Government, or any hon. member, might have an opportunity of formulating, in resolution as well as in speech, his views, and the question might be decided upon its merits. If the hon. member for Hastings wished to follow the precedent of the Gray case, there had been many open days on which he might have moved this motion long ago; but having, as he said, chalked out in his own mind his course, he was obliged unwittingly to wait until the House should go into Committee of Supply so that he might put the motion just as he thought would suit himself, and just as he thought would be most embarrassing and produce the worst impression. This was the contrast to the course pursued in the Gray case, in which he (Mr. Blake) made an independent motion to which there were no less than two amendments. In the next place there was no doubt a difference between the Gray case, as he viewed it, and this case, as hon. members opposite viewed it. He did not pretend or contend that in the Gray case there was a breach of the Independence of Parliament Act by that hon. member sitting in the House. He knew that the law had been designedly so framed as to permit of a particular transaction. That he would admit. He used this particular instance as an apt illustration of the evil he had formerly contended

**MR. BLAKE.**

would flow from a law so loose, and he proposed that it was inexpedient that any member in the future should be engaged in the same way as Col. Gray had been. Had the House adopted that resolution, the necessary consequences would have been that he would have proceeded to make provision to carry out by a Bill what had just been declared by resolution. The hon. member for North Hastings (Mr. *Bowell*), who was so anxious to bring himself within the walls of precedent, said he was but following the precedent in the Gray case. He (Mr. *Blake*) had pointed out one distinction, and he would now point out another. The hon. member for North Hastings said he was wrong in addressing the particular illustration and he proposed to strike out all the words having reference to the individual case, and to substitute therefor general words descriptive of that class of cases as being, in his opinion, the most appropriate mode of bringing this matter under the notice of Parliament. Since that time the hon. gentleman had been converted, and he now thought it would have been better for him had he not moved that amendment, but supported the original motion. Whether that change had arisen from the change of the relations of the hon. member, in going to the opposite side of the House, he (Mr. *Blake*) would leave candid minds to judge.

Mr. *BOWELL*: While I have advanced, you have retrograded.

Mr. *BLAKE* said he was glad to hear that the hon. member had advanced. It was barely possible that they would be marching together some day, but he must say that, when he contemplated such an event, he could not but contemplate that he would be marching the wrong way. The hon. member for Hastings, however, did not succeed in comparing this case with that of Col. Gray, either by his course of action in voting against the original motion in Col. Gray's case, or by his argument now; nor did the hon. member for Kingston succeed any better. He (Mr. *Blake*) had pointed out that the Gray case was admittedly within the law, and that it was proposed that the law should

be changed in that respect. This present case was a case in which the hon. member for Kingston and the hon. member for North Hastings argued that there had been such an arrangement as was within the meaning of the Independence of Parliament Act; not without it, but within it. If there has been such an arrangement, a contract, a bargain, a transaction, call it what they would, within the meaning of the Independence of Parliament Act, of course, if the House were to affirm that principle, as his hon. friend beside him had pointed out, the inevitable result must instantly follow. This House could not affirm that an hon. member had made a contract which displaced him from sitting here by the Independence of Parliament Act, without immediately declaring the seat vacant and ordering the issue of a new writ. That was perfectly clear, and the hon. gentleman who said that the hon. the First Minister proposed to make a scapegoat of the person at whom the motion was aimed, had spoken in a manner most unwarrantable. His hon. friend beside him had pointed out that such being the object of the motion, and such being the declarations and arguments by which it was supported, and the proposition being that, at once, without a full enquiry into the facts, without an investigation by a Committee, such a conclusion should be arrived at it would render inevitable a motion for a new writ. No man who accepted the declaration that the case was in contravention of the Act could abstain from at once agreeing that the writ should be issued, because, if the Act had been broken, the seat was vacant, and consequently the writ must be issued.

Mr. *THOMPSON* (*Cariboo*): Issue it.

Mr. *BLAKE*: My hon. friend from *Monck* says "issue it."

Mr. *McCALLUM*: I did not say so, but I say now that you had better issue the writ a thousand times than break the laws of the country.

Mr. *THOMPSON*: I said it.

Mr. *BLAKE* said there they found the real spirit that animated those

hon. gentlemen. They wanted the writ to be issued, they wanted this House by a side wind, to declare that it ought to be issued. They, without enquiry—although his hon. friend had referred to the fact that there had been investigations by Committees of the House which had caused exhaustive reports to be placed on the Journals which threw considerable light upon the subject—said: “No reference to committee, no consideration of precedents, no investigation of the facts;” and then, it having been determined that there was a breach of the Act, the writ would have to issue. If there was a contravention of the Act, then the Speaker could not occupy the Chair. His hon. friend was correct in saying that the almost invariable rule was for reference to a Committee when there was any dispute.

Mr. BOWELL: No.

Mr. BLAKE: The hon. gentleman admitted it was proper.

Mr. BOWELL: I said it had been adopted, but was not the usual practice.

Mr. BLAKE: My recollection is that this is the practice where there is dispute.

Sir JOHN A. MACDONALD: Where there is doubt.

Mr. BLAKE said the hon. gentleman said there was no doubt in this matter, and that the Speaker filled a seat which he had no right to fill. The hon. gentleman did not think they would be acting in a manner unworthy the relation of the House to the Speaker in not making an appropriate formal reference to the Committee on Privileges and Elections to investigate the matter. Last Session the question was raised with reference to the seat of an hon. member. The member who raised that question entertained a very strong conviction that, under the law, the member whose seat he had attacked was disqualified; but he did not adopt such a summary mode of judgment as was now proposed. He proposed the course of a reference. He (Mr. Blake) was sure none of them could recollect without pleasure the tone in which the discussion was conducted, and the mode in

Mr. BLAKE.

which the deliberations were carried on, and the ultimate result. He would now deliberately abstain from expressing an opinion as to whether this contract was within or without the Independence of Parliament Act. And for that course he had authorities, although no authority was required. That course had been recognized as the proper course: that hon. members should not commit themselves to opinions until there had been a full enquiry and investigation, and that the discussion upon the question should take as narrow a range as possible. That observation did not require to be supported by authority. All of them would feel the importance of preserving their judgment unprejudiced until they had obtained all the materials, had looked carefully into the law, and had got, through the medium of a Committee, that information which was essential to a correct judgment. He, therefore, would not anticipate judgment in this matter. He thought he had sufficiently demonstrated the impossibility, with fairness to Mr. Speaker and with fairness to the House, of proceeding to a motion, which, without that investigation, practically declared that the seat was vacant. And that alone was sufficient, if there was no other reason why they should decline to adopt the amendment which the hon. member for Hastings had designedly put at a period and in a form which admitted of no further amendment, and which rendered it incompetent for any other member to make an appropriate motion under the circumstances; and, as the appropriate motion could not be made, it left them no alternative except to reject the improper, premature, and hasty motion, anticipation of judgment, which, under pretence of shielding Mr. Speaker and condemning the Government, would practically condemn Mr. Speaker and leave the Government free.

Mr. BOWELL: If I thought that, I would withdraw it.

Mr. BLAKE said the hon. member for Kingston had pointed out that there was no question raised in the correspondence read as to the breach of the Independence of Parliament Act. Let

them understand the history of this transaction. At a period not long after the original formation of this Government, when he did not exactly know, the first work was given to the *Freeman* office. His hon. friend the Postmaster-General of that day left office in May, 1875. He was succeeded by Mr. Fournier as Postmaster-General. Some time in October, 1875, his hon. friend the present Postmaster-General took office. In the Christmas holidays of 1875, a report was prepared by permanent heads of the Department, and the slips which contained this item of account were laid before him. Then, for the first time, it came to the knowledge of his hon. friend the Postmaster-General. That was either during or after the Christmas holidays. It was immediately after that, within a day or two, that the matter was brought to the attention of the Government. The Government decided that it should be discontinued, and they had produced incontrovertible proof of that decision by the official letter which, on the 15th January, was written to the Inspector directing and informing him that, from the receipt of that letter, no further printing of any description was to be done in New Brunswick or Nova Scotia, but that it was all to be brought up to Ottawa. The hon. member for Kingston complained that, in directing a letter by the Secretary of his Department to the Inspector of the district, the Postmaster-General had not said anything about the breach of the Independence of Parliament Act; and that, in an official letter announcing a decision of the Government, the reasons for the decision had not been given. Such an idea was preposterous. It was sufficient for the Government to learn those circumstances, and then order that these relations should not continue; and that order was indicated by the imperative terms in which it was put. The hon. gentleman said this was treated merely as a matter of economy. He (Mr. Blake) would say this had not been done as a matter of economy only, although he had no doubt that the service could be performed cheaper at Ottawa than at New Brunswick; but it was also because the Government felt that it was

inexpedient, to use the hon. gentleman's own phrase, that contracts of the Government should be performed by any member of Parliament. The Government felt so, and they acted upon that view. There was no doubt of it. Then the hon. gentleman said that the law was wilfully broken by the continuance of the contract. He (Mr. Blake) had already pointed out that they were not to determine to-night whether the transaction was within the letter of this Act or not. That was to be determined by the Standing Committee upon Privileges and Elections, but he had said, and he would repeat, that, if the contract or arrangement—he would not call it a contract—was within the Independence of Parliament Act, the simple and sole consequence was, that the seat had become vacant and that the member had ceased to be a member of Parliament. The law did not place in the hands of the Government the possibly dangerous and certainly improper power of continuing members of Parliament in their places while making contracts with them. The Executive had no such power. The law was inexorable, the penalty imposed for its disregard being two thousand dollars each day. But, dealing with this case on the general principle upon which he believed all such cases ought to be dealt with—that it were better there should be no pecuniary relations whatever between a member of Parliament and the Government of the day—the Government thought that this matter ought to be closed, and instructions were given to close it. If there was a violation of the Act there was no necessity to stop the contract, there was no obligation to do so.

AN HON. MEMBER: What did you stop it for?

MR. BLAKE: Because the opinion of the Government was that it was inexpedient there should be any relations of this kind between a member of Parliament and the Government, while continuing a member. But the Government did not determine that it was improper to offer an office or contract to a member of Parliament when it was understood that the usual consequences would follow. The hon.

member for Kingston said there was a breach of law. He called upon him to point out what breach of the law there had been on the part of the Government. He would ask whether there was anything in the Act which forbade their giving an office or contract to a member. There was not a word in the Act which could be interpreted into this meaning; but the effect of the law was that the member ceased to be a member.

Sir JOHN A. MACDONALD: The law also says if he does such and still continues to be a member of Parliament, he is liable to a penalty of \$2,000 each day he so continues in the two positions. Then it follows that this is an offence to which a penalty is attached. The hon. Minister of Justice has himself said in this House that wherever there is an offence there must be two parties. Now there are two parties to this offence—the receiver as well as the thief.

Mr. BLAKE said the hon. gentleman said there must be two parties to an offence. Now, if the hon. gentleman murdered him he did not suppose that he (Mr. Blake) would be an offender. There was nothing in the law which prevented the Government from giving a contract to a member, the latter ceasing *ipso facto* to be a member. The Government had carried out the spirit of the law in the present case. The hon. the Premier had declined to give a contract to Mr. Foster while he was a Senator—he was obliged to resign before he received it, although the law permitted such a course. His hon. friend had decided to act on the part of an imperfect law, and declared that no Senators shall receive contracts and remain members of Parliament. The hon. gentleman had stated as a reason why the matter was not brought forward before, that it was not known who was the proprietor of the *Freeman* office. It was just as well known to them all who was the proprietor of the *Freeman* office as what were the initials of his (Mr. Blake's) name. It was more worthy of a pettifogging lawyer in a Division Court than of a leader of the Opposition to say that the House was not aware of it. Last Session the

Mr. BLAKE.

hon. member for Hastings had alluded to it himself.

Sir JOHN A. MACDONALD: The hon. gentleman had just said that the facts are not known even now.

Mr. BLAKE said the fact that the *Freeman* office had had some printing from the Government was known to every hon. member last Session. The Government stated last Session that the practice had been ordered to be discontinued, and the hon. gentleman had said that the Government was morally responsible from the period at which they knew it; politically responsible, for he knew not how long and for what offence he could not understand. The circumstances under which the temporary continuation of the arrangement had taken place, were detailed in the letters submitted by the hon. the Premier, and they spoke for themselves. It appeared that Mr. Chubb, who had the arrangement for supplying stationery and doing a portion of the printing, had complained that a very large quantity of stock of a peculiar description, not ordinarily saleable, had been ordered in view of the arrangements continuing during the summer, and that it would be unfair to him if that stock were not worked up. After having definitely ordered the arrangement to cease, an extension was given for a certain period for the purpose of working off the stock. The hon. the Postmaster-General thought he could not resist that statement made by Mr. Chubb, and that it was proper on the whole, finding this difficulty for which he was not responsible, that the arrangement should be closed as rapidly as possible without doing an injustice to Mr. Chubb. His hon. friend said the Government were engaged in corrupting the Legislature. This was a serious charge against the Legislature as well as the Government. He would leave the House to determine whether this general observation was warranted by the proof brought forward—if the hon. gentleman had, by a single incident, pointed out any case of corruption. His hon. friend said the Speaker should have resigned. If the transaction was within the law he had no power to resign. He could not see how the late

member for Gloucester could resign at all. Disguise it as they would—disguise their argument as they would—there was no doubt that the motion declared that the transaction was a breach of the Independence of Parliament Act, and that the breach of the Act lay not with the Government giving a contract to the hon. member for Gloucester, but in his retaining his seat afterwards. He had pointed out the proper mode in which such a motion should be disposed of, and his observations on that point were specially applicable to the present case. It was a case in which the alleged contract by which the seat was vacated occurred two or three years ago. It was a case in which, during the whole of last Session, Parliament was aware of the fact that there were pecuniary transactions between the proprietor of the *Freeman* office and the Government. It was a case in which, from the earliest period of this Session, Parliament had been aware of the continuance of those transactions during a certain period, from the Public Accounts for this year. It was a case in which two months of the Session had been allowed to pass before Parliament was invited to act. When there was such deliberation in the inception, should there not be a like deliberation in the action? Although it took the Opposition two years to discover that this was a direct breach of the Independence of Parliament Act, they would not allow one day for that judgment, that investigation, that enquiry which, according to precedent, should take place. Did they want to avoid investigation? Did they desire that there should be no report of a Select Committee on the subject, as had been the practice in cases on these records? Did they want that the whole facts should not be brought out? No other reason could be given for bringing forward that motion when there could be no amendment, and when no such enquiry could take place. The true course would have been, if hon. members assumed to say that there had been a breach of the Independence of Parliament Act, to make a motion to refer the question to a Committee on Privileges and Elections.

Mr. BOWELL—Why did you not do it?

Mr. BLAKE asked how often it depended on the Government to bring forward such motions. A Government was never known to bring forward such a motion, but the hon. gentleman seemed to think that this Government should be an exception. When the hon. gentleman had proposed the motion in the manner he did; when he was told that it could be done in the proper mode, if he asked; when the Government declared that the practice had been discontinued, when discovered, and when it was shown that it had been discontinued; when there was to be no reference to a Committee, and when, after two years' delay, they were to be asked to put the judgment into execution without a moment's delay, he believed the majority of the House would condemn the course pursued, and vote down the resolution.

Mr. TUPPER said he could imagine the derision with which the great mass of the supporters of hon. gentlemen opposite would have received the statement a few years ago that the honest indignation which the hon. the Minister of Justice exhibited when on the Opposition side of the House would be succeeded by special pleading for one of the grossest breaches of the privileges of Parliament which had ever been committed. The hon. gentlemen whose feeble cheers had been heard attempting to sustain the hon. gentleman, would have treated with indignation the statement that he could ever be made a Samson shorn of his locks, and the object of amusement to the House and the country. It was unnecessary to recapitulate the facts of the case which had been so logically, ably and clearly stated by the mover of the resolution. That hon. member had established the fact that this Government had taken some \$19,000 of the public money in violation of the law on the Statute-book with reference to services performed by members of Parliament. The hon. gentleman had placed the facts so lucidly and so clearly before the House that it was not necessary for him to go over them in detail. They required only to be stated to present a

case, which ought to shock the members of the House as it had shocked, and as it would shock every intelligent and independent elector in this country. He felt that the course which the Government had taken in attempting to defend this matter, and in calling upon their supporters to sustain them in defending this transaction, which they were also called upon to condemn, was one that would rightly and properly cost these gentlemen the confidence of every free and intelligent and independent elector who had looked to them to sustain in Parliament the loud professions they had made with reference to this question outside of it. The Minister of Justice said that his right hon. friend had changed his opinions on this question. The hon. gentleman admitted frankly that the course which the right hon. gentleman had pursued, and which he had pursued openly, with the sanction and approval of Parliament, was pursued under the law; that his right hon. friend had vindicated the law, and that no law was violated. It was only in the spirit of the Act, that it could be supposed in the slightest degree to infringe on the Independence of Parliament. His right hon. friend had not, therefore, changed his position. What the right hon. gentleman did was done under the law; and what the right hon. gentleman now condemned, he condemned because the law of the country refused its sanction to the act. But supposing it were true, what was the position of the Minister of Justice, who was yesterday the great tribune of the people, and who yesterday was the man who held himself up for the admiration of the people of this country as an able, an independent, and an incorruptible exponent of the principles of purity and of the independence of Parliament, now used all the talents he possessed for the purpose of vindicating an act of open and flagrant violation of the law, not only of Parliament, but also of the Statute-book, by the Government of the country itself. What then, assuming that the hon. gentleman's statement with reference to his right hon. friend were true, was the position these hon. gentlemen opposite occupied? The hon. gentleman (Mr. Blake) said that his

right hon. friend was a convert to his opinions, but in saying this the hon. gentleman had admitted that if his right hon. friend was a convert, he (Mr. Blake) himself was a backslider, one who had gone back on all the principles he had professed to hold of old with relation to this question. The hon. gentleman had fallen from the high pinnacle to which he had elevated himself by these declarations to a position that would render him an object of sympathy with all who had been disappointed in the course which the hon. gentleman had taken. The First Minister, in opening his remarks, had stated that he had not so narrowed his mind—that he was grateful to think that his mind was too broad and too comprehensive and too expansive to prevent his being able to act and cooperate in the Government of this country with gentlemen who might differ with him on many and important questions. Well, when did the hon. gentleman thus expand his mind, and when did this great breadth of intellect present itself? It must have been since the honorable gentleman looked at these questions from the Treasury Benches, for when the hon. gentleman stood where he (Mr. Tupper) was then standing, no man so loudly denounced coalitions, and men who could combine together for the Government of the country; not because they were separated by any broad lines of demarcation or of division on the important public questions of the day, but because, some twenty years before, or some ten years before, they had been called by other names; and, although they could agree, and did agree, on all great questions in which the country and its progress and its prosperity were concerned, the hon. gentleman denounced them as necessarily corrupt, and called upon the people of the country to strike them down and drive them out of office. The hon. gentleman now, however, saw these matters through different glasses, and the hon. gentleman had obtained a greater breadth of intellect and a greater breadth of mind. The narrow limits in which the hon. gentleman had confined his mind had become enlarged, and he could now satisfy him-

**Mr. TUPPER.**

self that it was not right and just that hon. gentlemen, whose lives had been spent, down to the hour of their combination, in open, avowed and strenuous antagonism on the greatest and most prominent public questions of the day, to combine for the sake of sharing office and for the sake of maintaining themselves in power. The hon. gentleman said, that so far from disapproving of the advanced views of his hon. friend the Minister of Justice, as announced at Aurora, he was glad to know there was nothing that would tend more to the progress of enlarged principles and of liberal sentiments than gentlemen advancing, bringing forward and discussing these great questions, even in advance of the time when the country was ready to take them up and Parliament to crystalize them into law. He would ask the hon. gentleman to go back to his speech at Prescott, delivered after he had intimation of the departure his hon. friend who was now Minister of Justice was about to take, in which he denounced the men who would split up their party by indulging in vagaries, and by pronouncing on the critical questions which were unworthy of the consideration of the country. The hon. gentleman read out of his party any man who would be so lost to what he owed to the party to which he belonged as to indulge in these views and expressions. He was only induced to draw the attention of the hon. gentleman at the head of the Government to that fact, as evidence that it must be since he had experienced this wonderful change which had given such breadth to his intellect, and which had so enlarged and expanded his views, there was an elasticity about the hon. gentleman's mind, that no person could fail to admire. It was equal to any emergency. It could be narrowed down to a point, when criticising the act of an opponent, so small as to deal with the most minute matter, and to elevate it into the most gigantic proportions; and, at the same time, it was so elastic as to expand and embrace all and everything, however opposed to right and expediency, provided that this breadth of mind was necessary to bring within the charmed circle of the hon. gentleman's party

those who were necessary to sustain the hon. gentleman in power. The hon. gentleman had, that night, given up the whole case before the House. What was this case? The Parliament of the country was asked, in defence of its own character, and in defence of its own reputation, to say that it was inexpedient and improper that the Government of Canada should pay \$19,000 of the public money to a gentleman who held a seat in the Parliament of the country. A law on the Statute-book declared that any hon. gentleman receiving from the Government, directly or indirectly, a single dollar of public money for services performed for the Government, vacated his seat, and that it became void. And yet the Minister of Justice, and the men who yesterday were claiming the confidence of the people of Canada on the ground of what they intended to achieve for the independence of the Parliament of the country and for the elevation of political and public morality in this country, in face of the case which the First Minister admitted, and which the Minister of Justice admitted was so open, so clear and so palpable, that it warranted being sent to the Committee on Privileges and Elections, these hon. gentlemen had so far gone back on themselves and trampled under their feet the principles which they had proclaimed when seducing the people of the country into the belief that they were worthy of being entrusted with power and the control of public affairs, and had so far forgotten the professions on which they obtained the position which they now held, as to call on their supporters to vote down what was a plain, a palpable and a literal fact, which every man who saw could read, and which every intelligent man in the House or out of it was capable of grasping at a glance. It was inexpedient and improper, unless the Parliament of Canada was to become a by-word, and the Independence of the Parliament of Canada a by-word in the mouths of the people of the country, that while that law stood on the Statute-book the Public Exchequer should be used for the purposes of pouring money out of its coffers into the pockets of members

of the Parliament of Canada. The hon. gentleman (Mr. Mackenzie) said they stopped it so soon as they knew of it. And why did they stop it? Was it because it was wrong? If so, the very fact that they did stop it, and gave to the House the reasons they had for doing so, would convict these hon. gentlemen of having adopted a course which bound them in vindication of the Parliament and the honour of the House of Commons of Canada, to vote themselves with the mover of the resolution, declaring that this Act was improper and inexpedient. If it was proper and expedient, why did they take the patronage they had bestowed, and the money they had paid, from a member of the House? It was because they found that it was not proper and not expedient, and because they found that, having violated the law, they were compelled to adopt that course. The hon. gentleman took exception to his right hon. friend's statement—he did not hear him make it, but he (Sir John A. Macdonald) might well have done so—that the Government were corrupting the Parliament of the country. The hon. gentleman demanded the proof that this was the case. He would tell the hon. gentleman (Mr. Blake) that no more proof was necessary than the fact that, in open and flagrant defiance and in violation of the law on the Statute-book, they had committed this act for which they were to-day arraigned at the bar of the judgment of the House, and for which they must shortly, despite all the efforts to the contrary on the part of those hon. gentlemen who might be found ready to support them, be arraigned at a higher and greater tribunal,—the great bar of the great public sentiment and of the independent and intelligent public sentiment of the people of Canada. The hon. Minister of Justice who had just taken his seat, had ventured to tell the House that the Government committed no wrong in offering or the member in accepting; the hon. gentleman undertook to tell the House that the law on the Statute-book which declared that a member of Parliament who accepted a single dollar of public money, directly or indirectly, for services rendered to that Government, was no longer able to exist within

those walls; the hon. gentleman undertook to tell the House that the Government, who had given \$19,000 of the public money of the country to a member of the House, who still sat and was sustained by them in the position of the First Commoner of the country, had committed no wrong. Was there a gentleman in the House who supposed that had this hon. gentleman continued to sit in Opposition, he would ever have fallen so low as to be able to enunciate, in the presence of a deliberative assembly, a proposition so monstrous and so revolting to the common sense and intelligence of every man in the House and in the country. He said that the highest and the deepest wrong that any Government could commit was to take the public money of the country and use it for the purpose of violating the law, and, knowing that the law was violated, to continue year after year the transaction. If his right hon. friend had said that the Government were corrupting members of Parliament, he had good grounds for making that statement, and for saying that a doubt was cast on the integrity and independence of every gentleman who supported the Government of the day. And why? Because if they could, among themselves, secretly contract with a member of the House, having held the views they formerly had expressed, and having denounced those transactions and anything that had the colour of interfering with the independence of members of the House, what might they not have done? Who was there—was there a gentleman in the Liberal Party of that day, who supposed that Col. Gray's principles were practically influenced by the public money he received, and received within the law, for performing a public service, the money being voted year after year by Parliament, and paid him? Was there a member in the House who did not know that among the tried, the strongest, the warmest, and most devoted supporters the right hon. member for Kingston had in the House or in the country, Col. Gray was among the foremost? No man could pretend such a thing; and yet it was stated in the Journals of the House, that these hon. gentleman had

Mr. TUPPER.

voted and handed down their names to posterity as denouncing that act which they admitted to be legal, because they said it cast a doubt upon, and assailed in spirit the Independence of Parliament Act, and cast a doubt on the independence of gentlemen who sat in the Parliament of Canada; and accepting these views and yielding to the sentiment of the House and of the country, the Government came forward and put a law on the Statute-book, which the hon. gentlemen opposite demanded at their hands. And what had these hon. gentleman done? Had they observed the law? No; but with law in their hands, they treated it with the most open contempt. He was in error—it was not with the most open contempt, for this contract was a secret contract. It was going on secretly; a member of the Government had made the contract and the Government were paying the public money, month after month for a long number of years, to a member of the House without the knowledge of other members of the House; and he said that, if the Government could do it in one case, they could do it in another case. The hon. gentleman stated that they had stopped it; but he believed it would be found—he did not intend to travel out of the record—that, at the very time they said they stopped this contract, the Government were signing a contract under which a larger and an infinitely greater sum of money had been paid over by the Government to a member of the House. Members of Parliament, under these circumstances, could only resent the imputation that any doubt was thrown by their conduct on the independence of members of Parliament. This was a flagrant wrong unredressed; it was a flagrant violation of the law, sustained by the hon. gentlemen who sat on the Treasury Benches. There was no member supporting them who was not open to the imputation and suspicion of being in a position in which he was secretly making arrangements with the Government of the country to be, directly or indirectly, beneficial to that hon. gentleman; and yet the Minister of Justice ventured, in the face of these facts, palpable, known, open, admitted and proved by the records the Govern-

ment had furnished the House themselves, to say that the Government had committed no wrong, because this resolution was not aimed at the individual, but at the higher and the greater offender, the Government itself. The hon. gentlemen asked their supporters to say—what? That it was proper and expedient, and that it was not infringing upon the independence of this Parliament to do what they had done. They might find supporters who, far removed from the ordeal which, at no distant day, they must undergo, and who, away from that higher tribunal to which at no distant day he was proud to know, they would have to appeal, would so far forget those they left behind them as to sustain the Government in this emergency. The cheers with which these hon. gentlemen in former days greeted the Minister of Justice on that side of the House, when he proclaimed to the world that lofty purity and public morality would be inaugurated under his rule and administration, if he ever obtained them, would strongly contrast with such action. These hon. gentlemen, however, must go back to meet the various faces of their intelligent constituents, who knew and felt that whatever the necessities of the Government might be, public principles were of vastly higher and of vastly greater importance than the exigencies of a Government, however deserving they might be of confidence in other respects. The hon. gentleman (Mr. Blake) said he was opposed to the views of his right hon. friend with reference to the Independence of the Senate, and he voted and proclaimed the necessity of passing a law that would operate on that body of the Legislature in the same way as the law existing in reference to this House. He believed that the hon. gentleman had undergone not only a conversion, but a backsliding on this point. Having got on the Treasury Benches, the hon. gentleman found it necessary and desirable to use the members of the Senate on important public services, and to place in the hands of members of the Senate large sums of public money to disburse for their expenses. The hon. gentleman had found no danger to the independence of the Senate, provided

that the hon. gentlemen were able to keep their seats on the Treasury Benches, and he did not further interfere with it. This body of gentlemen, once so obnoxious, who were represented formerly to be unworthy of the confidence of the House and of the people of the country, had suddenly grown in the esteem of hon. gentlemen opposite; and all their views and all their principles in relation to that professed reform which they had declared to be so necessary, were now treated as an idle dream that had passed away and the necessity for which no longer existed. It was only yesterday that they gave the best evidence of the sound statesmanship of the right hon. gentleman, when he refused to adopt the law they proposed and the principles they proposed with reference to the Senate. When they desired to send some one on the most important mission that any gentleman could be selected from Canada to perform—to deal with the question of reciprocity, these hon. gentlemen selected a Senator in the other end of the building, and, as far as the Public Accounts showed, he was not left without an ample supply of public money, directly or indirectly, to meet all his necessities. And to-day what did the hon. gentleman find or consider it necessary to do? On a still more recent occasion in connection with the great Centennial Exhibition, when these hon. gentlemen wanted to secure the services of able efficient and talented representatives for Canada, at a most important crisis, they again went back to the Senate and chose hon. gentlemen and supplied them with the public money they required in order to fully and vigorously and efficiently represent the Government of the country. So that these hon. gentlemen had become the strongest testimony to the fact that the views they held when in Opposition were held, not as principles, but as professed principles to be abandoned when the necessity for using them to obtain power had passed away. The hon. gentleman said that the practice of the right hon. gentleman did not agree with his professions, and that the hon. gentleman had voted down a resolution which was proposed to pre-

**Mr. TUPPER.**

vent members of Parliament from being shareholders in the Canadian Pacific Railway Company. He thought that the House would recollect that when the resolution was first proposed it was of a character that would instantly deprive any hon. gentleman of his seat who, in the most remote way, even if he inherited a share by the death of a relation, was connected with the railway. He told the hon. gentleman that the practice of the right hon. member would bear the closest scrutiny in relation to the Canada Pacific Railway. So thoroughly did the late Administration carry into practice that law, so completely was their position in accord with the essence and spirit of the Act of Parliament, that they determined no man, sitting either in the Senate or in the House, should be a director. When they took that ground his right hon. friend showed by his practice that he was prepared to go further in the vindication of the independence of Parliament than the law on the Statute-book required. Hon. gentlemen opposite would not have been occupying their present positions had they given way on that point. Had the Hon. Mr. Foster obtained the position of contractor that he wanted, the refusal of which threw the Government into the hands of hon. gentlemen on the Treasury Benches, had not his right hon. friend stood true to the great essential principle of having the Parliament of the country independent, those hon. members would not be in the position which they had proved themselves so unworthy of occupying. But was it such a crime on the part of his hon. friend to vote down a resolution providing that no shareholder who was a member of Parliament, should be a director of the Company? Did that show such an absence of a proper regard for the independence of Parliament as made him unworthy of the confidence of the people? Then let the hon. the First Minister tell them why when entrusted with the power and responsibility of getting a Government, he went to three hon. gentlemen who were opposed to him on that question and asked them to take seats in the Cabinet. The hon. the Minister of Justice used a boomer-

ang which recoiled and struck one of the leading members of the Administration in the face. Three different times did the hon. gentleman throw it and each time it returned and struck in the face a colleague of his own who acted against him on that very question. The hon. the Minister of Justice said he did not contend that the law had not been violated. Then what was the hon. gentleman talking about? Did not the hon. gentleman hold the high position of Minister of Justice for the purpose of maintaining the law, for the purpose of giving, on a plain direct question submitted here, his deliberate opinion as to what the law of Parliament as well as the law of the Statute-book, required in reference to a question touching nearly and dearly the position of every hon. gentleman in the House—that of the Independence of Parliament. Then what was the reason of his reluctance to state whether the law had been violated or not? Why did he not say that the law had not been violated? Why he did not say it? Because he knew that all the respect which was felt for him in this House and the country as a great lawyer, would instantly disappear, and be succeeded by a feeling of a very different and opposite character, if he ventured on such a statement. But the hon. gentleman was ready to avail himself of the votes of the supporters of the Government, provided that they could be induced to declare that that which was improper was proper, and that which was inexpedient was expedient; provided that they would sustain the Government and declare to the people that the law on the Statute-book prohibiting one dollar of the public money being paid to any member of Parliament, had not been violated in taking \$19,000 out of the Treasury and handing it over to an hon. member. The hon. gentleman had said there was no breach of the Act on the part of the Government. Did he mean to say that the Government of Canada stood in this position: that they were to sustain a man, as a member of Parliament, when they knew by their own act that his seat had become void, and that he had become as incapable of sitting in this House, as if he had never been

elected by his constituency. But the hon. gentleman argued that the matter should be referred to the Committee on Privileges and Elections. Did he forget that when an hon. gentleman was returned by the returning officer, and, having taken the oath in the presence of the Speaker, was directed to take his seat, that the hon. the Minister of Justice asked the House, by his own motion, not to send that question to the Committee on Privileges and Elections to ascertain whether the return had been rightly or wrongly made, but he moved that that gentleman should be deprived of his seat, and that the person who had not been returned should be declared duly elected. He asked whether the hon. members opposite, who voted with the hon. gentleman on that occasion to refuse to send the matter to the Committee on Privileges and Elections, were prepared to say that the Act under discussion must be declared proper and expedient before any action could be taken in relation to a transaction in which no proof was required, because documentary evidence in support of the charge had been furnished by the Government themselves. The hon. the Minister of Justice said he would deliberately abstain from expressing an opinion. He asked the House and the hon. members who sustained the hon. gentleman, what this meant when an unanswerable case had been made by the hon. mover of the resolution, supported by the cogent and argumentative speech of the right hon. gentleman (Sir J. A. Macdonald), while the hon. the First Minister and the hon. the Minister of Justice took their seats without being able to move or grapple with a single fact in connection with this matter. What did it mean when, in the face of such a fact as that, the hon. gentleman (Mr. Blake) asked his friends behind him to sustain the Government in this matter, and yet deliberately refused to give his opinion in regard thereto? Why did the hon. gentleman refuse his opinion? Were not the hon. gentlemen behind him, before committing themselves by a vote which would deservedly consign them to political oblivion, entitled to an opinion so that they might state to their constituents:

"This was a legal question, and we did not quite understand it. We had the high authority of the hon. the Minister of Justice that this was right and proper and constitutional. We may have done wrong; but if so you must not blame us, because we are not lawyers. We had confidence in his law, and he assured us we had the law on our side, and we believed that we were not trampling the character of Parliament, and along with it the high place the Parliament of Canada occupies in the estimation of the world, beneath our feet in accepting the opinion of the hon. the Minister of Justice." They would forget everything that was due to the House of Commons and Parliament of the country when they were obliged to make that confession, but they took that position with their eyes open, when the great special pleader put forward to justify the action, admitted that he was unable to give any opinion to justify action on this question; and they would be obliged to go back to a justly incensed and indignant people, who would declare that they had betrayed their trust. He was told that 55 of the gentlemen he had now the honour of addressing were found to follow the lead of the hon. the Minister of Justice when he voted against sending the case referred to, which was entirely different from the present one, to the Committee on Privileges and Elections. In that case the man had been returned by the only power that could return him to the House; he had been sworn in at the table and ordered to take his seat. This was an insignificantly weak case in comparison to the present one. They had a case here which every man could read for himself. Yet 55 hon. gentlemen were found who voted that Mr. Claxton's case should not be sent to the Committee on Privileges and Elections.

Mr. MILLS: That was because the returns showed on their face that a majority of the legal votes had been returned against him.

Mr. TUPPER asked if the hon. the Minister of the Interior claimed that the returns in this matter did not present, on the face of them, as strong a case as that. With the admission of the hon. the First Minister and the

Minister of Justice, that the law prohibited the giving of a dollar of the public money to any hon. member of this House without rendering his seat vacant, in addition to the returns laid on the table by the Government, did the hon. gentleman mean to say that this case was not a thousand times stronger than the one to which he alluded? He did not envy the 55 members when they were obliged to vote up that which they voted down on that occasion, and to follow the hon. the Minister of Justice, whose necessities compelled him to right-about-face in reference to this important question. The hon. gentleman (Mr. Blake) said: "I do not call this a contract." What did he call it? Did he not know? Was the great authority, the great legal luminary, to whom the House had a right to look for an opinion upon a purely legal question, after two years of close and careful study and painful study, unable to give an opinion? The hon. gentleman fled from the assault made upon him. He ran away, saying "I refuse to give a legal opinion. I do not call this a contract." The word contract slipped inadvertently out of the hon. gentleman's lips, and he said, "I don't know what to call it." He asked the hon. lay members whose intelligence enabled them to contrast the position taken by the hon. the Minister of Justice when he had a particle of ground to stand upon, and the feeble, emasculated condition in which he had exhibited himself before the House to-night. Was there not a reason for the feeble cheers with which the Government followers tried to keep up the hon. gentleman's sinking courage? The hon. gentleman wound up by saying that the Government thought they ought to close the contract. The fact that they closed this contract was the best evidence to the House and the country of what they considered it. Had one of the hon. gentlemen, had either the First Minister of the Crown or the Minister of Justice, ventured to say that this was a proper transaction? He would appeal to the supporters of the Government whether either of these hon. gentlemen had ventured to insult the intelligence of this House by saying this was a proper transaction? No, they

Mr. TUPPER.

had not; but they had pleaded to their supporters to preserve their existence as a Government, which they had justly forfeited. The hon. gentleman had not been able to say that the transaction, if not proper, was expedient. The resolution of the hon. member for North Hastings asked that it be declared that the transaction was both improper and inexpedient. Hon. gentlemen who voted against that motion would be obliged to hand their record down to posterity—that, when called upon to exercise the highest duty a member of Parliament could perform, namely, to vindicate the honour and independence and the character of the Parliament in which they sat, they had voted for that which neither the First Minister nor the Minister of Justice had dared to say was either proper or expedient, or would not interfere with the independence of members of Parliament.

Mr. HUNTINGTON said it was not his intention to occupy the time of the House at any length in the discussion of this subject. After the admirable speeches of his hon. friend the Premier and the Minister of Justice it appeared to him that nothing remained to be said. But there was a painful phase of this case to which he might be permitted to call attention, a phase which he thought did not reflect honour upon public life in this country. If it were true,—and he was not now discussing whether it was or was not—that a great political offence had been committed under the circumstances represented by hon. gentlemen opposite, it would appear to him that they should deal with it fairly and in a judicial and respectable spirit. He did not see why it became necessary to make wild party harangues, and so degrade the discussion as to give it an entirely opposite complexion from that which they might have expected it would occupy. The First Minister had told the House that the Government discovered the state of things complained of last year, and that they thought it to be inconvenient and improper, and so a stop was put to it. He himself had announced, long before anybody had spoken of it, that the practice was inconvenient and improper. He was sorry to say that the

*Hansard* report of the debates of last year gave very little idea of what took place in this discussion. It had been said that there were secrets in the matter, but there were no secrets. The hon. member for Cumberland (Mr. Tupper) with that fairness and candour, and in that dispassionate manner in which he always addressed the House, spoke of the secrecy of the contract made. He (Mr. Huntington) could not say anything about contracts, but as to the secrecy the hon. gentleman was entirely wrong. The hon. member told the House that the Government were pushed by the opinion of the country and by the Liberal press into the condition of bringing this before the House. He feared that if the hon. gentlemen opposite were in office the Liberal-Conservative press would never indicate anything so laudable, and would not tell them when they were right and when they were wrong. The Liberal press was an independent press, and it was for this reason that it was not guided of necessity by the acts of the Government. The statement of the hon. gentleman was incorrect. Immediately the Government found out the transaction it was put a stop to. The House was notified by the Government of that fact. So, without any pressure at all, the arrangement was discontinued. He was very much pained at the circumstances under which the matter had been brought before the House. He wished our politics in a matter of this kind, where an hon. gentleman found himself in such a painful position as any man of delicate sensibilities must find himself, would permit the matter to be discussed calmly and without prejudice. Why had the hon. gentleman refrained from moving this motion last March? Why had the hon. member waited until tonight, until the House was going into Committee of Supply, to move a motion which could not be amended? Did anyone believe it was for the purpose of vindicating the independence of Parliament? Why was not the present action taken last year or at the early part of this Session? He (Mr. Huntington) could almost fancy himself at the caucus of the party at which this particular attack was planned. He could understand the right hon. member

for Kingston with tears coursing down his cheeks at the position in which he stood in bringing this terrible charge against one of the ablest and most immaculable of Speakers. He could understand the hon. member for North Hastings being present—the two of them being old stagers and Parliamentary campaigners. He could understand how the younger members, the rank and file of the party, were eager to get at this. It was urged that they should not make a motion then, because the Government would vote it down, as the proper course was to send the matter to the Committee on Privileges and Elections. Then they said they would wait for Supply, and then the Government could not move an amendment, and the Government would be obliged to vote down a motion which perhaps some of them believed there was something in. The right hon. member for Kingston, taking out his pocket handkerchief and wiping his streaming eyes, said this, after all, was the true course to pursue. He (Mr. Huntington) believed that this position was not fair. It was the most extreme partizanship. The hon. gentleman who moved the resolution knew that the fair thing was to refer these matters to the Committee on Privileges and Elections. There should be an opportunity for discussion: the accused should have an opportunity of defending himself, and, upon the report of the Committee, the House should act. The motion was purposely framed for the purpose of entrapping the supporters of the Government into giving a vote which it was believed some of them did not wish to give.

Mr. OUIMET said it was not without grave consideration that he came to the conclusion to second the motion. It was always unpleasant for a member to speak upon any question which might reflect upon one of his *confrères*, and more especially when that *confrère* occupied the chief position in the House of Commons. The question before the House was of such importance that it was the duty of every member to carefully and seriously weight it. It was a question which involved no less a principle than that great bulwark of our constitution, the

Mr. HUNTINGTON.

Independence of Parliament. This was a principle which had been upheld by many distinguished men. It was a principle upon which depended the great strength of our system of legislation. Every member of the House must be independent; and this had been so well understood that laws had been framed to prevent anything like undue influence on the part of the Government towards an hon. member. The fact that the hon. member referred to occupied such a high position as he did, rendered it all the more imperative for the Government to state their reasons for giving the contract to him. The facts of the case were very simple, and still more clear when the admissions made by the different members were taken into consideration. These facts were presented by the Select Standing Committee on Public Accounts, when they stated that the vouchers before them showed that large sums of money had been paid from time to time to T. W. Anglin, a member of the House of Commons, for printing and stationery, while a member of the House. In the report brought before the House it also appeared that different sums of money had been paid to the St. John *Freeman*, to T. W. Anglin, on different contracts, according to prices as agreed upon. So it was clear that on one side was a party submitting prices in tendering for contracts, and, on the other hand, an agreement by the Government to accept this tender, and thus bribe the hon. member. The fact was indisputable that the Government had given a contract to an hon. member of this House. Quibbles and arguments might be used to try and lessen the fact, but the fact, namely, that there was a contract between the Government and a member of the House, remained. This was the bare fact standing before the House, and it did not require that the matter should be referred to the Select Committee on Privileges and Elections to show more clearly that a contract had been entered into on the part of the Government with an hon. member, and that that contract had been fulfilled and paid for. This appeared most clearly in the voucher dated 30th September, 1876, that \$2,709 had been paid on

account of the contract. The law, as it had been admitted by the different members of the Government who had spoken on the question, was that when a member of the House entered into a contract with the Government, the fact of his contracting with the Government disqualified him from sitting in the House. That was the law as interpreted by the different members of the Government, and more particularly by the hon. the Minister of Justice.

Mr. MILLS: I would ask the hon. gentleman, supposing an hon. member of the House should be the proprietor of a newspaper and should enter into a contract to take an advertisement, what would be the result? It is the same in principle.

Sir JOHN A. MACDONALD: Ask the proprietor of the *Montreal Herald*.

Mr. MILLS: Or the *Belleville Intelligencer*, or the *Chatham Planet*, or the *Toronto Mail*.

Mr. BOWELL: I will be happy to assist you in the Committee to investigate the account of the *Belleville Intelligencer*.

Mr. OUIMET said the question was whether there was a contract or not. If there was, the law applied; if there was not, the law did not apply; that was clear if anything was clear in the world. The reason why the law was on the Statute-book was that in old times contracts had been employed by the Government as bribes to different members of the House, and they knew that at that time money had been lavishly distributed among the members of the House in England in order to bribe support in favour of the Government. When those abuses became too numerous, a law was passed disqualifying any contractor from sitting as a member of the House of Commons in England; and that was the same law as now stood on our Statute-book. If accepting a contract was considered a bribe, he supposed that in a bribe there was the briber and the bribed party. In common law and election law they punished equally the briber and the bribed party. The Government might say what they liked, but they could not get out of this,—that they had given

this contract, and were responsible for it. The hon. the Premier pleaded ignorance; but the House knew it last year; they all knew it. They considered that the fault was not with the Government, but with the party that accepted the contract from the Government. The moment the Government persisted in continuing the contract they persisted in their intended bribery. Now was not the time to say if the hon. member who was the contractor, was bribed or not, but whether the Government was justified in giving the contract to a member of the House. He (Mr. Ouimet) thought they were not, and that they must be held guilty of committing a breach of the privileges of the House. The question of the responsibility of the Government was in question. Who was the guardian of the privileges of the House? No doubt the Government. If they had committed a breach of privilege—and such a thing was done often and in more numerous cases—it would become worse than the abuses which existed in former times. A great deal had been said about Col. Gray's case. The members of the Government, and more particularly the hon. the Minister of Justice, could not exculpate themselves, or reconcile their line of conduct with the line of conduct they took at that time, and he (Mr. Ouimet) thought this case was still worse than that of Col. Gray. Col. Gray was employed as a barrister to arrange the criminal law for the whole Confederation, to assimilate that law. This work was an intellectual work, and intellectual work was not paid but indemnified. They, while sitting as members of the House, giving their time and intelligence to make laws for the country, were not paid for it; none would say they were paid for it, but they were indemnified. He mentioned this only to show that the case of Col. Gray was not the same; and, besides, the law was not then so strict as it was now. The only arguments which he had heard on the part of the Hon. the Minister of Justice to save the Government from this motion which had been made was, that it was a vote of want of confidence, a vote of blame and censure against the Government. He (Mr. Ouimet) knew it, and

it had been a painful experience for him to know that votes which were given in this House must be distinguished in two very distinct classes. It was all very well for a member to vote according to his own mind and knowledge and according to his conscience, but when the Government was interested in the matter, it was all quite different. Members might vote on indifferent matters according to their conscience, but when the Government was at stake it was not allowed; what was just became unjust and what was unjust became just to suit the different members who were voting on the question. The members who were following the Government were told that the principles upheld by the hon. member for North Hastings (Mr. Bowell) were incorrect. They did all uphold these principles a few years ago, but to night it was different; the Government now wanted a vote of confidence and they must give up all the principles they had held and vote down the motion of the member for North Hastings, because it would hurt the Government. The argument of the hon. the Minister of Justice reminded him (Mr. Ouimet) of something which had been said about Paul de Casagnac, the famous journalist. Jules Simon was arguing very strongly that Paul de Casagnac in his paper, as a Bonapartist, had insulted the Government and preached revolution, and ought, therefore, to be found guilty and imprisoned. Paul de Casagnac replied by quoting the long articles and speeches which Jules Simon had written, and pronounced in the Press and before the public, about the freedom and liberty of the Press, and said that according to those same principles of Jules Simon he ought to be exculpated. Jules Simon said as a joke: "You are not now to be judged according to my principles, but according to your own." This was about the argument of the hon. the Minister of Justice: the Government was not to be judged to night according to their own principles, but according to the principles which they stated at that time were the principles of the late Government, and this was the best reason they had to show against the motion. In relation to Col. Gray's case, the hon. the Minister of Justice

Mr. OUIMET.

said at that time, that it would be a very injurious precedent to be recorded in their Journals. Well, the vote of to-night would be a worse precedent; it would just confirm the wrong-doing on the part of the Government, and infringe the privileges and honour of the House, of which the Government ought to be the jealous guardians.

Mr. SMITH (Westmoreland) said that, coming from the same Province as the Speaker, he would be recreant to his duty and unjust to the Speaker of the House if he allowed the vote to pass unchallenged. Had the House considered the result of the motion, if carried, to the Speaker? They must consider that he had not had fair play. Hon. gentlemen sought to injure the Government, to break down and impair the standing of the Government in this country; that was all right enough: but was it right to seek to injure the Speaker in order to obtain the end they had in view? If this resolution were carried, the Speaker's seat was vacant, he was no longer Speaker of the House, he was consigned to private life, and his little property, which he might have acquired in the course of years, was gone. If this resolution were carried to-night, he became liable to penalties exceeding £60,000. Was it not right that the people of the country should know that hon. gentlemen opposite said the Government had falsified their trust, and had been recreant to their duty.

Mr. TUPPER: Hear, hear.

Mr. SMITH said his hon. friend from Cumberland professed to speak *ex cathedra* for the people of the country, but, looking to things past, he was not a true prophet, but a false one; his predictions had been falsified by facts. He said that if the Government would invoke the voice of the people, it would be hurled from power. This was all rhodomontade. It was all very well for hon. gentlemen to pretend to speak for the people of the country, but he could not do it; the Government would speak for themselves and justify their position. He (Mr. Smith) asked hon. gentlemen opposite if they were prepared to place in this position the Speaker who was their representative, and with reference to whom

he might invoke the statement of the leader of the Opposition as to his efficiency in the Chair? Why did not they bring this matter forward last Session? Was it because they knew that the Speaker incurred a penalty and sought his destruction and ruin? Every act was known as well last Session as now. Why did they lie by, and wait till this Session? They sought now to condemn the Speaker of the House; they had tied his hands, sealed his mouth and stopped his tongue; they would not allow him to speak in his own defence, but sought to drive him from office and utterly ruin him. If they felt that the Speaker had violated the law, let them take the course prescribed by law and adopted in the British Parliament, and refer this matter to the Committee on Privileges and Elections. Was not that the proper tribunal?

Mr. BOWELL: Why did not you do it?

Mr. SMITH said they had asked the Opposition to do it, and they had refused. Were they going to try the Speaker behind his back, without his having the opportunity to say a word in his own behalf? Surely there was no precedent for this action, surely hon. gentlemen opposite would not ask for the conviction of Mr. Speaker, when his mouth was closed and he was unable to defend himself, he being exposed to a penalty of £60,000. This matter should be committed to the Committee on Privileges and Elections, before whom Mr. Speaker could appear entirely by himself or by counsel, and defend himself from the accusation brought against him. It was a pure question of law; and hon. gentlemen opposite in their expressions of opinion were biased and controlled by party and political feelings. It was not fair to so treat Mr. Speaker, who was exposed to such tremendous consequences. Mr. Speaker should have an opportunity of being heard in his defence. This seemed to be a fair and reasonable proposal. How any hon. gentleman could maintain the contrary he was at a loss to know. Everything possible to secure the condemnation of the Government had been brought up; what had they to do with the charge laid against Mr. Speaker? Was it fair to surround

this matter with the question of dereliction of duty on the part of the Government and to condemn the Government as guilty of crimes? He thought not. Mr. Speaker should at least have a fair trial; and after the question of law was decided and heard fairly, then if Mr. Speaker was convicted for a violation of the law, this might be used to the prejudice of the Government. Let them condemn Mr. Speaker, if they would, but let him first be fairly heard, and a fair investigation be had. If it was shown that the law had been violated, then let condemnation be visited upon the Government. He appealed to the sense of justice of both sides of the House; Mr. Speaker should not be condemned behind his back.

Mr. COSTIGAN said the hon. gentleman who had seconded the resolution, and very properly too, he thought, had suggested that it would be right and proper for every member to express his opinion, and give his reasons for the vote he intended to cast on this occasion. In this regard he asked for the indulgence of the House while he placed his views before hon. members. The Minister of Marine and Fisheries had made a strong appeal in Mr. Speaker's behalf. The hon. gentleman was of a very kind and genial disposition, and sympathised very readily with any one he might consider was unfairly attacked. But he entirely differed with the hon. gentleman when he said that an accusation and an attack had been made on Mr. Speaker personally. The course pursued by the mover of the resolution had, in his opinion, done Mr. Speaker immense service, as it had produced for Mr. Speaker on the floor of the House a defender in every member of the present Government. The Minister of Justice and the First Minister had tried to create the impression that a direct attack had been made on Mr. Speaker. They seemed to ignore the fact that they had any interest in the matter at all. If the simple and clear proposition had been made in the House that by the acceptance of this contract Mr. Speaker had violated the Independence of Parliament Act, he was led to believe that the Government would not have taken the responsibility of defending it, or

of placing their supporters in the position of justifying the act. The Government said that no wrong had been committed, and that the question should be referred to the Committee on Privileges and Elections. But in the first place, the contract had been given by a member of the Government, and sometime afterwards the House was informed that the contract would not be continued. Why was this step taken? It was evident to every member of the House, that the contract must have been awarded under peculiar circumstances, and the parties to the contract must have considered it unusual. The Government knew that the law had been violated, and had been, consequently, forced to announce that the contract would be discontinued. About this there could be no doubt. The Government, by their own act, admitted that this was the case; and their own Press did not attempt to deny it. In all these questions, the motive for, and the influence and consequences of these acts, had a great bearing on the cases in point. It was said that as Mr. Speaker had at all times supported the party in power, there was no object, such as the securing of his support, to be gained by giving Mr. Speaker the contract, or granting him favours. He admitted that Mr. Speaker had been associated with the party in power since he entered Parliament; and he also admitted that few members on that side of the House had rendered more material assistance in assuring the considerable and final success of the hon. gentlemen opposite than had Mr. Speaker. But there was a time when there was reason to believe that, whatever Mr. Speaker's political feelings might be, he must discontinue the strong support which, up to that time, he had given to the Government. This was known to members of the House, and to everyone who had paid attention to the progress of events when the Government was first formed; he could not say the Government as it now existed, for it was not precisely the same Government that had first entered into office in 1873. However, at that period, it was thought, for many reasons, that Mr. Speaker was entitled to a seat in the Cabinet. He would not say why this position was

Mr. COSTIGAN.

not tendered Mr. Speaker, or why Mr. Speaker's rights were ignored on that occasion. He had merely to say that not only Mr. Speaker, but his friends outside the House, felt that an injustice was then done him. There was no getting over this one fact, that when the present Government came into power, and before it was decided who was to be Speaker, it was rumoured in their part of the country in New Brunswick, that this honour was intended for Mr. Speaker.

Mr. MACKENZIE suggested that as it would not be seemly for the House to sit after twelve o'clock, the debate should be adjourned.

Mr. COSTIGAN moved the adjournment of the debate, to be resumed after routine on Monday.

House adjourned at  
Twenty minutes before  
Twelve o'clock.

## HOUSE OF COMMONS.

Monday, 9th April, 1877.

The Speaker took the Chair at Three o'clock.

### GOVERNMENT PRINTING IN NEW BRUNSWICK.

#### RESOLUTION PROPOSED.

The House resumed the adjourned debate on Mr. Cartwright's proposed motion:—

"That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply."—

And the motion of Mr. Bowell in amendment thereto; and which motion was:—

"That Mr. Speaker do not now leave the Chair, but that it be *Resolved*, 'That in the opinion of this House it is inexpedient and improper for the Government to have entered into any agreement or contract whereby public money is paid to members of Parliament, such as the Postmaster-General's Reports for 1875 and 1876, and the vouchers laid on the Table of this House on the 15th March ult., show to have been paid to Timothy Warren Anglin, a member of this House for the county of Gloucester, namely, \$8,126.31, for the year ended 30th June, 1875, and \$10,263.24 for the year ended 30th June, 1876, and \$2,709.55, being for the quarter ended 30th September, 1876, in payment for printing and stationery done for, and printed by him for the Post Office Department of Canada 'per agreement,' as shown by the return laid before Parliament by the Postmaster-General on the 1st of March last, and the vouchers reported to the House by the Select Standing Committee on Public Accounts on the 15th March, 1877, as such payments are in contravention of an Act passed in the 31st year of Her Majesty's

reign, intitled: 'An Act further securing the Independence of Parliament,' which provides that:—'No person whosever holding or enjoying, undertaking or executing, directly or indirectly, alone or with any other, by himself or by the interposition of any trustee or third party, any contract or agreement with Her Majesty, or with any public officer or Department, with respect the public service of Canada, or under which any public money of Canada is to be paid for any service or work, shall be eligible as a member of the House of Commons, nor shall he sit or vote in the same,' and are calculated to detract from the independence of members of this House."

Mr. COSTIGAN resumed his speech. He said, on the adjournment of the debate, he stated that he had very few remarks to make with regard to the legal point at issue in this question. He explained at that time that while he was ready to admit that Mr. Speaker had always been a consistent, intelligent and influential supporter of the Government and that he had contributed very largely to their success, but on one point, which was dangerous to the existence of the Government, there was a serious difference between the Government and himself. When the Government came into power they had a very large majority in this House. They feared no opposition on the ordinary questions of the day, but every one would remember that they feared, and had good reason to fear, the result of a vote in this House which was united on the New Brunswick school question. Notwithstanding the fact that they had this large majority, so great was the sympathy which existed in the public mind and in the House in favour of justice to the minority in New Brunswick, that the Government felt their greatest danger would come from that discussion. In order to argue this point, however, he would quote from the *St. John Freeman* articles which were written with more force and ability than any remarks he could make. He had endeavoured, from his point of view, to represent, in an humble way, what the feelings, interests, wishes and desires of the public were on that particular question; and he wanted to show that those feelings and views were entertained and shared and more ably advocated by the Speaker. The *Telegraph*, another paper of St. John, had tried to make a point against the *Freeman*, from the fact that the paper which had constantly advocated the rights of the minority had, for several days,

appeared without any allusion to the subject it had been fighting for. The *Freeman* of the 14th March, 1872, said:

"It is probable that during this struggle for justice, which promises to be long, many numbers of the *Freeman* will appear without even one paragraph relating to the school question, as, unfortunately, we have not room to deal with all the questions which demand our attention as fully as we would wish. Nevertheless, of our views on this subject we do not fear that there will be at any time the slightest doubt; nor do we fear that our silence at any time will be misunderstood, how much soever the *Telegraph* may strive to misrepresent it. The Catholics ask for justice—nothing more, nothing less. This they will continue to ask for and to seek, by every constitutional and legal means until they obtain it; and the *Telegraph* and its associates may, in the meantime, shout 'No Popery; clerical intimidation; spiritual terrorism; Popish plots; our schools in danger,' etc., until every one in the Province becomes disgusted with the senseless clamor."

Mr. MACDONALD (Cornwall): Is the honorable gentleman in order in referring to such matters.

Mr. SPEAKER: The hon. member has stated that he sees some connection between this matter and the matter in dispute, and I think he has the right to proceed.

Mr. COSTIGAN said the paragraph he had read would prove what the views of the Catholics were at that time. It said that they were determined to seek, in every constitutional manner, redress for their grievances. It showed that the writer advocated those views and laid down the principle which every friend of the minority had felt himself bound by since that time—a principle to which several of their prominent men had sacrificed their interests and positions. Yet, about the time this question was finally disposed of in this House, views contrary to those were expressed by the same paper. On the 27th April of the same year, the *Freeman*, in speaking of the responsibilities of the Government on that question, laid down this principle:—

"The Constitution makes them guardians of the rights and interests of the minorities in regard to this question, going so far as to clothe them with special and extraordinary powers to enable them to make that guardianship effectual. Knowing this, the Catholics of New Brunswick, in their extremity, looked to them for protection from the terrible wrong with which they are threatened. They hoped that the Catholic members of the Government would make some effort in their be-

half, but they found that their hopes of justice were as vain as when they appealed to the fanatical majority in New Brunswick, to whom alone they were coldly told they must look for justice.

The minorities had the right to look to them (the Government) for protection; that protection it was their duty to afford, and because they had refused to afford it the Catholics of New Brunswick now hold them as fully responsible for all the cruel, wrong and grievous injustice they must endure as even the Local Government itself."

This was written while the late Government were in power before the Speaker occupied his present position; and those opinions were freely received by the parties most interested in the discussion that took place at that time. In accordance with the principle laid down in the first extract he moved a resolution to effect a removal of the grievance of which the people of the Province complained. At the same time an amendment was moved, no doubt with a view of keeping clear of a direct vote on this motion—just such an amendment, though not so serious in its consequences, not so directly aimed at the rights and liberties of the minority, as the famous amendment moved to his last motion on this question, and was avoided, and they were for a time defeated; but during that Session, by the passage of the amendment of the hon. member for Stanstead, this House expressed its regret at the act of the Local Legislature, and expressed a desire that it should remove the cause of dissatisfaction which existed in the Province. But they all knew that the amendment produced very little good at that time. On the 25th June, 1872, the following appeared in the *Freeman* :—

"The time when the New Brunswick School Act might have been disallowed has now passed, and for its refusal to protect the minority of New Brunswick in the fair and constitutional way from injustice and oppression, the Canadian Government are plainly, fully and directly responsible. If the Privy Council decide that the Act is unconstitutional, as we hope they will, no thanks whatever will be due to the Canadian Government. If, unfortunately, their decision be that the Act is constitutional, and therefore valid, and if the New Brunswick Government and Legislature refuse to yield to the unanimous wish of the Canadian Parliament, as we much fear they will, then will the agitation assume another and very different phase."

This was very strong language. They had done everything in their

Mr. COSTIGAN.

power to get the grievance remedied. Their representatives were united on the question, and did everything in their power to carry out the views of the article from which he first quoted. He must agree with this article to a certain extent; he felt that the Government of the country might have done more than they did. He blamed them at the time, and voted against them. When the question was disposed of by the amendment he referred to, and as they had not much hope of deriving any benefit from it, their only hope was to wait for the next session of Parliament, in order that they might bring forward their claims to be heard. In the next Session, in 1873, they had had to deal with another question. The Local Legislature of New Brunswick, instead of acting upon the advice of this House, or upon its suggestion rather, and instead of showing any disposition to amend the law, passed amendments which were still more objectionable, and which gave rise to a discussion in the House. He then made a motion asking for the disallowance of the amendments. At that time the members of the present Government and their friends were in Opposition, and the motion was passed asking for the disallowance of the amendments. The members of the present Government and their friends—he was speaking of them as a whole, though there might be some exceptions—voted unanimously as the party known as the Opposition of the day, with him on that occasion, demanding that these laws should be disallowed. It was true, that the vote was then a direct vote of want of confidence in the Government, who met it as such, but, notwithstanding that fact, thirty-nine Conservatives, supporters of the then Government voted against the Government and against their political friends, in order to do justice and give fair play to the minority of New Brunswick. He mentioned this circumstance to show the difference between the policy of the Conservatives in acting independently of the Government, which they uniformly supported, and the hon. members who belonged to the other party. When he first brought this motion before the House, he met with the cordial sympathy, co-operation and

encouragement necessary to assist him in carrying the question before the House and contending for it from the Conservatives who were supporting the Government, although it was a matter calculated to embarrass the Government very much. He mentioned this as a proof of their sincerity, and their exceptional sincerity in contrast with what he would not call the want of sincerity, but the course pursued by the hon. gentlemen who were called upon when the time came for them to be placed in a similar position. And what did these hon. gentlemen then do? When he appealed to the House on behalf of the minority of New Brunswick, against the then Government, asking for the disallowance of the law—and this motion went further than any subsequent motion on the question—thirty-nine members of the Conservative party in the House, who had been misrepresented in the country with regard to their course on that occasion, voted against the Government and for the disallowance of the Bills, and with the members of the present Government, who then sat on the Opposition benches. The difference he wished to make was this: that when these hon. gentlemen afterwards came into power, and he asked not that this legislation should be set aside, that the rights of the Local Legislature be interfered with, or that the Act be disallowed, but that an humble address be presented to Her Majesty, asking that the interpretation should be given to the British North America Act which they believed it was meant to express, a change took place. What did the honourable gentlemen on the Ministerial benches, who had previously expressed so much sympathy with them, do? Why, four members of the Liberal Party in the House voted against the Government on that question; four members of this Liberal Party who had been since held up in New Brunswick as the friends of the Catholics in this relation, and of that great party who stood in the House with a very large majority, the Government being then able, if ever a Government was able, to do justice to the minority in New Brunswick, only four members voted with him on that question. It was true that the names of more than four Liberals appeared on

the division list, but he was not misrepresenting the facts. It was true that some of these Liberals voted with him, but they were from New Brunswick and Nova Scotia, and they voted against the Government because they did not desire any interference with the law at all. They did not wish to do anything with it, or refer it to the Privy Council; he wished to make the point that only four members of the Liberal party then voted against the Government, in order to contrast it with the conduct of Conservatives. When it was declared in the country that the minority had the sympathy of the party then in power, he said, let them meet this argument. When Liberals said that the Conservatives had ill-used this minority, they had a right to do so, but had the Liberal party done better? This argument stood unanswered. Thirty-nine Conservative voted against their own Government, on a motion going further than he had asked the hon. gentlemen at present in power to go; and were they under the same obligations to do so as the late hon. gentlemen? No. The question had never been previously raised. They had sprung it on their Government, against whom he had fought as hard as any man could fight on that question. He believed the minority were entitled to fair play, that to obtain it the Government should fall. He had contended that the minority should not yield, and that they had a right to secure the amendment of the law and protection; but the party on the other side of the House were under greater obligations towards the minority than the Conservatives, for they had made use of the question in order to get into power, and to the injury of the Conservatives before the country. They had wrested constituencies from the Conservatives because the latter had not carried out to the fullest extent the demands of the minority of New Brunswick.

Mr. MACDONALD (Cornwall) : What Government granted free schools in Ontario?

Mr. COSTIGAN said he had always had a great deal of difficulty in dealing with the question before the House, and if he could only do justice to this subject, he was satisfied not to allude to the question of separate schools in

Ontario. He knew this, that he could not and did not agree with the action of the late Government on this question; that he had not truckled to them, and that he had not received favours from them. He had felt it to be his duty to fight against them in this respect. He had also felt it to be his duty when the hon. gentleman who had led them to believe that they sympathized with them, and who had given a vote in the House, not of sympathy but of interest, to bring the matter before them; but it was clear that the Liberals voted in the House, in 1873, to a man, with the view of reaching the Ministerial benches, and not with the view of granting to the minority protection. He appealed to Mr. Speaker on this question, as one who was a member of the Liberal party, and who must have known their feelings and wishes on that subject. While he, as a member of the Conservative party, was doing all he could in the interests of the minority, not a single member of the Liberal party was prepared to sympathize or vote with him. It was now known and admitted what the Liberals wanted in 1873; they had no sympathy with that minority. It was against their principles to vote for separate schools, and, if they voted with him on that occasion, it was only because they desired to attain office; and this was the vote on which they went to the country, and for which such great praise had been given to the Liberals in the *Morning Freeman*, and in other papers throughout the country. It was a vote which entitled them to the support and sympathy and confidence of every warmhearted and honourable Catholic in the country, believing that they were sincere in what they had done, and looking to them for protection; but there was every reason now to believe—and they had had proof of it—that this question was only made use of at the time to humbug the minority with that vote, and to injure and weaken their political opponents. It was unworthy of the position of any party in this country to take that course in order to make political capital out of the question. When that vote was demanded in the House, when it was carried, the minority of New Brunswick had reason to expect that their case was as good as settled. The

Mr. COSTIGAN.

expression of the House was strong in their favour, and a majority of thirty-four or thirty-nine had gone so far as to say that the law of the Local Legislature must be set aside. As the Local Legislature would not do them justice, they felt that, and they had every reason to believe, when they would ask for an amendment of the constitution in this regard, this step would be fairly met by the House. In the *Morning Freeman*, of December 4, 1873, when the present Government were in power, an article appeared, showing that the opinions previously held in this respect in this journal, had not even then changed. It was stated: "The New Brunswick school question was the not very remote cause of the downfall of the late Government; we hope that it will not prove equally fatal to the Government now in power. Because Sir John Macdonald and Sir George Cartier trifled with that question, one day offering the Chauveau amendment as a compromise, and another day refusing to pass that amendment, and substituting for it the Colby amendment, but always refusing to exercise the power vested in them by the constitution for the protection of the minorities, they lost the confidence of a large portion of their supporters in Quebec and Ontario." This was just what he had stated. The late Government had not gone as far as the people in some of the Provinces thought they might have gone, and electors transferred their confidence to those gentlemen who had said they would go much farther, and to that party of which Mr. Speaker was a distinguished member. All those hon. members who now occupied distinguished positions in this country, stated at the time, that were they in power they would settle the question at once, but as they were in Opposition they could only offer the minority their sympathy. It was further stated:

"But for this loss of support they need not have sold the Pacific Railway Charter in order to retain their majority in the larger Provinces. They made the mistake of paying more regard to the threats and clamour of a few fanatics in the Maritime Provinces than to the honest public opinion of the Dominion."

He greatly feared that the present Government, with their very large majority, were similarly influenced by these gentlemen—he would not dis-

tinguish them by the same epithet—the representatives of that Province.

The article continued:—

“And this mistake proved fatal, for because of it they might have come out of the election of 1872 with a minority, if they had not made the bargain with Sir Hugh Allan, which prolonged their power for a season, but eventually involved them in ruin and disgrace. The majority of the men now in power showed, when they were in Opposition, a disposition to do justice, despite the unreasonableness of men who trade in fanaticism. They profess to be, and we believe they are, men of high principle.

“Principle, therefore, and not mere expediency must be their guide in this school question, as in all other questions, if they would not sacrifice the high reputation gained by the self-denial and the efforts of so many years.”

These were the hon. gentlemen opposite who had disposed of the school question, and to which, with expressions of satisfaction, the hon. member for Halifax had alluded the other night. Was it principle or expediency that dictated the amendment moved to his resolution and pressed before the House? When the Government had spoken on this very question, and complained of the present amendment, he was reminded of their conduct on that former occasion. They had even asked His Lordship the Bishop of New Brunswick to accept an amendment which they did not dare show him. They had not even paid His Lordship the common courtesy of placing that amendment in his hands, though they asked him to accept it, though it might mean one thing or anything. He (Mr. Costigan) was not deceived. He suspected at the time what the amendment would tend to, and his fears were realized when he heard it read. He appealed to the House, and to the sense of justice and fair play which had actuated some at least of the supporters of the hon. gentleman on this question, previously, and to those who had then so readily voted, while in Opposition, for the disallowance of the Act; but they would not even grant an adjournment of the debate or give time to look into the amendment. The motion had been voted down. The amendment had been sprung upon them, and members of the House who had been canvassed had agreed to it; and it was dangerous to allow time to consider it. The hon. gentlemen opposite might well have

looked back to the course they had taken in moving that amendment when finding fault with the amendment now under discussion. It was further stated:—

“We thought that the Catholic Bishops assembled at Quebec last spring blundered sadly, when, after the refusal of Sir John A. Macdonald to give effect to the vote of the House of Commons, they advised that no further action should be taken by the advocates of freedom of education.”

This, he took it, was another evidence of the sincerity of the views entertained by Mr. Speaker at the time, and if the independence and determination with which Mr. Speaker had put them before the country then, judging from Mr. Speaker's writing, no man was high enough, or important enough to make him swerve, or render him (Mr. Speaker) open to the suspicion of not being thoroughly consistent and sound on this question. He took it that this was the reason why Mr. Speaker had not even spared the assembled bishops of the Province of Quebec who did not adopt his views at the time, which were those Mr. Speaker then certainly entertained. It was very easy to understand the course of the Bishop and clergy of Quebec on this question. The motion for disallowance had been carried, and this would necessitate the Government to give effect to it. The then Government stated in the House that they were not prepared to take that course, and referred the matter to the Judicial Committee for adjudication, and provided means to defray the expense of the enquiry. He had not approved of this, and he was prepared, as honorable members on both sides of the House were aware, to follow up the advantage they had gained. The bishops of the Province of Quebec did not take the same view, for this reason, he supposed: they thought that time should be given in order to secure the judicial opinion in England, which had been asked for, and if it was not favourable, and if the minority required any assistance after that which they could afford, they would do all in their power; but they did not want, and perhaps they did not wish, to take such steps as would defeat the Government or produce a change in the country, while there was any tribunal before whom

the matter could be laid. There was no doubt that they (the Bishops) were prepared to give their sympathy and support to the minority after this appeal had failed. The Hon. Mr. Dorion, in his address to the electors of Napierville, had made a statement which gave rise to a good deal of discussion in New Brunswick, and all over the Dominion, because he seemed to foreshadow that the present Government did not recognize the existence of any duty that they owed to the minority on that question, and that they, in fact, had nothing more to do with it. This was the way in which this matter was treated in an editorial in the *Freeman* :—

“ We would, as we have already frequently stated, very much prefer that justice were voluntarily done by the majority of the people of New Brunswick. We would like to feel that they were willing to do the minority justice as soon as they found that the school system was indeed regarded by the minority as a violation of the rights of conscience. Mutual respect and good-will would thus best be promoted. We would like to hope, as Mr. Dorion hopes, that the Local Legislature will, next Session, so amend the law as to satisfy all parties, but the minority, who are now suffering so cruelly, cannot wait passively for relief that may never come. In very many districts their children are growing up uneducated, and all over the Province they are oppressed and plundered. If the Legislature of the Province again refuse them relief, they must again appeal to the Dominion Parliament, and no doubt they will find the zeal of some of those now in Opposition greatly quickened in their behalf. It is hard to tell when the decision of the Judicial Committee may be obtained, and if it be not obtained before the close of the next Session of Parliament, and no relief be had, meantime, from any other quarter, it is evident that they will be compelled to look to those whom the Constitution makes the guardians of their rights and liberties.”

He had endeavoured, by reading extracts from this journal, to give the reasons why the Government had grounds besides those of the public interest for the course they had pursued towards Mr. Speaker, after the formation of their Government and before the school question was brought up for the last time in the House. He had shown from the *Freeman* what the policy of the minority of New Brunswick on this question had been; what had been expected from their representatives in the House; and what their representatives had always advocated up to a certain time. When

Mr. COSTIGAN.

they were last elected they were returned on this question, and for the purpose of pursuing the same policy with regard to the school question that they had previously followed. He, at least, understood it to be their duty to advocate it in every constitutional way, and obtain relief for this minority from the Liberal as well as from the Conservative Government. He and the Speaker were the only two representatives left on that side of the question from New Brunswick. In his own county, it was true, there was a small majority of Catholics who advocated separate schools, but there was a very large majority of Protestants who advocated common schools. If he thought that question was not a very important one, if he thought it was one which might have been passed over from time to time, there would have been no necessity for him incurring the strong opposition of those electors who believed differently from him; there was no necessity of him incurring the opposition of men in his county, men who were intelligent, and who fought their political battles with determination and energy. There was no reason why he should expose himself to defeat in advocating a cause that, when he came here, he found did not really exist. He came here thoroughly believing that he had the same duty to perform as he had before. The only difference was that he asked for the support of hon. members opposite, not only on account of the vote they had given before, but also on account of the appeal they had made to the country, and the answer the country gave in that respect. In 1874, when he attempted to move that resolution, he had an advantage over the Government, an advantage which he intended to use for the benefit of the cause he advocated. He intended to ask for an amendment to the constitution. He was determined that if the House refused that amendment he would ask for the disallowance of those bills which those gentlemen voted should be disallowed. The year had not expired, and although the late Government did not feel in a position to disallow them, hon. gentlemen opposite had said that they should be disallowed, so he had the present Government at a disadvantage. This was after

the time when Mr. Speaker had accepted the position which he now occupied, and which he contended, while being an honour to Mr. Speaker, and a mark of appreciation of his very distinguished abilities, was a source of regret to the friends of the cause he advocated. There were only two representatives in Parliament of 100,000 of the population in New Brunswick, yet under this fact, and at the very eve of success, at the time when the question above all others assumed a more serious aspect than before, when blood had been shed in Mr. Speaker's own constituency and the lives and property of his constituents were sacrificed, this was no time for Mr. Speaker to abandon his position of independence as a private member of the House, and accept honours and favours at the hands of the Government of the day. It was because he (Mr. Costigan) did not endorse that arrangement that he was disposed to vote as he would that day. He would do this even though he might be censured by many of his warm friends. But he preferred to risk that censure. He preferred to be blamed by those who thought him blameworthy, and so have the consciousness that he was doing his duty; and he was prepared to take the consequences. Notwithstanding the Government's strong majority there was reason to believe that, had the member for Gloucester occupied the same position he had before, that the Government could not have defeated the motion. He (Mr. Costigan) contended that he had reason to complain, although he did not complain at the time. He thought that it was disadvantage enough for the honorable member for Gloucester to have occupied the position of Speaker. But he had a greater cause for regret afterwards. Not only had he lost the assistance of the honorable member for Gloucester, but he subsequently lost his sympathy in that respect. He said that a great change had come over the honorable member's views, and while he sought advice and encouragement, he found that the honorable member thought it was inexpedient to press the matter then. Their policy was to fight this principle out until they had obtained justice. But they had not obtained justice. No change was

made in the laws, no concession had been made to their rights, their position was growing daily worse, and they had been deprived of their educational privileges for three years. He believed it was his important duty to press this question before the House, and he invited a vote on it. After the question had so been raised, Mr. Speaker, in his paper, admitted that it occupied a very prominent place in the consideration of this House, and that it was generally admitted that it would probably carry by a majority of 15. Therefore the question had not lost entirely its hold upon the feelings of the members of this House. It was believed that the Government would invite an open and free expression of opinion, and would not take advantage of their influence, which was very considerable, to vote that motion down. There was no doubt that a majority of the House were prepared to do justice to the the minority, and there was no doubt of the vote until the Government called for an adjournment, assembled their friends, and insisted upon the matter being voted down in the interest of the Government. The amendment proposed by the Government was sprung upon the House; it must have borne evidence that it could possibly do no good to the cause he (Mr. Costigan) favoured. He believed at time it was killing that cause, and he now thought he was right in so thinking. The Government by this vote closed the doors of Parliament against it, although they saw it was the true solution of the difficulty. The very morning after the debate, the mouthpiece of the Government, the *Ottawa Times*, of March 11th, 1875, contained the following article:—

“By reference to our Parliamentary report, it will be seen that this question was disposed of at a comparatively advanced hour this morning, at 3 o'clock, by a final vote of 119 to 60.

“Mr. Costigan's motion was not directly negatived, but it is a question if its author is the better pleased on that account. That any result in the direction towards which Mr. Costigan leads, will follow from the motion as amended, is not to be expected. We trust however, that he will take the broad hint, that in a kindly spirit has been given to him, and that he will seek relief from the only authority competent to afford it. That authority he will find nearer home than either Ottawa or Westminster.”

When the battle was over the organ showed what *finesse* had been used in order to produce the desired result. He did not know that it would interest the House, were he to justify himself with respect to articles questioning his course, and he would, therefore, content himself with saying that when he moved the motions it was with an earnest desire to secure the remedy sought for.

Mr. CASEY said that as this motion could not be amended it would be necessary for some who did not often trouble the House, to explain their position before voting. He objected to the motion both on account of the matter contained in it and on account of the way in which it was presented. It opened with the statement of an opinion on constitutional principles upon which they were all agreed, both in the Mother Country and in Canada, and which scarcely needed to be reasserted. If the motion had stopped at the assertion that it was inexpedient that any hon. member should receive a contract from the Government, there would have been an unanimous vote on the subject. But it went on to assert matters of fact. It asserted, at least by implication, that there was a contract between the Government and a member of the House.

Mr. BOWELL: It says an "agreement," not a bargain.

Mr. CASEY: An agreement of the nature of a contract. It asserted further that this agreement was in contravention of the law providing for the Independence of Parliament, and it asked the House to affirm the question of fact, and also that there was a direct contravention of the law. He held that the House was not in a position to pronounce a deliberate judgment on either of these two points, as to the fact of the contract or as to the effect of that contract in controverting the law. With regard to the question of fact, such evidence as had been laid before the House would certainly disprove the assertion that there was a contract. There was evidence, the absence of which would negative the assertion that there was a contract. That evidence could not be taken before this House in a proper form. Therefore it was not in a position to deliberately

assert that there was a contract. As to the question of law he entirely agreed that the House was not in a position to assert the legal principle, that whatever understanding did exist between the Government and Mr. Speaker was a contravention of that law. Parliament was not a legal tribunal to decide questions of law, and he was glad that, in presenting that view to the House, to have the strong authority, the legal opinion of the Leader of the Opposition himself; for it would be within the recollection of a great many hon. members, as it was within his own memory, that, in the Session of 1873, when several legal questions arose regarding the validity of certain elections to the House, the right hon. gentleman objected to their being pronounced upon by the House without reference to the Committee on Privileges and Elections. In the South Renfrew case, for example, the right hon. gentleman held that the matter should not be pronounced upon by the House, and should not even be determined upon by the Committee on Privileges and Elections, but should go to a sworn Election Committee. The poll-books and other papers were submitted to the Committee on Privileges and Elections; but the hon. leader of the Government, as the right hon. member for Kingston then was, went so far as to support, in that Committee, a proposal to the effect that the matter should not be pronounced upon by that Committee, but should be referred to a Special Committee, which alone was then empowered to examine witnesses under oath. The West Peterborough case was rather different from that at present before the House. The evidence was not of the incomplete character of that now presented. Returns were placed before the House showing, on their face, a different result at the election from that which had been reported; but, notwithstanding the strong, and to the minds of many hon. members, conclusive evidence before the Committee, the hon. leader of the Government insisted that the case should be referred to a Special Committee. The right hon. gentleman said, in effect, that if the House should constitute itself a tribunal for electoral and judicial decisions it would have no time to transact the business of the

Mr. COSTIGAN.

country, and that such cases—and he agreed with the hon. gentleman on that point, however it might apply to the case in question—should not be made the subject to party votes in the House. He hoped the right hon. gentleman would endorse the sentiment he advanced on that occasion, and induce the hon. member for North Hastings to withdraw his motion, and prevent this question, which was affecting not only the Government but the House, from becoming the subject of a party vote. From those considerations he deduced the opinion that as to the matter of the resolution, it was not such as could fairly be brought to a vote in the House. As to the manner in which the resolution had been brought forward, he held that it was very unfair, not only to the Government but to the Speaker, and to every hon. member who ordinarily supported the Government, that such a motion should be proposed in amendment to going into Committee of Supply. The motion contained much with which they all agreed, and also much which many hon. gentlemen must hold to be at least unproved, if not disproved. The hon. member for North Hastings had asked the House either to accept the motion as a whole or reject it as a whole. They were not allowed to amend the motion, to retain such portions as they believed were proper, and reject such portions as they did not approve, but they were called upon to either accept or reject the whole. He supposed the hon. member thought it would be a very bitter pill for supporters of the Government, though he had conveyed it with a sugar-coating, which was a very peculiar kind of sugar-coating, for he placed at the beginning of the resolution such an axiomatic statement of principle as no one could deny, and followed it up by statements which hon. members could not endorse, in order to be able to go to the country during the next summer and approaching elections, and tell his constituents throughout the country that the “mechanical majority” in the House had voted in negation of a principle which was admitted by all lovers of constitutional practice. He considered that the manner in which the hon. member for North Hastings had mixed matters in his motion so as to, per force,

compel supporters of the Government to apparently oppose constitutional principles, was a sufficient reason in itself for rejecting the whole resolution; and he felt that, in rejecting that resolution, he was not violating the principle affirmed, which was a wholesome principle. He hoped every supporter of the Government would vote against the motion, by doing which they merely wished to show to Mr. Speaker and the Government that fair play and that chance to exculpate themselves from the charge, which every hon. member had the right to demand. It was worthy of notice that Mr. Speaker could not, in the House, defend himself from the frequent and bitter attacks made upon him, and had no opportunity to answer even misstatements, if misstatements were made. Mr. Speaker could not leave the chair and call upon any hon. member to fill it while he remained in the House to make explanations, and the only possible opportunity he could have to clear himself was, to make a statement on oath before the Committee on Privileges and Elections, and he considered Mr. Speaker should have that privilege in justice to himself. The right hon. member for Kingston appeared to have taken the line of argument, that Mr. Speaker had been driven into the matter by the Government. Hon. gentlemen opposite seemed to have divided the management of the case: the hon. member for North Hastings inflicted the wound on Mr. Speaker, while the right hon. member for Kingston acted the part of pouring oil into the wound and wine into his mouth, in other words, that of the good Samaritan, as distinguished from the part played by the hon. member for North Hastings. He was sorry to have noticed that the oil was rather acrid, and the wine he was afraid was rather sour, judging from the tone of the right hon. gentleman's remarks, which, although appearing favourable to Mr. Speaker, were rather of a sardonic or sarcastic nature than otherwise. In fact, the right hon. gentleman seemed to have laid before himself the difficult task of urging that the seat of Mr. Speaker was made void, and, at the same time, contending that they of the Opposition were the best friends of Mr. Speaker, and that they with whom he

had always worked had acted ungenerously. That was the task which the right hon. gentleman laid out for himself, but he would find it a very difficult one to carry out. He had now given his reasons for opposing the motion of the hon. member for North Hastings. It was impossible, as he had noticed, to amend the motion; he intended to do the next best thing, viz.: at the earliest possible moment, when the practice of the House would allow, to propose such a motion as would bring the whole matter before the Committee on Privileges and Elections, and so give Mr. Speaker the privilege of stating his case under oath and of giving such evidence as could not be rejected by the Committee and the House, and also allow the Government a chance to state their case, and allow the House finally to come to a deliberate and judicial decision upon the whole matter. He pronounced no opinion on the merits of the case; such would be inconsistent with what he had already said. He had his own individual opinion, but he considered it would be inconsistent with constitutional practice if he should express any opinion at the present time. He would merely say that the question should be thoroughly inquired into by a Committee, and on its report the House should base its formal decision. He considered that in this matter the House should know the opinion of the Government; that after the statement he had made of his intention to move the motion he had indicated, the leader of the Government should give the House the opinion, more distinctly than he had done, whether such a motion referring the matter to a Committee would be agreed to and supported by them. Having thus placed the matter before the House and the Government, he would ask the leader of the Government what course they intended to take in regard to that question.

Mr. KIRKPATRICK said that no hon. member could rise to speak upon so delicate a subject as that under discussion, with Mr. Speaker in the Chair, without feeling he was treading on delicate ground; but he trusted that in any remarks which he might feel it his duty to make, he would not disregard any rule of propriety in debate. He

MR. CASEY.

could re-echo the sentiment expressed by the right hon. member for Kingston with regard to the able and impartial manner in which Mr. Speaker had discharged his duties. But personal feelings could not be allowed to come between an hon. member and the discharge of his duty. Hon. gentlemen opposite were endeavouring to get out of what they felt to be a very difficult and awkward position, not only after the professions made in the country, but after stating that they considered what the Government had done was improper. They, however, throw the blame upon Mr. Speaker, and called upon their friends to vote down the motion. The hon. member for West Elgin had declared that Mr. Speaker should be allowed the opportunity of appearing before the Committee on Privileges and Elections, and denying the charge on oath. The motion did not, however, contain any charge against Mr. Speaker, the charge was made against the Government—that it was inexpedient and improper for the Government to enter into any agreement or contract by which public money was paid to any member of Parliament. That was the first proposition affirmed, and the reason given for it was, because such payments were in contravention of an Act passed to secure the Independence of Parliament. According to the rendering of the Act given by the hon. the Minister of Justice, it meant that there was no harm in the Government entering into such a contract, and that the Act did not say the Government should not do it. But the object of the Act was to secure the Independence of Parliament, and to take care that no contractors, placemen or office-holders should have seats in the House. He wished to call the attention of hon. members to the remarkable correspondence which had been submitted to the House, which was remarkable, not only for what it contained, but for what was omitted. They were told that when the Government acceded to office they wrote to the Post-office Inspector in the Maritime Provinces, instructing him to remove the printing from the friends of the late Government, and give it to the friends of the present Administration. Why was that letter not brought down? In 1875, the at-

tention of the Government was called to the question of Government printing in the Maritime Provinces, and a letter was written, stating that hereafter the work would be done at Ottawa. It appeared, from the letters of the hon. the Postmaster-General, that the reason for making the change was not owing to the fact that the Government felt it was wrong and inexpedient to allow printing to be done by a newspaper office owned by a member of this House, but because the work could be done at less cost at Ottawa. Therefore, the attempt of the Government to gain a little credit for having changed the system, could not be sustained. In a letter from the Post Office Department, on March 3rd, 1876, it was stated that representations had been made to the Postmaster-General that the parties who supplied the stationery had a large quantity of paper on hand. Who made those representations? However, pressure was brought to bear on the Government which induced them, subsequently, to write the letter of 22nd April. The letter read:—

“I am to inform you that the Postmaster-General has consented to the printing, by the *Freeman* office, of such forms as are required in large quantities for the use of the office for the ensuing three months.”

That convicted the Government of having the facts before them, and of deliberately writing a letter to give work to a member of Parliament. No more damaging letter could be brought from the files of the Department, or could have been written by an opponent of the Government than that brought down by the Government themselves. They knew that they were giving work to a member of Parliament, and therefore they could not plead ignorance, and state that, as soon as it came to their knowledge they stopped the abuse. But the hon. the First Minister said he regretted it. Regretted what? The hon. the Minister of Justice said they had done no wrong; he said the Government had a perfect right to give a contract or an office to a member of Parliament. But what did the hon. gentleman wish the House to infer from that? That Mr. Speaker had done the wrong in taking the contract. That accusation was not made by the

resolution, which threw the blame on the Government. When Mr. Speaker considered the fact that the hon. Minister of Justice had thrown the whole onus of the transaction upon him, he (Mr. Kirkpatrick) thought he might be thankful that, in describing it, the hon. gentleman used a little of the Christian virtue of charity which he did not always display when speaking of his political opponents. Mr. Speaker would be glad to know that this was no crime. He agreed with the hon. the Minister of Justice that there was not; but he had heard that hon. gentleman intimate that the conduct of the hon. member for Kingston was nothing short of criminal when he was enjoying the benefits of a contribution paid, but not contributed, by a railway company. He was glad to know that the hon. gentleman, in the course of a few weeks had become a little softened and mollified, and he hoped that hereafter the same charity would be extended towards his political opponents as he extended to his friends. What was the duty of the hon. gentleman in this matter? It was his duty, when the facts of this or any other case came to his knowledge, to lay them before the House, so that action, if action were needed, might be taken upon them. One month ago the report of the Committee on Public Accounts brought those facts to the attention of the House, and even late as it was then, it was the duty of the hon. gentleman to refer the matter to the Committee on Privileges and Elections to be inquired into. But as he had not seen fit to do so, they could only ask him to read the law and give his opinion on it. The hon. gentleman admitted the point in the resolution. He admitted that “it is inexpedient and improper for the Government to enter into any agreement or contract whereby public money is paid to members of Parliament,” and that those payments were “calculated to detract from the independence of the members of this House.” But the hon. gentleman said those payments were not in contravention of the Act to secure the Independence of Parliament. It was due to the House that the hon. gentleman should state whether the facts before the House did

or did not bear out this case. Did he mean to say that the money was paid without any consideration; that no value was given? There was a return which stated that this money was paid as "per agreement." He would like to ask the hon. gentleman whether such a payment was in contravention to the Act. The hon. gentleman refused to give an opinion; he knew his reputation as a lawyer would suffer if he declared it was not a contravention of the Act. The hon. gentleman tried to hide himself by silence, but, at the same time, he would vote that it was not in contravention of the Act.

Mr. BLAKE: No.

Mr. KIRKPATRICK: The hon. gentleman said "no,"—he would vote for the resolution which declared that such payments were calculated to detract from the independence of members of this House if a different word to contravention were used; therefore, did he not say by his vote that it was not a contravention of the Act of Parliament? He would call the Speaker as a witness to prove that the seat was not called into question by the resolution under discussion. One of the Standing Orders of this House was that if anything should come into question touching the return or election of any man, the member was to retire during the debate. The very fact of the Speaker's presence now, demonstrated that he did not consider his seat was in question. Hon. members might laugh, but they were trying to laugh at a small matter and creep out of a small hole. The hon. member for West Elgin said he was very sorry for what had been done; but, in order to get the mechanical majority to support the Government, he promised to sacrifice the Speaker and then send the matter to the Committee on Privileges and Elections. Of course, the hon. the Minister of Justice was right in saying that there was nothing wrong in the Government giving a contract to a member; but it was wrong in them to conceal the facts from Parliament and the country, and not to issue at once a writ for a new election to fill the vacancy caused thereby, or to acquaint the House of the facts so that they might

Mr. KIRKPATRICK.

be enquired into by the Committee. It was the concealment of the facts that made this matter doubly wrong on the part of the Government. The hon. the Postmaster General said that the motion did not suit him, but that if the blame were put on some one else besides the Government he would vote for it. Now, with reference to the weeping and wailing of the hon. the Minister of Marine and Fisheries, who propounded the extraordinary position that the passage of the resolution would have the effect of extracting from the Speaker's pockets £60,000, he (Mr. Kirkpatrick) did not know whether the hon. gentleman was sorry for the Speaker or for the £60,000. It was the first time, however, that he had heard a person acquainted with the laws of the country give utterance to the opinion that the Judges would be governed by a simple resolution of this House. It was the first time that he had heard that a resolution of this House became law. Before anything became law it required the assent of the other chamber and the assent of the representative of the Crown. He hoped that the hon. gentleman would show that he had reconsidered this matter and found that his opinion of the law was wrong, and that he would vote for the resolution to show that he had recanted this erroneous doctrine.

Mr. MASSON said it was evident the Government felt keenly the sad and unfortunate position in which they were placed at this moment, when a person, occupying the position of the hon. member for West Elgin, informed the House that if the Government would promise to refer this question to the Committee on Privileges and Elections, the difficulty which existed would not be so great to overcome. He would ask that hon. gentleman and the Government if such a course would relieve them of the difficulties surrounding this question, why they did not, two years ago, adopt the course which was now suggested? How was it that they allowed an hon. member to sit here in contravention of the law, and placed one of their supporters under the necessity of saying, if they would place themselves right, he would swallow the pill. The hon. gentleman was giving a vote of non-confidence in his

friends—he was blaming his friends for what they had done—a position out of which they could not get. How could the hon. gentlemen expect a Prime Minister to admit that he had been wrong for two years, and to say, in effect, that if his followers were only good children and swallowed the pill well he would at once refer the matter to the Committee. He thought that the House would agree with him that, never in the history of the country, at all events since Confederation, had any Government been placed in the humiliating position that the present Government were in by the assertions, demands and requirements of their own friends. There was no more difficult or disagreeable position than to be obliged to argue in favour of a thing which they knew to be false—than to be in the position in which the hon. gentlemen opposite were. Had it not been for the ability of the hon. the Minister of Justice nothing would have been said on the question from the Ministerial side of the House. When they saw the hon. the Postmaster-General, a master of language and ideas, was unable to say a single word in favour of the Government, when they saw the whip of the party stand up and admit what he had done, there must be something wrong. The Ministers, it was evident did not know how to defend the case; they each defended it in their own way. The effect of the speech of the hon. the Minister of Public Works was to make a scapegoat of the Speaker. Not having the intimation from the hon. gentleman, another hon. member got up and declared it was unfair to bring this matter up when the Speaker was in the Chair and unable to defend himself. The hon. the Minister of Justice came forward and said the position of his hon. friend was an absurd one—that the proper course would be to refer the question to the Committee on Privileges and Elections. Unfortunately another hon. gentleman, who had not received the hint from the hon. the Minister of Justice, said the motion was a very clever one, and was made to catch the votes of the pure Grits. That hon. gentleman seemed to think that the Rouges of Quebec would have no difficulty in swallowing the pill.

Now those gentlemen were from his own Province, and he did not like to see them abused; he would like it understood that they had as much virtue as the Grits. There was, however, a great deal of force in the position taken by the hon. mover of the amendment with reference to the Liberal party of Ontario. What was the position the Ministers of the Crown were taking in defending this hopeless case? When he spoke on Protection the other night, he never expected that this statement would be realized so soon. It was said, on the other side of the House, that they would not put into execution the promises they made while in Opposition if they attained power, and he had then said that a party who would advocate principles in Opposition which they were not ready to act upon when in power, was unworthy of the designation of Her Majesty's Loyal Opposition; and also that the great reason for the reaction now going on in the country was because the Liberal party were, one after the other, repudiating all the principles they had advocated when in Opposition. And but a few days afterwards, they saw the Leader of the Government make an appeal to his friends to repudiate openly, and, for party purposes, the most important principles they had advocated before the country during the past twenty years, and to respect which they had taken a great deal of trouble to train the people of the country. They all knew that this had been one of the greatest planks in the platform of the Liberal Party throughout the whole Dominion. But a few years ago, since Confederation, he had been present in the Local Legislature of Quebec when the Independence of Parliament Act was being discussed. The Liberal Party was represented there by able men, and they all inveighed upon the great necessity for the Government to impose restrictions upon the employment of members of the House, and the giving to them of lucrative positions and contracts, also upon the necessity for purity everywhere; and they went so far as to desire the Government not to give a single contract for the building of a single colonization road, if it was for over \$400. Hon. gentlemen opposite had held that no

member of the House, while such, should be even employed in a legal capacity, and, nevertheless, he feared that these hon. gentlemen, or a great many of them would be so carried away by party spirit as to vote against the professions which they had so loudly advocated a few years ago. Their position must be a sad one, when they saw the Minister of Justice, who could manufacture arguments if they did not already exist, obliged to have recourse to defend himself to the *tu quoque* argument, which the hon. gentleman had so much despised a few nights previous. Then, when the Minister of Public Works was discussing a public question, the hon. gentleman sought to defend himself by casting a reproach at the right hon. member for Kingston; but the Minister of Justice, following his colleague, declared that the Liberal Party had lived long enough to be responsible for its own acts instead of justifying itself by the faults of its predecessors in office. The Opposition thought this rather hard on the Minister of Public Works, but this was a matter for the hon. gentlemen to settle between themselves; but the hon. gentleman (Mr. Blake), notwithstanding his great ability, had, the other night, been forced, on this question, to have recourse to the *tu quoque* argument in order to defend the Government. The hon. gentleman reproached the hon. member for Kingston for having approved of the practice of allowing placemen to sit in the House, and stated that it was more important to keep placemen than contractors out of the House. He thought this was a great mistake. The reason why public opinion was formed in England against the appointment of placemen was because, in the time of George the Third, the House of Commons was crowded with what were called placemen. This became an evil. In fact, in the House, at that time, there existed a party which was neither Liberal nor Whig nor Tory, but which was called the King's Friends. It was then necessary to pass enactments to avoid the recurrence of such evils, but there were no contractors in the British House of Commons; and it was not necessary to create such a feeling in

Mr. MASSON.

the old country against them as existed against placemen. The difference between placemen and contractors was similar to the difference between sentiment and reality. When the hon. member for Kingston allowed placemen to sit in the House, he stated that it was upon this great principle, that if men had special qualifications necessary for the public good, he could do as was done in England—take them from the House of Commons and employ them; and even, as was done in England, take them, if he chose, out of the ranks of the party and employ them; but the hon. gentleman never gave them contracts, and never allowed Government contractors to sit in the House. The reason for this was very simple: every body knew what a placeman was—he received a certain salary, so much a month; but who could tell the salary of a contractor? It was unlimited. A contractor could make any amount of money. The principle applying to these cases was, consequently, not the same. The Minister of Public Works had tried to smooth down the difficulty by saying that they had disapproved of this arrangement at the time, but that they could not cancel it entirely. This was the old story over and over again. The hon. gentleman sought to make of Mr. Speaker a scape-goat for themselves. In the Post Office matter the hon. gentleman knew that the Postmaster-General who had committed this blunder was no longer a member of the Government, and consequently this gentleman, who now occupied a high position elsewhere, was held up as the guilty party. The hon. gentlemen opposite turned round and said: "Oh, it was a bad bargain, but we had nothing to do with it. Attack the party who was guilty of it;" but the party said to be so guilty was out of their reach. This was not the only instance in which the Government had done a pusillanimous act unworthy of themselves. This was an act for which they must be held responsible, unless they had disavowed distinctly, fairly and honestly, all connection with it. Some five years ago when the question of reducing the tax on tea was brought up, and they were asked to take flour and

bread stuffs off the free list, the hon. gentleman (Mr. Cartwright) voted in favour of a tax on flour, and with his hon. friend the member for Kingston. This proved that this hon. gentleman could be sometimes responsible for the faults committed by his predecessors in office.

Mr. CARTWRIGHT: I want you to show me that.

Mr. MASSON said this was not all. It was the systematic policy of hon. gentlemen opposite always to get out of a scrape by throwing the blame on some one else when they were attacked. Hon. members recollected the discussion on the immigration question, and the immense blunder committed by the Government in sending back to Europe, at the cost of \$5,000 or \$6,000, immigrants brought out to this country at great expense; and what was the answer of these hon. gentlemen? Did they boldly and frankly, as Ministers of the Crown should do, say, "We feel ourselves responsible for it." No; but they said, as the Minister of Finance declared, that, as soon as they heard of it, they put a stop to it, and threw the blame on Mr. Letellier who had become Lieutenant-Governor of the Province of Quebec. The Minister of Justice also in this case said, in as plain language as he could, that they were not guilty of paying money over to a member of the House, but that the member of the House who received their money was the guilty party. But there were always two parties to every infraction of the law. Only a few days ago the Government had stated as their reason for not giving some contract to some one in the Lower Provinces, that they could not do it according to the provisions of the Independence of Parliament Act. This was in answer to the hon. member for Victoria. If Mr. Speaker was guilty in receiving money from the Government while a member of the House, he submitted to every man of common sense whether the Government, who gave this money to the Speaker, were not as guilty as the person who received it. The Government were the parties who should have remedied the evil, and vindicated the independence

of Parliament. It was unworthy of the Ministers of the Crown to fall back on Mr. Speaker, and say that they were not guilty in this matter, but that Mr. Speaker was guilty. The Government should not have allowed Mr. Speaker to remain in his seat after he had no right to it. Hon. members might say and argue what they chose, but these were broad facts before the House. An agreement had been entered into for the doing of certain printing, and the person with whom that agreement was made was a member of the House; he accomplished the contract, and he received the money. He believed that they were bound, unless they wished to repudiate the whole principles of their past, to vote for the motion and against the Government for the abuse of their power, committed in order to do an act which violated the law of the land, and which, though, under the present circumstances, he hoped and thought it had no bad results, under other circumstances, when a Government less pure and less honest in professions than the gentlemen opposite might hold the reins of power, might be made use of as a precedent for the awarding of contracts to members of the House, and probably to Speakers of the House.

Mr. RYMAL said he thought that a little boiling down would bring this matter into a more narrow compass. He presumed that it was right and Parliamentary usage, under the circumstances, for the Opposition to move a motion like the present one; but, after twenty years of experience in Parliament, he had never known of a Government who did not treat such a motion as a motion of want of confidence. If his hon. friends opposite were really so wonderfully anxious to secure the purity and independence of Parliament, they would have made this motion some time ago, when this arrangement or contract or whatever they might call it, was in progress; but the hon. gentlemen had waited their time and watched for their opportunity. As he had told his friends a few weeks ago, the Opposition meant business. They were piling up a record—if it were possible—against the Government to use at the coming elections. If there

was any truth in the old saying, that the best protectors were manufactured out of old criminals, he warned his friends that any dereliction of duty on their part would be sure to be found out. He would give his view on the matter. He looked upon this motion as a call for a direct vote of want of confidence. He had taken his views on the duty of a member of Parliament as regarded votes of want of confidence, from the teachings of his hon. friend the member for Kingston. He had heard the hon. gentleman frequently say to his followers in times of dire necessity—

Sir JOHN A. MACDONALD: Like this.

Mr. RYMAL: No; the hon. gentleman was not in dire necessity. The hon. gentleman was in great want, which would be supplied, if, by any means, the hon. gentleman could cross the floor and take his seat on the Treasury Benches. The doctrine the hon. gentleman had taught him, and which he had received from prominent politicians in Canada eighteen or twenty years ago, when he first entered Parliament, was, that when a vote of want of confidence in one's friends was moved, if they had one's confidence as to the general administration of affairs, that part of the motion was altogether to be lost sight of, and that one was to vote with his friends if they otherwise retained his confidence, against the proposition of his opponents. This was the case to-day. He had no hesitation in voting against this motion, once, twice, and thrice if necessary, in order to sustain his friends, because the results of a vote against them was to be considered; and when he looked on the Opposition benches he saw the materials of which the former Government had been composed. That Government, he fancied, had not reflected a great deal of credit on Canada, nor had they attracted the admiration of the world. When he had to come to a conclusion between those who were in and those who were out, of whom a Government was to be manufactured if this Administration were defeated, he did not hesitate a moment in saying that he should vote for those who were in. He was not

Mr. RYMAL.

going to speak as to the merits of the question. He did not believe that it was right—Mr. Speaker, one of the parties concerned, being in the Chair—to condemn him without being heard. He believed in British fair play, and in the laws enacted by the British people, which secured fair play to each and every one of them. He thought that the matter should be referred to the Standing Committee on Privileges and Elections, and that after a thorough investigation into all the circumstances connected with what was called a contract, the facts should be reported to the House; and if Mr. Speaker had violated the law, of course he would have to suffer the consequences. If his friends were shown to have corruptly entered into a bargain for the purpose of corrupting Mr. Speaker, he did not hesitate a moment in telling them that when he was convinced that they had been guilty of any corrupt act, he should no longer sustain them in the Government. He would inform those who had not had so enlightened an experience of Canadian Parliamentary life as he had himself enjoyed, that this was a trap set, according to the old saying, by knaves to catch fools. He trusted that the purely specious pleading which they had heard had had no effect on the minds of the friends of the Government. If they valued the position which the Liberal Party had attained in the Dominion, and recollected the long and ardent and almost violent struggle they had gone through to obtain it, and if they believed that the interests of Canada would be best served by the perpetuation of the rule of the Liberal Party, they should stand by the Government in the hour of need. What were friends worth if they were not friends in the hour of need? He had never heard his hon. friend from Kingston say himself, but he had frequently heard that the hon. gentleman had often said to his friends: "When I am right my opponents will sustain me, but when I am wrong I want to be sustained by my friends." He could quite understand how hon. gentlemen of that state of mind said that, because the Government had sinned in a slight degree, that was no reason why they should eject them

from office, and call back those who, they believed, had sacrificed the best interests of the country. He, for one, would not do it, through fear of going back to his constituents. He had often heard it said that those who had a palpitating heart when they passed the graves of their friends, made a great noise in order to keep up their courage. This, he fancied, was the case with his hon. friends opposite. If they looked at the political graveyards, they would find their friends' tombs; and, when they passed, they fancied they saw some horrible hobgoblins.

Sir JOHN A. MACDONALD: We see a resurrection.

Mr. RYMAL said there was a resurrection to two different conditions. Hon. gentlemen opposite talked about a great reaction in the public mind, and there was some slight evidence of a change. He had often heard reference made as to the different character of the representation of the two ridings of Ontario. Those who knew the history of the county of Ontario best, would know that, for the last twenty years, almost as regularly as an election occurred, the character of the representation was changed. He had heard his hon. friend from Kingston plainly tell the House that the riding was his especial property.

Sir JOHN A. MACDONALD: I think not.

Mr. RYMAL: But it went into the hands of other owners at the next election. Some seats had been lost in Lower Canada, he knew; but he did not believe that the reaction, about which there was so much boasting, had occurred to any appreciable extent. He was not afraid to go back to the people. He did not believe that the Canadian people were so lost to all sense of shame that they would call back to power the men who disgraced the institutions of our country and degraded themselves.

Mr. MACMILLAN said, no matter under what circumstances the motion had been brought before the House, it was there, and had been discussed by both parties, and it was desirable that the Session should not be continued any longer until a conclusion had been

arrived at as to whether the course pursued by the Government with reference to this matter was correct or not. The important point for them to consider was, whether Mr. Speaker had had a contract with the Administration for which he had received a certain amount, as stated by the Public Accounts Committee. If this was a fact, then it was certain that he committed a contravention of the Independence of Parliament Act. If they were to believe the Public Accounts that this contract had been running from 1873-74 until last summer, continually—and not only did the Public Accounts show this, but there had been positive assertions to the same effect from the First Minister and the Minister of Justice—then Mr. Speaker was not entitled to a seat in the Chamber, and his constituency was actually unrepresented at this moment. It was necessary to enquire whether Mr. Speaker had received any assistance in carrying out that contract. From the evidence adduced it was clear that he had received a certain amount of money for the performance of a contract, that the contract was made by a previous Postmaster-General, and that it was continued by the subsequent Postmaster-General, and that the Government, from time to time, had ordered the amounts to be paid. He contended the Government were as guilty as if the present Postmaster-General had ordered the contract in the first instance. Morally they were just as guilty for the political acts of their colleagues as if they themselves had committed them. Even supposing the present Lieutenant-Governor of Ontario had made the contract, who should the people of Canada look to as knowing that a breach of the Independence of Parliament was committed more than to the hon. the Minister of Justice? Even after the present Postmaster-General discovered the arrangement that had been made, he did not discontinue it immediately, but he allowed the contract to run, at least, until all the material was worked out. The hon. the Minister of Justice either drew attention to the Pacific scandal and Col. Gray's case for the purpose of diverting the attention of the House, or as a precedent. If it was for the purpose of a precedent, then he was astonished

that an hon. gentleman who held that high position at the bar of Ontario, which the hon. the Minister of Justice did, should ever be guilty of quoting a precedent which he had held to be directly unconstitutional and which had been reserved. It might be that the hon. the Minister of Justice desired to call away the attention of the House, and he could readily understand why the Government should not wish the matter proved as it should be. Before the hon. the Minister closed his remarks, he asserted that he was not going to express an opinion upon this subject at the present time; that it was not customary to do so. This was much like a criminal who when arraigned and asked whether he was guilty or not guilty, replied that he was not certain until he had heard the evidence and the finding of the jury. The hon. gentleman was not satisfied as to whether the Government and Mr. Speaker had been guilty of a contravention of this Act or not until the case was sent to the Committee on Privileges and Elections to ascertain whether they were guilty or not. He (Mr. Macmillan) contended that this Committee was merged in the whole House. Its members were selected from and were a part of this House, and this House in its entirety was much more capable of hearing a discussion upon this important subject, and of giving a correct judgment with reference to it, than the Committee on Privileges and Elections. The majority of the members of the Committee would at least be favourable to the Government, and would show their kindness to them as far as possible. He had no doubt that all hon. members who supported the Government would be so on this occasion, but he did not think that one hon. member could conscientiously say that the course pursued by the Government in this matter was one to be supported. He was not going to say that any hon. member who voted for the Government would be defeated when he again went before the people, but he would say that he did not think they would have the chance of supporting their party as a Government in the next Parliament.

Mr. KERR said he knew it to be a fact that a large number of his con-

**Mr. MACMILLAN.**

stituents felt that there was a certain class in the Dominion who had not received that consideration to which they were entitled. He knew, further, that this class looked with pride and satisfaction to the fact that one of their members had been elevated to the highest and most honourable position that could be occupied by any hon. member of this House. And he knew, also, that the hon. gentleman who promoted this motion did so as a direct thrust, not only at Mr. Speaker, but at a large body of people in this Dominion. The motion was a two-fold motion, as it affirmed two things. In the first place, it stated that the Government was entitled to the censure of the House and the country; and, secondly, that the First Commoner in the Dominion was not entitled to a seat in this House. The hon. member for North Hastings, who, according to his own view, was the very High Priest of British liberty, was depriving a man, against whom he made the most serious allegations, of the power to open his mouth. He (Mr. Kerr) wanted this fact to go throughout the length and breadth of the country; from Prince Edward Island to Vancouver Island. If it was a sincere effort to purge the House of impurity, he would render his hearty co-operation; but if it was to make political capital, while the pretended purpose would not be accomplished, he had no sympathy with the motion. When the West Peterborough case came up in March, 1873, if his recollection served him, it was moved that it should be disposed of by this House. The right hon. member for Kingston, however, said the time of this House must not be taken up by trying cases of this kind, that there was only one proper tribunal before which cases of this kind must go.

Sir JOHN A. MACDONALD: You voted the other way.

Mr. KERR said, if there were any case at all presented by this motion, it ought to go to the Committee on Privileges and Elections.

Sir JOHN A. MACDONALD: Did not my hon. friend vote against the West Peterborough case going to the Committee on Privileges and Elections?

Mr. KERR said he did not. His experience in Parliament was not very long, and, if he had to witness, Session after Session, what he had seen time and again this Session, he would not care how soon it was terminated. He hoped every hon. member would resolve to lift these discussions into a higher grade, and not take each other by the throat as if they were wild beasts. There was one point, if the hon. member for North Hastings (Mr. Bowell) were correctly reported, as to the amount of money received by the Speaker as a member of this House, to which he (Mr. Kerr) would refer, not because it was a remark made fearlessly and boldly in the discharge of duty, but he thought the hon. gentleman might have spared that remark—a reference to his having perquisites and all that, in his position as Speaker. Perhaps the Speaker had some perquisites, but he was sure the hon. gentleman shared the benefit of any hospitality he so liberally dispensed, and might have spared him the remark.

Mr. BOWELL: You are mistaken.

Mr. KERR said he rejoiced that the Government of the day, and the Speaker in common with them, made their residence in the capital of the Dominion a home for the members of the House.

Mr. BOWELL: Now refer to the Hon. Mr. Blake's speech, on the same question, will you?

Mr. KERR said the motion started out with the statement that it was improper for the Government to enter into contracts whereby any public money should be paid to any member of this House. He supposed they were all in sympathy with that. He did not find in the law that it was not legal for the Government to give out such contracts, but he hoped they never would do so. Then it stated that the Speaker had received that money in direct violation of the Independence of Parliament Act. In the first place, he (Mr. Kerr), and, he supposed, any gentleman accustomed to weigh evidence as a lawyer must weigh it, was not disposed to take these two statements as proven before the House. There might be a contract, but he did not know of it. He was not disposed to

accept the statement of the hon. gentlemen opposite on that subject, as he had heard so many statements made by them not confirmed by facts. So he asked, if there were an agreement or contract, to let it go to the tribunal before which these facts could be established, and if the hon. gentleman desired to have the facts proved before the proper tribunal it was not necessary for him to make such a long or to some extent inflammable speech. In happy contrast to that speech was the speech of the hon. the leader of the Government. He said honestly he did not approve of the Government entering into contracts or agreements with members of this House, but he did not attempt to deny it; because, very properly, he did not consider this was the time to discuss whether that allegation was a fact or merely an allegation. Then they had the speech of the right hon. member for Kingston, a gentleman for whose talents and long public career he (Mr. Kerr) had a very great deal of respect and admiration, admitting, however, a great many drawbacks. But the most amusing part of the right hon. gentleman's speech was when he wished the Speaker to consider not only that he was not his opponent, but that he was almost his champion on the floor of the House. He (Mr. Kerr) supposed the Speaker did not wish the hon. gentleman or himself (Mr. Kerr) or any one else to be his champion, but so long as he was in the House he would always be a champion for fair play. The right hon. gentleman had, in times past, given the Speaker substantial evidence of his sincere, devoted and gushing friendship for him, and he had no doubt that the yearning gushing feeling of love for him had increased with increasing years. The hon. gentleman would not do the Speaker any harm, he seemed to sugar him all over that he might, like the whale—though the whale had a small throat—swallow him.

Mr. ROCHESTER: A white shark

Mr. KERR said he thought of how many of his own friends, politically, the hon. gentleman had slain, of how many political wrecks made by the right hon. gentleman—having come to grief

through trying to follow him—were to be found in almost every riding of this Dominion.

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

### After Recess.

Mr. KERR resumed his speech. He said, when the Speaker left the Chair at six o'clock, the House was contemplating a very beautiful, but very extraordinary picture. They were just beholding the right hon. member for Kingston in the attitude of clasping Mr. Speaker to his fatherly bosom, and as Mr. Speaker was proceeding from this chamber and the right hon. gentleman followed him, it would require no very great exercise of the faculty of imagination to hear that right hon gentleman humming that innocent little ditty: "Glad to meet, sorry to part, and glad to meet again." He wished the smiling face of the right hon. gentleman graced this chamber at this moment, but no doubt his lasting, his sincere, his unadulterated friendship for Mr. Speaker would draw him to the Chamber to see that this side of the House at least did him no injustice in this debate. He would, however, ask Mr. Speaker to recollect a sentiment to be found in his classical reading in his college days, which, if he recollected right, ran this way: *Timeo Danaos et dona ferentes*. He feared that this aptly illustrated the kind of friendship which Mr. Speaker had reason to expect from those who were professing it to-night. Let Mr. Speaker beware, notwithstanding all those professions of friendship, lest by to-morrow morning's cock crow, at any rate before the cock should have crowed thrice, they would not have denied him thrice. He could not understand the position or attitude of any man, much less a man of the commanding talent and high position of the right hon. leader of the Opposition, expressing friendship for Mr. Speaker, and stating that it was his intention to do him no political harm. While he was extending the right hand of fellowship to Mr. Speaker, he was, by the very vote which he said he was about to give, by the utterances which he had made on the floor

of the House, he was holding a political dagger to take away Mr. Speaker's political life. The right hon. gentleman said: "What further evidence do you want than you have in the return on the table, that the law of the land had been violated, and that the Government deserves the censure of this House." He was not prepared to take that position. He would not do any man, much less a man who occupied, and so worthily and ably occupied, the proud prominence of Mr. Speaker as the First Commoner in Canada, such a wrong. Though he saw nothing but simply voting this motion down, yet he would not hesitate one moment as to the line of his duty. He felt that it was his duty to vote this motion down, not that he admitted that the facts were true, or denied that they were untrue—he neither did one nor the other—but that he wished to see the matter referred to the proper tribunal, and to give Mr. Speaker the inherent right which every British subject had, of being heard when he was attacked. Politically speaking, the members of the Opposition had Mr. Speaker by the throat, and he had to sit in the Chair, and, according to the usages and practices of Parliament, he had not the liberty of opening his lips. That being the case, how much more was it the duty of every honest thinking man in this House to give Mr. Speaker an opportunity to defend himself. He trusted that hon. gentlemen would see that that was the only just and proper course. He humbly submitted that it was. And let hon. members on the other side recollect that, in asking that this matter be referred to the proper tribunal, they did not ask that it be referred to a tribunal of the Government's own appointing, but a tribunal appointed by the whole House, and in a proper and constitutional manner. If that were done, then Mr. Speaker would have an opportunity of being tried by those who were, in the sense of the law, his peers. That was the only proper, honest and fair course, and he appealed to the honesty and sense of fair-play of hon. gentlemen opposite to take that course; and, depend upon it, they would never regret it. It was said that the object of the motion was to damage the Gov-

erument in the eyes of the people. He had no right to impute motives, but he had a right to appeal to their sense of fair-play; and when that proper tribunal should have heard all that could be said in regard to the substantiation of the allegations, and all that could be said in rebuttal, if, unhappily, those facts were established so that no man could have a reasonable doubt, painful and heart-burning though it would be, it would be better that any man, however high his position, should be sacrificed, than that the law of the country should be broken. But let them go to work in a constitutional and parliamentary way to ascertain the facts of the case. He submitted that the motion before the House would not end in that, and had not that in view. It would not be many hours before they would see who were the friends of Mr. Speaker. That was an important matter, but the greater consideration and the all-paramount important fact was, that the House and the country would see who was prepared for fair-play. He did not intend to protract his remarks; it was his intention to have closed in a few minutes, had it not been six o'clock; but he was told that this was virtually, and was intended to be, a vote of want of confidence in the Administration of the day. To look at a vote of want of confidence, they should examine into its results and see what it involved. It not only involved a want of confidence in the present Administration, but confidence in the opponents of the Administration. If that be the alternative he must confess that he would feel sad if he thought a vote of that kind would pass. There might be a minority, but it was a comparatively small one in this country, who had not the fullest confidence in the Government of the day. He might be asked why the Government should not have confidence in the Opposition. He would tell them why. Because, at no very distant day, they pronounced a want of confidence in the gentlemen now forming the Opposition, so overwhelmingly, that it was heard all throughout the land. Now, he understood that if a man committed a fault, upon certain conditions being complied with, he might be forgiven.

It was the same in politics as in morals and other high questions. If a man did wrong and repented, then he had some reason to expect forgiveness. But what was the case with the Opposition of the day. They had not admitted that they were wrong. They said that the people were all wrong. The people did not think so, nor did they think so at the time. No sign of repentance came from the hon. gentlemen composing the Opposition. He referred now to their history, which culminated in that mammoth, gigantic Pacific matter. The only wrong about it was the fact that they had not succeeded in covering it up so that it could not be ferreted out; or, if he might presume to use the eloquent language of the eloquent and peerless Minister of Justice, when he said: "I have no sympathy with those moralists who regret not the commission of a sin, but the fact of the discovery of that sin." The eloquent member for Cumberland had referred to the supporters of the Government as the mechanical Opposition in the House, but they could afford to submit to this kind of thing, because as the old Englishman said, when he was asked why he allowed his wife continually to scold and upbraid him—"It pleases she and doesn't hurt I; and what is the difference." The hon. member for Cumberland had frequently reminded the House that, sooner or later, every member in it would have to appear before their respective constituents. He was aware of that, and he did not need to be told of it every afternoon and evening. He would not fear that time when it came, and the course he was now taking, he believed would strengthen him in the confidence and good judgment of his constituents. He was rejoiced to know that not only the gentlemen on that, but also those on the other side of the House, would have to appear before their constituents at an early day and give an account of their stewardship. He would like to know what kind of an account hon. gentlemen opposite would then give for having taken up an undue proportion of the time of the House in speaking of and abusing the Government and their supporters, for which,

for the reason he had just mentioned, they need not care. He was told that the present Government were unworthy of the confidence of the country. He held that since the Government took office, they had shown an application and an amount of industry, and desire and skill and knowledge to advance the prospects and progress and prosperity of the country which none of their predecessors had ever shown. He trusted that if there was anything wrong in this matter, it would be brought to light. It was his view and theory that the Reform and Liberal Party of the country could not afford to do what their opponents had been proved to have done; and they might be sure of one thing, that if they ever attempted to do such things, they need not expect any considerable support from the hon. gentlemen sitting on that side of the House. As a celebrated man had once said, if he had none of that spirit which exalted the despised he had none of that other spirit which dragged men down. At the same time he would ask their friends to improve by the errors of others, rather than have their opponents finding fault with them; but when the hon. gentlemen opposite provoked a comparison, they must take the consequences and results of it. Their opponents had not resigned office, they had clung to official life with a tenacity hitherto ascribed by naturalists to the feline species; and now these hon. gentlemen talked of fair play. From the moment the present Ministry took power until now, they had moved every influence, good, bad and indifferent, to try and prejudice the public mind against the Government. He was very sorry, on the hon. gentleman's own account, to see it reported that the right hon. member from Kingston had said, that since Mr. Mackenzie had acceded to power, almost every measure he had submitted had been brought in not in the public interests of the country, but either to reward a friend or to bribe an opponent. This was not the kind of language for ex-Ministers to indulge in. Many of these very important measures had, besides, been promoted and advocated and supported by the right hon. gentleman himself; and it was not fair, because they all under-

stood that it was not a very clean bird which fouls its own nest. He asked hon. gentlemen to consider well the vote they were going to give. He believed that the displacement of the present Ministry and their replacement by the hon. gentlemen opposite, would be little short of a national calamity. Although their British Columbia friends seemed to feel aggrieved because the Government had not made faster progress with that great national—and, as he believed, it would be in the course of time—and necessary public work, it was his solemn conviction that this railway would be built as soon, if not sooner, by the present Ministry than it would have been by the men who promised it and put on the Statute, book a solemn pledge, which they said they did not mean. The present Government had been faithful to the people of this great country on the temperance question. He would like to be understood from the remotest east to the farthest west, and he gave it as his solemn conviction, that if this cause had any really true friends on the floor of the House, they were to be found on the side of the Government of the day. He did not say that there were not good men and true in this regard on the opposite side of the House, but there was this great fact, that at every election, and especially at every general election, King Alcohol and his legions did battle for the Opposition. This great question was, however, so sacred that it ought not to be a foot-ball to be kicked from one side of the House to the other. If such a measure was ever initiated, it would be done by the gentlemen sitting on the Ministerial side of the House. They heard the cry of the poor man's friend up and down the country; and he was proud to be descended from the Green Isle, of which Mr. Speaker was a noble specimen. Who were shown in the Imperial House of Parliament to be the true friends of that country? It was the Liberal Party of Great Britain and Ireland who desired to elevate and not oppress the many, and keep them down for the benefit of the few. They were willing to consider every man as a man, and to legislate for the many instead of the few. He trusted that the present Ministry would pursue the

**Mr. KERR.**

even tenor of their way. If it had not been for the political God-send of hard times, he believed that their opponents would have been almost extinguished as a political party, and he thought that it would be a great deal better for them, as in all probability they would be obliged to do, to try the experience of about ten years of Opposition. He did not believe that it was well for the interests of the country that any one Administration should remain practically in power for the period of twenty years, whether it be Reform or Conservative. He asked hon. gentlemen on both sides of the House not to hesitate one moment as to what their votes should be on this great question. He had never faltered as to what his duty was; he should do what he trusted he would do as long as he occupied a seat in the House, and he would accept the consequences of the discharge of his duty, whatever they might be. He hoped that there would be no more attempts of this kind during this Session, as most hon. members had pretty well aired their views on the floor of the House. Whether it was the manufacturer, or the farmer, or the miner, whatever was his condition or pursuit, he had as good friends on that side of the House, and those who were as loyal to Her Majesty and as true to their country as any who ever sat on the Opposition Benches. He had but three articles in his creed—he loved his God, he honoured his Queen, and he loved his country; and he trusted that these principles would guide him to the end of his political journey, which he hoped would not be prolonged if his future experience was like that of the present Session. He did trust that the tone of their discussions would be raised, and that in this respect the example of the Imperial House of Commons would be followed. He would be told, perhaps, that they were a corrupt party, but he would ask—who tried to give to the country, before the general election of 1872, a proper Act for the trial of Controverted Elections? It was the then Opposition. The late Administration had refused to pass a law until they were returned to power. Many of their friends had suffered from

the operation of this law. He deplored the fact that caused it, but he did not deplore their fall when the cause existed. This same law deprived him, but not by any act of his own, of his seat, and while he regretted the cause, he did not regret the consequences. He would rather be unseated twenty times if thereby he could get a pure election, as he believed he secured on the second occasion. He would wait and see not only who were Mr. Speaker's friends, but also who were the friends of British justice and fair play.

Mr. McCALLUM said he had a painful duty to perform on this occasion. In his remarks he would reflect not on Mr. Speaker, who occupied the chair, but on the Government, and not on Mr. Speaker as Speaker but as a member of the House. The hon. member from West Northumberland had started out by speaking of the respectability of the Party with which he was associated. But they had had nothing to say about the hon. gentleman's respectability. They had only to do with what he understood was a great breach of the law, which had been committed by gentlemen who formerly considered themselves to be the only guardians of the Independence of Parliament in this country, and with them he might have to deal. The hon. member (Mr. Kerr) said, that the hon. member for North Hastings should not have made the motion. And why? The hon. gentleman said, because the hon. gentleman (Mr. Bowell) had partaken of Mr. Speaker's hospitality. He did not think that was a sufficient reason. Although he and many members had partaken of Mr. Speaker's hospitality, was it to go forth to the country that Mr. Speaker had bribed the members of the House with his hospitality so that they could not exercise a fair and independent opinion in this matter? He raised his voice against any such statements. As far as he could gather, it was only one word for Mr. Speaker and two for themselves. The Government said they had not got information enough to enable them to deal with the question, and they made strong appeals that it should be sent to the Committee on Privileges and Elections. But he (Mr. McCallum)

was not favourable to this reference of the case. In another Parliament, on another case similar to this, there was a reference to that Committee which was not at all satisfactory. The hon. the Minister of Public Works had made such a speech as he had never made before. From the beginning to the end it was evident that he was trying to stem the current of public opinion, but he would not be able to do this by-and-bye. The Minister of Public Works said the policy of the Government was to give patronage to their friends. There could be no objection to this, as long as they gave it according to law. But it was not for the Government to give contracts to members of the House. He (Mr. McCallum) would not say, for a moment, that this contract had influenced the decisions of Mr. Speaker, although when the right hon. member for Kingston admitted that the other night, the Government attempted to use the admission to their advantage. Hon. gentlemen seemed to think that the Government could give contracts to members of the House and yet do no wrong; but that was not the way the Independence of Parliament Act was to be carried out. Formerly the man that gave the bribe, and not he that accepted the bribe, was punished; but now the Government held that it should be the receiver only and not the giver who should be punished, and, in order that their ship might swim, they were prepared to throw Mr. Speaker overboard and make a political Jonah of him. The eloquent utterances of the hon. the Minister of Justice on the Col. Gray case and those he made on the present case were so different that people would have difficulty in believing that the special pleader of to-day was the same man who, from the Opposition side of the House, with a bosom heaving with virtuous indignation, thundered forth his condemnation of Col. Gray and the Government of that day. In fact, if the hon. the Minister of Justice would look in a glass he would hardly know himself. The hon. the Minister of Justice had been characterized as the great Gladstone of Canada, and he seemed to take all the Independence of Parliament under his own control. On the 16th February, 1857, Mr. Gladstone

MR. MCCALLUM.

said, with reference to a similar case at Lancaster :

“I trust that the affairs of this country will never be in the hands of a Government that dares to tamper with the franchise and drive the people like serfs to the polls.”

Lord Redesdale, referring to the same case, in the House of Lords, made use of the following remarkable words, which might be regarded as the highest constitutional law :

“The Government that interferes in any way with the political freedom of the people, is guilty of high treason to the people; and high treason to the people is more heinous than high treason to the Crown.”

Aud hon. gentlemen opposite stood guilty of high treason to the people, according to that opinion, because they had exerted an undue influence upon the elected, if not upon the electors, for which they would have to answer, if not in the House, in the country. He was satisfied that the amendment would not carry, and that hon. gentlemen opposite would stand by the Government. He would not call them a “servile” majority, as the hon. the Minister of Public Works used to call his opponents when he was in Opposition; but he would call them, as somebody else had called them, a mechanical and confiding majority. The Government told them that, if they voted for the motion, they would have to cross the floor of the House, and then there would have to be a new election, and they would all have to go back to their constituents; and this was what made hon. gentlemen tremble in their shoes. He would see what the hon. the Minister of Justice, that great champion of purity and the independence of Parliament, said, with reference to a constitutional question. It was in February, 1870, at a demonstration at Stratford, he said :—

“We find a member of the House stating in a letter to the public press, that his reasons for not opposing the Estimates were because it would seem ungracious and impolitic for him to do so, because a large amount was to be expended in his constituency. If a member is to vote for or against a measure because it affected his own constituency, what was the country coming to? It would render honest Government in this country impossible.”—

Again :—

“I think that instead of relaxing the law relating to the Independence of Parliament,

it should be made more rigid. I think no employment should be given to any man in Parliament. The hands of the people's representative should be free of any favours from the Crown."

Again, on the 27th November, 1867, in his place in the House of Commons, he said :

"If Premiers were allowed to infringe the Constitution and appoint members of the Executive Council *ad libitum*, they might create any number of offices, appoint members for them, and thus control the House by placemen."

The question was, whether the Government were not now trying to control the House by placemen, for it was not known how far the system had extended. In 1871, the hon. the Minister of Justice issued an address to the electors of South Bruce, in which he said :

"We desire to secure greater Parliamentary control over the appropriation of the public monies, to guard more strictly the independence of Parliament, and to inaugurate a purer system of administering public affairs."

But hon. gentlemen showed how much they cared for maintaining purity when they were now asking that wrong-doing should not be punished. The Postmaster-General said, the other evening, that he was proud of the Press; but he questioned very much if the Press was proud of him. It might be necessary to read some of the opinions of the Press, in order to show what were the opinions of the leader of the Reform Party in Canada to-day—not the leader in the House, but an hon. member in the other branch of the Legislature, and the real leader of the party in the country. Of Mr. Lemieux, on October 31st, 1857, the *Globe* said :

"If we had an institution for the encouragement of sleep, Mr. Lemieux might do very well for Chief Superintendent."

There was a saying "Like master, like man," and this Mr. Lemieux, who was termed an incapable officer, was afterwards taken into the Government by Mr. Brown. Again, the *Globe* said :

"It may be presumed that neither Mr. Lemieux nor Mr. Tirrell is inclined to offer himself as a sacrifice. \* \* \* The *Gazette* will, sooner or later, announce that His Excellency has been graciously pleased to quarter these two good-for-nothing Ministers upon the public purse."

And, less than one year after this, Mr. Lemieux was Receiver-General in Mr. Brown's Cabinet. That journal also was not very complimentary to the hon. member for Chateauguay (Mr. Holton) in those days; but as he (Mr. McCallum) had more confidence in that hon. member than the writer of those opinions, he would, therefore, not read them. Hon. gentlemen opposite admitted that it was inexpedient that there should be any contract between a member of Parliament and the Government, but they said it was inexpedient that any change should be made at the time this irregularity was discovered; and they wished the question now to be referred to the Committee on Privileges and Elections to be whitewashed. If his memory served him aright, the matter had already been before a Committee. Last year it was brought before the Public Accounts Committee, and when the attention of the Government was called to it at that time, if Mr. Speaker had committed a wrong, the Government should not have allowed him to continue in the position, for it was an injustice to him. Looking back to the time of the formation of the present Government, when that happy family he saw across the House was coming into power, he remembered there were more aspirants for offices than there were offices to fill. The party did not then place the hon. member for Gloucester in the position which he, from his ability and prominence, deserved to occupy in the Government of the country. There was not room for that hon. gentleman, so they made him the Speaker of the House, and said to him, in so many words: "You ought to be in the Government, and if you have not got that position you ought to have had it; we will make it up to you in some other way"; and no doubt this accounted for the present contract, and the position in connection therewith which the Speaker occupied. While he respected Mr. Speaker, he respected himself, the country and the Independence of Parliament more. It would be better that they should go back to their constituents and return purified, than that they should sit in the House and be tainted; but hon. gentlemen opposite were afraid to do this, for if

they had not the fear of the Lord, they had the fear of the people before their eyes, and a new election was the lash they held over their supporters.

Mr. LITTLE said that if he had noticed anything particularly in the debate more than another, it was the temperate tone displayed by the speakers on the Opposition benches, and the down-hearted and lukewarm manner in which the utterances of the members on the Ministerial side who endeavoured to excuse the Government were made. It was no wonder that so few, other than the Ministers themselves, had spoken in vindication of that political crime, for it was bad enough for the general supporters of the Ministry to be called upon to vote in the Government behalf, but ten times worse for them to be required to speak to whitewash their offences. The hon. the Premier did not attempt to deny the crime. The hon. the Minister of Justice spoke like a lawyer, but not as a high-principled statesman; and the hon. the Minister of Marine, who possessed what honour there was in the Government, and did he not keep such bad company, would be a useful member, could not say anything but invoke sympathy. Not all the waters of our great lakes and mighty rivers, which were under the immediate control of the Minister of Marine, could wash out the stains that were apparent on the conduct of the Government in connection with that and other matters. Contracts had been given to the Speaker of this House, the hon. member for Gloucester, to the extent of \$18,000. The hon. member for Halifax has also received a large contract; the hon. member for Lincoln, and even one of the Cabinet themselves, the hon. Minister of Militia, another. It brought back the corrupt times of Sir R. Walpole in the reign of George II.,—but that statesman was degraded. The present Ministry seemed to have taken a lesson from that book; but he trusted they would be degraded by this House, as they were in the eyes of the country. The hon. member for South Wentworth (Mr. Rymal) has just spoken on behalf of the Government, but his jubilant air was gone. That hon. member generally appeared as a keeper of a menagerie. Last Session he introduced a

Mr. McCALLUM.

she-bear, this Session a wolf and domestic poultry. But no trotting out of his beasts now; he could only talk about graveyards and ghosts, and invoke pity for the Government and call upon the faithful for their support. He would like to hear what the hon. member for Chateauguay (Mr. Holton) had to say on the subject. He remembered a time when that gentleman made himself conspicuous in shouting 'privilege, privilege.' What would he say now about the privileges of this House and the safeguards of the constitution being invaded? He would like to hear the hon. member for Selkirk speak on this occasion. There was a time when that gentleman said his delicate conscience would not admit him any longer to support the right hon. member for Kingston. If that gentleman (Mr. Smith) had shown a firmer attitude, and a more conscientious principle at the time of the disturbances in the North-West, there would not have been scenes of turbulence or bloodshed, and to him, and the company he represented, a good deal of the commotion was to be attributed. And how would the hon. member for North Simcoe (Mr. Cook) face his constituents at the next election if he supported the Ministry. The electors of the county of Simcoe were an intelligent and a practical people; they called things by their proper names; they called a spade a spade; and they believed and said that the giving of contracts to hon. members was a political crime. The danger did not end there. How could they tell the number of those members who had received similar favours, in the shape of contracts from the Government. If it was proper for the Speaker to hold a Government contract, every hon. member in this House had the same right; and grave suspicion would rest on those members who supported and defended the action of the Government in that instance, that they also had been illegally favoured. He cared not how high the position hon. members might hold, the law had been violated, and he trusted that the House would not attempt to whitewash the offenders after the manner in which some hon. members of the Government whitewashed a political offender in the Pro-

vince of Ontario, and absolutely placed the transgressor in a high and lucrative office, which he now enjoyed. In the case now before them there was no getting out of this position: that honourable and able as had been the conduct of Mr. Speaker in the chair of the House, still a wrong had been perpetrated, the law had been broken, and the people and the country expected that the offender should not go unpunished.

Mr. DAVIES said he had greater difficulty in making up his mind upon that question than upon any other which had come before the House since he became a member. His opinion was that the work done in the office of the *Freeman* was in the nature of a contract, because when the Government became aware that the work was being done there, they immediately gave notice that the arrangement should be terminated, and if they had not thought it was in the nature of a contract, he presumed they would not have given that notice. He regretted that the Government had not at once terminated the arrangement, and not have extended it. Then the question arose as to whose duty it was to bring the matter before the notice of the House. He believed it was the duty of the Government, not of the Opposition. The Opposition in making the motion had placed hon. members in a very awkward position, for no amendment could be moved and they were on the horns of a dilemma, they must either vote one way or the other. Hon. members had thus been placed in a somewhat false position. Had the Government taken action, the Speaker could have had the opportunity of placing his case before the Committee on Privileges and Elections. He had no doubt the hon. member for Gloucester took legal advice before accepting the work. It therefore appeared to be exceedingly unfair to condemn Mr. Speaker without giving him an opportunity of stating his case, which should be given to every hon. member placed in such a position. The question came home to him (Mr. Davies) with peculiar force. When he entered the House he was called upon to vote on the Pacific scandal. On that occasion, coming from the Conservative ranks

in his own province, where they ran elections rather for men than measures, he had stated that he would join the Conservative party if the Pacific scandal could be cleared up. It was not cleared up to his satisfaction, and the opinion he formed was, that the right hon. member for Kingston had taken a large sum of money for the purpose of corrupting constituencies. This was a very similar case, because if the Government connived at the hon. member doing this work it was in a certain sense highly improper. His constituents would clearly say to him when he returned to them: "So, Mr. Davies, you voted against Sir John's party because they raised money to corrupt a constituency; but here is a case where large patronage was thrown in the way of a supporter of the Government in contravention of the Act of Parliament and you were prepared to support it." He wanted Mr. Speaker to have fair play. As he said before, no doubt Mr. Speaker had reasons and consulted some legal adviser before accepting this work, because he must have known the matter would come before Parliament one day or the other. It seemed to him that the work which was accepted was in the nature of a contract and that by accepting it the seat was vacated. He thought that was a fair inference to draw; that members of the Government thought so also, for had he thought differently, they would not have taken the action they did in the matter. If this motion only affected the Government, he would have no hesitation in voting for it; but he could not make up his mind to say Mr. Speaker was guilty of this without being heard through the proper channel.

Mr. SMITH (Selkirk) said the hon. member for South Simcoe was good enough to refer to him and the course that he thought proper to pursue on a former occasion. He felt that he had no cause to regret acting as he did; and he trusted that whatever course he might now take he would feel equally at ease the same length of time afterwards as he did at the present moment with reference to the matter alluded to—his somewhat delicate mission in the North-West. He might say that had he not displayed firmness on that

occasion, which the hon. gentleman was good enough to say he did, the condition of the country would be very different from what it was at the present time. With regard to the question under discussion, he intended to discharge his duty with conscientiousness. Every hon. member in this House ought to have British fair play accorded to him; and he thought it would be wrong to the hon. gentleman who occupied the chair were he to join with those who thought him guilty before he had an opportunity of answering for himself. He would, therefore, without hesitation, and without feeling that his name, with those of others who might vote in the same way, would be considered infamous by posterity, as the hon. member for Cumberland had suggested, vote against the motion of the hon. member for North Hastings.

Mr. McCARTHY said he did not propose to take any part in this discussion until he heard the very extraordinary explanations that were offered by the Government for their share in the transaction. He thought, looking at the past, and having regard to the language of hon. gentlemen who now sat on the opposite side of the Chamber, looking at the motions which they had made not only in this House, but in the Local Legislature of the Province of Ontario, that there were hardly two sides to the question, and that it would be impossible for the Government to offer any opposition to the plain, simple and straightforward language of the resolution moved by the hon. member for North Hastings. Looking at it in that light he did not conceive that there would be any opportunity for discussion, but he was amazed to find that not only the hon. the First Minister had brought his courage to the sticking point, and was able to call upon his followers to support him in voting down this resolution, while at the same time he told them they would keep their principles unimpaired; but the hon. gentlemen who followed him on the same side of the House seemed to have no hesitation in taking the same course. Let him briefly review the arguments by which Ministers of the Crown had endeavoured to uphold the transaction in which they took part. The hon. the Post-

**Mr. SMITH.**

master General, in whose Department this contract was made, ought, in justice to himself, have given some better reason than he did in support of the vote which he proposed to give, and in support of the position which he called upon his followers to take. But that hon. gentleman, of late, as far as his (Mr. McCarthy's) observations had gone, had been so anxious to be courteous to the Opposition side of the House that he had forgotten almost every other necessity in argument, and rose and sat down again without giving one solitary reason for the course he was taking. He would have passed by the hon. gentleman's observations without comment or remark, but that he spoke of the resolution as being an obnoxious one, as it had been referred to by his leader as an embarrassing one. He thought it was both embarrassing and obnoxious, and he trusted that his hon. friends on the Ministerial side would not find it so embarrassing and obnoxious as to deprive many who voted against it of their seats. It was desirable that the matter should be placed in such a position that there should be no side issue. It was desirable, at all events, that they should have a direct and distinct vote upon it, and, therefore, the course was adopted of bringing it forward in such a manner that no amendment could be offered by which the hon. gentlemen opposite might delude themselves or attempt to delude the public. Another observation fell from the hon. the Postmaster General; he did not see the hon. gentleman in his place, and, perhaps, he ought not to refer to it in his absence. The hon. gentleman proceeded to detail what he supposed took place at the Opposition caucus. From any person else that might be taken as a joke, but when it was remembered that that hon. gentleman had a reputation of prying into the secrets of his opponents, that he was a man of notoriety from being able to do perhaps more in that way than most gentlemen could do, it should perhaps call forth a denial; and he would, therefore, tell the House, that, from first to last, there had been no doubt as to how this question should be submitted, or the gentleman who should move it. The hon. member for North Hastings

was the first who brought this matter before the Chamber, and the duty properly belonged to him of taking this step. They had a remarkable effort—a remarkable oratorical display from the hon. the Minister of Marine and Fisheries. That hon. gentleman must have surprised everybody by the great interest he took in Mr. Speaker's cause, and his touching reference to Mr. Speaker's liability to a fine of £60,000, melted the hearts of gentlemen on this side of the House. They felt that it was an exceedingly hard case, and that it was a wonder the Government would go on from the 1st January, 1874, to August, 1876, inducing Mr. Speaker to break the law and placing him in the position of being liable to the forfeiture of £60,000. He watched Mr. Speaker's face particularly, to see his capacity for taking that kind of soft solder—or, perhaps, in reference to the hon. the Minister of Marine and Fisheries it should be called chowder—and he thought Mr. Speaker did not pay much attention to the hon. gentleman's eloquence. He thought Mr. Speaker remembered that the hon. gentleman was the Minister who had deprived him, as it were, of his birth-right; who had stepped into the place Mr. Speaker had honourably won. How much of the hon. gentleman's professions were sincere? Did he care much for Mr. Speaker? Did he care, if he might refer to Mr. Speaker's nationality, about his little pig and cow being swept away by the tax collector; or was the hon. gentleman more alarmed at the attack made on the Administration, and regarding that attack and not the assault that was made upon Mr. Speaker? What was the case the hon. gentleman set up on Saturday? That the Opposition were striking Mr. Speaker over their heads; that they were not making an attack upon the Government at all, but endeavouring to pass a resolution which would deprive Mr. Speaker of his seat. One day of peaceable rest intervened, and they found the Whip of the party, whose duty it was to feel the pulses of his friends, saying: "We are going to sacrifice Mr. Speaker; only vote down this resolution. Don't condemn us as having done a political wrong, and I promise you, as a salve

for your conscience, that next day I will move a resolution to refer and sacrifice the obnoxious Speaker." There was a great difference in that tune; it was not at all the music they listened to on Saturday evening. It was, perhaps, no great wonder that the tune had been changed. But let him come to the more important gentlemen of the Administration who had endeavoured to argue out their position. The First Minister of the Crown was, generally, very forcible in the remarks which he uttered in this Chamber, but he evidently could not fall in; he was not able to understand the fine argument which the hon. the Minister of Justice had spun for him; and when he rose to answer the hon. member for North Hastings, it was quite plain he was not at home in his position, that he felt it sorely and keenly, and that he wished he occupied this side of the Chamber, and was denouncing the transaction which he felt called upon there to defend. The hon. gentleman admitted that, when the Administration was formed in 1876, an arrangement was then made by the then Postmaster-General for Mr. Speaker to do the printing for the Government in New Brunswick. By the accounts brought down, it was shown that Mr. Speaker entered upon a contract on the 24th January, 1874. The hon. the First Minister said he did not know of that. That might be so, and they were bound to accept the hon. gentleman's statement that he was ignorant of it. But, if he was ignorant of it, he did not attempt to repudiate the Postmaster-General; there had been no attempt to separate that unity of responsibility which of necessity must be assumed under responsible Government. But if the hon. gentleman did not know of this transaction at that time, he could not have remained long in ignorance. In the *Montreal Gazette* of the 18th July, 1874, this transaction was brought to light and was exposed through the public Press of the country. So, unless his hon. friend was blind not only to what went on in the Departments of the Government of which he was the head, but also deaf to the sentiment of public opinion, he must have known it at that date. Here was the article to which he referred;

it was a letter from St. John's, N. B., and in it was stated:—

“ There is a good deal of talk in the City about a job perpetrated by the Dominion Government in behalf of Mr. Anglin, the Speaker of the House of Commons.

It was to be remembered that these were not his words. He would express his opinion with perfect frankness, but with courtesy he trusted before he sat down. These however were not his sentiments. The letter continued:

“ It is said that his Honor, not satisfied with the salary which he receives as Speaker, not satisfied with being permitted to turn the Press out of the rooms which they have occupied since the Parliament Buildings were erected, and which were expressly built for them, in order that he may have larger quarters for his family, has demanded and received the printing patronage of the Province, and that, notwithstanding that he has no job printing office of his own; he is farming out to other printers, making a comfortable commission for himself out of the transaction. There are two objections to this proceeding. It is a violation of the Independence of Parliament Act, which forbids members of Parliament receiving gratuities from the Government. It is disgraceful that the Speaker above all men should become thus the recipient of favours, from the Government, a fact which must entirely destroy all confidence in his impartiality, and makes him, what he proved himself to be last Session, a mere partizan Speaker; and it is a violation of the law which places the ordinary privileges of the Government as well as of Parliament in the hands of contractors who obtain the contracts after fair competition. It is, however, but another illustration of the difference between the precept and practice as exemplified by the policy of the so-called Liberal Government.”

This letter appeared in the month of July, 1874; but perhaps this also escaped the attention of the Government. He thought they had a right to assume, until the contrary was stated at all events, that the Government were aware that the Press of the country had discussed, in no undecided tone, the contract made with Mr. Speaker. However, let them follow the hon. gentleman down in his statement of the facts. A new Postmaster-General came into office, as he understood it, in the spring of 1875; and during all this period the work was being done at the *Freeman* Office in New Brunswick in violation of the law, and in violation, contempt and defiance of public opinion. A new

Postmaster-General succeeded to office; the hon. gentleman was not at present in the Chamber, and therefore was not able to tell them what he thought or knew, but the present Postmaster, who was responsible to the House, did know in the Fall, or about Christmas, of 1875, that this work was being done, and drew the attention of his colleagues to it, and they discussed the question in Council, as the First Minister had told them. If the Premier was consistent, and if the hon. gentleman wanted them to understand and accept his statement, that up to that time he was in ignorance of this violation of his own opinions and of the plain letter of the Statute, and of the unwritten law of Parliament, then he should have put an end to this state of things. But what did take place? A correspondence was opened, but not with Mr. Speaker. Mr. Speaker was not called to account. Mr. Speaker was not asked to surrender his contract, or told that the Government could not go on giving him patronage in that way; but a correspondence was opened with Chubb and Company who, whoever they might be, were not represented on the floor of the House. Chubb and Company were told that for some reason or another the Government were going to do the printing at Ottawa and not any longer at St. Johns; but Mr. Speaker, who was the person who had the contract, which alone was objectionable, seemed to have been passed over *sub silentio*. It might be, however, that there was some other correspondence which the hon. gentleman (Mr. Mackenzie) had not seen fit to bring down. It did appear, at all events, after Parliament was in Session in 1876, according to a letter which had been read, representations were made to the Government, and that owing to those representations, on the 22nd of April, 1876, the following letter was written. He would read an extract from one of the letters which had been handed in by his hon. friend the First Minister the other evening, as follows:—

“ That the Postmaster-General has consented to the printing by the *Freeman* office of forms as are required, in large quantities, for use in your Province for the ensuing three months.”

**Mr. McCARTHY.**

This of course applied to all printing. This Government discovered it, they told the House, and discussed it in Council in December, but they did not put an end to it even then; but on the 22nd of April, 1876, a Departmental letter was written to the Superintendent of the Department telling him to continue this job and this contract. Looking at the accounts brought down, what did they find? They would find something worthy of consideration—and here he desired the attention of all hon. members who preferred their country to their party, if there were any such on the floor of the House, and who were not willing to sacrifice themselves simply to keep in office men who had violated their principles. He would draw attention to something which he thought required explanation, and he did not know that it had yet been brought before the House. They found that in 1868, 1869, 1870, 1871, and 1872, the same practice which had been followed by the present Administration in having the printing for New Brunswick done at St. John, was pursued by the preceding Administration, and also, that in 1868, this cost \$3,947; in 1869, \$3,411; in 1870, \$4,733; and in 1872, \$5,314; but when they came to the time when the hon. member for Gloucester received this printing the amount jumped from \$5,000 to \$12,000. In 1875, when the printing was done by a member of the House, who ought to be pure and above reproach, either twice the number or quantity that was required was done, or more than twice the former rates, had been paid. Did this open the eyes of any hon. gentleman to the nature of the transaction? What in the name of fortune could they do with all this stationery in New Brunswick? He imagined that the postmasters there must have clothed their families in post-office stationery. He could imagine the baby christened in a robe of post-office stationery; that the postmasters even stuffed their walls with it, in order to keep out the cold in the inclement season; that they stuffed their beds with it; but, otherwise, in the name of fortune what did they do with \$12,000 worth of stationery in the course of a single year? He trusted there would be some explanation of it. He did not know that

he was particularly suspicious, but this raised a very strange suspicion in his mind. He believed that he was addressing and speaking in the presence of the party of economy and retrenchment. He himself belonged to a body of men who had been designated as Corruptionists, and who had been hunted down year after year as men who were extravagant and who had mismanaged the affairs of the people of this country; and yet he found that the average paid by them during the years they had dispensed this patronage was \$4,705, while the average for the years during which the present Administration did so, was \$10,792. If there was any reason for this difference it ought to be explained. Had the post offices in New Brunswick become twice as numerous as they were before.

Mr. MILLS: Hear, hear.

Mr. McCARTHY said then he was to understand that in one year, under this paternal Administration, the necessities of the Post Office service in New Brunswick had doubled. So he was to understand the "hear, hear" of the Minister of the Interior. He hoped that this statement would be justified by the figures and the facts, and not simply by cries of "hear, hear." It made a case at all events for enquiry. He would now come to the grounds of defence offered to this motion of his hon. friend from North Hastings. The First Minister said there was no reason to object to the first part of the resolution,—

"That, in the opinion of this House, it is inexpedient and improper for the Government to enter into any agreement or contract whereby public money is paid to members of Parliament."

The Minister of Justice echoed this sentiment; and yet, during all of 1874 and 1875, and during half of 1876, they had just been doing what they said they had no objection here, by vote, to condemn. This was the part of the resolution which affected the Government most chiefly. The Minister of Justice, in a fine-spun legal argument, told them that it was no crime, nor was it an offence, for the Ministry to give a contract to a member of the House; and that the offence consisted

in the continued retention of his seat by the hon. gentleman who had obtained the contract. He was not going to deny that as a bare proposition of law; there was no penalty attached to any person save the unfortunate member; and he was not going to pretend that they could sue the Administration of the day for any penalty for having given such a contract; but they did want to know how hon. gentlemen opposite could make such assertions as they voted for and supported with regard to the case of Col. Gray, and in the face of all their past declarations that this was contrary to that unwritten law of Parliament which said that the Administration were not to corrupt or buy any person, not to give contracts to placemen, and not do anything that would prevent a member of the House from discharging his duty towards his constituents and the country, without doing violence to their own interests. This was the ground he took, and this was the ground of condemnation against the Government. It was not simply a matter of giving the contract to Mr. Speaker. He thought that this position was quite easily understood. Mr. Speaker assumed the responsibility of accepting this contract. Mr. Speaker had a perfect right to do so. Mr. Speaker had a perfect right, if he pleased, to run the risk of sitting in the Chamber, under the penalty attached to his retention of his seat; for this Mr. Speaker was responsible, and although it might be a very serious matter, it was not of the same vital importance, he contended, as the conduct of the Administration, which from hour to hour, from day to day, from week to week, and from year to year, doled out the contract to a member of the House, paid him public money, knowing that this member kept his seat, and concealed it from the country as long as they could, and then came down and endeavoured to induce their followers to back them up in the matter. They were told that they were taking an unfair advantage of Mr. Speaker; that they were dealing with him unjustly in asking the House to pass a resolution which would deprive Mr. Speaker of his seat and expose him to the penalty of which Mr. Speaker's eloquent friend

the Minister of Marine and Fisheries had spoken on the Saturday evening previous. Did they do anything of the kind? They could, it was quite true, have moved for a Committee of enquiry into the matter, or for a writ to issue for Mr. Speaker's seat, if they pleased; and such a motion, if made, might or might not have been referred to a Committee as the House thought that there was anything of law or of fact to enquire into; but if this were done it would not dispose of the matter. Would they thus satisfy public sentiment? Would they be doing their duty to their country if they simply moved that Mr. Speaker's seat be vacated and for the issue of a writ for a new election in the constituency of Gloucester, and left hon. gentlemen opposite who had violated their own principles and the law of Parliament by giving this contract to Mr. Speaker? He was astonished to find hon. gentlemen opposite sheltering themselves—but drowning men would catch at straws they knew—in the vote they proposed to give, and deluding themselves into the belief that by voting for the motion they would be depriving Mr. Speaker of his right to be heard before the Committee on Privileges and Elections. He would ask these hon. gentlemen whether they had consulted the authorities. He would put this question to his hon. friend from Prince Edward Island (Mr. Davies), who had made a speech so condemnatory of the Administration, and who, he dared say, would be read out of the ranks of the Liberal Party for having declared that this case was a parallel to what was called the Pacific Scandal. This hon. gentleman told them that he must vote against the motion, but that the only possible excuse he could give to either his conscience or his constituency for doing so was, that he would otherwise be taking an unfair advantage of Mr. Speaker. If this was so it was certainly one reason why they should stay their hand. If they were doing anything that would prejudice the position of any member of the House, he was free, for one, to admit they should pause and hesitate in moving and asking the House to adopt a resolution which would have

Mr. McCARTHY.

that effect; but although many members had addressed the House, and although the first lawyer, not only in the House but in the country, had spoken on the question, had they yet heard one solitary word of doubt as to the position Mr. Speaker occupied? Had any member of the House pretended that the law had not been violated; or that a contract had not been made, or that a breach of the law had not been committed? Then what had they to refer to a Committee? He saw that the practice was, that if there was anything of doubt either in fact or in law, it should be sent to a Committee,—“Whenever any question is raised affecting the seat of a member and involving matters of doubt, either in law or fact, it is customary to refer it to the consideration of a Committee.” This was to be found in May’s Parliamentary Practice, page 594. He admitted that the motion affected Mr. Speaker’s seat. If it was adopted, it must inevitably follow that they must move for a writ for a new election. He accepted this responsibility. He was not blind to this fact, and he also wanted hon. gentlemen opposite to accept their responsibility when they voted against it, and said that the law had not been violated, and that no contract had been made. It would not do for these hon. gentlemen to blow hot and cold, and to cast back upon the Opposition the reproach—“You are destroying Mr. Speaker and depriving him of his seat.” When hon. gentlemen opposite accepted the responsibility of voting down this motion, they declared by their vote that there had been no breach of the Independence of Parliament Act, and that Mr. Speaker had not been guilty of a violation of that law; and, therefore, if his hon. friends would consider the matter for one moment, they would see that no further motion could be made about it during the present Session. His hon. friend from West Elgin had risen that evening, posed in very graceful attitude before the House, and made his little speech. The hon. gentleman said that his conscience was afflicted. The hon. gentleman really could not swallow this resolution, and he could not, Whip as he was of the party, support the Government unless he felt that

he was to move next day for a Committee to enquire into the conduct of Mr. Speaker, and to investigate the facts of the case. The hon. gentleman called upon the leader of the Government to learn whether they would accept this. It was a very pretty piece of acting. The hon. gentleman wanted the Premier to rise at once and make a statement, but the First Minister had not—if the expression was not unparliamentary—quite cheek enough to rise and play the little game that had been arranged in caucus. The hon. gentleman (Mr. Mackenzie) had not yet told the House, whether he would accept this proposition or not. The Speaker was safe for this Session, so far as he could see, when they voted down this motion and declared that he had not violated the Independence of Parliament Act, as any further reference to the subject during this Session would be out of order, as he understood the rules of the House. He thought Mr. Speaker would have great pleasure if this measure was voted down, in telling his hon. friend from East Elgin, who, he dared say, understood it much better than he (Mr. McCarthy) did, that the motion having been passed upon he (Mr. Speaker) could not allow the matter to go any further. Perhaps that was their “little game;” but he could not say. He wanted the House to understand, however, the position they were in, so that every member should understand how the case stood. The Opposition affirmed that there had been a violation of the Independence of Parliament Act. The hon. gentlemen opposite said “no.” If they said “no,” the question was settled. He accepted for his part the full responsibility, with full knowledge of what the vote affirmed. No lawyer of reputation would venture to say, looking at the papers in the case, that Mr. Speaker had a right to a seat in the Parliament. He perfectly well understood and was willing to accept that responsibility. He could quite understand that when the case of the other hon. gentleman, the hon. member for Lincoln (Mr. Norris) came to be considered, there would be some sense in asking for a Committee. But there was not the slightest doubt about the present question. From his very

great Parliamentary knowledge and experience Mr. Speaker must have known the consequences, and if he chose to accept them it was his own business. If he chose to do the Government printing he did it with his eyes open, and he (Mr. McCarthy) was not to be told that he was not to vote that this was a breach of the Independence of Parliament Act, simply because it entailed consequences which Mr. Speaker must have known from the very first. While he (Mr. McCarthy) did not pretend to extenuate this act on the part of Mr. Speaker, he would say that it was a trifling wrong in comparison with the conduct of the Administration. And these were the gentlemen who taught the country to believe in their virtue and patriotism and who rang the changes from one end of Canada to the other upon the importance of an independent Parliament. They all knew there was nothing their constituents were so inclined to suspect them of as making money in some way or other; their constituents were always suspecting that they were "feathering their nests," and there was nothing which the people of this country were more jealous than that members of Parliament should stand above all suspicion. Yet he had heard the First Minister call upon their supporters to say that black was white, and that the motion was not, as it assuredly was, a plain declaration of a matter of fact, which they all knew it to be. He was sorry the hon. the Minister of Justice was not in his place.

Mr. BLAKE: I am here.

Some HON. MEMBERS: Come forward.

Mr. McCARTHY said if his hon. friend was not in his place he would not say what he had intended, he would not feel disposed to make the remarks he proposed making, behind the back of any hon. member. It was, perhaps, strange, but it was nevertheless true, that the Press of this country had drawn a line between the hon. the Minister of Justice and the hon. the First Minister. It had been stated in the newspapers that it would be seen that the Minister of Justice could not so far forget himself and his principles

Mr. McCARTHY.

as to support and endorse this conduct of the Government. The hon. the Minister of Justice entered public life at a time when the great party to which he belonged was suffering from tyranny and despotism, perhaps of a more grinding character than had been known in many a land. Their own newspaper, which professed to represent them, ground them down, and they looked to some man who would save them from the tyranny. The hon. member for South Bruce was to lead them out of the wilderness and save them from the despotism of that newspaper. The hon. member fully entered into that sentiment, and he appeared before the public as one who was not to be brow-beaten and bullied by any newspaper; and he took a stand which gathered around him many young men; indeed young men looked up to and admired him, not only for this, but also for his genius. In that way had his hon. friend built up his reputation; in that way had he taught the people to believe that he was incorruptible, and that for no consideration would he have his name connected with a transaction that was either dishonourable or impolitic. If the scales had fallen from their eyes, and they saw the hon. gentleman in his true colours, if they found that he spent one-half of his life in enunciating principles, and the other half in violating them, it was not to be wondered at.

An HON. MEMBER: It is false.

Mr. McCARTHY: He did not know whether this expression was Parliamentary, but he would meet it and prove that it was true. The first declaration of the hon. member for Bruce was, that it was improper and unconstitutional that more than a given and suitable number of Cabinet Ministers should hold office, whether with or without salary; and yet the hon. gentleman himself had been the only instance of violating the rule which he himself had made. Not only had he done this in the House of Commons, but also in the Ontario Legislature; and he had shown the difference between a man standing in Opposition and laying down certain rules, and when he had an opportunity of carry-

ing them into practice. This had not been the only instance of inconsistency of which the hon. gentleman had been guilty. At Aurora he told the people—and much wonder and excitement was there in the land at it—that he wanted no office; that he would sooner be a private in the grand army of freedom than holding command of the ranks; that he would sooner be leading on as a private, endeavouring to do justice to his fellow-countrymen, than drawing the emoluments of the Treasury. That was in October, 1874. His hon. friend kept in that mind for one short Session. He was next found sitting to the left of the First Minister, an humble follower of the chief whom he had ineffectually tried to destroy; he became a most complacent place-man, attending to his Departmental duties with the regularity of clock work, and with all the ardour one might expect from the hon. gentleman's character. He (Mr. McCarthy) would not insult his hon. friend by supposing that the emoluments of the position brought him here, for it was believed he was above that, but it was clear the hon. gentleman had failed to show that he had the back-bone to stand to his principles when they and the interests of his party clashed. The partyship was brought to bear upon him; he was told that he must be either in or out of the party; that he must no longer be "a private in the grand army of freedom," but that he must take his proper position or be drummed out of it; and he succumbed and accepted office. Knowing all this, it was not to be expected he would find much difficulty in voting for or against this or any other resolution which would place his party in jeopardy. He (Mr. McCarthy) had not been mistaken in his estimate of the hon. gentleman. It was found that he came here and aided the First Minister in calling upon his followers to declare that the Independence of Parliament Act had been held intact. The position which he (Mr. McCarthy) took was simply this. He believed there was no subject for enquiry by a Committee. If there was any doubt which would render a reference to a Committee necessary, he would not support the resolution. But no person

had suggested that the facts could be questioned. The contract was made and the money was paid. No person could doubt that. The receipts were given by Mr. Speaker. These were the facts. The law said that was a contract. He did not care whether that was in writing, signed, sealed or delivered; a contract was a contract without any writing. It might be a contract within the meaning of the Act if a word was never said; an implied contract was quite different. There was no question as to the facts. There was no question of law; and it was not the practice of this House to send matters to a Committee when there was nothing to be investigated, when there was nothing to be determined, when the House as a body, as the whole Assembly, representing the people of Canada, were quite as able to pronounce upon the question as any Committee delegated by them could possibly be. What could the Committee say or do? It could only say that the member for Gloucester had entered into a contract for printing with the Government, for which he received the money, and that they found this to be a violation of the Independence of Parliament Act. But the House knew all about that without a Committee. Then there was no object in sending the matter to a Committee. Her Majesty's loyal Opposition had a duty to perform, which, if they failed to do, they would be unworthy of their position. A square issue had been arrived at. They asserted two propositions in the resolution. They asserted in the language used, "that, in the opinion of this House, it was inexpedient and improper for a Government to enter into any agreement or contract whereby public money was paid to a member of Parliament, such as the Postmaster General's report of 1875-6 showed to have been entered into with the Speaker of this Chamber." Was that so or was it not? Could hon. gentlemen vote "nay" to that, and preserve their consistency and their duty to their constituents? The second proposition was, "that such payments were in contravention of the Independence of Parliament Act, the words of which were quoted in the resolution. Was that so or was it not? Neither

the First Minister nor the Minister of Justice would not say it was not so. The hon. the Minister of Justice said he would not express any opinion upon it. Had the Government known they were right, they would have had an opinion, they would have said this was not a violation of the Independence of Parliament Act. Their silence was just as pregnant, just as conclusive against them as would be the open and candid admission that the resolution was correct. Then let the hon. the Minister of Justice take the responsibility upon himself. He (Mr. McCarthy) had no right to dictate to hon. gentlemen, he only rose to express his own convictions and to endeavour to clear away what he thought to be the sophisms with which the hon. gentlemen on the Treasury benches had endeavoured to delude the members of the House, and to show that the House was as fully able to deal with the matter as a Committee.

Mr. MACKENZIE said it was not his intention to ask leave to make a second speech. He rose merely to say that, in taking the ground that the motion of the hon. member for North Hastings was an improper one, as it was aimed at the seat of a member in an indirect way, as it was a motion which could not be amended, he stated that the proper motion would have been to have referred the matter to the Committee on Privileges and Elections. The course that he conceived to be the proper one was sufficiently indicated by his remarks. The hon. member who had just sat down stated that the motion did directly attack the seat and that it was intended to attack the seat.

Mr. BOWELL: He did not say so. I rise to explain that I have no objection to the hon. the First Minister making a second speech provided that I am allowed the opportunity of replying, and of controverting some charges brought against myself personally.

Mr. MACKENZIE: I have no intention myself to make any speech, but I only rise to mention one point with respect to this reference to the Committee.

Mr. MCCARTHY.

Mr. MACMILLAN rose to a point of order, and said that if the hon. the First Minister had the right to reply, not only the mover, but every member also had the right.

Mr. SINCLAIR said it was not his intention to speak on this important question, had it not been for the speech of the hon. member for Cardwell (Mr. McCarthy); but he thought he showed conclusively, that if any resolution whatever ought to go before a Special Committee, this was the one. He stated that whenever there was a resolution about which there was a doubt, the proper way, according to *May*, was to send it before a Committee of enquiry. He (Mr. Sinclair) must say he had great doubt in regard to this. He did not see by any means that the matter was as clear, as it was brought before the House, as he would like it to be, in order to give an intelligent vote upon it. They had Messrs. Chubb & Co's. correspondence with the Government, and in another place it was stated that the business was done there. It was a common thing for printers to rent their offices and get business done there, and the only thing that troubled him (Mr. Sinclair) about giving a vote against this resolution was the Speaker's name to some of the payments made, though no attempt had been made to show that the signature was a genuine one. He would like to know, from the hon. member for Cardwell, if he had a case in Court, if he would take such proofs as were brought before the House—the highest tribunal in the land? If he had a criminal before him in the meanest Court in the land, would he allow him to be condemned unheard in this way? The Speaker had been eulogized for his conduct in his position, but what treatment had he received? The right hon. gentleman who had eulogized him put an order on the paper in quite a different manner. Let any hon. member place himself in the position of the Speaker, with an undue advantage taken of him, and he not allowed to open his mouth. If any question should come up before the Committee on Privileges and Elections this was the one. He was very well pleased to hear the leader of the Government state that it was his desire

that it should go there, and he (Mr. Sinclair) would never feel it his duty to vote condemning a fellow member unheard. He was sure that the proper mode was to send this before a Committee of enquiry, and he was prepared to vote so.

Mr. MILLS said, as the First Minister was not permitted to make the statement he desired to make, he now rose on behalf of the Government to say that they were quite ready to agree to the reference of this matter to the Committee on Privileges and Elections, where, in fairness to the Speaker, it ought to go.

Mr. GIBBS (South Ontario) said the point of the member from Prince Edward Island (Mr. Sinclair) would be a most important one if there were any doubt about the matter; but he thought the House might consider itself entirely relieved from any doubt, from the fact that he (Mr. Gibbs) held in his hand the report of the Committee on Public Accounts which, in the most unmistakeable manner, set forth the facts in the following words:—

“The Select Standing Committee on Public Accounts beg leave to make their second report. That it appears from the vouchers now before them that large sums of money have from time to time been paid to Timothy Warren Anglin, a member of the House of Commons, for printing and stationery while a member of this House.”

And, if any hon. gentleman in the House had any further doubt upon the point, he desired to say that in the Committee on Public Accounts, if he might refer to what took place before that Committee—

Mr. MACKENZIE: Order.

Mr. GIBBS: I knew I should be called to order.

Mr. MACKENZIE: I rise to order.

Mr. GIBBS: The hon. gentleman may rise to order if he likes.

Mr. MACKENZIE: The hon. gentleman has no right to refer to anything that took place in the Committee-room.

Mr. GIBBS said he had asked permission of the House to do so before he did so, and he quite expected that the hon. the Premier, or some one on the Ministerial side of the House, would

object to it. If not allowed to refer to what took place in that Committee, he might be permitted to allude to what he read in a newspaper, which, he believed, correctly reported what took place in another place.

Mr. CAUCHON: Order.

Mr. SPEAKER said he did not think that the hon. member could indirectly make reference to what took place. The fact of its having been reported did not alter the matter.

Mr. GIBBS asked if, during this debate, any hon. gentleman on the other side had been called to order? Had not the amplest opportunity been given them of making statements when they desired? Gentlemen on the Opposition side of the House had expressed themselves as placed in a delicate position. The Speaker, the First Commoner in the land, was charged by the resolution with having been a public contractor. He held a position which the law declared he had no right to hold, and which, as one hon. gentleman had stated, ever since he had been a member of Parliament he had no right to occupy. If he (Mr. Gibbs) repeated that, it was because the hon. gentlemen opposite had prevented him from making a statement to relieve the member from Prince Edward Island from the doubts he seemed to have. As to the genuineness of the receipts which were in the Postmaster General's Department, it was stated, by a gentleman having authority to make the statement, that he had no doubt about it, and the Committee reported that the Speaker did receive large sums of money when he was a member of Parliament. If there was any doubt about it, he might refer to the printed report, which was before every hon. gentleman present, as to whether there was any doubt or not. The question for every hon. member to decide was this: Was public money paid to an hon. member of this House while he was a member of this House? Had any gentleman who heard him, or any one in the land, from the evidence deduced, any doubt upon the point? If there was such an one to be found, he agreed that he might vote to refer this to the Committee on Privileges and Elections. The Oppo-

sition had been charged with not having brought this matter up at the proper time, or in a proper manner. They had waited patiently that gentlemen opposite might take the course open to them, had waited for them to bring forward a motion to refer the question to a Committee on Privileges and Elections. Had they done so? It had been proved conclusively that this had been a matter of public notoriety for two years. The Opposition had waited until the evidence was brought down and put in the possession of the Committee on Public Accounts and brought down to this House, so that hon. gentlemen might have all the facts and all the evidence in their possession before one word should be said on the floor of this House in reference to this case. They had produced their evidence on the first opportunity after it was in the possession of this House. When such a motion could be made, the hon. member for North Hastings (Mr. Bowell) had presented this motion for the approval of the House. But those members who were here years ago could remember the thunder of the hon. the Minister of Justice when a case, having in a very faint degree some relation to that before the House, was brought forward. When it was stated that Colonel Gray had violated no Act of Parliament by sitting on the floor of this House, and by receiving payment of \$300 per month by order of the House, hon. gentlemen opposite contended that not only one member might be found on the floor being a placeman and holding office, but dozens and scores, and that the Government of the day might pack the House of Commons with placemen, and they demanded that an amendment to that Act should be made to meet their objections. What did the Government of the day do? Feeling the importance and cogency of the arguments deduced by the hon. gentlemen opposite, they did amend the Act of Parliament; but it remained for those hon. gentlemen, who declared they would elevate the standard so high that honest and honourable men might range themselves under it, to violate the Act of Parliament in the spirit and the letter, in a way that no other Government, in this or any other country, had ever done—

**Mr. GIBBS.**

of late years at all events. He regretted that the Speaker had found himself in his present position. None regretted it more deeply than they who were on the Opposition side of the House. It might or might not be a coincidence, but it was a fact, that late in the Fall of 1875, in December he believed, the hon. the Postmaster-General delivered a speech in Argenteuil in which he denounced Ultramontanism, and it was a fact known to many persons, particularly those residing in the part of the country from which the Speaker came, that the St. John *Freeman* took occasion to condemn the speech of the Postmaster-General, and it was remarkable that, a few days after that, the then Postmaster-General sent down instructions to the Province of New Brunswick that the printing should be withdrawn from the other papers there and given to the *Freeman*. He (Mr. Gibbs) did not say that that was the reason, but there was a striking coincidence as to the date. He had no sympathy whatever with the position the hon. gentleman had taken. Those of them who had sat on the other side of the House in days and years gone by, knew the arguments used by their opponents on occasions of minor importance compared to this. They had abandoned this case, so far as meeting it with argument was concerned. They had admitted that there was no case, and had accordingly abused the plaintiff's attorney. When charged with wrong-doing they said: "You did the same when you were in power." He (Mr. Gibbs) was happy to know, speaking for the Conservative Party, that in no case in its history, since Confederation at any rate, had there been a parallel to the case presented in the motion of his hon. friend the member for North Hastings.

Mr. ROSS (West Middlesex) said he had not intended to trouble the House with any remarks upon this very important subject, had it not been for one or two statements which had dropped casually from hon. gentlemen opposite. He agreed with what had been said by his hon. friend from Kingston, as to the impartiality and fidelity with which the Speaker had discharged his duties as the presiding officer of this House. He remembered, however, in

the Session of 1873, when the hon. gentleman entertained very different opinions in regard to his ability and the position he held before the House and the country, and his fitness to hold a position on the floor of the House. It would be remembered that, when the gentleman then representing the county of Pictou, brought a charge against the member for Gloucester, as the publisher of the *Freeman*, the charge was discussed, and remarks, not at all complimentary to the present Speaker, were made by the hon. gentleman, who, the other evening, had spoken in such complimentary and gushing terms of his fitness as presiding officer. He (Mr. Ross) held a quotation from the remarks of the hon. member for Cumberland (Mr. Tupper), who always had especial force when he thought he saw discreditable or dishonourable conduct on the part of hon. members on the Ministerial side of the House, but who, during 1873, when the late Government were in the throes of dissolution, could not see anything in the conduct of the hon. gentlemen with whom he was associated in the transaction known as the Pacific Scandal. Here was what he said in the House in 1873:—

“Such language placed a man outside the pale of gentlemanly intercourse, and he asked gentlemen opposite to say whether a man who used such language could expect to receive anything but the loathing and contempt with which he had tried to invest the Parliament of his country. Such deserved no pretensions to consideration, and he generally found that these charges brought against others, emanated from the corrupt darkness of his own heart.”

That report was copied from the hon. gentleman's own organ in Toronto, and was such language as they would expect him to use when his righteous soul was overflowing with indignation. The member for Kingston was equally complimentary. He said: “No insult could be considered more vile than those contained in the article referred to.”

Mr. DEWDNEY: What were the remarks referred to?

Mr. ROSS: You will find them in the Journals of the House, on the 17th April, 1873.

Mr. DEWDNEY: What were they?

Mr. ROSS: It would take up too much time to read them.

Mr. TUPPER: I would like, as the hon. gentleman knows I shall not have an opportunity of speaking in reply, to ask him how many of the present Administration voted with me on that matter?

Mr. ROSS said he had not referred to the Treasury Benches, but to the remarks of the hon. gentleman opposite. His hon. friend was too old a politician not to know that it was unbecoming to interrupt, in so unseemly a manner, so young a member of the House. He was exceedingly pleased to find that the remarks which he made had the effect of calling his hon. friend to his feet. No doubt he felt the position he was placed in when remarks that he made three years ago were compared with those he made on Saturday. He did not propose to follow the course of this discussion in all its varied phases. One feature of the discussion had pleased him—to see that his hon. friends opposite who, a few years ago, were prepared to vote down the resolution moved by the Liberal party in favour of the independence of Parliament, were to-night exceedingly anxious to vindicate those principles which they opposed so strenuously when on this side of the House. Reference was made to the position occupied by a member of this House on the Intercolonial Railway Commission. When the Liberal party were opposing the position which Mr. Walsh occupied as Chairman of that Commission, where were his hon. friends opposite? They found vote after vote recorded against the resolutions which the Liberal party moved in regard to that matter as being a violation of the Independence of Parliament Act. When the hon. the Minister of the Interior moved his resolution in regard to the Pacific Railway, when he was supported by the whole strength of the Liberal party, where were his hon. friends opposite? Among the nays he found recorded such names as Sir John A. Macdonald, Mr. Tupper, Mr. Langevin, Mr. Bowell, and the whole strength of the Conservative party. To-day they found the same gentlemen on the opposite side of the House endea-

vouring, by unfair means, to attack the present Administration because of certain disclosures which appear to have been seen in the Public Accounts. He called the attention of the House and the country to the fact that this was an evidence that Liberal principles were fast gaining ground. At one time they were almost beginning to despair of ever creating an impression on hon. gentlemen opposite. They had thought that nowhere, except in the ranks of the Liberal party, could there be found advocates of true Parliamentary Independence. But what did they find now? Hon. gentlemen who, four or five years ago voted against resolutions affirming the Independence of Parliament, were now endeavouring to vindicate those principles and were trying to be more zealous and anxious for the Independence of Parliament than hon. gentlemen who fought the battle a few years ago. That battle was not confined to resolutions on the Intercolonial Railway. On this side of the House, when they were advocating simultaneous elections, hon. gentlemen opposite were opposing them. They thought that if the elections were held on one day the Independence of Parliament would be better secured and the opinions of the constituencies better obtained; but the Opposition opposed them on that question. Where were his hon. friends opposite when the resolution of the hon. the Minister of Justice was before the House in favour of controverted elections being tried before the Judges? They were opposing it, contending that the old system of the trial of such cases before the House was the true one. He called attention to this fact that the country might see that the true advocates of the independence of Parliament were not to be found among hon. gentlemen opposite. The elections of the last few years had disclosed that hon. gentlemen opposite were not the true advocates of the purification of this chamber. What had the report of the Northern Railway Commission disclosed? It had shown that no hon. member on the Ministerial side could be charged with anything like the violation of the Independence of Parliament that was proven against hon. gentlemen opposite. It justified the

Mr. Ross.

conclusion he was drawing, that at this late day the Reform party was still the part that could truthfully stand up in defence of those great principles of Parliamentary Independence for which they had fought in the past. The hon. member for Cardwell (Mr. McCarthy) called attention to the increased expenditure for printing in New Brunswick since the present Government came into power. What were the facts in connection with that expenditure? Previous to the year 1873 the post offices in Nova Scotia and New Brunswick were simply way offices involving little or no expenditure, comparatively speaking, for printing; but under the new system they were changed to regular post offices, and required to make daily reports, as in Ontario. The result was a large increase in the printing and stationery bills; and he challenged hon. gentlemen opposite to prove, from any information in the possession of the House, that Mr. Speaker received one cent more proportionately for the work that was done than under the old system. It had not been shown that the work done by Mr. Speaker was done at exceptional prices, or that he received more money for the work than was paid to the friends of the right hon. gentleman opposite (Sir John A. Macdonald) when they did the same work. In New Brunswick in 1872, the expenditure for this work was \$2,740.72; in 1873, when the work was done under the old Administration, it was increased to \$5,535.92, so that the "jump up," as the hon. member for Cardwell expressed it, occurred under the old Administration. In 1874 it increased to \$6,341.15—something less than 20 per cent, while in the following year the expenditure was reduced to \$6,303.58. The charge had not been made, and could not be proven if it were made, that Mr. Speaker received an increased price for the work he performed, as compared with the prices paid under the old Administration. The hon. member for Cardwell said that an anonymous letter appeared in the *Montreal Gazette* during the summer of 1874, charging Mr. Speaker with receiving contracts from the Government, and he was very much surprised

that the hon. the First Minister did not become aware that Mr. Speaker was in peculiarly close relations with the Government. Did his hon. friend expect that every Minister of the Crown was to make it his particular business to read over the columns of all the newspapers in the country, or to pay attention to every anonymous scribbler in the public journals? The very idea would be absurd. If hon. gentlemen opposite were anxious to purge this House of a member who was unworthily filling his position, why was it that action was not taken until now? This information was in the Public Accounts and in the report of the hon. the Postmaster-General, and action might have been taken at a much earlier day. But if it were so very disreputable for Mr. Speaker to receive public monies because he owned a printing office, what was to be said of many hon. gentlemen opposite who were shareholders in newspapers representing their party? Was he exceeding Parliamentary privilege when he said that it was almost beyond doubt that hon. gentlemen opposite were largely interested in the *Toronto Mail*; and it had lately been been shown, through the Commission of inquiry into the Northern Railway matter, that \$1,000 were subscribed by a gentleman closely connected with the Conservative Party as his share in that paper. He had the curiosity to examine a report brought down to the House, and found that, for 1872, the *Chatham Planet* received \$52.92 in the shape of advertising, and there was an hon. gentleman in this House representing that paper. It might be said that was a small sum, but, according to the representations of the Opposition, the amount had nothing to do with the grave question of public morality which was involved in such transaction. He found also that the *Belleville Intelligencer*, connected with which was an hon. gentleman in this House, received \$183.26, not a large amount to secure his allegiance. Then there was another gentleman, who occupied a seat in the House in 1873, who was publisher and proprietor of the *Toronto Leader*, and he received \$543.80. He found, also, other organs similarly situated which received the

same kind of attention from the late Government. Hon. gentlemen opposite should be consistent. If they wanted to carry consistency to its legitimate length, let some hon. member opposite move, "it is inexpedient that any hon. gentleman holding a seat in this House should receive any amount of money from the public treasury for advertisements and printing; that the receipt of that money is a gross violation of the Independence of Parliament, and this House should be purged of all hon. members who receive public moneys of any kind." It was, however, only in matters that would embarrass the Government, that the righteous indignation of those hon. gentleman took the form of such a resolution. It was only in matters that they thought would place the House and the Government at a disadvantage, that they were prepared to contend for the Independence of Parliament. During the election of 1872, what were the members of the Opposition doing at the very time when the Liberal Party were fighting for the Independence of Parliament? He found correspondence going on between the then First Minister and men who expected, to receive considerations for anything they might do. He found such a letter as this:—

"The friends of the Government will expect to be supplied with funds in the pending elections, and any amount which you or your company may advance to us for that purpose will be recouped to you."

Then followed the amounts wanted: Sir John A. Macdonald wanted \$28,000; the Hon. Mr. Langevin wanted the small sum of \$15,000, but he got \$32,000; Sir George E. Cartier wanted \$20,000. Then they found that Sir John A. Macdonald wanted an additional \$10,000; that the Hon. Mr. Langevin wanted an additional \$10,000, and that Sir George E. Cartier wanted an additional \$20,000. Those were the hon. gentlemen who were now talking purity and fighting for the Independence of Parliament. Hon. members who knew their political history could scarcely realise the change. He was prepared to support the Government on this occasion, and he was prepared to take full responsibility for it; and he was prepared at the next election to argue every point of this resolution

with the hon. member for Cumberland, at any moment he chose. He was satisfied that the intelligent constituencies of Ontario would not be "taken in," to use an American expression, with any sudden effervescence of public morality on the part of hon. gentlemen opposite, but would stand by the Government and party that placed on the Statute-book resolutions and laws by which the Independence of Parliament could not be violated with impunity.

Mr. PLUMB said he was not surprised to learn that the hon. member for West Middlesex (Mr. Ross) intended to support the Government; he did not think that statement of the hon. gentleman would create any surprise in the House, for hon. members knew well what a slavish follower of the Government that hon. gentleman was, and that he would be prepared to support them on any question upon which his support was required. It did not need any argument on the part of that hon. gentleman to justify any vote that he would give to the Government. He (Mr. Plumb) had not intended to say anything on this question until he found that his hon. friends were debarred from saying anything in reply to arguments urged on the other side of the House. The hon. member for West Middlesex (Mr. Ross) had chosen to say that by a sort of parity of reasoning, many members of the House were guilty of a breach of the Independence of Parliament Act by being interested in certain newspapers who did public printing. He admitted the same. Hon. members were shareholders in corporations publishing newspapers. No one doubted it, but no one presumed to say that this was any ground for complaint. Indeed, this was so well understood that no one proposed to attack an incorporated company in the City of Halifax which had a very large share of Government printing, and in which it was well known that two prominent members of this House, one being a Minister of the Crown, were large shareholders and largely interested. He saw that it appeared in the Public Accounts that these hon. gentleman had not been without their share of the advantages given to the Faithful Mr. Ross.

who stood by the Government. In 1874, the whole expense connected with printing in Halifax amounted to \$7,449, but in 1876, under the application of the glorious principles of Reform, Retrenchment and Economy, of which they had heard so much, and under an Administration which had come in to correct all abuses and to introduce retrenchment in the administration of public affairs, these gentlemen received the modest sum of \$15,196. He would not have referred to the *tu quoque* argument had not the hon. gentleman from West Middlesex, by alluding to these matters, provoked a retort. He regretted that the motion of his hon. friend from North Hastings did not suit the hon. gentlemen opposite, but he would be very much surprised if anything the Opposition brought forward did suit them, and, more, he would be very suspicious of any resolution that hon. gentlemen opposite would accept. He would at once instinctively suppose that there was something wrong in it, or else these hon. gentlemen would not take it up. He was very much surprised to find that throughout the discussion no one had pretended for a moment to attack the principle asserted in this resolution; no one had presumed so far to forget what was due to the Parliament and the country as to attack the kernel and essential principle of the resolution. But hon. gentlemen opposite merely said that the course the Opposition had pursued was not acceptable to them. The Opposition had not supposed that this resolution would or could be so acceptable to the Government; or that having sat silent for two years under such a state of things, these hon. gentlemen would accept, at this hour, a resolution emanating from the Opposition benches, and proposing to remedy the difficulty. The language used by hon. gentlemen opposite was in strange contrast to that they employed during October 1868 and 1871. On May 19, 1868, the Minister of Justice said:—

"Was it known that for the paltry patronage of a county, for the mere power of distributing tide-waiterships and post office employment, the independence of many members had in times past been sacrificed."

On April 11, 1871, Mr. Mackenzie said:

"Their object was to render every member of the House thoroughly independent of outside influence. The first thing to be done to protect the liberties of the people was to make its Legislature thoroughly independent."

On February 28, 1871, during the debate regarding the position of Col. Gray, an amendment was moved by the then Opposition making it improper for any member of the House to receive any salary or emolument from the Government, whether annual or otherwise; and the Minister of Justice said:

"The principle contended for was, that no person should receive profit or advantage or any contract or salary from the Government while sitting in Parliament."

An amendment was moved at the time by the Minister of Justice, seconded by the hon. member for North Hastings; these hon. gentlemen then were in accord upon this subject, but now, as far as he could judge, they were wide as the poles asunder.

Mr. BLAKE: To what matter do you refer.

Mr. PLUMB: To the Col. Gray matter.

Mr. BLAKE: The hon. member for North Hastings moved an amendment to my motion. I never had the honour of having that hon. gentleman as a seconder.

Mr. PLUMB: It is so stated in the proceedings.

Mr. BLAKE: No. Mr. Savary moved and Mr. Bowell seconded an amendment to my motion.

Mr. PLUMB said the hon. member for West Middlesex had introduced into the discussion several matters which he might well have left out, which it would be painful to discuss, and which would never have been alluded to by the Opposition if they had not thus been brought forward. The hon. gentleman must needs allude to what was familiarly known as the Pacific Scandal. This allusion hon. gentlemen opposite always seemed to consider as a sufficient answer to any charge brought against them. No matter how closely a charge was pressed, no matter how absolutely it was proved, no matter what corruption was practiced by these hon. gentlemen, no matter how

they had falsified their promises of reform, no matter what extravagance and corruption entered into their administration of public affairs, or how completely they had belied all their promises with which they occupied office,—all they considered necessary by way of reply to any charge, was to say that on a certain occasion there was a Pacific Railway charter granted by the late Administration, and to repeat the unfounded charges by which the then Opposition had made it notorious. Many gentlemen occupied seats in the House now who were not there when that event connected with the Pacific Railway charter occurred, and such was not a sufficient answer to them, or to himself, or to many gentlemen who sat on the Opposition benches. They were dealing with the present and what concerned the future, and he appealed for the support of his position, to every man who lived in this country, and to whom the independence and the purity of Parliament was dear; and to none was he supposed to be better warranted to appeal, than to the gentlemen on the opposite benches, who had made the professions they had made while out of power,—to assist and aid in any movement intended to correct any abuse which might have grown up in Parliamentary practice, or in connection with Parliamentary government. The hon. gentleman from West Middlesex claimed that these contracts—he admitted the contracts—were all fulfilled at reasonable prices. The Opposition had not presumed to go into this part of the subject, and he did not think that it was the intention of any one of their number to attack a gentleman who had not the power of reply. They did not dream of such a thing. The resolution was simple, plain and clear; it attacked and censured the Government for having permitted an abuse in their administration of affairs to exist, and to go on from year to year; and when the attention of the Government was called to it, they sought to escape from their position by permitting a victim to be offered up as a sacrifice—as a sacrificial scapegoat, according to the manner of the Jewish Dispensation—for their sins. The Government proposed to lay their hands upon this

scapegoat, and let him flee to the mountains, while they retained their places and the semblance of virtue, which they had not proved by their acts that they possessed. He approached this painful subject with the greatest reluctance, and he endorsed in the most emphatic manner the remarks which the right hon. member for Kingston had made at the opening of his speech. He disclaimed any personal feeling in the matter. It seemed to him that it was the duty of the Opposition to repel and reject the arguments which had been addressed to them from the Ministerialist benches. It was the duty of every member of the Opposition to appeal to the manly and independent sentiment of the House, and he hoped no one would be bound by party feelings, or governed by party considerations, which often affect men in such a way, that—

“They know the right, and they oppose it, too,

They hate the wrong, and yet the wrong pursue.”

Question put, and amendment (Mr. Bowell) *negatived*, on the following Division:—

YEAS :	
Messieurs	
Baby	Little
Barthe	Macdonald (Kingston)
Benoit	McDonald (Cape Breton)
Blanchet	McDougall (Three Riv.)
Bolduc	McKay (Colchester)
Bourassa	Macmillan
Bowell	McCallum
Brooks	McCarthy
Brown	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Moffat
Costigan	Monteith
Coupal	Montplaisir
Currier	Orton
Cuthbert	Ouimet
Daoust	Pinsonneault
DeCosmos	Platt
Desjardins	Plumb
Dewdney	Robillard
Donahue	Robinson
Farrow	Robitaille
Ferguson	Rochester
Flesher	Roscoe
Fraser	Rouleau
Gaudet	Roy
Gibbs (North Ontario)	Scriver
Gibbs (South Ontario)	Short
Gill	Stephenson
Haggart	Thompson (Cariboo)
Harwood	Tupper
Hurteau	Wallace (South Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)
Langevin	Wright (Ottawa Co.)
Lanthier	Wright (Pontiac).—72.

Mr. PLUMB.

NAYS :

Messieurs

Appleby	Irving
Archibald	Jetté
Aylmer	Jones (Halifax)
Bain	Killam
Béchar	Kirk
Bernier	Laflamme
Bertram	Lajole
Biggar	Landerkin
Blackburn	Laurier
Blake	Macdonald (Cornwall)
Borden	Macdonald (Centre Toronto)
Borron	MacDonnell
Boyer	MacDougall (East Elgin)
Brouse	McDougall (S. Renfrew)
Buell	MacKay (Cape Breton)
Burk	Mackenzie
Burpee (St. John)	McCraney
Burpee (Sunbury)	McGregor
Carmichael	McIntyre
Cartwright	McIsaac
Casey	McLeod
Casgrain	McNab
Cauchon	Metcalfe
Charlton	Mills
Cheval	Oliver
Christie	Paterson
Church	Perry
Cockburn	Pettes
Coffin	Pickard
Cook	Pouliot
Cunningham	Power
Davies	Ray
Dawson	Richard
Delorme	Ross (East Durham)
De St. Georges	Ross (W. Middlesex)
DeVeber	Ross (Prince Edward)
Dymond	Ryan
Ferris	Rymal
Fiset	Scatcherd
Fleming	Shibley
Flynn	Sinclair
Forbes	Smith (Peel)
Fréchette	Smith (Selkirk)
Galbraith	Smith (Westmoreland)
Geoffrion	Snider
Gibson	St. Jean
Gillies	Taschereau
Gillmor	Thompson (Haldimand)
Goudge	Thomson (Welland)
Greenway	Trow
Guthrie	Vail
Hagar	Wallace (Albert)
Hall	Wood
Higinbotham	Workman
Holton	Young.—111.
Horton	

SUPPLY.

X.—PENSIONS.

House again *resolved* itself into Committee of Supply.

(In the Committee.)

57. Pensions.....\$1,280.

Resolution *ordered* to be reported.

House *resumed*.

Resolution *reported*.

## THE SEAT FOR GLOUCESTER.

## REFERRED TO COMMITTEE.

Mr. CASEY rose to a question of privilege. He said he desired to carry out the intention of which he had given notice, and with that view he moved :

“That the attention of this House having been called to the reports, returns and vouchers laid upon the table touching the payment of public moneys to the Hon. T. W. Anglin, member for the Electoral District of Gloucester, for printing and stationery for the Post Office Department, the said papers be referred to the Select Standing Committee on Privileges and Elections, and they be directed to enquire into the facts, to search for precedents, and to report the result of their enquiries; and whether the said Hon. T. W. Anglin has vacated his seat.”

In formulating this resolution he was guided by the action taken in two cases under the Independence of Parliament Act, one a Canadian case last Session, when the seat of the hon. member for Two Mountains (Mr. Daoust) was questioned. That case was referred to the Select Committee on Privileges and Elections to look into the legal question arising in the case and to search for Parliamentary precedents applicable thereto and to report to the House. He had followed strictly the wording of the resolution in that case, not thinking it necessary however to add a clause relative to further proceedings, because, if the Committee reported that the seat was vacated, future proceedings would be regulated by the practice of the House. The other case on which he had based his resolution was that of Baron Rothschild, in the English House of Commons, in 1855. Attention was called to the fact that the firm of which Baron Rothschild, who was then the sitting member for London, was a member, had entered into a loan with the Government of £16,000,000. It was moved that a new writ be issued, Baron Rothschild having vacated his seat. In amendment it was moved that the matter be referred to a Select Committee, and the motion was finally carried in the following form :—

“That the contract entered into by Messrs. Rothschild & Co, with Her Majesty’s Government on the 20th day of April last,

for a loan of sixteen millions for the public service be referred to a Select Committee, and that they be directed to report their opinion whether Baron Lionel Nathan de Rothschild has vacated his seat by reason of the said contract.”

He drew from this case, and also from the case of Daniel Whittle Harvey, with reference to a contract for hackney coaches, that he had ample reason for moving his resolution. In consequence of what had taken place in the House he would not say now all he had intended to say. He wished merely to state that he felt convinced that this case was a proper one to be investigated by a Committee of this House, because, according to *May*, any case in which there was a matter of doubt, should be referred to a Committee. He thought there certainly was a matter of doubt as to fact as well as to law. The circumstance that, in a similar case, the hon. member for Kingston had taken no action against a like motion, was good evidence that it was right to refer it to Committee when there was room for doubt. As to the other point, he would merely remark in reference to the case of a contract laid upon the table of the English House of Commons, it was held by various authorities, among them Mr. Disraeli, that that contract of itself was not sufficient evidence of the seat being vacated, and of a contract having been entered into between Baron Rothschild and Her Majesty’s Government.

Mr. BOWELL: No.

Mr. CASEY: It was held not to be sufficient evidence of the contract.

Mr. BOWELL: By whom was the contract signed?

Mr. CASEY: It was signed by the firm of which Baron Rothschild was a member.

Mr. BOWELL: That is correct.

Mr. CASEY said, in the present case, in the absence of any contract whatever, in the absence of any proof that there was any agreement or understanding amounting to a contract, there was stronger ground for arguing that there was sufficient matter to send to a Committee. He considered that the Committee would do Mr. Speaker justice, notwithstanding that

the gentlemen opposite had tried to prevent it being done.

Mr. MITCHELL: Don't say that; that is not true.

Mr. CASEY: I do say it distinctly. The Committee would also afford the country an opportunity of having the matter cleared up.

Sir JOHN A. MACDONALD said, and so it had come to this, that the Government had not performed its duty, and, because the Leader of the Opposition had not done his duty, it had been left for the Patronage Secretary of the Treasury, the Whipper-in of the Ministerial party, to make this motion in vindication of the privileges of Parliament. Why was not this moved earlier in the Session? Why was it not moved last Session? It was simply because the Government did not desire to bring this question before Parliament, and to have the privileges of Parliament vindicated; because they did not desire to have the Independence of Parliament protected. But they had been forced, by public opinion outside the House, and still more by the opinion in the House, to induce this motion to be made at the last hour. Why had the hon. member for West Elgin (Mr. Casey) called upon the Opposition to move this resolution? Why should he think it the duty of the minority to call the attention of this House to the matter, and to protect the rights of the people? Why should it be supposed that it rested peculiarly upon the weaker half of Parliament to vindicate the independence and the rights of Parliament? It was not always so. It was only last Session that the hon. member for Drummond, and Arthabaska (Mr. Laurier), a supporter of the Government, made a similar motion with reference to the hon. member for Two Mountains. It was just the same as if the Government moved it in reality. The strings were pulled, and the bobbins went up; the key was touched, and the note responded. Wherever there was power, there was responsibility. Wherever there was weakness and inability to carry out responsibility, then it rested upon the power to fulfil its responsibility. What were the facts? In 1874, a member

Mr. CASEY.

of the Government made, corruptly, a bargain with a member of the House by which he gave him a contract, and a secret contract. Who knew of that contract? Who knew that the member for Gloucester had anything to do with the printing or supply of stationery for New Brunswick? Who knew that the Postmaster-General, and consequently the Government—because the Government were responsible for the acts of a colleague performed within the scope of his jurisdiction—was giving this contract? Who knew that the Government in 1874 was giving a contract to a member of Parliament and yet allowing him to retain his seat? Who knew this and yet made that member the Speaker of this House? Who knew that the Speaker, who was to be the impartial Judge between parties, who was to hold a judicial position, who was to hold the scales of justice equally between the right and left, who was to protect the minority against the pressure of the Government—who knew that he was the subsidized contractor of the Government? Who knew that, in 1874, the Government held the Speaker, the First Commoner of the land, in the hollow of their hand? Who knew that the Speaker was, week after week, and month after month, and quarter after quarter, receiving his commission at the hands of the Government for which he signed receipts? Who knew all this but those who elected him Speaker? Upon them be the responsibility, upon them be the offence and the great political crime against the first principles of justice, against the first principles of the Independence of Parliament and against fair play. He had no hesitation in saying that the hon. gentlemen were again and again disappointed at the result of their actions, because Mr. Speaker rose superior to their inducements. But the inducement was made all the same; the payment was made all the same; the breach of the Statute was made all the same.

Mr. MILLS: I rise to point out that the hon. gentleman is to be one of the Speaker's judges.

Sir JOHN A. MACDONALD said the hon. gentleman had already judged

him, and already acquitted him. The hon. gentleman had already stated in his place as a member of the Government and as the member for Bothwell, as one of a representative body of men from the Province of Ontario, that it was quite right, that it was quite expedient, that it was quite proper for the Government to give a contract to a member of Parliament and to keep him a member, and to retain him Speaker of this House. He, one of the apostles of liberty, had voted that it was perfectly consistent that the Government should be held blameless, and that the fact of a contract between the Government and the Speaker, between 1874 and 1876, did not constitute a breach of the Independence of Parliament Act. But there were occasions when the whirligig of time brought in its own revenges, and if ever there was a time when the finger of scorn would be pointed at the hon. gentlemen opposite by the people of Canada, it was now. Now was the day when the hon. gentlemen opposite would be pointed at by the country as an "organized hypocrisy." Those gentlemen who, month after month, and year after year, had pointed to the Conservative party as being alive with corruption of all kinds, were found out under the most suspicious circumstances, under circumstances which almost amounted to a certainty. Looking at the dates, at the time, at the circumstances, by the light of the speech of the hon. member for Victoria, N.B., (Mr. Costigan) that morning, the House could understand the means by which a certain unquiet, bold and restless spirit had been quieted and appeased. The whole thing could be understood now. It was attempted to be concealed, it was attempted to be glossed over. The matter was brought up last Session by the hon. member for North Hastings (Mr. Bowell.) The House had waited and waited to see if the Government would do their duty but they would not. And those were the hon. gentlemen who were to cause undue influence and corruption to disappear for ever. No more were there to be the regretful scenes of the last twenty years. A new age was to commence. There were to be no infringements of the Independence of

Parliament. But what was the case in 1874? Through their colleague, the Postmaster-General, the Government deliberately subsidized a man whom they had selected to be the impartial Speaker of the House. They subsidized him. They paid him money and kept the secret. It was known for a year afterwards by the admission of the Premier himself. About Christmas, 1875, he was aware of it, and he said there must be no more work done. They knew perfectly well, by the act of their colleague, that the seat of the Speaker had been vacated; that he had no more right to a seat than any one of the lads who runs around this floor. They knew his seat was vacated, and yet they did not take the steps which ought to have been taken, but made the country believe that Mr. Speaker was member for Gloucester, which he was not, and that he was the Speaker of this House, which he ought not to be. That was the conduct of the Government. It was a great triumph to the Opposition when they saw that those gentlemen opposite had belied all their professions and had taken the course they had, and as the hon. member for Cardwell said—

Mr. DYMOND rose to a point of order—the hon. gentleman could not refer to a past debate.

Sir JOHN A. MACDONALD said he could do so if he chose by going over the hon. gentleman's (Mr. McCarthy's) arguments and making them his own, after the fashion of the hon. gentleman who had interrupted him. As he understood, one hundred and eleven gentlemen of this House had voted as members of Parliament, as men of honour, as men of understanding, that it had been quite expedient and quite proper for the Government of the day to make such a contract with the Speaker as had been proved had been entered into between the Government and him. Those one hundred and eleven members of Parliament, representatives of the people, defenders of the rights of the people, defenders of the Independence of Parliament—had also voted that it was no infraction of the Act in relation to the Independence of Parliament. It was solemnly declared

that the whole transaction between the Postmaster-General and the member for Gloucester was quite proper and quite expedient, and with the same conscientiousness these one hundred and eleven voted that it was no infraction of the Independence of Parliament Act. Now, how could those hundred and eleven, after having solemnly recorded their votes, which would stand against them as long as they lived, and a long time beyond, after they had voted that there was no infringement of the Act, how could they now say that there was *prima facie* evidence of it to be enquired into by the Committee on Privileges and Elections? Why, no reference could be made to the Committee unless there was *prima facie* evidence. The member for Elgin, who moved to send the matter to the Committee on Privileges and Elections, had actually previously voted that there was no case on which to found his motion. He had no doubt they would unseat Mr. Speaker. He had no doubt that they would take the course as indicated by the hon. the Premier on Saturday, when he said he would vote for the resolution if the second part had only been omitted. What was the first part of the resolution? "It was inexpedient and improper for the Government to enter into any contract whereby any money was paid to members of Parliament, such as the Postmaster-General's report of 1875 and 1876, and the vouchers laid on the table of the House showed that sums of money have been paid to Timothy Warren Anglin, member for Gloucester." That was the first part of the resolution, and the hon. the Premier would be quite willing to vote the Speaker's condemnation, but not his own. He was quite willing to eat the extremity of humble pie, to sign the Speaker's condemnation, to admit that the Postmaster-General in the first place, and the Speaker in the next, had committed a grave constitutional wrong; but he could not go to the second part of the resolution, that it was in contravention of the Independence of Parliament Act. He had to whip in his friends even to that, and compromise with them by the resolution he got the Whipper-in of the party to move afterwards, that the Speaker

should be put on his trial. As he had already said, what was there to be tried? Hon. gentlemen had voted that it was not in contravention of the Independence of Parliament Act, and there was now a motion admitting that on the face of the papers a *prima facie* case was made out, and that the recipient of the money should be heard. And what would the Speaker state? He would state that he made certain arrangements with the Government to perform certain contracts; that the Government knew he was a member of Parliament; that the Government did not ask him to resign his seat; that the Government after having made these arrangements which had vacated his seat, and by which Timothy Warren Anglin was no longer a member of the House, actually moved that he should be Speaker of this House. Why every one would remember the riots in Montreal in 1849 when an unauthorized man walked into the House and took possession of the Speaker's chair. Everybody was surprised. Now suppose one of the crowd that waited on the Prime Minister the other day had walked into the House and taken the Chair, and the leader of the Government desired to have him removed, he could have said that he had as much right to the Chair as Mr. Anglin had. He was as much a member of Parliament as he (Mr. Anglin) was. And what had been the result? The House had had an hon. gentleman in the Chair who was not a member of Parliament, and not being a member of Parliament, he was no longer Speaker. The Opposition had their triumph, and it would ring through the country that the Government shelved the arrangement to the last moment, and only at the last moment, when driven to a corner, were compelled against their will to admit that they had been in this unconstitutional arrangement from the beginning. If they had done their duty they ought never to have placed the Speaker in that Chair, and had they not done so they would never have placed themselves in the humiliating position in which they now stand before the House, and the country, and themselves, and their followers.

Mr. MACKENZIE said he had often heard the hon. gentleman performing some very extraordinary political antics, but never heard that hon. gentleman deliver such an indecent, shameful speech as he had just delivered. They heard the hon. gentleman claim, not half an hour ago, that he did not take the ground that the seat was vacant, but he now declared that it had been vacant for years. He had made every available statement which could satisfy political rancour and political passion. The hon. gentleman had not shown a particle of that decency which should characterize one who sat as a judge in the House in a case where judicial fairness was to be expected. What was to be expected from the hon. gentleman as a Judge in this or any other case? The hon. gentleman had shown that he was unfit to sit as a Judge in every case where there was the slightest difference of political opinion. The right hon. gentleman did not hesitate to declare in advance what his opinion was. Let the facts declare whether there was an agreement or not, the hon. gentleman had avowed his determination to give his verdict before the jury assembled, before the evidence was heard, and had interlarded his speech with allusions to every person around him, casting dirt as if he sat upon some eminence where he was justified in throwing filth in every direction. What was the hon. gentleman's record in this House? He must presume greatly on the credulity of his audience, particularly at this late day, if he thought they had forgotten what had been done by himself even in election cases.

Mr. MASSON: Pacific Scandal.

Mr. MACKENZIE: I do not allude to the Pacific Scandal.

Mr. MASSON: You might have.

Mr. MACKENZIE said he might have alluded to a thousand things if time permitted. The hon. gentleman must think him very ignorant of political history, if he thought he could not occupy hour after hour in summing up the political iniquities which had characterized the career of the right hon. gentleman, as if the hon. gentleman had ever done anything which would

justify him in holding up his hands in holy horror at anything that could be done in Parliament. The hon. gentleman's career as a political Reformer was tolerably well known; his career as a political intriguer was still better known. His success at corrupting the country was, if possible, still better known. He promised the right hon. gentleman something in a very short time in the way of revelations, which the hon. gentleman supposed he would not recollect. The hon. gentleman knew what had transpired within the last twenty years with regard to election trials. What was the case at the present time? The particular charge was that of having a contract with the Government. The statement had been made that the work was done in the hon. gentleman's (Mr. Speaker's) office last year; yet no member of the Opposition moved for an enquiry into the matter. Every person knew then what was known now. The hon. gentleman knew this, but they went back a year and spoke of the matter as newly discovered, newly found out, and as if the Government were continuing the system. He (Mr. Mackenzie) had condemned such transactions as inexpedient and improper; but without any enquiry into the facts of the case, without any search for precedent, hon. gentlemen proposed to pass judgment. He could produce cases in which the right hon. member for Kingston had justified an exactly similar transaction to that under discussion. It did not matter whether the sum was \$10,000 or \$500. He mentioned the case of Mr. Ramsay, who had resigned because he was interested in a contract amounting to \$47. The hon. member for North Hastings (Mr. Bowell) had mentioned a case the other day where Mr. Ramsay had to resign because he had a share in a contract amounting to \$47; and yet they knew that a number of hon. gentlemen opposite, including, if he remembered rightly, the very member who had made this motion, were included in the same condemnation. More than one voted on that side to condemn a transaction which he would not call according to its enormity—transactions in which they themselves were engaged. Such was the extent

of political rancour which actuated hon. gentlemen opposite that nothing seemed too ferocious for them to indulge in, nothing too extravagant to say, nothing too indelicate to touch upon, no matter whose feelings might be hurt or offended. The system which the Conservative party had inaugurated this Session was one of constant, interminable warfare of the worst and most intolerant character. The hon. gentleman was very bold. He went through the country denouncing him (Mr. Mackenzie) as a dishonest man—declaring that the Government continually and systematically kept contracts from the lowest tenders and given to the highest. He went through the country telling other stories, which he could only characterize by the strongest Anglo-Saxon phrase that could be applied. He ventured to attack Mr. Speaker, knowing that he was powerless to defend himself. He gave the hon. gentleman credit for the discretion to know that had Mr. Speaker been on the floor of the House, he would have had a much more civil tongue in his head. Considering the intensity of the ferocity manifested during this debate, the hon. the leader of the Opposition might well have allowed the amendment of the hon. member for West Elgin to have passed in silence; or, if not in silence, at least in a much more quiet manner. But the hon. gentleman had chosen his road. He was one of the Judges, and a most upright judge he must be.

*Motion agreed to.*

House adjourned at  
Thirty minutes after  
Twelve o'clock.

## HOUSE OF COMMONS.

*Tuesday, 10th April, 1877.*

The Speaker took the Chair at Three o'clock.

### EXTRADITION OF FUGITIVE CRIMINALS.

ADDRESS TO HER MAJESTY.

House resolved itself into Committee of the Whole to consider the following resolutions:—

**Mr. MACKENZIE.**

“1. That the Parliament of Canada has all the power necessary for making provision for the extradition from Canada of fugitive criminals.

“2. That the Parliament and Government of Canada have all the powers proper for performing the obligations of Canada, as part of the British Empire, towards Foreign States, arising under treaties between the Empire and Foreign States.

“3. That several Extradition arrangements extending to Canada have been made between Her Majesty the Queen and Foreign States, and that other such arrangements may from time to time be made.

“4. That it is proper to make provision by one Canadian law for the execution, as respects Canada, of all such arrangements.

“5. That a Bill has passed both Houses of the Parliament of Canada, and now awaits the Royal assent—providing for the execution, as respects Canada, of all such arrangements, so soon as the operation of the Extradition Act of 1870 of the Parliament of the United Kingdom shall have ceased or been suspended within Canada.

“6. That by the said Act of the Parliament of the United Kingdom, certain provisions are made for the extradition of fugitive criminals, and by the seventeenth section it is enacted that the Act when applied by Order in Council, shall, unless it is otherwise provided by such Order, extend to the several British possessions in the same manner as if throughout the Act the British possessions were substituted for England, as the case may require, with certain modifications, and by the eighteenth section it is enacted that if any by-law or ordinance, made before or after the passing of the said Act, by the Legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in, or suspected of being in, such British possessions, Her Majesty may, by the Order in Council applying the Act, in the case of any Foreign State, or by any subsequent Order, either suspend the operation within any such British possession of the Act, or of any part thereof, so far as it relates to such Foreign State, and so long as such law or ordinance continues in force there, and no longer, or direct that such law or ordinance, or any part thereof, shall have effect in such British possession, with or without modifications and alterations, as if it were part of the Act.

“7. That the provisions of the said Act of 1870 are unsuitable to Canada.

“8. That when the said Bill now awaiting the Royal assent becomes law, it will be expedient that the said Act of 1870 should not extend to Canada.

“9. That it is expedient to present an address to Her Majesty, based on the preceding resolutions, and praying that she will be graciously pleased to invite such legislation in the Parliament of the United Kingdom as will cause the operation of the said Act of Parliament of the United King-

dom to cease in Canada, and that in the meantime she will be graciously pleased, by Order in Council, to suspend the operation within Canada of the said Act so far as it relates to any Foreign State with which there may be an extradition arrangement."

(In the Committee.)

Resolutions agreed to, and ordered to be reported.

House resumed.

Resolutions reported, read the first and second times, and agreed to; and referred to a Select Committee, composed of Messrs. Blake, Mackenzie, Mills, Laurier and Young, to prepare an address to Her Majesty embodying the same.

Mr. BLAKE presented the report of the said Committee, with the draft of an address to Her Majesty embodying the said resolutions.

Mr. BLAKE moved:

"That a message be sent to the Senate requesting that that honourable body will concur in the Address."

Motion agreed to.

Sir JOHN A. MACDONALD: I do not know if it will assist the Government, but I have received a letter from Toronto, signed with initials, telling me that, if I could induce the Minister of Justice to prevent this having a retroactive effect, I would be handsomely rewarded.

Mr. BLAKE: I am afraid my right hon. friend has not gone the right way about it.

#### MEASUREMENT OF REGISTERED SHIPS BILL.—[BILL No. 106.]

(Mr. Smith, Westmoreland.)

SECOND READING.

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

#### PUBLIC WORKS TRANSFER BILL.—[BILL No. 110.]

(Mr. Smith, Westmoreland.)

THIRD READING.

Bill read the second time, considered in Committee of the Whole, reported, read the third time, and passed.

#### PILOTAGE ACT AMENDMENT BILL.—[BILL No. 108.]

(Mr. Smith, Westmoreland.)

SECOND READING.

Bill read the second time.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

Mr. SMITH (Westmoreland) said as the resolution on which the Bill was based had been discussed very fully the other day, he did not think it necessary to discuss it any further. He might say however to his hon. friend from Quebec (Mr. Caron) that the Bill in no way affected the Harbour of Quebec. He had had an interview with two intelligent and respectable pilots from that port, and they expressed themselves perfectly satisfied with the Bill as it stood. He had no particular objection to the amendment proposed by the hon. member for Cape Breton, (Mr. MacKay) who he was sorry to see was not then in his place.

Mr. McDONALD (Cape Breton) moved that the Pilotage District of Sydney be included with the ports of Halifax and Pictou.

Mr. MITCHELL said he would merely re-state his objections to the Bill. He saw no reason why they should so exempt Halifax and Pictou any more than the District of Sydney. He might as well ask that the Miramichi District should also be included; but he would not make any such request, because he considered that this exemption was wrong in principle, detracting from the effect of the present Pilotage Laws. He was aware that the Minister of Marine and Fisheries would not accept any of his suggestions; but he would, nevertheless, call the hon. gentleman's attention to a difficulty connected with the second clause of the Bill stating that no clearance should be granted to any ship, unless a certificate from the pilotage authority, or some person authorized by such authority to give it, was shown. Now, in the Harbour of Miramichi there were two ports, Chatham and Newcastle. These were included in the pilotage district, and the

pilotage authorities lived at Chatham, six miles from Newcastle; consequently, under this regulation, parties would have to drive from Newcastle to Chatham and back again, a distance of twelve miles, and cross a ferry twice in order to obtain such certificate. This would cause a great deal of annoyance and trouble, and he trusted that the clause would be so modified as to make it applicable only to a port in which there was a resident pilotage authority. Chatham and Newcastle were one port for the purpose of pilotage, but not for those of customs or shipping.

Mr. SMITH (Westmoreland) said it was unfair to state that he would not consider any suggestions made by the hon. member from Northumberland. He quite recognized the hon. gentleman's good judgment regarding matters of this kind, and he was always ready to consider the hon. gentleman's suggestions. He had no objection to consider the suggestions now made before the third reading of the Bill. Perhaps the inconvenience mentioned would not be so great as the hon. gentleman supposed.

Mr. MITCHELL said that in an experience of forty years he had never known of a case in which a pilot lost his fees. They always looked after them sharply.

Mr. MACKAY (Cape Breton) said Sydney was now made a port of call. Some eight hundred vessels arrived there in the course of the year, a number being steamers, and it was a matter of considerable moment as to how the pilotage dues should be collected there, not only to the authorities of the port, but also to the pilots, who were a very large and useful class of people. He thought that the pilotage authorities should be left to decide in what cases sailing vessels or steamers should be exempt from the payment of compulsory pilotage, and he saw no reason why Sydney and North Sydney should not be included with Halifax and Pictou. He would not complain if the latter ports were entirely left out of the Bill, but he could not understand why the Minister of Marine and Fisheries should bring down exceptional legislation in favour of the ports mentioned. He hoped that the Minis-

Mr. MITCHELL.

ter would see the justice of granting the same power to the authorities of Sydney as to those of Halifax and Pictou. He could not see what rights Pictou and Halifax could have which Sydney was not entitled to.

Mr. CARON asked whether the Bill affected the port of Quebec.

Mr. SMITH said he could assure his hon. friend that it would not affect the port of Quebec in the slightest degree. He had no objection to include the pilotage districts of Sydney in the same category with the ports of Halifax and Pictou.

Mr. KILLAM said, if Sydney and North Sydney and Halifax and Pictou were so included, he could not see why every other port in the Dominion should not be placed in the same position. Under the circumstances, it would be better to abolish compulsory pilotage altogether as regards both sailing vessels and steamers. He could not perceive any reason why the ports named should be exempt from the operation of the Bill. He hoped that the House would not agree to any amendment of the kind proposed.

Mr. SMITH (Westmoreland) said he really saw no objection why the clause should not be made more general. The regulations regarding pilotage should be in the hands of the local authorities as was the case in England and in almost every other country. Cork was a port of call and pilotage, there it was purely voluntary; at Falmouth, another port of call, it was compulsory. It was fair to assume that the local authorities had the interests of their respective ports at heart, and different regulations might be advisable for different places.

Mr. PALMER said he could not agree with the principle laid down by the hon. the Minister of Marine and Fisheries. While, perhaps, it might be well to give such ports as Halifax and Pictou the power to make fees compulsory or otherwise, he thought it would be dangerous to the general shipping interest to allow small ports of call to charge what fees they chose.

Bill, as amended, *ordered to be reported.*

House resumed.

Amendments read the first and second times and agreed to.

## FORT FRANCIS LOCK.

## RESOLUTION PROPOSED.

Order for the House to go again into Committee of Supply, *read*.

Mr. KIRKPATRICK said he desired to call attention to some papers that had been just brought before the House. As the private members' day had been taken away, this was the only means he had of calling attention to the matter. In doing so he hoped he would not be stigmatized as "offensive," as other gentlemen of the Opposition had been for making similar observations and enquiries as to the manner in which the Public Works Department was managed. The paper he referred to was a return to the House, in answer to an address for copies of Orders in Council relating to the construction of the Fort Francis Lock or Canal. It appeared that this work was entered into in order to connect the waters of Rainy Lake and Lake of the Woods. In 1875 an appropriation of \$150,000 was made for it, the Premier stating that it was to be in connection with the second section of the Pacific Railway—not a branch, as would be found by the Pacific Railway Act—from Kaministiquia Bridge to a place called Sturgeon's Falls, at the head of Rainy Lake. Then it was intended to use the waters of Rainy Lake and overcome the falls at Fort Francis by constructing this lock, using the Rainy River and Lake of the Woods until the North-West Angle or Keewatin was reached, where the railway from Winnipeg would touch the navigable waters. It was understood that there was one chief portage to be overcome, and that with a certain expenditure there might be a continuous water stretch from Sturgeon Falls to the North-West Angle or Keewatin. But, even then, he contended that this work would practically have been of no use. It was intended to connect the waters for vessels drawing seven feet of water. The lock was being constructed to a depth of eight feet. It might naturally be expected that the water leading to this would have the same depth. But on page 26, it would be found:

"According to Capt. Cameron, of the Rainy Lake steamer, the low water draught

through the lake and river above the Fort, a distance of 44 miles, does not average more than 4½ feet. Between the Fort and the foot of the Long Sault, a distance of about 45 miles, the draft during low water is about 7 feet on the first 12 miles, 6 feet on the next 6 miles, 5½ feet on the following 10 miles, and 5 feet in the remainder, according to the Captain of the small tug steamer which plies on that section of the river. At the Manitou there appeared to be no difficulty as regards the depth of the water at the head of the rapid, but there is a declivity of a few feet in a short distance and a current of about five miles an hour or more, against which a steamer of small power cannot ascend without being hauled by means of a rope and capstan or otherwise. At the head of the Long Sault there is also a swift current, too much for an ordinary steamboat to overcome. In the Long Sault Rapids, some two miles or more in length, the worst of which I sounded to within one quarter of a mile of the wharf, to which the Lake of the Woods steamer ascend. I found eight feet of water on two of the shoals, this represents a depth of 3½ feet during the lowest observed stage of the water, the river surface at that time being 4½ feet higher than in October, 1875."

It would be found that expenditure would have to be incurred of which they could see no end, and that the mere fact of the construction of this lock would not end the expenditure by any means. The Engineer said "that no definite scheme or estimate can however, be submitted, unless the necessary levels, soundings, and measurements are taken along the entire length of the proposed navigation." The work had been entered into without any estimate and without any idea as to the utility of the result. On August 3rd, 1876, Mr. Eailairge, the Engineer, was detailed to go up and examine the Fort Francis Canal, and give such directions as he thought desirable, according to the revised plan lately furnished. Mr. Baillairge said: "This plan was prepared from somewhat limited information, and is based on the high and low water levels originally observed by the Engineer who first laid out the work; the low water levels have since been found to be fourteen inches lower at the lower end, than represented in the plan." Here was found a public work entered into with only limited information, and it would be found, by the report, that its utility could not be carried out without considerable further delay. When he told the House that the whole original

scheme was changed, and that the road would not run near that point, but 100 miles away from Fort Francis, and that the nearest point where there was water connection was Port Savanne, a distance of 184 miles, it would be seen that the work was of no use to carry up supplies and rails for the Pacific Railway, as was proposed, especially when seven portages, in addition to that at Fort Francis, had to be got over. Any gentleman looking into the report would see that the construction of the work was a mistake. The following were the portages between Lac des Mille Lacs and Rainy Lake:

No.	—	Land carriage.		Difference in level.
		Miles.	Chains.	Feet.
1	Baril Portage.....	.....	16	+1.86
2	Brulé Portage.....	.....	21	-47.02
	Descent in Windgoostegon lakelets and streams.....	.....		-9.50
3	French Portagé..	1	60	-99.71
4	Fine and Deux Riv. Portages..	2	.....	124.12
5	Island Portage, Sturgeon River.....		13	42.56
6	Nequaquon Portage.....	2	.....	72.00
7	Bare Portage at Kettle Falls.....		11	8.55
	Land.....	6	41	403.46
	Off.....			+1.86
Difference in level between Lac des Mille Lacs and Rainy Lake.....				401.60

There was thus a total of 6 miles 41 chains which would have to be crossed by carriage. The question was, whether it was desirable to go on with this work. It might be of use in connection with a canal system, but not otherwise. Were a canal constructed between Lake Shebandowan and Lake of the Woods, it would be necessary to expend, as estimated, no less a sum than \$1,500,000, and it would not be less by making that canal from Port Savanne.

Mr. MACKENZIE: What is that?

Mr. KIRKPATRICK said this estimate would be found in Sessional papers, No. 42, 1869, in the report of Mr. Dawson. Was this country going to enter into the construction of a new

canal system, unless it was to be of use in connection with the Pacific Railway? In four or five years they had been told this road between Fort William and Selkirk would be completed.

Mr. MACKENZIE: I did not say that. I said it could not be completed in less than that time. It might be twenty years.

Mr. KIRKPATRICK said the House ought to know whether the work was to occupy twenty years or not. Was that road leading into the wilderness to stand still for twenty years; was all the money expended on that road to remain useless for that length of time? If that work would be of any benefit, it ought to be pushed forward as quickly as possible. They were evidently expending money on a work of doubtful utility. We had a low-draught canal at our own doors, which was constructed forty years ago at a cost of £1,500,000 sterling, which it was proposed to abandon a short time ago. It seemed rather strange for the Government to enter into the construction of a similar work. He could not find a single certificate of an engineer recommending the construction of this work; nor was there any Order in Council in the return authorizing or relating to the construction of Fort Francis locks or canal. Was this the way in which our public works were being constructed? This morning they heard a prominent politician, a person acquainted with all the minutiae of Parliamentary law, state that when money was voted it was not voted to the Ministry, but to the Crown. He agreed with that opinion; and it was necessary that an Order in Council should be issued before the money could be used for the construction of this or any other work. Section 11 of the Pacific Railway Act of 1874 was clear on this point. But where was the Order in Council in this case? The Act further stipulated that the works should be let for contract by public competition. This had not been offered to public competition, but was being constructed by time-work in direct contravention of this Act. But this was not the first time the provisions of the Act had been violated. Section 5 provided that a line of tele-

Mr. KIRKPATRICK.

graph be constructed in advance of the railway, as soon as the location should be determined upon. Before the road was located, a line of telegraph was placed under construction. He moved a resolution to the effect that this was a violation of the law, and he had the moral support of the present Ministers of Justice and the Interior, and the hon. member for South Renfrew. True, they did not vote for the resolution, but they did not vote against it. But what was the result? The day after that resolution was defeated, the hon. gentleman opposite telegraphed to British Columbia to stop the contract, causing great expense to the contractor, and the country had to pay the piper for the damages incurred. It was better, when a mistake occurred, for the First Minister to acknowledge it, rather than to brazen it out and rush the country into an expenditure of this character. For the purpose of letting the House express its opinion on this question, he would move the following amendment:—

“That Mr. Speaker do not now leave the Chair, but that it be resolved: That Fort Francis Lock is said to be a part of the Canadian Pacific Railway, and the money spent thereon has been expended out of the Pacific Railway appropriation, and that the said work is, therefore, subject to the provisions of the Canadian Pacific Railway Act, 1874.

“That by Section 11 of the Canadian Pacific Railway Act, 1874, it is enacted that ‘no contract for any portion of the main line of the said Railway shall be binding until it shall have been laid before the House of Commons for one month without being disapproved, unless sooner approved by a resolution of the House.’

“And by Section 12 of the said Act, it is enacted that ‘in case it shall be found by the Governor in Council more advantageous to construct the said Railway, or any portion thereof, as a public work of the Dominion of Canada, the construction thereof shall be let out by contracts offered to public competition.’

“That the construction of the Fort Francis Lock has been carried on as a work of the Dominion by time work, and has not been let out by contract offered to public competition.

“That no Order in Council has been passed authorizing the construction of said work, or the application of the Parliamentary appropriation thereto.

“That it does not appear, from the papers laid before the House, that the Chief or any Engineer of the Canadian Pacific Railway Survey has ever recommended the construc-

tion of the said lock; nor does it appear that there was, or is, any estimate of the cost of the improvements on Rainy Lake and Rainy River, and water stretches connecting therewith, necessary to attain the object for which the said lock is being constructed:

“That, in the opinion of this House, the commencement of said work without any Order in Council authorizing the same, and the construction of the said work, otherwise than by contract offered to public competition, is unconstitutional and a violation of the express terms of the Canadian Pacific Railway Act, 1874.”

Mr. MACKENZIE: The hon. gentleman might have extended the courtesy of letting me know that he proposed to move an amendment of this character on going in Committee of Supply. It is usually done. The hon. gentleman has dealt in many assertions which he cannot expect me to deal with on the moment, without an instant's notice. I have, therefore, merely to say with regard to this work, that it was contemplated long before the Pacific Railway was undertaken at all, one that was estimated for in various ways by parties who had engaged in the exploration of the country, and one that I consider essential to the route through our own country for many years to come, unless, indeed, we should be able to proceed with unexampled rapidity, a rapidity which would involve our entering upon an extra expenditure of money, with the construction of the railway from port to port, that is from Selkirk on Red River to Thunder Bay on Lake Superior. By the plan that the hon. gentleman himself sketched out, as the plan that was understood by the Government in 1875-76 to be the one which would be followed, and to which I referred the other night, it would be nearly a direct line from the bridge over the Kaministiquia, by Lake Shebandowan, to Sturgeon Falls, and then in nearly a direct line to Keewatin. But, as explained a few nights ago, after thorough exploration that route was found to be unpracticable. It was therefore diverted a little to the north to touch the north-east corner of Lac des Mille Lacs, thereby saving some portages which existed on the previous travelled route. The hon. gentleman stated the distance of the portages with tolerable accuracy. Let me state the entire distance of the

various routes. When the railroad is built to Lac des Milles Lacs we shall have built 65 or 66 miles of road from Lake Superior. We shall then have 276 miles of navigable water between that point and the north-west point of the Lake of the Woods, to the place which the road would reach from Red River. In that distance there are 6 $\frac{46}{100}$  miles of portages, the longest one of which is 3 $\frac{1}{2}$  miles; the next one is 1 $\frac{1}{2}$  miles, and none of the others exceed a little over an eighth of a mile. When we are able to touch Lac des Mille Lacs with the railway, we shall then have a free channel for carrying our own traffic and passengers by rail that distance, then by water to Keewatin or the crossing of the Winnipeg River, and then by rail, 110 miles, to Selkirk. The entire distance then will be, by water navigation, 276 miles; by railroad, 176 miles, as near as may be, with some six miles of portages. Accordingly, it will be a comparatively easy route over which to carry a large traffic. The hon. member for Frontenac (Mr. Kirkpatrick) has enlarged upon what he considers an assumed fact, that this is solely and purely a part of the Pacific Railway, and intimately and wholly connected with it. The truth is, as I have explained on many occasions in this House, that this Government found itself burdened with the Pacific Railway project. We were at once bound to husband the resources of the country, and to endeavour to carry out, as far as was possible, a scheme which would be satisfactory to those with whom we had entered into obligations, and to that end it was desirable that we should construct these works as speedily as possible. I expressed, at the very commencement of the reign of this Administration, my firm conviction that for many years to come we would have to be indebted to these stretches of water navigation which intervened between different points. It has been assumed, I might say maliciously and wrongfully assumed, that we were to diverge the railway from point to point so as to reach the water at various places. That never was our proposal. Our proposal was simply that where we should find large reaches of water we should avail ourselves of them, until the resources of

Mr. MACKENZIE.

the country would permit the completion of the railroad in the part of the country served by the water stretches. This water stretch of 276 miles in the heart of the country between Selkirk and Thunder Bay, is one of these reaches, and it is one which we could not use to any advantage without having this particular work constructed. All the other portages are on comparatively level ground; with one exception, they are very short, and it would be an easy matter, if we found it desirable, to construct a tramway over these portages. But at this particular portage, where there is a very large descent, and where we had a steamer on Rainy Lake, and another steamer on the Lake of the Woods, it became exceedingly desirable that we should have this work executed, if possible, as soon as we could have the road built to Thunder Bay, the nearest point of water we could touch for the purpose of navigation. The hon. member for Frontenac (Mr. Kirkpatrick) says there is no report of an engineer recommending this work. It was a matter of policy, as well as a work of engineering. There is no difficulty in getting the approval of an engineer to the plan. The plan had been made by Mr. Page; the work had been so far constructed under the charge of the engineers, and was being carried forward under their charge. There was no engineer's recommendation for the construction of the Pacific Railway for a distance of 2,700 miles, but it was determined that it should be done. It was not necessary, in a matter of policy, that an engineer should recommend any work; but, as a matter of fact, this work at Fort Francis was the result of long and anxious consultation with the officers of my Department and my colleagues as to the wisdom and the propriety of proceeding to construct this work. The hon. member for Frontenac (Mr. Kirkpatrick) proposes that now, when the work is somewhat more than one-half constructed, that we should abandon it. That is not my opinion; it is not the opinion of any man who will give the matter dispassionate consideration. It may be the opinion of those who are only anxious, and constantly anxious, to find some cause

of fault and some means of getting a vote of some kind against the Administration. While that may be the opinion of those hon. gentleman, I am sure it cannot be the opinion of any one who has studied the country, the difficulty we have in gaining access to it, and various considerations that have to be looked at not merely in connection with the construction of the Pacific Railway, but in keeping the route in our own territory only with the intervening lock constructed. The construction of 180 miles of railway in the heart of the country is no easy matter, and it is not a cheap matter, and it will depend entirely upon the financial resources of the country and upon political reasons which have to be developed, and upon our obtaining offers for the construction of the road what they would be able to do within a reasonable time or not. I do not choose at the present moment to enter into a discussion of the general question, further than to allude to the fact that, the expenditure must govern us in regard to that as well as any other works of that character. I have merely to say that the road known as the Dawson road, during five or six years, cost one million and a quarter dollars. The last year hon. gentlemen opposite managed that road it cost \$399,628.11. The St. Francis Lock and its approaches at the two ends has been estimated to cost \$200,000; a little over \$1000,000 has now been expended. As to the charge that I have violated the Statute in not having an Order in Council passed providing that the work should be done by days' labour instead of by contract. I may say I differ with the hon. member for Frontenac (Mr. Kirkpatrick), and I hope the hon. gentleman will allow me to differ with him. We have the right, when we consider it is in the public interest that a public work should be carried on by days' labour, to do so, because the Act gives us some discretion. We carried on the work connected with the interior of the Library by days' work for a sufficient reason, and thus we carried out a large proportion of the work upon the Parliamentary grounds, spending a much larger sum for those purposes in the heart of this city for days' labour than

on the St. Francis Lock. I found a legacy from the hon. gentlemen opposite, in the shape of a difficulty regarding the two boats built for those lakes by contract. They were assumed to be built by contract, but were in reality finished by days' labour, and the disputes concerning payment are not ended yet. It is one of the most difficult parts of the country to reach. We had our own means of transporting men and materials to that quarter, and we believed—it is quite possible we may have been wrong—the work could be done cheaper than if it had been given out by contract at that time.

Mr. MASSON: I desire to ask the hon. the Minister of Public Works a question. Does the hon. gentleman consider he is building this work under the Pacific Railway Act or not? He would simplify matters by stating on what authority he is spending the money.

Mr. MACKENZIE: I am spending the money on the authority of Parliament, which voted \$150,000 for the purpose, and subsequently voted \$500,000 for works of navigation in connection with the Pacific Railway. I explained, at the time the vote was taken, what we proposed to do with it. There is no doubt about that point. The vote was not objected to by any hon. member, and it was passed unanimously by the House. It was perfectly well understood for what the money was wanted. It has been used for that particular purpose, and it has been used with discretion and economy. The work is a success, and will prove of general advantage both for opening and maintaining a route during the construction of the Pacific Railway and for purposes connected with the Pacific Railway itself.

Mr. LANGEVIN said the hon. the Minister of Public Works had stated that the Opposition were all anxious to find fault with the Government when they introduced a motion connected with any of the Departments. He regretted that the hon. Minister should take that ground, because if the House agreed with him (Mr. Mackenzie), hon. members had only to remain silent and sanction all measures submitted by the Government. They

had not been sent to Parliament for that purpose, but rather to watch the business of the country, and see that the taxes paid by the people were properly used. If they found that an amount of money voted by Parliament had been used in a manner which they thought was not justifiable, surely the proper mode to adopt was that pursued by the hon. member for Frontenac, to submit a motion to the House in order that the matter might be discussed and the truth obtained in regard to it from the mouths of Ministers and from public documents. The hon. member had presented the case very justly before the House, and he had shown from documents, the report of the hon. the Minister of Public Works, and by the return published a few days ago, that the work had not been executed in accordance with the law. The subject was referred to at the early part of the Session by the hon. the Minister of Public Works, when he stated that the St. Francis lock was built in connection with the Pacific Railway for the purpose of facilitating the work, and in order that the supplies might be carried in with greater facility. It appeared from the hon. the Minister of Public Works that the nearest point to the railway was 184 miles, and it was not worth while expending one-half or three-quarters of a million dollars to facilitate the carrying of supplies to that distance from the railway. This money had been voted, it appeared, to give work in connection with the railway, and under the Railway Act. He could not see how the Minister of Public Works could and should proceed with the work under this Act without calling for tenders. If it had been a small work costing \$20,000 or \$30,000, perhaps the hon. gentleman might have taken this course; but there was no such excuse in this case. It was a large work, and most likely when completed it would cost nearly half a million of dollars.

Mr. MACKENZIE: Oh, no.

Mr. LANGEVIN: It looks like it.

Mr. MACKENZIE: Oh, no.

Mr. LANGEVIN: If I am rightly informed the amount of money now expended on it is nearly \$200,000.

Mr. LANGEVIN.

Mr. MACKENZIE: No. It is \$108,000.

Mr. LANGEVIN: I see that is the case up to a certain point, but I do not think that it is the whole amount of money expended.

Mr. MACKENZIE: Oh, yes, it is. We expect that the work will be easily completed within \$200,000.

Mr. LANGEVIN said, at all events, it would cost about \$200,000, and he thought that tenders should be called for in relation to a work of this kind. It was stated that its object was to afford communication between the Rainy Lake and Lake of the Woods. The report went on to say:—

“The object for which the Fort Francis Canal is being constructed cannot be wholly obtained unless Rainy River is improved so as to insure the requisite draught, and the ascent of vessels against the current in the rapids. The obstacles to the navigation appear to be:—1st. The deficiency of water in the channel, especially in the rapids,  $1\frac{1}{4}$  miles above Fort Francis, and at various places in the river below the Fort; 2nd. The swift current at the head of the canal of the Manitou Rapids, 36 miles, and of the Long Sault Rapids, 42 miles below the Fort; 3rd. The crooked channel and the shoals of the Long Sault.”

Further down in the report, one of the Engineers of the Department stated:—

“So far as I can judge at present, the most effectual mode of connecting the navigation of Rainy Lake with that of the Lake of the Woods, apart from the canal in process of construction, will be:—1st. To raise the water in Rainy Lake by means of a dam or pier closing or contracting the channel at the head of Rainy Falls; 2nd. To construct a lock and dam at the foot of the Long Sault, so as to raise the water above the Manitou, and into the remainder of the river up to the lower entrance of the canal; 3rd. Before the water is raised, to remove, during the season of low water in spring and autumn, the boulders obstructing the channel.”

It was evident that these works were of great magnitude, and that they must cost a large sum of money,—larger probably than that of the canal itself. Not only a new canal but a new lock and dam were to be built, and all these works must cost a large sum of money. He was not aware that Parliament had been made aware of the facts of the case; or that such works would be required. There should have been an estimate prepared regarding all these works, and it should have

been laid before Parliament, in order that they might have judged whether this expenditure was advisable. Their object, the Minister of Public Works said, was to aid in the construction of the Pacific Railway. These works were very large, and they were never undertaken by the late Government, although they used this North-West route for the transportation of passengers and immigrants passing from the head of Lake Superior to Fort Garry. The late Government had never thought of building this work, because it would be too expensive, especially in connection with the other works which its construction made necessary. The Minister of Public Works was pleased to say that he (Mr. Langevin) had left him a legacy; perhaps this was the case, and perhaps, when the hon. gentleman withdrew from his Department, he would also leave a legacy to his successor. Of course, this was inevitable. The hon. gentleman could not settle everything before he went out of office, if this ever should occur.

**Mr. MACKENZIE:** The hon. gentleman spent three or four times as much on the Dawson Route, and did he do it by contract?

**Mr. LANGEVIN** said the hon. gentleman knew that, at the time this money was expended, it was done not only on works but also on the working of the route.

**Mr. MACKENZIE:** But was the road built by contract?

**Mr. LANGEVIN** said that the money voted in this instance by Parliament was voted for the purpose of working the route, as well as building certain works on the way. Besides, these were small works which were scattered from one end of the route to the other. It was well known to Parliament for years past that they were done by days' work, and the late Government even used their own men, when not otherwise occupied, on them in order to save money. These could really not have been built by public tender, because they were scattered, and required the constant attendance of the *surveillants*, and the direction of skilled men.

**Mr. MACKENZIE:** They were done by day's labour.

**Mr. LANGEVIN** said they were done by day's labour; but whenever they had had a large work in hand, they had let it out to public tender. The hon. gentleman (Mr. Mackenzie) said they had completed them by day's work; but this was because the contractor had failed. His men left him, and he could not proceed; he thought that the contractor could not pay them; and this happened at a period in the year when, if they had not put men on the works to complete them, the boats would not have been finished, and there would not have been any communication open; therefore, the works had to be completed. The hon. the Minister of Public Works must see that if he had had a legacy in this relation, as the dispute between the contractor and the Department, it was because some great difficulty existed which had not been settled. The hon. gentleman admitted that since November, 1873, he (Mr. Mackenzie) had been unable to arrange the matter. The hon. gentleman said that the Government had a right to carry on a work by day's labour, if it was necessary and more advantageous; but the law stated that such works must be done by contract.

**Mr. MACKENZIE:** No; it does not.

**Mr. LANGEVIN** said he understood fully that latitude must be left to the Government, and especially to the Minister of Public Works, under whose control these undertakings were; but this latitude could not extend to works of the magnitude of those under consideration. This was quite a different matter. Unless very strong reasons existed for a contrary course, such works must be done by contract. The Minister of Public Works had not stated how it happened that no Order in Council had been passed in this regard. It appeared from the papers that neither a contract nor an Order in Council existed. The hon. gentleman said that Mr. Page had prepared a plan of the work; but, nevertheless, Mr. Sutherland was instructed to go up and engage men to go on with the work before the plans were sent to him and before Mr. Sutherland knew they had been prepared. The location of the lock had not then been decided

upon; at that time there were no plans, and no estimates, and no place selected for the lock. Mr. Sutherland, under date of May 11, 1875, received the following instructions:—

“On reaching Fort Francis you will see Mr. Mortimer, Resident Engineer, who will be at once instructed to take soundings with a view to determine the exact points at which it would be most desirable to construct the canal locks at each, and you will then as speedily as possible ascertain the nature of the rocks and the depth of various points, so that Mr. Mortimer can make a section.”

Evidently nothing had been done in this respect, and the work nevertheless had been determined upon. Mr. Sutherland was also written to as follows:—

“Referring to your letter of the 1st inst. relative to the construction of the proposed locks on Rainy River, at Fort Francis, I am to state that you will have entire charge of the working parties, but in engineering matters will be subjected to the general directions of Mr. Hazlewood, or his assistants, who may be detailed for that purpose.”

The Minister of Public Works had clearly determined that the lock should be built, and that without tender, but by day's work, and without plans, without estimates, and, in fact, without anything being done. So much so that Mr. Sutherland was instructed to this effect:—

“When your force shall have been organized and on the spot, you will send a list of the men, with rates of the pay agreed upon. It is understood that these rates will be such as are generally paid by the contractors on the railways east and west of you.”

It was evident that Mr. Sutherland was to go to work without plans, without soundings and without estimates. He could not perceive that this work would be useful for the purpose mentioned; or that the building of the locks was for an object that Parliament should sanction. The intention clearly was to carry rails by this route to the Pacific Railway, which, however, ran more than one hundred miles to the northwards; and, therefore, this work could not be used for that purpose. Above the works, as was stated in the papers and by his hon. friend (Mr. Kirkpatrick), the water was only four and a half feet deep. Why, then, was a lock built with a depth of eight feet of water, in order, he supposed, to admit of the passage of vessels drawing seven feet?

Mr. LANGEVIN.

Mr. MACKENZIE: I think that one of the last things the hon. gentleman did was to take a vote for a lock, as near as may be of the same extent, for seven feet of water, when it was only three and a half feet in depth.

Mr. LANGEVIN said this was the *tu quoque* argument. If the late Government were wrong, this was no reason why the hon. gentleman should also be wrong. The hon. gentleman should not repeat mistakes; he (Mr. Mackenzie) should profit by experience, and should not squander the public moneys as had been done in this case.

Mr. MACKENZIE: I do not admit that.

Mr. LANGEVIN said the hon. gentleman should not have been guilty of such an interruption as this. The money voted for this purpose had not been employed as the hon. gentleman stated it would be. When the hon. gentleman discovered that the depth of water along the route would not allow a vessel drawing seven feet to pass through, he should have stopped the work, and come back to Parliament, and stated that the undertaking would cost half a million, and that he must not expend \$200,000, until Parliament was aware that \$300,000 or \$400,000 would be required for other works in connection with it, in order to secure the depth of water necessary. But, no; the hon. gentleman went on expending the public money, though he knew how faulty the work was. It could not be used for the object alleged to be in view, and yet the hon. gentlemen spent the money and defended his case. The hon. gentleman would call, no doubt, on his followers to vote down this resolution, and they might do so, and carry the motion in the negative, like other votes; but they (the Opposition) despite all that, desired to place the matter properly before the House. If the matter was wrong, it would still be wrong, even though the majority did vote down the resolution.

Mr. MACKENZIE: But it is not wrong.

Mr. LANGEVIN said, of course, the hon. gentleman would allow them to differ from him; he would allow the

House to find out whether he was right or wrong. It was much more pleasant to find the hon. gentleman right than wrong; but it was very seldom that he gave them that pleasure. The hon. the Premier said that the water reaches would be 276 miles long, and the railway would be 176 miles long.

Mr. MACKENZIE: About that.

Mr. LANGEVIN said the railroad was to be in two pieces, one at this end and one at the other; and the water reaches, with seven portages, were between them. The hon. the Premier seemed to think that the Fort Francis Canal was essential to the work, and he seemed to think the route would be a favourite one. But he (Mr. Langevin) could not see how this could be. Starting from the head of Lake Superior by rail, persons going that way travel a certain distance and then reach one of these fine water stretches, and occasionally they would have to leave the steamer and go through one of the portages. Finally, after going through six or seven of these portages, the rail was again taken for Winnipeg. It was impossible, with all these changes, that this could ever be a favourite route either for emigrants or for the transportation of goods, and the works at Fort Francis were not worth entering into. By the Public Accounts it was found that the Government had resorted to a practice which, he must say, would not receive the approval of this House, and it was a practice which no one had ventured to advocate here. The Government had taken money voted for the Pacific Railway and used it on this work. In the other House this transaction was justified on the ground that it was a work of a similar nature. But this was not a sufficient justification. The Government had expended money at Fort Francis without asking the permission of Parliament. The money voted was for the Pacific Railway and should not be used for any other purpose, however similar in character.

Mr. JONES (Leeds) said he had had experience during most of his life time with the navigation of the waters of Canada, but he did not speak on the matter of this canal in the North-West from personal observation, only

from what he had read and from what had been told him by those familiar with the locality. He did not think by building the Fort Francis Lock this route would be of any utility at all in the construction of the Canada Pacific Railway—the water stretches could not be used for six or seven months of the year—and he did not see any necessity for continuing this work at the present time, seeing that the route of the Pacific Railway had been changed, and was now located 40 to 50 miles north of Rainy Lake and Rainy River. The First Minister said it was necessary for a through route across that section of the country. This might be so in 50 or 100 years, but certainly it was not the case now, when the district was a mere forest and nearly uninhabited. Anybody who had any idea of transportation of heavy freight would see that this was an insane project. He had received a letter from a friend of his who was a practical man, and acquainted with the place, and who had made a valuable accompanying sketch. The letter was as follows:—

“GANANOQUE, March 7th, 1877.

“D. F. JONES, Esq., M. P.,

“Ottawa.

“I herewith send you a sketch of Rainy River, from Rainy Lake to the Lake of the Woods. The distance is laid down at 76 miles; Mr. Dawson always called it 75 miles. It is two miles from where the Rainy River commences to Fort Francis, say 2 miles; Fort Francis to Manitou Rapids or Falls 28 miles; Manitou Falls to Long Sault Rapids, 8 miles; Long Sault Rapids to Lake of the Woods, 38 miles; Rainy River, whole length, total, 76 miles.

“The present Government say that, by building the Fort Francis locks, they will have an uninterrupted navigation of 160 miles. That is I suppose, Rainy Lake, from Kettle Falls to Rainy River, 45 miles; Rainy River from Rainy Lake to Lake of the Woods, 75 miles; and across the Lake of the Woods, 40 miles; total, 160 miles.

“But this is not clear navigation, for there are the Rapids at the head of Rainy River, the Manitou Rapids and the Long Sault Rapids to be made navigable before there can be any heavy freight carried, except what can be packed on men's backs to get through with. Then, again, suppose the railroad to be finished from Thunder Bay to Lake Shebandowan, from there to Kettle Falls; at the head of Rainy Lake there are eight portages, which no boats can pass either way, except by drawing them across, and all the freight has to be carted or

packed across. There is one portage of four miles, and three of two miles, one of one mile, and the other five portages from 200 yards to half a mile wide to get over with freight; and then, again, there is no boat on this route fit to carry freight, except the boats taken up on the first expedition to Fort Garry, which are now nearly all useless and worn out. There was a commencement to build three or four small barges for the largest lakes on the route, but they were abandoned in 1874, after Carpenter & Co. undertook to run the line. There is no feasible way now for getting freight through on the Dawson Route, except by building a new stock of boats, and they would never do to carry railroad iron, as it would require to be transhipped at every portage, except by taking them across with teams, the same as you have to do with freight, and by going to work and building locks at every portage, which would cost per mile about the same as the Pacific Railway given to Foster. And then, I think, they would have to fall back on Foster's plan of abandoning the whole job in the end. There is no navigation on the Dawson Route except for small class boats, and very often it is almost impossible to get through with them unless they are hauled along, in many places, by the strength of the crews. There is no doubt whatever that the money laid out on the Fort Francis locks is thrown away completely.

"Yours truly,

"CHAS. B. CRYSLER."

He did not rise for the purpose of saying whether this lock was being constructed contrary to the Pacific Railway Act, or contrary to Order in Council or without the work being done by contract. Reference had been made to the Dawson Route not having been made by late Government by contract; but he believed that it would have been quite impossible to construct that work by contract. The work now under consideration was a special undertaking, a lock for the passage of steamers, which would cost a considerable sum of money, and tenders could easily have been asked for, had proper plans and specifications been made; in which case the work could have been performed by contract, and not by day's work as at present. But, as one having some experience of river navigation, speaking with all sincerity, he did not think that this lock would be of any utility whatever to the Government in building the Pacific Railway, but would, with a very large expenditure, open up an inland navigation which might be of some use in fifty or one hundred years. He thought

Mr. JONES.

the railroad should be built from Thunder Bay out, and that supplies should be carried over it as it progressed. He thought any money expended on this lock would be completely lost to the country; at all events it would be fifty or one hundred years before it would be of any service, and then it would only open up an inland navigation on Rainy River which laid between the State of Minnesota, U.S., and Canada, and would be much more useful to the people of the United States than to Canada. He would, therefore, vote for the amendment of the hon. member for Frontenac.

Mr. TROW said he deprecated the assertions made by the hon. gentleman in reference to what was called the "insane policy" of the Government in proceeding with this work. If that was an insane project, it was well to remember that it was begun by the late Government, which spent some \$1,500,000 on it prior to going out of office. The question arose whether, if that were the case, this Administration would do right if they left the work uncompleted. He considered Fort Francis Locks highly essential and necessary. That magnificent river, Rainy River, extended through a fertile country, which would sooner or later be settled. Even at the present time there were large settlements about the Sault and Manitou Rapids. The locks in question were situated about midway between Thunder Bay and Fort Garry, and the water stretches were magnificent, and should be utilized. Rainy River had probably as large a volume of water as the Ottawa, and the land on our side of it was of the very best description, and was likely to attract a large stream of immigrants. The difficulties alluded to on the route were purely imaginary. Some of the portages were only a few rods across. But the route could not be utilized without some such improvement as that in progress; when the locks were completed there would be communication from one end to the other. The obstacles at Sault and Manitou Rapids consisted of loose boulders, which could be removed without blasting at a trifling expense, and give 10 feet to 12 feet water. Competent authorities told him that when

the locks were completed, the passage from Fort Garry to Thunder Bay could be made in about 36 hours. He had travelled in that section, and a more delightful trip he never had in his life, and he believed that immigration, sooner or later, would go in that direction. In his opinion the Government were perfectly right and justifiable in carrying on the work, as it would be one of the means for the development of the North-West. With regard to letting the work by contract, he did not think there was any possibility of doing that, as very few contractors would undertake to tender for a work so remote from settlement. A more honourable or reliable man than the one to whom the work was entrusted could not be found. He had every confidence in him, and had no doubt he would do the work as cheaply as possible. He hoped the Government would not merely finish the locks, but finish the other portions of the road, and thus make a practical highway to the North-West for the surplus population of Europe and Canada.

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

### After Recess.

Mr. MASSON said he thought the hon. the Premier and his followers should not be under the impression that hon. members, in the accomplishment of their duties, when they were sometimes obliged to find fault with the Administration, did so with a desire of making a factious opposition to the Government. Events had occurred to-day which would lead them to believe that the hon. Minister, seeing the opposition that was made to him and to his measures, appeared to think it was personal to himself, or that it was with a desire—to use his own expression—of maligning the Government. He (Mr. Masson) deprecated any such idea on his part, and although he had no right to speak for the Opposition, his belief was that there was no such desire on their part. They were here pledged to do their duty, and it was a part of that duty to examine severely into the acts of the Administration.

Mr. MACKENZIE: Hear, hear.

Mr. MASSON said the hon. gentleman himself knew well that the duty of the Opposition was to scrutinize the acts of the Government, and that while he was on the Opposition side of the House, no man had known more than himself that duty of an Opposition or had been more severe than himself in the criticism of the Government.

Mr. MACKENZIE: No, no.

Mr. MASSON said that he should, under these circumstances, take the hon. member (Mr. Mackenzie) for his leader, if he had taken that course when he was in Opposition. He had now willingly, and gracefully, to admit that his acts could be criticised by those now sitting on the left of the Speaker. He (Mr. Masson) could readily understand how it was that the hon. gentleman was sometimes impatient to see that very often the Opposition were obliged to criticise his acts. The reason was a very simple one,—because his acts were often open to criticism. It was because that since he had taken the reins of power, perhaps no Government in the world had been more exposed to a just criticism than the Government of to-day. The hon. gentleman knew very well that if the country had believed four years ago, that the present Government were only men of flesh and blood like others, the disappointment would not exist which did exist to-day. The hon. gentlemen on the other side contended that they were so pure and so innocent of wrong-doing, that the people began to believe that they were of a different nature from their opponents; but now the view taken was not, perhaps, that they were worse, but they were like their predecessors and no better. That was a very great disappointment for the people of this country, as the hon. gentleman had always contended that they were better than any of the Ministries which preceded them. The people naturally believed that when they came into power they would revolutionize the whole system, and that there would be purity where there had been corruption.

Mr. DYMOND: Hear, hear.

Mr. MASSON said the people were always disappointed when they had

great expectations and then saw the reality. They had seen the reality in this case, and they were getting seriously disappointed. Now, a little discussion had taken place in Montreal between a Liberal and a Conservative, about two or three years after the accession of the present Government to power. The Liberal said: "I admit that many men on both sides are corrupt." "Oh, no," said the Conservative, "they are not so corrupt as they make them appear." "But," said the Liberal, "on your side you were corrupt." "Well," said the Conservative, "we are flesh and blood, but we have this consolation—we took twenty years to become corrupt, but you have become corrupt in eighteen months."

An HON. MEMBER: They were corrupt before they got there.

Mr. MASSON said he understood the hon. the First Minister to say that this work was no part of the Pacific Railway scheme; that it was considered before there was a question of the Pacific Railway. If that were so, he was in a bad position. If it was a part of the Pacific Railway, he could only go on with the work according to the provisions made in reference to the Pacific Railway; he must give it out to contractors. If it was not a part of the Pacific Railway, he had no authority to build it at all, because he had obtained the money by pretending that it was a part of the Pacific Railway. In the Supply Bill, when the \$150,000 was voted, it was stated that it was to build a part of the Pacific Railway. He asked if that was not obtaining money from this Parliament—he would not say under false pretences—but he had no other English word for it. Did the hon. gentleman think for a single moment that if the House had believed that the \$150,000 that the Government were asking to build the St. Francis Lock was not to be devoted to a part of the Pacific Railway they would have voted the money? The hon. gentleman, therefore, stood in this position: that he was expending upon a work, which he said was no part of the Pacific Railway, money which he could not deny had been voted specially for the Pacific Railway; consequently he had no

Mr. MASSON.

authority for the expenditure of the money, or, if he had, it was only because the House had been unaware of the circumstances under which it had voted it.

Mr. MACKENZIE: The House is very innocent.

Mr. MASSON said the hon. gentleman had always been a good Democrat, a good Liberal, and he believed it had always been the policy of the Liberal Party, both in Canada and England, that no money could be spent without the authority of Parliament, nor with that authority, unless it was spent specially for the purpose that Parliament had consented that it should be spent. The hon. gentleman had asked the House to spend \$150,000 on a part of the Pacific Railway, and to-day he said that it was no part of the Pacific Railway.

Mr. MACKENZIE: I did not say that.

Mr. MASSON said if it was no part of the Pacific Railway, the hon. gentleman was obliged to show them how it was that he had obtained the money; and then he placed himself in a very bad position. Though it was allowed, if he remembered well, by the Public Works Act, for the Government, in certain pressing circumstances, to proceed with public works by days' labour without contract, it was a principle which had been disapproved by the party to which he (Mr. Mackenzie) belonged, the party of purity, which contended that nothing should be done which had the appearance of giving favours to anyone; that no work should be done except by contract, and that that contract should be let by tender. The hon. gentleman could not divide his case from that of the Liberal Party in Lower Canada, though that party was very much weakened, as the Opposition had a majority of eleven from Lower Canada last year; but the hon. gentleman must not repudiate them entirely for that, and punish them in that way.

Mr. MACKENZIE: Does the hon. gentleman mean to say it has never been the policy of any party to do work by days' labour?

Mr. MASSON said he was not as conversant with the English language as the hon. gentleman, but he thought that he generally made himself understood. The Liberal Party had contended that work should be done by contract, and on tenders asked.

Mr. MACKENZIE: Hear, hear. But no tenders were asked.

Mr. MASSON said the Liberal party from Quebec, who he was bound to say, had done their duty last year when the Act for Colonization Roads was brought up in the Legislature of the Province of Quebec, allowing the Government to do works in the wilderness far away where it was advisable to send a numerous population,—insisted that no work should be done on any route, no matter at what distance, except by tender. The result was that the Government could hardly carry a motion that they should be allowed to give out work to the amount of \$400,000, though it was not given by tender.

Mr. MACKENZIE: That is a different thing.

Mr. MASSON said the difference was between days' labour and contract labour given by tender. The Liberal party from the Province of Quebec required and expected that no work should be given unless tenders were asked, and though he freely admitted that the Liberal party went too far, they showed the feeling they had on the subject. Under these circumstances, what was there to prevent the Government, even if this was not a part of the Pacific Railway, from continuing the work by contract? Was it because it was too far away? It could not be, because the Government at the very same moment gave out work by contract in places quite as inaccessible.

Mr. MACKENZIE: No.

Mr. MASSON said "yes." The hon. gentleman was asking for four or five hundred thousand dollars to reach these inaccessible places where the Government were giving out works by contract and by tender. This proved that he was going, if not against his principles, as he (Mr. Masson) believed, it was, at all events, in the face of the principles of the Liberals from Lower Canada, who, he hoped, would show

their consistency to-night as they had last night.

Mr. MACKENZIE: It would be better to allow them to expound their own principles.

Mr. MASSON said if they could expound their own principles they must be happy to see men, sitting on the other side of the House, agreeing with them, and asking them to put them into execution. The more people there were who were found to agree in a principle, the more certain it was that the principle was right. The hon. member for South Perth (Mr. Trow) had given the House a glowing picture of the country through which the famous water stretches extended. According to him, it was the finest country in the world, and, of course, the Government were entirely right in making the expenditure there to allow emigrants to spread about and throw wealth into that country. He had the greatest respect for the opinions of that hon. gentleman on the question of colonization. He had taken such an interest in it that his views were worthy of the highest consideration; but he had not met the question at all. He (Mr. Masson) admitted with him that it was a fine country, and that it would be proper, if they could, to get colonists there; but, in that case, let the Government say "It is a colonization scheme, and we ask you to vote money to enable us to pour population into that country." Then the Opposition would consider what they ought to do. But did the hon. gentleman say that the Government had the right to take money which had not been voted for that purpose, but for the Pacific Railway? He was too good a Liberal to say that. The great principle of the Liberal party was that a change of appropriation was forbidden because the Government could have sums voted for a purpose perfectly right, and then expend half the amount on a thing which the House would not have voted the money for if they had known. The hon. the Premier said that this work was very important, and was necessary to bring in supplies for the building of the Pacific Railway. It was extraordinary how the opinions of these

hon. gentlemen changed from one thing to another. It was extraordinary how the thing which was ridiculous last year could become a very reasonable one this year. He thought it an absurdity last year to think of bringing supplies or rails or anything else for building the Pacific Railway by the water stretches, but to-day he contended that it was absolutely necessary to complete the water stretches in order to bring the rails into that country. Last year, when he was saying that it was absurd to bring rails into Manitoba by the Dawson Route, the Government were expending money on the St. Francis Lock in order to bring rails into Manitoba by the Dawson Route.

Mr. MACKENZIE: Not to Manitoba.

Mr. MASSON: Well to the North-West Territory, or as the hon. the Minister of the Interior would say, "to Ontario," because he contends that Ontario extends to the Rocky Mountains.

Mr. MACKENZIE: Not to the North-West Territories either.

Mr. MASSON said, as Mr. Speaker and the Minister of Public Works would remember, last year the hon. member for Lisgar found fault with the Government because they had allowed \$15 a ton for the transportation of rails to Manitoba by the Kittson Company. The hon. gentleman stated that this should have been given out by tender, and that the Merchants' Company, he believed, should have had an opportunity for tendering, in order that the Government might secure a lower rate. At the same time the hon. gentleman spoke of the Dawson Route; and the Government understood him to say—though he (Mr. Masson) thought erroneously—that the Government should abandon the Dawson Route, and send rails, in future, by the water communication, over which the Government had now determined to send them, and asked the country to expend certainly over \$500,000, in order to send out these rails.

Mr. MACKENZIE: My hon. friend forgets that the place the hon. gentleman referred to was two hundred miles west of this.

Mr. MASSON.

Mr. MASSON: There are no rails, 200 miles from Fort Garry.

Mr. MACKENZIE: But from Fort Francis.

Mr. MASSON said he was speaking of Fort Garry. The hon. gentleman surely did not think they were so ignorant as to believe that they could send rails to Fort Francis by Red River, and the Kittson Company only did business on this river. The Kittson line ran from Moorhead to Selkirk, to which place the hon. gentleman was only building the Pacific Railway. The hon. gentleman must know this. Mr. Laird, in reply, told the hon. member for Lisgar that it was ridiculous to believe that the Government could send rails by this route to Manitoba.

Mr. MACKENZIE: And it was ridiculous.

Mr. MASSON said the interruptions of the hon. gentleman were too numerous. Mr. Laird had shown how ridiculous it was to attempt to send rails by water communication, and by the route over which the Minister of Public Works now wished to send them. The reply of Mr. Laird, given in *Hansard*, was:

"It was simply absurd to talk of shipping steel rails over this route, and, in this relation, he could not but think that the hon. member for Lisgar had been perpetrating a huge joke."

He left to the consideration of the hon. gentleman (Mr. Mackenzie) the opinion of his recent colleague, who made that statement in the presence of the Minister of Public Works. This was the very route over which the hon. gentleman now desired to send those rails. The reason for Mr. Laird's view was quite simple, and it was well exposed by the hon. member for Leeds. Was it to be supposed that they could, advantageously, send rails to the North-West by a route on which there were numerous portages? Could it be thought, for a single moment, that it would pay to send rails over a line over which a company had contracted to transport rails from Fort Garry to Fort William for \$40 a ton? This was preposterous; and it was so difficult to do so, that the Government had paid the Carpenter Company \$40 a ton to convey freight from Fort William to

Fort Garry. Was it to be believed, for a moment, that this was the route over which the Government should send supplies and provisions to the North-West? There was a far more sensible way of treating this question. There were splendid water communications, either from Sarnia or Collingwood; and, by this channel, rails could be taken to Fort William where, in fact, the Government had to-day 14,000 tons of rails. These, with supplies, could also be sent to Selkirk, the other present extremity of the railway. In this manner the road could be built from both ends, and the road as it was built, could be used as a means of communication for the conveyance of supplies. It could not be pretended that this was impossible, because the Premier, two years ago, when he did not know what to do with the steel rails he had purchased, had sent 12,000 tons of rails by way of Red River, and they now laid rusting behind St. Boniface. If the Government could send rails economically—and they should not have done it if this was not the case—to Selkirk or St. Boniface two years ago, why could it not be done to-day as cheaply and to as great advantage? The Government now possessed more rails than were sufficient to build the connection between Fort William and Fort Garry; there were 14,000 tons at the former place, sufficient to build 160 miles, and 12,000 tons at St. Boniface, sufficient for 136 miles; in all, about 300 miles. The Government must admit either that they had made a mistake, or that they were making one now. The hon. gentleman said it was in order to economize in the transportation of supplies, that he was building the St. Francis Lock and improving the navigation in that quarter. It was established that \$108,000 had already been spent on the lock in two years, and the work had not been pressed forward with all the activity that might have been shown. The Engineer who superintended the undertaking told them that though on the 26th of September last \$108,000 had so been spent, such little advance had been made that it would require two more years to finish the work with improved implements, and a large staff of men, and, conse-

quently, with a much greater expenditure; and that, in December last, only one-fifth of the rock cuttings had been finished, so four-fifths of these cuttings remained to be completed, and, besides, the greater part of the work was in rock. The Engineer added that with the plant on hand and greater facilities than the Government possessed to-day, it would require two years more to finish the undertaking. If the Government had spent \$108,000 in two years with a small staff, with more plant which they would be obliged to send up there, it could be imagined what the expenditure of the next two years on the locks would be. The Premier said that the work would only cost \$200,000; but the hon. gentleman, despite his great knowledge of the affairs of his Department for which he (Mr. Masson) gave him every credit, could not now tell what this expenditure would be, any more than he himself (Mr. Masson) could. This was impossible. The hon. gentleman said what he could not know would be a fact, and what was entirely in contradiction with the opinion of his own engineer as mentioned. According to the reports, the lock would cost \$200,000 more,—this could not be otherwise, and it would make a total sum of \$300,000. But when the lock was completed, would communication be opened between the Lake of the Woods and Rainy Lake? No. It would require a large amount of work to render the lock of any use; and, in consequence, it was vain to tell the House that the expenditure would be closed when work on the lock was terminated, because this work would be useless unless navigation was opened both above and below. The Engineer in this regard stated:

“The object for which the Fort Francis Canal is being constructed cannot be wholly obtained unless Rainy River is improved so as to insure the requisite draft, and the ascent of vessels against the current in the rapids. The main obstacles to the navigation appear to be: 1st. The deficiency of water in the channel, especially in the rapids, one and a quarter miles above Fort Francis, and at various places in the river below the Fort; 2nd. The swift current at the head of the proposed canal of the Manitou Rapids, 36 miles, and of the Long Sault Rapids, 42 miles below the Fort; 3rd. The crooked channel and the shoals of the Long Sault.”

Now he asked whether the hon. gentleman (Mr. Mackenzie) had ever given to the House, as he was bound to do, any proper estimates as to what would be the cost not only of the lock, but of the improvement of the navigation of the whole river? Had the hon. gentleman done what he was obliged to do, and what he (Mr. Masson) had pressed for,—and what it was the duty of every Minister to do? When a Government asked Parliament to vote a certain sum of money for any public work, it was their duty to secure such information as to be able to tell the House what would be the probable and ultimate cost of the work in question. They should show reasonable grounds at least, for the belief that the vote would be sufficient for the works contemplated; otherwise the House would always be led astray, and the Government would be obtaining money—he did not want to use any offensive terms—on false pretences from the House, which would not know what it was doing. The hon. gentleman to-day did not and could not know, with all his wisdom and ability and the care he gave to the affairs of his Department, what this work would cost. This was impossible. When the hon. gentleman said it would cost \$200,000, he (Mr. Masson) said the hon. gentleman was mistaken. If they could believe the reports—and they were as able on that side as on the other side of the House to judge of these reports—the estimate of his hon. friend from Charlevoix, \$500,000, was too moderate, and, as he considered, \$250,000 short of the expenditure that would be required. It was true that he had no data to speak upon, but neither had the hon. gentleman (Mr. Mackenzie) any data. It was not reasonable to believe, under the circumstances, that the cost of improving the navigation of the river from Fort Francis to the Lake of the Woods, would only cost some \$200,000. If the hon. gentleman pursued his present policy in this respect—and he was pained to say he believed the hon. gentleman would, because the hon. gentleman never receded from any of his decisions—this work which was undertaken without the consent of Parliament, would not be completed in

Mr. Masson.

two or three years from the present time. An Act passed in connection with the building of the Pacific Railway could not be used to authorize this undertaking since it was no part of that railway. The hon. gentleman should take a more sensible view of the whole question than he (Mr. Mackenzie) had done. In December last, at the close of the working season, \$108,000 had been expended on this work, and only one-fifth of the rock cuttings was then completed; and it would require two years, with a larger staff and more plant, to finish it, with a cost, perhaps, of \$400,000 or \$500,000 more to improve the navigation of the river. The hon. gentleman should abandon the undertaking entirely, and devote the money, now uselessly expended, to the construction of the Pacific Railway. This work might be useful when the question of the boundary between Ontario and Manitoba was settled. Either the boundary line of the latter Province would be brought down to Lake Superior, or that of the former Province would be extended to the Lake of the Woods; and this undertaking might be advantageous to either of these Provinces as a colonization route, but it was of no use as a Dominion work, and should be abandoned and the money applied as he had mentioned. The hon. gentleman had told him in the House two years ago, that he (Mr. Mackenzie) had abandoned the system of water stretches, and that probably the whole road from Fort William to Selkirk would be built in four years, and of this period only three years remained. Then what was the use of going on with this work, which would not be finished in three years? Was it to be believed for a moment that a single traveller would go from Fort William to Manitoba by water and portages when he could go by rail? The thing was preposterous. He was sorry to say he believed that the hon. gentleman would not abandon the undertaking, because he (Mr. Mackenzie) wished to say that he never went back on his decision. The work would be completed at any cost despite the protests of the Opposition, and, as he had no doubt, the private protests of some of the hon. gentleman's

supporters. The hon. gentleman stated, as his excuse, that this work was begun by the late Administration. But what were the circumstances when it was commenced? They had just acquired the immense territory of the North-West, and they were not then bound to build the Pacific Railway. This project was not mentioned. They did not even dream at the time of the annexation of British Columbia, and it was necessary to pour a numerous population into the North-West. To do so it was thought advisable to make use of the Dawson Route, and Mr. Dawson was instructed to push the work forward as fast as he could. Another emergency forced the Government to proceed with the undertaking,—they were obliged to send troops to Manitoba. This was necessary, according to the opinions of the hon. member for Lambton. If he was well informed, it had since then been decided to build the Pacific Railway, which was to bring wealth and prosperity to that great country, and the works were stopped, being only afterwards kept in repair. The Government saw that if the railway was to be built, it was absurd to make use of the water stretches. He considered that the rights of Parliament had been infringed in this regard, the Government having undertaken to build this work without the consent of Parliament. The Government had gone on building the work on a quibble. They pretended that the sole fact of \$150,000 having been voted to complete this work, authorized them to do it; but would any true Liberal say, that the Government was so authorized since they themselves had placed on the Statute-book a law declaring that this work should only be completed as part of the Pacific Railway, and only as such? Would any one say that had the House known at the time that they did not intend to make use of it for the Pacific Railway, but in the manner now apparent, they would have granted the money to build this work? He would ask any Liberal whether this was according to their principles, and if they would again that night sanction the action of the Government in spending money on a public work which it was not the intention of the House to spend in that way?

Mr. DYMOND said, in his remarks, he would make no reference to what might be called the political aspect of this debate. The resolution was, of course, of a hostile character. It censured the Government for certain administrative acts, but for those they would be quite able to defend themselves. He would venture to say, however, and he hoped without offence, that he thought the introduction of this question, without any notice whatever, was neither just to the subject nor fair to the House. He could quite understand, when certain questions were to be originated, that a little surprise was not altogether unfair in party warfare. But if the hon. gentlemen were—and he was bound to believe them, as they said they were—sincerely desirous of dealing with this matter purely as one of general interest to the country, he thought it would have been only right that they all should have had some opportunity to prepare themselves for the debate. The hon. the Premier himself, who was, perhaps, as well acquainted with the public works in operation as any Minister of Public Works could be, could hardly be supposed, at a moment's notice, to spring to his feet and justify himself as to every minute detail of a particular undertaking. The hon. mover of the amendment had not only taken his opponents by surprise, but even his own friends, for the former Minister of Public Works, the hon. member for Charlevoix, had actually fallen into the error of stating that the work would cost, not \$200,000 as alleged by the Premier, but as much as \$500,000; he was just \$300,000 out in his reckoning. The hon. member for South Leeds had also shown that he had not prepared himself for the discussion. The deviation of the temporary terminus of the line from Thunder Bay, from Lake Shebandowan to Lac des Mille Lacs, did not affect the question to any appreciable extent. He did not believe it was ever intended that the railway should run so far south as to bring it within the range of Fort Francis, so closely as to have any direct and immediate effect upon the question they were now discussing. The Rainy River improvements should be considered as involving something more than the

construction of a mere highway. He did not propose to touch upon the question as to whether they would be able to make a profitable use for freights and passengers of the line of water communication from Lac des Mille Lacs to Fort Francis. But, as a question of public policy, they must bear in mind that all these great public works, the Great Pacific Railway itself, were supposed to be carried on concurrently with settlement. It was not simply as a road whereby they might travel from one part of the Dominion to another; it was not simply as a means of developing a general carrying trade that they should look at what was called the Dawson route and the improvements upon it. The grand object was to settle up the country. With regard to the nature of the country around Rainy Lake, he might quote the authority of Mr. Dawson and of Mr. Sandford Fleming. Mr. Dawson in his report in 1858, and, therefore, without any possible political views in connection with the present question, said:

"About Rainy Lake, and from thence to Rainy River and Lake of the Woods, following, from the latter, the proposed route across the Red River, the country is as well adapted for settlement as any other part of North America. The climate is good; the soil, in general, fertile; water power is to be had in abundance, and in the woods are many kinds of valuable timber."

Mr. Sandford Fleming, in his Progress Report of the Survey of the Canada Pacific Railway, 1874, wrote:

"With regard to material for building purposes, I have every reason to believe that no great difficulty will be experienced on this score. The woodland region fortunately possesses an abundant supply of timber suitable for railway work, and will be able to furnish all that may be required in the prairie region."

It was that prairie region that they wanted to reach, and these improvements would enable that to be done. The timber of that portion of the country lying between the southern bend of the Rainy River, where it formed the boundary line between Canadian territory and the United States, and the Lake of the Woods, had not yet suffered from the ravages of fire, and contained large quantities of white pine, elm, and other woods. In fact, this country, for its area, was

about as well timbered as any part of the North-West. There was another topographical feature which was also very favourable to the use of Rainy River as a means of transportation. The height of land to the north of Rainy River, was situated, he believed, between that River and the proposed line of the Canadian Pacific Railway. The consequence was that the rivers from that point all took their course either to Rainy River or the Lake of the Woods; and the whole of that country was filled with streams and rivers that might be used for the transport of timber. But this was not all. To the south of Rainy River there was also a rich country within American jurisdiction; that country was also very well situated, and at nearly equal distance between their boundary line and the Northern Pacific Railway, came the height of land from the Northern slope, of which numerous streams flowed into Rainy River. So that there were two large districts, both richly timbered, north and south of Rainy River, assisted by the provisions of nature for floating their forest wealth into Rainy River, from which they would take their course westward into the Lake of the Woods, and thus supply the wants of the Railway and the settlements in the North-West. Nor was it correct to state that the canal at Fort Francis was being constructed in an uninhabited region. Partly in consequence of these works, partly from the provisions formerly made in connection with the Dawson Route, and partly also from the richness of the land and the large supply of timber, a very considerable population had gone in there already. Last year he was told the Dominion agent at Winnipeg had to send down an agent to open an office there in order to accommodate the numerous applicants for lands for settlement. Then, again, timber limits were being taken up. Already three persons with very considerable capital had started mills, and it was necessary, in order to assist their operations, that this canal should be constructed. With regard to the expense, of course, information could only be given by those officially connected with the work. But he did not think the House could com-

plain that the Government had not taken it into their confidence thereupon. He would be sorry to misquote the hon. member for Terrebonne, but he understood that hon. gentleman to state that no specific vote had been taken for this lock.

Sir JOHN A. MACDONALD: He did not say that.

Mr. DYMOND: He understood the hon. member to make this statement, but it could only have been made from forgetfulness, for the object of the vote was designated, with \$150,000 against it, of which \$100,000 had already been spent. He thought it was hardly fair for the House to attempt to saddle the Government, two years after the money had been voted, with the responsibility of acts which the House itself had deliberately sanctioned. Hon. members should make themselves acquainted with the subject before they voted the money in the first instance, and then there would neither be necessity for subsequent controversy, nor the mistakes made into which some honorable members had fallen during this debate. He believed this was one of the most important public works of the Dominion, if not as a link in the chain of communication, certainly as a link in the chain of settlement, and the interest of the whole country would be consulted by its being pressed forward.

Mr. MASSON explained that he had contended that, while the Government had technically obtained a vote for the canal, they had obtained it in an improper way. The money was appropriated on the understanding that the work would be part of the Pacific Railway. If it had been known for what the vote was asked, it would not have been carried.

Mr. PLUMB said, in a moment of enthusiasm, flushed with the victory of 1873, at the time of the great revolution of which they had heard so much, the hon. the Premier, perhaps in a happy, or, perhaps, in an unhappy moment, spoke in his address to his constituents at Lambton, of the utilization of the magnificent water stretches which nature had provided in such lavish profusion between Lake Superior and the capital of the North-West

Territories. The scheme that was then suggested consisted of part railway, part water and part foot and waggon communication across a country which, on further investigation, proved to be utterly impracticable for purposes of traffic in the manner shadowed forth. Not long afterwards there were signs that that plan was to be modified; and within two years the scheme, as far as the railway and water stretches combined were concerned for permanent purposes, was abandoned. But the impression had gone abroad that the hon. the Minister of Public Works thought it possible to continue the work in another way, and that the water stretches could, to a certain extent, be made available, and that the proposed expenditure would be made in another direction. Out of this had undoubtedly grown the project of improving the navigation of Rainy River in connection with the route from Lac des Mille Lacs to the North-West Angle. It was in respect to that that the hon. member for Frontenac (Mr. Kirkpatrick) had moved the resolution to ascertain what was to be done in that direction, the reason for the expenditure, the Parliamentary authority for it, the probable results to be attained by it, &c. Upon looking at a report made by Mr. Dawson in 1869, in connection with the Dawson route, he found that there were obstacles of a formidable character to be overcome before this improvement could be made of service. The river was a swift and ungovernable stream. In many places the channel was only three feet or six feet deep, and for nearly ninety miles it was obstructed with granite and gneiss rocks and boulders; and, in order to produce uniform navigation, the whole bed of the river would have to be deepened. On further examination, the line was also found disadvantageous on account of the difficult character of the portages, which were eight in number. Tramways would be absolutely necessary for facilitating any traffic that might offer; but it would be almost impossible to construct tramways available for traffic purposes, even if it were at all possible to get traffic over a road broken up in so many places. A gentleman who had been over the road, wrote as follows:

“The distance at Fort Francis, where the work for the lock has been done, is about 200 yards from deep water to deep water above and below the falls. The falls have a fall of about 25 feet, and the rock is granite, very much the same as our rocks here among the Thousand Islands—not in layers, except perpendicular—the hardest kind of granite. I cannot see the use of building locks at Fort Francis, for, in the first place, there is no boat, and all the tramways will require good roads or a railway to handle any freight going forward. Then, again, a great portion of the water communication, except the lakes, you can get through only with boats the size I mentioned before—five to seven tons. Where Rainy Lake runs into Rainy River, there is a fall of some four or five feet in about 50 yards, and full of rocks. So strong was the current and eddies that neither the steamer *Rainy Lake*, nor any of the small tugs on the route, could get up those falls without strong assistance. Then, down Rainy River, about 30 miles, there is another fall of about four feet, near square across the river, the Manitou, where none of our small boats or tugs could ascend without being widdressed up from the shore, and that on the American side. On our side there was no getting up at all with boats. Then, ten miles below the Manitou Falls, we came to the Long Sault Rapids on Rainy River, which are about three miles long and full of rocks. It was very nice work to go down with our small boats and tugs, but there was no getting up again, except by the help of a gang of men, from twenty upwards, after taking all the freight out of the boat and carrying it forward by back loads, or, as it is called, “backing.” Steamers were built at Fort Francis in 1871, 1872 and 1873—one was built above the falls and the other one below—and, after getting ready to start, we had great work to get the *Rainy Lake* steamer above the falls at the entrance into Rainy Lake; but with a great number of men, and a heavy anchor at the head, and all the steam that we could raise, we got up into Rainy Lake. Our route was from there to Kettle Falls, a distance of 45 miles, and it was all that could be done in daylight to run this steamer, drawing four feet of water, through those Rainy Lake rocks and shoals. In many places we had to buoy out our channel on both sides, and then there was only width enough to get through.”

It would appear from this testimony that there were great difficulties to be overcome before anything could be made in any way useful on this route. The hon. member for North York (Mr. Dymond) said the channel was to become advantageous for business purposes, and its difficulties were not to be regarded in an engineering but in a commercial light. The hon. gentleman in this connection alluded to the valuable growth of timber which could

be brought to market if this improvement were made. Had the hon. gentleman consulted anyone who was acquainted with the lumber trade, he would have learned that locks were rather obstructions than advantages to carrying down timber, which was done upon such streams by rafts during the spring freshets, and a lock in the midst of rapid water, or anywhere else on the stream, would prove a serious obstruction to its use as a means of transporting timber. The natural inference from the papers brought down to the House was, that if the work proceeded as it had begun, the expenditure would be far beyond what was estimated. He had the report of the gentleman entrusted to do this work, which was an evidence, an earnest, a sort of prophetic foretaste of what the ultimate expense would be. It was the duty of this Government to see that the plans of the work were properly carried out, and that the money was economically expended. He reported as follows, under date of March 1, 1876:—

“DEAR SIR,—I beg leave to report the following for your information, in connection with the construction of Fort Francis Canal:

“In the first place, there has been erected, and I may say finished, according to your plans and instructions, one of the most commodious and convenient buildings for the accommodation of the employees on the work, seldom found on any public work.

“The building, 60 feet by 24, 20 feet high, with a kitchen 24x16x10 feet and woodshed 24x10, 8 feet high, attached, the dining-room is 40 feet long, and is fitted up with three tables, running the whole length, with sitting capacity for 120 men at one time. It is furnished with self shelves enclosed with glass doors. The front part of the building is fitted up and furnished with seats and tables, and used as a sitting and reading room by the men; there are four bed-rooms upstairs, 9x10, for the use of the foremen on the work. The main sleeping apartment is the same size as the dining-room, fitted up with bunks on each side and down the centre. Sleeping rooms for 100 occupants. The building is lighted and ventilated, lined overhead and on the sides with felt and matched stuff.

“There is also a floating bath-house, built by your instructions, on a scow 24x12, 8 feet high, where the employees wash, and may retire after their day's labour and refresh themselves with a bath or wash their clothes, cleanliness being conducive to health, health essential to labour. In connection with the boarding-house are two root houses

MR. PLUMB.

for storing vegetables during the winter and keeping meats, milk, &c., &c., during the summer. One is 12x12, 8 feet high, the other 12x18, 10 feet high, both with double doors and covered with clay and sodded.

"Also a bake-house 12x18, by 8 feet high, with an earthen oven inside, capacity 50 loaves at a baking; it has a solid earthen floor to prevent the possibility of fire.

"The warehouse, built according to your instructions, is a good substantial building, well adapted for such a purpose; size, 24x50, 12 feet high, with front shop, counter, shelves, etc., and bedroom, and is suitable in every way for keeping and storing the great variety of stores required on a work of this kind.

"The blacksmith shop is also in every respect suitable, being well lighted and ventilated; size, 18x38, 12 feet high, having two forges, and most of the necessary tools for the execution of the work required.

"The tools now on hand have nearly all been made in the shop, there being none here to prosecute the work with when we came.

"The stable, put up according to your instruction, is a great benefit to the stock; size, 24x36, 16 feet high; stalls for 10 horses, capable of accommodating 14; has loft overhead which will store 10 to 12 tons of fodder; oat and feed bins, harness racks and all necessary conveniencies within.

"The stock, which now represent nine head of cattle and two cows, are in excellent condition.

"The office is truly a beautiful building, built according to your instructions and plans; its dimensions are 18x25, 16 feet, one and one-half stories high, two rooms down stairs, one used as an office, the other by Dr. Robinson as office and bedroom. Two rooms upstairs, with a small room now used as a stationery room.

"The accommodation of all concerned has been thought of."

It would thus appear that the first thing the gentleman in charge did, was to pay attention to the comfort of himself and those engaged with him. The House could imagine what kind of economy would be exercised by a man who reported all these trivial, but most costly and extravagant, details to the Department. The fair inference was that the Superintendent's principal idea was to make himself comfortable. The member for Perth (Mr. Trow) had stated that this route would be a great attraction to summer travellers, but, in view of all that, they now discovered he (Mr. Plumb) reported that such an idea was preposterous. He would like to know how it was proposed to keep up useful communication. Steam communication would be impossible, and boats and canoes would be inadequate for the necessities of travel in that country.

quate for the necessities of travel in that country.

Mr. MACKENZIE: There are some vessels there now.

Mr. PLUMB: But not between the portages.

Mr. MACKENZIE: Yes; in all the large reaches.

Mr. PLUMB said he had no doubt about that, but it was the short reaches he was talking about. The portages were most difficult of navigation, and it could not be supposed that they could carry women and children over that route. As to the question of cheapness, it was altogether out of the question that they could be carried by that route as cheaply as by the American route. The route adopted by the present Government might be termed an amphibious route. There was a nondescript animal, the *Ornythorincus Platypus*, in Australia, living partly on land and partly in the water, which was slow of motion, but had an enormous bill. That would be found to be an accurate description of the route of which they had heard so much. He admitted it was, perhaps, possible that the St. Francis Lock alone could be built for the amount set down, but that would only be a commencement of the work. The report submitted gave only part of the difficulties which would have to be encountered. The report of 1869, which was probably an honest one, for it was not written in the interests of the railway route, presented a formidable list of the difficulties embarrassing this proposed line of communication. The sessional proceedings of 1875 gave them hints of other serious difficulties. The report of the Minister of Public Works for the current year, now before the House, stated that obstacles existed not mentioned in the previously mentioned documents, and now they found, in the returns brought down to the House, that even the three preceding reports had not exhausted the appalling catalogue, and the letter he (Mr. Plumb) had read in the course of these remarks suggested obstructions and hindrances still more important, and which had not been mentioned in the reports that he (Mr. Plumb) had before referred to.

The expenditure which had been entered upon by the country at St. Francis Lock, was but the beginning of the outlay, and the House had been informed the other day that the whole expenditure was undertaken for the purpose of carrying up rails and supplies for the Pacific Railway. That idea had, however, evidently been abandoned by the Government, who were now endeavouring to make out that the country in the vicinity of the river was soon to be settled, and to supply for its traffic a large quantity of lumber. But nothing had been said about the black flies, bad water, and the low-lying lands alternating with rocky ridges. The expenditure on the lock, with a view to rendering the whole system of navigation available harmonious, was almost preposterous, it was childish and puerile in every respect. The hon. member for North York had declared that the work would be useful in transporting timber in that region. That alone was sufficient to show how little was known of the practicable possibilities of the route, and how necessary it was that some grounds should be shown for that expenditure, which he could only characterize at present as inexpedient, unjust and unnecessary.

Sir JOHN A. MACDONALD said he desired to address himself rather to the constitutional than to the other part of the question. The first point taken in the resolution was that the Government had not at this moment a vestige of authority to spend one single sixpence of the \$100,000 that had been spent. To be sure, there was the grant in 1874 for the Pacific Railway; but it was a constitutional practice that when there was a vote given for any such purpose, the money had to be in the public treasury until the Governor-General in Council ordered its application for the purpose for which Parliament had voted it. There never was any authority by the Governor-General from any advice given to the Governor-General in Council to give that authority in this case, so that the expenditure of every single sixpence of that \$100,000 was without warrant, without authority of any kind. There was, therefore, a grave breach of the constitution. It

Mr. PLUMB.

might be said that the Premier could have got the Order in Council if he had desired, but that was no excuse for his not getting it. It simply showed that he had exercised the one-man power of the autocrat by putting his hand into the treasury without going to the trouble of getting the Order in Council. The Premier had given no reason for it, no justification of it. Why should there be a distinction between this work and other work? It was provided that the work should be done by tender, in order to prevent favouritism, and to keep the expenses down to the lowest figure. The Minister of Public Works might shelter himself behind the Public Works Act, but its provisions only allowed for the giving out of work in cases of emergency, under which class the Fort Francis Lock did not come. Then, why was the work not given out by tender, unless it was to favour some friend, to make some of his political partizans as comfortable as possible? Why, as the hon. member for Niagara pointed out, everything was done to make the men engaged up there extremely comfortable, and there were almost as many overseers there as there were workmen. There were some twenty overseers and forty men or twenty men and forty overseers. It reminded him of the old story of the McTavishes, with their four and twenty men and four and twenty pipers. The Fort Francis Locks were not on the main line of the railway, nor were they part of the branches as laid down in the Act, and the Government was in this dilemma: if they held it to be part of the Pacific Railway, they had spent the money without having the work tendered for as the Pacific Railway Act provided it should be; and if they held it was no portion of the railway, then they had been spending money which they had no right to expend. There was no getting out of that. They either had no authority to have the work done or they had no money to pay for it. The money was voted for the work as a part of the Pacific Railway, and the first subsection of the Act provided that the work of any section should not be given to any contractor except by tender, and such tender should not become binding

until it had been laid on the table of this House one month. The 12th clause of the Pacific Railway Act stated as follows:—

“In case it shall be found by the Governor in Council more advantageous to construct the said railway, or any portion thereof, as a public work of the Dominion of Canada, the construction thereof shall be let out by contracts offered to public competition, and the Governor in Council may establish, from time to time, the mode and regulations under which the contract shall be given; and the railway, or such part thereof, shall be constructed and worked after it shall have been completed.”

The 11th clause, which he should have read first, declared:

“No contract for the construction of any portion of the main line of the said railway shall be binding until it shall have been laid before the House of Commons for one month without being disapproved, unless sooner approved by a resolution of the House.”

And this clause, perhaps, gave one of the reasons why the Government thought it more convenient, and infinitely more handy, to do the work themselves than to offer it to public tender, and bring down the contract afterwards to be laid before Parliament, and to be subject to the approval of Parliament. It was to avoid this that the Government had acted as they had done. There was no other reason for it. What other could there be, which could be supposed or imagined? Why ought not this work have been given out by contract as well as Section 15 and Section 14, the Pembina line and all other portions of the road? Why was this section alone not awarded by contract? There could be no other reason imagined, or that a man could conceive of, save that it was more handy and more convenient for the Government to do as they had done, in order to assist a friend here and a friend there, and to remove the work from the supervision of the House—of both Houses, and of Parliament. There had been a distinct breach of the law and a distinct breach of the statute. The Government had committed a violation of the law of the land. This resolution embodied the three propositions; first, that there should have been an Order in Council passed; secondly, that the work should have been offered by contract, and that it should have been open to compe-

tion; and, thirdly, that as a Dominion work, it should be equally offered to contract. All these were the provisions and safeguards which the hon. gentleman himself had put in his Act—that recent Act of 1874. All the provisions, inserted for the protection of the public and the public interests, had been deliberately violated by the Government; and this lock had been proceeded with, and money had been expended, when the work had not been offered to competition or been subject to tender, because it was very handy to bestow favours on persons whose names were familiar in the public Press, such as the name of Oliver, and people of that kind. The names of the persons employed on this work were familiar in the public Press; and he said this was all done in direct violation of the law of the land.

Mr. MACKENZIE said, in the first place, they had the distinct authority of Parliament for this expenditure. A section of the Public Works Act stated: “It shall be the duty of the Ministry to invite tenders by advertisement, for the execution of all works, &c.” The hon. gentleman (Sir John A. Macdonald) had said that “officers and servants of the Department” meant the ordinary staff of the Department; but it could mean nothing of the sort. This was pure nonsense to say so. They did not keep a staff of ordinary mechanics—plasterers, ironmongers, and masons.

Sir JOHN A. MACDONALD: I did not say so.

Mr. MACKENZIE: You said it meant the ordinary staff.

Sir JOHN A. MACDONALD: I stated, except in cases where the ordinary officers and servants of the Department can do the work, and it applies to where they can do the work.

Mr. MACKENZIE: Oh, no.

Sir JOHN A. MACDONALD: Oh, yes. At all events, that has nothing to do with the question.

Mr. MACKENZIE said it had a great deal to do with the question. He had stated that they had executed the whole work in the alignment under this Section, and he contended that they were justified in doing it. He justified

and defended it under the Statute, and, he had a perfect right to do so. They had executed the work in the particular place he had mentioned under the same clause. In the 12th Clause of the Railway Act, it was stated :

“If it shall be found by the Governor in Council more advantageous to construct the said railway or any portion thereof as a public work of the Dominion of Canada.”

Sir JOHN A. MACDONALD : Go on. Read the rest of it.

Mr. MACKENZIE said they executed this as a public work, and this rule applied to the case.

Sir JOHN A. MACDONALD : Oh, no ; you cannot do it.

Mr. MACKENZIE : But we can do it.

Sir JOHN A. MACDONALD : Read the clause.

Mr. MACKENZIE said he did not object at all to the hon. gentleman pointing out any defect that might exist in the management of public business. He was quite willing to be criticised and to be assisted by any member of the House, in any such case, but not, however, in the manner indicated by the tone of the hon. gentleman's remarks, which were uttered in a tone of vehement denunciation, and not in a tone of deliberation at all. It was not a tone which hon. gentlemen would find used in the House of Commons in England, where members discussed such matters with deliberation and candour, and care as to whether a particular Statute had been observed or not. He was quite willing—nay, he was bound—to consider any representations made to him by any member of the House, and especially by experienced members, as to whether any technicality had been omitted or not ; and where there had been any such omission, he was always quite willing to consider any point raised and to supply any defect that might exist. In this particular matter, as he had formerly explained, they had not departed from their primary intention of using the water stretches, as they called them, until they could have a railway connecting the various points. He had stated last year, and

Mr. MACKENZIE.

he now said, that it was quite possible to construct a railway from Thunder Bay to Selkirk within probably five years. He did not think that it could well be done in less time, but that depended on financial arrangements.

Mr. TUPPER : And what time from now ?

Mr. MACKENZIE said he did not think it possible to build it within less time than he had mentioned, and he thought he was somewhat sanguine in saying so. This depended, however, on other arrangements which Parliament might or might not sanction. They had left it to be decided by Parliament last Session, when they would have obtained farther information ; and, in the meantime, some gentlemen, including the hon. member for Niagara, who was usually very anxious to help his party friends in debate, and who was somewhat extravagant in his statements—he was afraid that the hon. gentleman was every day becoming worse in this respect—said that they had moved this line 100 miles further north than the line they hoped at one time to obtain ; but it was not 50 or 40 miles farther north. If the hon. gentleman, or any of his friends, would take Mr. Sandford Fleming's map, the most recent one on which most of the late surveys were laid down with comparative accuracy, they would find that the line was not more than 40 or 45 miles farther to the north, so that this route from Lac des Mille Lacs could be made available. If this was the case formerly when they had to begin at Thunder Bay, it would be much more so when they had a railroad built to Lac des Mille Lacs overcoming all the difficulties situated at the eastern end, and had the railroad begun from the Lake of the Woods westward overcoming the western difficulty. These were the two points needed in order to make travel over the route possible. Hon. gentlemen opposite, as he had already stated, had spent one and one quarter millions in making a road to the North-West, not one inch of which had ever been placed under contract. Where was the hon. gentleman then with his law ; how did the hon. gentleman violate the law in that case ?

The hon. gentleman had spoken that night in condemnation of himself. The hon. gentleman who had acted as Minister of Public Works in the late Administration had stated that the work was one of considerable difficulty, that it was composed of pieces here and there, and that they had had men employed to carry on the work. There were, however, 45 miles of macadamized road laid from Thunder Bay at a cost of over \$4,000 a mile, and all by days' labour; why was not this let out by contract? The late Administration had also constructed 100 miles from Lake of the Woods, westward, at a cost of between \$2,000 and \$3,000 at the very least per mile, not one inch of which was under contract. It was all done by days' labour; and yet that hon. gentleman (Sir John A. Macdonald) now came down and attacked him because in the very centre of this difficult district, he had employed men by days' labour for the very reason that they could not well get contractors to go in there and do the work, and for the reason that the hon. gentleman opposite themselves, close to the lake shore in both cases, had done more extensive works at enormous cost without putting one mile of them under contract. The hon. gentleman set up and affected an air of indignation—of constitutional indignation. The hon. gentleman was very good at this sort of affectation, and surely he (Sir John A. Macdonald) did not expect them to take all that as in earnest.

Sir JOHN A. MACDONALD: Well, now is it not a breach of the law? Is it not breaking the law?

Mr. MACKENZIE said he was willing to consider whether it was a breach of the law. At all events, he had such excellent authority as the hon. gentleman who had preceded him in this very district, and who had spent twice the money they had proposed to spend by day's labour, exactly as they were spending it. He could not, therefore, imagine that they had done wrong from a constitutional point of view. He did not believe that they were wrong on this point; but he was quite willing to consider the matter, and if anything was wrong in this regard, he should be the very first to

set it right. He did not think it was in the interest of Parliament, or of any one, that anything should be done in violation of either the spirit of the letter or text of the law or statute. This was the ground he took, and he said to the hon. gentleman and his hon. friend who moved the resolution, that no such resolution should be moved without previous notice, in order that he might have been able to come to the House fully armed at all points. If the hon. gentleman desired merely to move motions in order to consume another day of the Session, and to have so much talk and to obstruct business, then he left him with the House, and the hon. gentleman's eloquence would not relieve him from the dilemma in which he (Sir John A. Macdonald) and his followers were placed.

Mr. MASSON asked whether, at the time this work had been done by the late Administration, there was a Pacific Railway Act distinctly forbidding any work to be given, save by contract.

Mr. MACKENZIE said that there was a Pacific Railway Act and a Public Works Act at that time, and yet, during their very last year of office, these hon. gentlemen had spent on this road \$399,000.

Sir JOHN A. MACDONALD said the Dawson Road was commenced immediately after they had acquired possession of that country, and they had no means of sending out troops or supplies or anything else at the time, save by the wilderness. Consequently, this road was constructed; but it had no connection with the Pacific Railway. Long afterwards, in 1874, the Premier passed this Act himself; and therein it was provided that this canal and lock was to be a portion of that railway. The country then became settled,—settlers had poured into it. Towns had grown up, and a Province had been established, where formerly had been a wilderness and Indians. There was no comparison between the two cases. The hon. gentleman had given out contracts for everything else, for sections 14 and 15, and for the Pembina Branch. Why was this the single exception? The hon. gentleman had given no fitting

answer to this question. The hon. gentleman should not have said that the Opposition were delaying the business of the House. He put it to hon. gentlemen whether the case was not grave enough, and whether the fact that the law was being broken was not consequence enough, to render it the duty of a member of the House to submit to the consideration of the House an infraction of the law which was such beyond doubt, and which the Premier only faintly denied to be such. He was quite sure that no constitutional lawyer would agree with the Premier on this point. The country might not have suffered any great or irreparable injury in this case, but he did say that the resolution was very properly placed before the House. As to want of courtesy in not giving notice of it, he remembered the time when hon. gentlemen opposite had sprung motion after motion on the late Administration, Session after Session for some fifteen years.

Mr. MACKENZIE said he had given a reason for the course they had pursued. It would have been much easier for them, and it would have saved the officers of the Department a great deal of trouble, if this work had been placed under contract. The part immediately east of Red River, and immediately west of Thunder Bay, had no railway communication with this place, which was a wilderness for 200 miles. The hon. gentleman had talked about a host of foremen having been employed. This was entirely incorrect, and it was quite unworthy of the hon. gentleman.

Mr. HOLTON desired to say a word with respect to the practice. Of course, in this country, motions of this kind could be put without notice. He did not deny it might have been done by them, when in Opposition, on some occasions, but the usual practice was to give verbal notice of their intentions. In England notice was uniformly given. The practical inconvenience of the present system was very apparent. He had looked hurriedly over this motion. It raised important questions, he admitted, which, as far as constitutional practice went, were entitled to the gravest possible consider-

ation; but it was not possible, under the circumstances, to give to this motion the consideration it deserved. He claimed he was a tolerably diligent member of Parliament, but he confessed that this subject had surprised him. He had not been able to verify the averments of the motion; and if they were to vote without notice and without the possibility of considering the arguments *pro* and *con.*, the motion necessarily became one of want of confidence. He generally desired to consider these motions on their merits; but, under the circumstances, the supporters of the Government should treat the motion purely and simply as a question of confidence.

Mr. TUPPER said he did not rise for the purpose of prolonging the discussion. Had he intended to do so it would have been before the hon. the First Minister made his second observations. He merely rose for a single moment to reply to a serious objection on the part of his hon. friend from Chateauguay (Mr. Holton) and of the First Minister. He was quite free to admit that, in a discussion of a question of this character, there would have been a serious objection to springing it upon the House without due notice. But he held this motion was not in that position. On the 21st February the motion was made for these papers. The attention of the Government and the whole House was directed to the fact that there were gentlemen in the House who regarded the question of the construction of the Fort Francis Locks as a very important one, such as to warrant the production of the papers and the Orders in Council, and everything of that kind. He thought the hon. member for Chateauguay would admit that this was a tolerably fair notice that that subject was going to be brought under the notice of the House. His hon. friend from Chateauguay knew that there was a great deal more notice than that. He knew that in another place witnesses were called, the Chief Engineer of the Canadian Pacific Railway was subjected to an examination, and the best possible means taken to inform the Government that this was a question which was agitating the minds of a number of gentleman in

Sir JOHN A. MACDONALD.

this House, and every intimation possible was given to the Government that they had better be prepared.

Mr. HOLTON: Not on the legal question.

Mr. TUPPER said, as far as the legal question was concerned, he thought his hon. friend from Chateauguay would not be in a great deal of doubt when he had heard the question put by legal gentlemen on the Opposition side with the force and clearness with which it had been put, and he had not heard any attempt by the very able legal gentlemen on the other side of the House to controvert the position taken with regard to it. He (Mr. Tupper) did not consider that this was a motion which could be fairly characterized as one sprung upon the Government without notice.

Sir JOHN A. MACDONALD remarked that the Premier had said nothing about the Order in Council which had been omitted. He really thought that was a constitutional error.

Mr. MACKENZIE: I have no doubt the law has been complied with.

Question put, and amendment (Mr. Kirkpatrick) *negatived*, on the following Division:

YEAS :  
Messieurs

Baby	Little
Benoit	Macdonald (Kingston)
Blanchet	McDonald (Cape Breton)
Bowell	McDougall (Three Riv.)
Brooks	McKay (Colchester)
Bunster	Macmillan
Caron	McCallum
Cimon	McQuade
Colby	Masson
Costigan	Moffatt
Coupal	Monteith
Cuthbert	Montplaisir
Daoust	Mousseau
Desjardins	Orton
Dewdney	Ouimet
Domville	Pinsonneault
Donahue	Platt
Farrow	Plumb
Ferguson	Robinson
Flesher	Robitaille
Fraser	Rocheater
Gaudet	Rouleau
Gibbs (South Ontario)	Roy
Gill	Stephenson
Harwood	Thompson (Cariboo)
Hurteau	Tupper
Jones (South Leeds)	Wallace (S. Norfolk)
Kirkpatrick	White (East Hastings)
Langevin	White (North Renfrew)
Lanthier	

NAYS :

Messieurs

Appleby	Higinbotham
Archibald	Holton
Aylmer	Horton
Bain	Irving
Bannatyne	Jetté
Barthe	Jones (Halifax)
Béchar	Kirk
Bernier	Lafamme
Bertram	Lajoie
Blake	Landerkin
Borden	Laurier
Borron	Macdonald (Cornwall)
Bourassa	Macdonald (Centre Toronto)
Boyer	Macdougall (E. Elgin)
Brouse	MacKay (Cape Breton)
Brown	Mackenzie
Buell	McCraney
Burk	McIntyre
Burpee (St. John)	McLeod
Burpee (Sunbury)	McNab
Carmichael	Mc'caife
Cartwright	Mills
Casey	Oliver
Cauchon	Paterson
Charlton	Perry
Cheval	Petties
Christie	Pickard
Church	Pouliot
Cockburn	Power
Coffin	Ray
Cook	Ross (East Durham)
Cunningham	Ross (West Middlesex)
Davies	Ross (Prince Edward)
Dawson	Ryan
Delorme	Rymal
De St. Georges	Scateherd
DeVeber	Scriver
Dymond	Shibley
Ferris	Sinclair
Fiset	Smith (Peel)
Fleming	Smith (Westmoreland)
Flynn	Suider
Forbes	St. Jean
Fréchette	Taschereau
Galbraith	Thompson (Haldimand)
Geoffrion	Thomson (Welland)
Gibson	Trov
Gillies	Vail
Gillmor	Wallace (Albert)
Goudge	Wood
Greenway	Workman
Guthrie	Wright (Pontiac)
Hagar	Young.—107.
Hall	

SUPPLY.

X. PENSIONS.

House again resolved itself into Committee of Supply.

(In the Committee).

58. New military pensions	\$5,632 26
59. To meet the probable amount required for pensions to veterans of war of 1812 .....	50,000 00

Mr. MASSON enquired whether this amount included the payment of new claims.

Mr. VAIL replied in the affirmative, and said the number of those new claims, so far as he could recollect, were from 140 to 160.

Sir JOHN A. MACDONALD said he presumed all the information would be given on Concurrence.

Mr. CARTWRIGHT said he thought the information desired had already been furnished in the returns.

*Vote agreed to.*

60. Compensation to pensioners in lieu of land ... \$8,000 00

#### XI. MILITIA.

61. Salaries of Military Branch and District Staff 28,600 00

62. Salaries of Brigade-Majors..... 20,000 00

Mr. MASSON enquired what was the principle upon which the services of different Brigade-Majors had been dispensed with. He understood from the First Minister that it was intended to reduce the staff, and that employment would be found for those whose services had been dispensed with.

Mr. MACKENZIE said he thought any gentleman who had been in the public service should be dealt with as tenderly as possible, and that those Brigade-Majors, whose services had been dispensed with, should, if possible, without detriment to the public service, have other employment given them. Some reductions had been made which would be followed up by others.

Mr. MASSON said he knew several officers around Montreal who had done good service in the volunteer movement when it was much required, but who had been removed. He thought, as Civil Servants were given an annuity, these gentlemen should have something by way of compensation.

Mr. VAIL said, when the House was prorogued in 1875, he asked the Major-General for a report, and some recommendation with regard to the reduction of officers. The Government did not see their way clear to making the reduction then, and so the

**Mr. MACKENZIE.**

matter remained over until last year, when the Major-General repeated his recommendation, and the hon. member for North Hastings (Mr. Bowell) referred to the excessive number of officers outside. When the House was prorogued, a second report was asked for, and the Major-General was also asked to name the officers in the several districts that could be dispensed with. The Government gave him to understand that reductions should be made in the several Provinces proportionately, according to the number required to hold positions, which was three to every 5,000 men. All Brigade Majors dispensed with received fourteen months pay from the time they were notified.

Mr. BOWELL: Did the Major-General select those who were to be removed?

Mr. VAIL: Yes.

Mr. BOWELL: And named those who were to be retained?

Mr. VAIL: Yes.

Mr. MACKAY (Cape Breton) said he would like to know how far that change affected Nova Scotia, and particularly the Island of Cape Breton. He would draw the attention of the hon. the Minister of Militia to the fact that the Island of Cape Breton was geographically separate and distinct from the Province of Nova Scotia proper, and that it was proper there should be an efficient militia organization there to keep in check the lawless and violent men who congregated about the coal mines. During a recent disturbance the Imperial troops were brought from Halifax, and he would like to know why the volunteers at Londonderry were not called out for suppressing the rioters. He thought the militia should be used for preserving the internal peace of the country, and that the Imperial troops ought not to be called out except in cases of absolute necessity.

Mr. VAIL said, owing to the peculiar position of Cape Breton they had retained the Brigade-Major there. In regard to the other point raised by the hon. gentleman, he might state that there were very few militia men about Londonderry—in fact, there were

scarcely any nearer than Truro; and it was quite as easy to get the troops from Halifax as it was from Truro. In all probability the Imperial troops were got for nothing, whereas the calling out of the volunteers might have entailed some expense on the company.

Mr. MACKAY said there were a great number of volunteers in Halifax who would have responded gladly to the call. He was glad to hear the remarks of the hon. the Minister of Militia with respect to the retention of the Brigade-Major, because that officer did good service during the disturbance. If proper efforts were put forth and due regard paid to the requirements of Cape Breton, he did not think there would be any difficulty in getting men for the force.

Mr. POULIOT said that if any retrenchment was possible, it should be made in this item, for the force was, at present, a means of demoralizing the young people of the country. They were informed in the newspapers, that some 200 French Canadians had just gone to the United States for work. This was humiliating, and something should be done to remedy this state of things. In 1775, their ancestors were among those who met Montgomery; and in 1812, their fathers also defended their country against the invader; but the same necessity did not exist to-day, and they should not continue a useless expenditure of money. They should rather expend money for colonization purposes. He protested, for his part, in the name of his own county and in the name of several other counties, against the useless expenditure in this connection. This money was being spent for no good purpose whatever; it was rather doing evil than good, and if retrenchment was to be begun, it should commence with regard to this vote.

Mr. BOWELL said, when he looked at the list of removals from the Brigade-Staff, and considered the length of service rendered by those officers, and the youthful service of the officers who had been retained, he could not help expressing surprise at the course that had been pursued by the head of the Department. Those removals were

contrary to all military principle, and contrary to the principle which governed the administration of all military departments. It would appear that political rather than military reasons had governed in this matter. He could not conceive it possible that the Major-General, an old and experienced officer, who knew thoroughly his duties and what was requisite for the good of the service, had anything to do with this matter. He found that the services of Mr. R. P. Servis, of No. 1 District, were dispensed with, and that Major Henry Smith, of No. 3 District, who had been in the service a number of years, was removed. Last year the hon. the First Minister, when speaking on the question of a reduction of the staff, said:—

“He might state at once that the policy of the Government was to fill no vacancies occurring in the staff until it was reduced to almost one-half of its present proportions; and, secondly, that the positions vacant at Kingston for some months had not been filled, and it was not the intention of the Government to fill them. It was the intention of the Government to reduce the staff, and it was a matter of consideration in what way this should be done. They were undecided whether to wait for vacancies or to reduce it at once, which was always an awkward thing to do, as they would have to dispense with officers who had been in the service for years, or introduce a measure making allowance to those whose services were dispensed with. They thought it well to take a vote this year without making any reduction, and reserve for early consideration the precise mode in which this reduction could be affected. That was the settled policy of the Government.”

How was that promise carried out? Just as soon as Parliament rose the opportunity presented itself to fill those vacancies which the Premier had declared should not be filled, and the Brigade-Majorship of District No. 3 was given to Major Worsley, a gentleman, no doubt of good repute as an officer, who had been in the Grand Trunk Brigade, which had been disbanded, but who was a comparatively new man, and had no claims to justify his appointment. Then, instead of promoting an old and efficient officer to the position of Deputy Adjutant-General, a gentleman—a very worthy officer it was true—was appointed who had never served in the Volunteer

Militia Force of Canada, but who had political influence. He had always combatted this practice of raising men over the heads of old officers, which which seemed to be gaining ground under the present Administration more than ever before. It could not but have a bad and disastrous effect upon the officers of the force if they knew that when a vacancy occurred their claims were to be overlooked on account of family or political reasons. The Major-General in his report, no doubt owing to the political influence which has been engrafted upon the system of late more than ever before, declared the force was becoming demoralized from one end of the country to the other. This was not his language, but the language of the Major-General himself, who said, in his report of January 19th, 1877:—

“ The system pursued this year appears to me demoralizing, because we retain nominally a large body of men, who, if not brought together long enough for some amount of instruction, are no better than recruits; and if we continue to maintain the present numerical force, and only train them, such as it is, for eight days in each alternate year, we teach them next to nothing.”

Now the causes which had led to that was the point to which he desired to call the attention of the House.

Mr. MILLS: In the extract he stated the cause.

Mr. BOWELL said he would give another cause, and he thought, from his knowledge of the facts, that he was as capable of giving the true cause as the Major-General, who visited them very seldom and knew so little in this respect. Why, with a solemn pledge of the Government on record that these vacancies in Kingston were not to be filled, and that promotions were to be made from the officers at present in the force, had new men been appointed? In No. 3 District there had not been a better officer than Major Henry Smith, who resided in Cobourg, and why should he be removed in order to make a place for Major Worsley? Why was the latter not appointed to the Deputy Adjutant-Generalship and Major Smith allowed to retain his position, if he were worthy of preferment? The reason was obvious. Why was Lieut.-Col. Van Straubenzie, who had never

Mr. BOWELL.

served in the Volunteer Militia, but who was formerly in the regulars, selected to fill the position, and old officers, equally capable of commanding and managing the volunteer force in that district, overlooked or dismissed? The same principle had been carried out in reducing the service in the Province of Quebec. He had taken some pains to make himself acquainted with the facts as they really occurred, and that was one of the reasons why he moved for the returns brought down some time ago. The first officer on the list whom he found removed from the staff was Lieut.-Col. Hanson, an officer whose name was familiar in the force, whether in Ontario or Quebec. No officer or private who had had any experience for the last ten years but knew that he was one of the most efficient volunteer officers in that Province. He had been almost the father of the force in Lower Canada, and had done more than anyone else to organize and make it effective in the districts where he visited. He had occupied his present position, according to the return, for five years, eleven months and thirteen days, but in fact over ten years; Lieut.-Col. Bellefeuille had occupied his for a similar time. Col. Duchesnay, it was true, had been promoted, but he was the only one who had been. Whom did the Government retain in the militia service in the Province of Quebec? They dismissed this old and valued officer, Col. Hanson, and likewise Col. Bellefeuille, and retained in office the Hon. Mr. Aylmer, who had been a Brigade-Major for one year, nine months and nineteen days only. Was it because Col. Hanson had a near relative in the House who opposed the Administration, while Major Aylmer had a brother who supported the Ministry in this House? If that was the doctrine to be carried out, the Minister of Militia and his colleagues must be held responsible for it. He said, with all respect to the gentleman who presided so gallantly over the military destiny of the country—the Minister of Militia—that it was impossible, without some interference by the head of the Department or those under him, that Major-General Smyth would send adrift two old Brigade-Majors and keep in the service a gen-

tleman who had only been in the service one year and nine months. If that was the principle on which promotion in the force was to be carried on, the sooner volunteer officers knew it the better. It might be said that they did not reside in the particular Military District where they were wanted, but this was no good military reason. The Department should, as in the regular force, have allowed juniors to retire, had their services to be dispensed with, instead of removing the old and more efficient officers. In Ontario one gentleman had been retained a Brigade-Major who had been in the service only two years and six months, while others who had been five years and eleven months, and three years and eleven months respectively, had been dismissed, because it amounted to nothing less than dismissal. He said, in all frankness, that the Brigade-Major retained in No. 4 District, though only two years in the service, was as efficient an officer as anyone in the force. He did not complain of any of the younger members being retained, but of the older officers being dismissed. In New Brunswick, Lieut.-Col. Inches had been in the service for three years, eleven months and thirteen days, and Lieut.-Col. Caleb McCulloch for five years, eight months and eight days.

Mr. MITCHELL: He has been in the service 40 years.

Mr. BOWELL said he was speaking of his services as Brigade-Major, as exhibited in the return before the House. The two gentlemen had served the full time, but there was a Mr. James R. McShane, he did not know his peculiar qualifications, but he had been in the service only four months, yet he was retained and the services of the old officers dispensed with. This officer, who had been serving for four long months—whether they were cold winter nights he did not know—was retained in the service, while two old valued officers were dismissed and sent adrift. In Nova Scotia the same principle had been carried out, the youngest brigade-major having been retained in the force.

Mr. MITCHELL: I fancy he was created for the purpose.

Mr. BOWELL said he thought that perhaps McShane was. He did not know his military title; he did not know whether it was the famous McShane of Montreal or not.

Mr. MITCHELL: He is a very decent young gentleman. I have nothing to say against him; he is a lawyer.

Mr. BOWELL said, of course, in that case, his military qualifications must be all right. He asked especially the volunteer officers in the House whether, from the debates and figures he had laid before them, showing the services done by those who had been removed and those who had been retained, this was the way of accomplishing the end that any Government or Minister of Militia should have in view with respect to affairs of this kind. If this course was to be continued, the sooner they abandoned the whole force the better, and save the expense to the country. They had better commence at head-quarters, for so long as the Department was presided over by a gentleman who knew so little of the requirements of the force, their absence would be better for the country. He found that the officers at head-quarters did not seem to be able to agree among themselves as to the actual state of the force. The Major-General, speaking of the clothing furnished to the men, did not agree with the remarks made by his Brigade-Majors and Deputy Adjutant-Generals, who had made reports to his Department. He (Mr. Bowell) was glad that the Government had taken steps in the direction of reducing what, to his mind, had been an expensive and unnecessary staff throughout the country. He had always been of the opinion, and was so still, that the work to be done and the duty to be performed in the different districts were done better formerly with a less number on the staff than of late by a larger number, for they seemed to have nothing to do but report from one to the other, and so on, till they got by this round-about way to head-quarters. With respect to the question of clothing, he found the Major-General, in his postscript to his report, in speaking of the difficulties which occurred in the face of the com-

plaints which were made with respect to the clothing of the Department, said:—

“As to great coats and clothing, the Militia Department is not in fault if any suits were deficient, that blame, if there really is any, rests elsewhere; but my belief is, their clothing is complete.”

He (Mr. Bowell) did not say that the Major-General did not believe what he wrote, but he must have been misled by some one, or he had not read the reports sent to his Department, especially by the Deputy Adjutant-General of District No. 3, and the Brigade-Major of that District. Lieut.-Col. Van Straubenzie said in his report, referring to the 3rd Provisional Regiment Cavalry, that:

“Major Rogers complained (and very justly so) of the trowsers recently issued to the men as of inferior quality, and totally unfit for cavalry soldiers.”

Again, in reference to the Loughborough troop of the 4th Provisional Regiment of Cavalry, he said:—

“In their clothing and equipments, I regret to say, I found many deficiencies.”

In reporting upon the state of the infantry in one district, the same officer uses this emphatic language:—

“In making my inspection I was sorry to observe that in many of the companies there were men deficient in articles of uniform, thereby giving an unsoldierlike appearance to the whole company.”

In addition to these extracts, he found that Brigade-Major Worsley in his report said, in commenting upon the uniform of one of the companies in his district, that:

“The officers wore the uniform of the 49th, with civilian wide-awakes as a head-dress, and the men generally were without uniform.”

Again, referring to No. 1 Company of the 49th Battalion, he said:—

“This company has actually, I am informed, no uniform belonging to the company, but that the officers had purchased tunics for them.”

With respect to No. 3 Company of the same Battalion, he said:—

“They had little uniform, giving an unsoldierlike appearance.”

Yet there was a report from the head of the force in Canada, dated a month later than the Deputy Adjutant-General's and Brigade-Major's reports, declaring that he believed the com-

plaints in regard to clothing were not correct; but, on the contrary, “that the clothing was complete.” Then he found a strong and, he thought, a very peculiar report made by this new Brigade-Major, Lieut.-Col. T. W. Worsley; it was, to say the least of it, a unique military document, the most peculiar he ever read as emanating from the brain of a military officer. He commenced in this singular way:

“It is with regret that the duty of making up the inspection reports of corps in the Military District No. 3 has devolved on me, owing to your severe illness, which I trust will soon be at an end.”

Whether the regret is on account of having to perform this extra labour, or at the illness of his superior officer, is not very clear, and what kind of an end he trusts the illness will terminate in is still less clear, though charitably it is to be hoped that a speedy recovery was hoped for, and not a vacancy for promotion. Its ambiguity was charming, and its diction of a character not to be envied or copied by others. Speaking of the drill of 1876-77, this officer said:—

“I shall make a few remarks on the effect the drill has had this year in this district: It has kept companies together, which is something, and that is about all.”

Again,—

“But this kind of knowledge is fast dying out in the district.”

And then follows this statement:—

“Good instruction is worth paying for, but it by no means follows, because a man has been a non-commissioned officer in Her Majesty's regular army, that he should be a good instructor; it is quite a special gift, and I have seen as good a one as I ever knew a volunteer, but he must have practice, and come (to use the expression) fresh from the mill in order to do his work effectually; he is then a host in himself.”

This military phrase “a host in himself” was quite new to him, and he dare say to most persons who had served in the force. Regarding target practice this officer reported:—

“I send you details of target practice; the results are not what I could wish. There are, no doubt, in Canada some first-rate marksmen, but they are few in number. To shoot well with a rifle, a man must be taught, or he must take such pains with himself, by practice, to become a marksman, otherwise he will be more dangerous to his friends than his enemies. At various times I have visited

the camps of instruction and watched the practice, when the shooting was so bad that I am certain people would not credit it, but the results on paper would be good; but I find it easier to shoot on paper with a pen with good results, than with a Snider at a small target at 500 yards."

This was clearly a reflection on the whole volunteer force, for, if it meant anything, it meant that every officer of the force to which Lieut.-Col. Worsley referred had made a false return of target practice. Falsehood and deception were seriously charged; and Lieut.-Col. Worsley ought to be compelled to substantiate them or be sent adrift, and a more competent officer put in his place. The report continued:—

"I have much pleasure in informing you that the arms and accoutrements in the 7th Brigade Division are in a much better state than they were, and I find that stopping the allowance for care of arms in cases where they are in a bad condition has a wonderful effect."

In other words, it was charged that, if the officers did not receive a paltry \$40 a year for keeping the arms in repair, they would allow them to get into bad condition; or that they received the money and made false reports concerning the condition of the arms and accoutrements. If this matter was not serious, the last clause might amuse. It was:—

"It has come to my knowledge that the men in many companies are not really legally enrolled when they are called out for training."

If this was so, it was Lieut.-Col. Worsley's duty to report the officers and see that the men were properly enrolled. Notwithstanding these charges, and the deplorable state of the force, as depicted by himself, he says:—

"Notwithstanding many drawbacks, I think the militia force here is now in better order than it ever was."

Mr. ROSS (Prince Edward): How does he know it is? It is the first time he has inspected them.

Mr. BOWELL said he was not aware of what this officer knew; but thought, however, that he (Lieut.-Col. Worsley) knew very little about the question or he would not have made such a report. Yet this was the officer placed in the force over the heads of older and more deserving men.

Mr. MITCHELL: He was a pet.

Mr. BOWELL said, if Col. Worsley was a pet, older and more efficient officers, who did know their duty, had been got rid of in order to find a place for him. If what this officer reported was true, they would have to go somewhere else for defenders of the country. He did not hesitate to say that the charges made against the force in District No. 3 were not borne out by the facts. He knew of cases, however, in which men who should not have been promoted had been placed over the heads of those who should have received promotion, and therefore the force was not in as efficient a state as it was many years ago. The force had not been properly treated, for the Department had refused to furnish the men with ammunition for target practice. The ammunition they had had in his county they had bought and paid for out of their own pockets. Yet complaint was made that the men have not a better knowledge of the rifle. The same complaint was made with regard to "A" Battery of Artillery; but Lieut.-Col. Jackson gave the solution of this difficulty in his report, when he said:—

"The want of a better knowledge of the rifle is owing to the cost of ammunition, and many who would make good shots are deterred from taking part in the practice."

He believed the system pursued lately, both in the treatment of the officers of the staff; in promoting men who had no claims, other than those of a political character; and in the management of the men in the various districts, would soon so demoralize the whole force as to render it not only useless, but an expensive toy, kept together more to furnish an excuse for the extravagance at head-quarters than for any good purpose; and if the system were not changed it would not be long before there would be neither officers nor men in the force in any part of the Dominion.

Mr. MONTEITH said that Colonel Service, an able and worthy officer with whom he had been acquainted for twenty years, had been dismissed in his county, and he had no hesitation in saying he believed that this officer owed his dismissal to his having taken part in his (Mr. Monteith's) election

in 1874. Col. Service was superior to many who had remained in the force, and this officer had felt so bad over his dismissal, that he (Mr. Service) not many months after died.

Mr. MACKENZIE said this poor man had been utterly incapable of doing any work. It was a matter of charity to suffer him to remain so long in the force as was the case; Colonel Service had no ability at all, latterly, to serve.

Mr. MONTEITH said he could assure the First Minister that he had lived in Stratford at the time, and that he never knew Col. Service to be in the position stated.

Mr. CARON said he concurred completely with the hon. member for North Hastings, so far as this statement with reference to the militia was concerned. Political influence should have nothing whatever to do with the selection of officers, who should be chosen simply for their merit. Instead of diminishing, this vote seemed to increase year after year; but he for one would not object to it if they received value for their money. It seemed to him impossible to imagine that in eight or twelve days men could be drilled sufficiently to render them of any great service to the country. He had already enquired whether the Government intended to distribute among the force the general orders published in the official *Gazette*. He was told that this was only now done to commanding officers and not to captains and subalterns. If this were the case, of course it was an inconvenience. Under the late Government he believed these orders were freely distributed to all officers in the militia. He had also asked, whether the Government intended to arm the different rifle corps with the short rifle and sword bayonet. He did so because he was told that a couple of companies in Montreal had been provided with this important weapon. If so, it should be equally and generally distributed. He understood that such was the intention of the Government, but he was not informed when they intended to do so. He took it for

Mr. MONTEITH.

granted that in military matters there should be no preference to any one individual or to any one corps. But he was informed that this rule was not carried out, and that some corps had special privileges. For instance, one corps, the Governor-General's Guards, no doubt a most efficient corps, had full dress uniform allowed for its officers, whilst other corps were not allowed the same privileges; the same corps were also allowed very stylish and expensive caps. This gave rise to complaint on the part of other corps. The 8th and 9th battalions of Quebec, which he thought was as fine a body of militiamen as any in the country, were only served with common woollen caps worth from 40 to 50 cents. It seemed to him as an act of justice that every militiaman should receive exactly the same privileges at the hands of the Government. His attention had also been drawn to another fact, which it seemed impossible to explain. He was told that an application had been made to re-organize Company 6 of the 8th Battalion of Quebec, which was refused. Just about that time the 5th Fusiliers of Montreal sent in a similar application, which was granted. He could not see why this difference should be made, Quebec also was not allowed proportionately the same strength as other cities, as would be seen by the following figures, nor was the strength generally proportionate.

Montreal :

	N.C. Officers and men.
Field Battery .....	75
Garrison Artillery .....	230
Engineers .....	33
1st Prince of Wales's Rifles.....	252
Victoria Rifles .....	255
6th Hochelaga Infantry.....	256
5th Royal Fusileers .....	256
65th Montreal Royal Rifles.....	242
Total.....	1,599

Toronto :

Garrison Artillery .....	39
10th Royals (Infantry), 10 Comp's	404
Field Battery .....	75
Queen's Own Rifles.....	400
Governor General's Body Guard..	35
Total.....	943

*Halifax:*

	N.C. Officers and men.
Field Battery .....	81
1st Brigade Artillery .....	224
2nd " " .....	236
63rd Rifles .....	252
66th Rifles .....	336
Total .....	1,129

*St. John, N.B.:*

Artillery .....	202
Engineers .....	38
62nd Regiment .....	224
Total .....	464

*Quebec:*

Field Battery .....	79
8th Battalion .....	210
9th " " .....	294
Cavalry .....	80
Total .....	659

Halifax, with a population of about half, and Toronto about the same, have each a force double in number to Quebec; and St. John, N.B., has an almost equal force.

Mr. HIGINBOTHAM said he did not think it was advisable for the hon. member for North Perth (Mr. Monteith), to have brought up the matter of the removal of Col. Service. He (Mr. Higinbotham) had served under him five or six years and had no hesitation in saying that he was perfectly incapable of performing the duties of his office.

Mr. KIRKPATRICK said he did not often agree with the Government, but there was one or two things that he could agree with them. Major Worsley had been connected with the Grand Trunk Brigade, which he had kept in a very efficient condition; in fact, there was not a more efficient brigade in the country. For reasons best known to themselves, the Government had seen fit to do away with the services of the brigade. Brigade-Major Worsley was sent to Kingston to do duty for the late Brigade-Major, and he had been acting as Brigade-Major there when this vacancy occurred. He was senior to the other Brigade-Major whose services had been dispensed with, and on that account he had some ground for consideration, and, besides

that, he was a very efficient officer. With regard to the other officer, Col. Van Straubenzie, although he was an active supporter of the Government—for which he, perhaps, was appointed—it could but be said that he was an exceptionally fine officer. He had served in Her Majesty's army with distinction in various parts of the world, and had been several years in this country. His abilities and qualifications admirably fitted him for the position he held, and no doubt he would be of service to the Department. But, by the report of the Major-General it would appear that there were many defects in the present system. It was stated in the report that four days' drill was totally insufficient to give the men soldierly habits. The clothing was very bad. Being of serge and of very bad quality, it would not last the time it was supposed to wear—three years. The Government should direct their attention to the training of non-commissioned officers, without which there could not be an efficient service.

Mr. BROWN said the hon. member for Frontenac (Mr. Kirkpatrick) had made some remarks which were un-called for, and not borne out by the facts. There was a powder magazine at Belleville, and he made no complaint about ammunition. As to the company not being entitled to great coats, the regulations said that a report must be made on the destruction of a uniform, but where a company was regularly entitled to uniforms, there was no necessity of making any statement. In October, 1866, the company received 51 great coats; in April, 1867, 14; and in 1872, 65; making a total of 130 in seven years. The hon. gentleman would have the House believe that 42 men received this number, but the fact was, that the company formerly numbered 65, which made a considerable difference. In regard to the drill pay, he was of opinion that 50c. a day for being at headquarters was useless, and that it would be much better to give the Major-General and Staff leave of absence. If he had been guilty of any dereliction of duty, his conduct ought to be inquired into in a proper manner, and not made the subject of newspaper articles.

Mr. ORTON said he would have said nothing on this subject had it not been for the attack of the hon. member for North Wellington (Mr. Higinbotham) on the memory of a brother officer. He considered that that officer was a worthy man, and one who contributed largely to the success of the volunteer movement in Canada. The hon. member had not had the same opportunities for judging with reference to the discharge of the duties of that officer for a number of years as he (Mr. Orton) had, or he would not have taken the position he did. He had no hesitation in saying that the remarks of the hon. gentleman were not warranted by the conduct of the officer.

Mr. HIGINBOTHAM said he had never stated a word in this House which was capable of being impeached as being untrue. He stated that he served with the officer in question from the first day that he entered the service; indeed he belonged to the service before the hon. gentleman entered it; and he said distinctly that he could prove by the Adjutant-General at London that he was utterly incapable of discharging his duties four years before he was dismissed. He denied that he had made an unwarrantable attack. What he did was in defence of the profession to which he belonged, and in defence of the Government, on whom an attack had been made.

Mr. MONTEITH said the officer was efficient, and, he believed, had been discharged on political grounds and not for inefficiency.

Mr. MACKENZIE said he had no hesitation in saying it was for gross inefficiency, incapacity and drunkenness.

Mr. TROW said he had been acquainted with the gentleman as long as the hon. member for North Perth (Mr. Monteith), and while not aware as to his inefficiency, he knew that the officer had become so demoralised that his usefulness had been impaired for many years.

Mr. MITCHELL said that whatever might have been the faults of the officer, the remarks made by the hon. the Premier were quite uncalled for. He

Mr. BROWN.

thought that when the force was reduced the most able and experienced officers should be retained, and he, therefore, asked for explanations in regard to the removal of Cols. McCulley and Inches. Col. McCulley had long been connected with the force, was a sober man, and no one in the community was more ready to defend the country than he. Col. McCulley had, however, supported him (Mr. Mitchell) in election contests, and that, he feared, was the reason of the removal of the officer. Col. Inches was a first rate officer, who had devoted much time to the organization of the force. While those officers had been removed, Major McShane, who had been appointed only four months before, was retained. In regard to the militia force, General Smythe had reported that the grant would have to be largely increased in order to have the present force in a state of efficiency. He (Mr. Mitchell) did not, however, believe the country was prepared to increase the estimates under that head beyond the amount of last year. He objected to the expenditure involved by Col. Ross and General Smythe in making trips across the continent.

Mr. GILLMOR said that Col. Inches, who was one of his constituents, had opposed him at the last election. He was not aware that the officer was to be removed on that account, and he (Mr. Gillmor), being a supporter of the Government, would no doubt have been consulted if any such step had been proposed. He would not have consented to his removal, and while political opponents, they were very good friends. He did not believe that this officer, who was undoubtedly very efficient, was removed for political reasons.

Mr. VAIL said he had listened with a great deal of attention to the remarks which had fallen from the hon. gentlemen, particularly those who were military men, and from the hon. member for North Hastings. In the first place, he was curious to know what the hon. member (Mr. Bowell) would say with regard to these removals, because he (Mr. Bowell) had last year suggested this reduction in the Brigade staff. He had not, how-

ever, expected that he could satisfy the hon. gentleman, even if he complied with the hon. gentleman's request. Last year the *Hansard* stated:—

“Mr. BOWELL said he was not a little gratified on reading the report of the Major-General dealing with this particular branch of the service. When the Bill was introduced in 1868, he (Mr. Bowell) took exception to the clause which provided for the appointment of so many staff officers, and moved several amendments which had the support of the hon. gentlemen who now occupied the Treasury Benches. At that time he had declared that the staff was ‘useless,’ for which he had brought down upon himself the condemnation of a former Adjutant-General, who went so far as to demand his (Mr. Bowell's) dismissal from the force for daring to give expression to such views in the House. He was the more gratified therefore, to find so eminent a soldier as the present Major-General, after a couple of years experience in Canada, using still stronger language in reference to this staff. Now, did it not prove that he (Mr. Bowell) was right? He had hoped when the present Government found themselves in power they would carry out their professions when in Opposition, and reduce this useless and expensive staff. Every year the cost of it was increasing. At the present time, taking the staff in Ottawa and the outside staff, it cost the country nearly \$100,000. In 1873-4 it amounted to \$90,480; it was now about \$99,640, showing an increase of about \$9,000, owing to the fact that there were two or three men to do the work of one nearly in every office.”

He (Mr. Vail) afterwards referred to the remarks of the hon. member (Mr. Bowell), and asked if he took this ground with regard to the different officers of the Department in Ottawa, and the hon. gentleman had given him to understand that he alluded to the outside staff. The hon. gentleman also said:—

“There was a reduction of half a million in the Estimates for the Militia this year; but it was not of a permanent character, being only for clothing, drill and other items which might be added again next year.”

Under these circumstances, he had been curious to know what the hon. gentleman would say on this occasion. He denied, most emphatically, that anything of a political nature had been considered in the removal of the Brigade Staff, which was entirely done on the representations and report of the Major-General. Until he had now learned the politics of one or two of these officers, he had not known, with one exception, what their politics were.

Mr. BOWELL: Who was that?

Mr. VAIL said this was Major Hanson to whom reference was made. He was aware of this gentleman's politics, because several gentlemen friends of the Government, and one or two members of the Government, had pleaded very strongly that this officer should be retained in his position. He had replied that this could not be permitted; that they were acting on the Major-General's report, and that, notwithstanding the fact that this officer was a friend of theirs, he must be removed with the rest. The hon. member for North Hastings had referred to the removal of Major Smith of Cobourg. He found that Major Worsley was appointed December 22nd, 1870; and Major Smith, January 12th, 1872, two years later. He had not read the report of the Major-General in this regard, because it was to some extent confidential, and it would be highly improper to read the report respecting the efficiency or non-efficiency of these officers. Had he chosen to have done so, however, he could have shown the hon. member for North Perth (Mr. Monteith) that the gentleman he had referred to, had been reported to him as being quite inefficient. He had not a word to say against Major Smith, who, he believed, was an efficient officer; but it happened that the headquarters were at Kingston, and Major Worsley, who had previously held the position of Brigade-Major at Kingston, being reported a good and experienced officer, was retained for the reasons given by the Major-General, and Major Smith had to be removed. Major Worsley was appointed an officer on the staff, in the Grand Trunk Brigade, in 1870. In the next district, No. 6, the Major-General reported:—“2,800 men; one Brigade Major to be retained, and two to be reduced—Lt.-Col. Hanson and Lt.-Col. DeBellefeuille, both of seven years service, and both had very little to do.” This was a private report, so far as it belonged to the Department. He would hand it to the hon. gentleman (Mr. Bowell) if he wished to see it. On this report he had framed an Order in Council, which passed, removing both the officers named from their positions.

Mr. MASSON: Do you say that Mr. Hanson only served seven years as Brigade-Major?

Mr. VAIL: Yes.

Mr. MASSON: He was Brigade-Major when I was, and that was before 1867.

Mr. VAIL: I think that the report is correct. I give it as an authority.

Mr. BOWELL: His figures are not in accordance with the return laid on the table.

Mr. MASSON: If the rest is as reliable as that statement, it is bad enough.

Mr. VAIL said he found that Major Hanson was appointed November 17th, 1872. The only change made in Quebec was to appoint a Brigade-Major to the Deputy Adjutant-General's place. In No. 8 District, Col. McCulley lived in one extremity of the Province (N.B.) while Col. Inches lived in the other extremity, while the headquarters were in Fredericton, in the centre of the Province. Mr. McCulley was 75 years of age; and regarding him the Major-General reported that he (Mr. McCulley) was aged and inefficient. The Major-General reported two to be reduced, Lieut.-Col. McCulley and Lieut.-Col. Inches. Before the latter was notified of the change that was to be made, he (Mr. Vail) thought that he sent in his resignation. Nevertheless, this officer was allowed fourteen months pay.

Mr. MITCHELL said that Lieut.-Col. Maunsell reported in this relation as follows:—

“On the 2nd June last a reduction of the Brigade Staff of the militia having been ordered, the services of the following officers of this District, who were permitted to retain their rank on retirement, were dispensed with, viz: Lieut.-Col. J. A. Inches, Brigade Major 1st Division; Lieut.-Col. C. McCulley, Brigade-Major 3rd Division.”

“As to the retirement of Lieut.-Col. Inches—in expressing my sincere regret that such a step has been deemed necessary, I think it due to that officer to repeat that which I have already stated officially with respect to his services:—

“9th February, 1875. ‘From the period—early in 1866—when he commanded a force of Volunteer Militia at St. Stephen, at the threatened Fenian invasion (for which his services were acknowledged in a special manner by the then Commander in Chief, Hon. A. Gordon) to the present time there has

Mr. VAIL.

scarcely been an annual report submitted in which the force in the 1st Brigade Division, in Lieut.-Col. Inches charge, has not been commended both as regards its complete numerical strength, and its efficiency, and it may be observed in my annual report for 1874, as well as that of 1875, that I took occasion, at the breaking up of the camps in his Brigade Division, at St. Andrews, to advert in my brigade orders to the satisfactory state of efficiency of the force, and I subsequently reported favourably thereon, as ‘reflecting high credit upon the Brigade-Major and officers commanding corps.’

“Lieut.-Col. McCulley had also served long in the Militia force, and as President of the Northumberland County Rifle Association, took much interest in rifle practice. He did his best, moreover, for the good of the force. Under the new *regime*—with reduced staff (although this District extends over a large area, and corps are in many instances widely separated) with zeal and activity on the part of the Brigade-Major, with promptitude and alacrity on the part of the District Paymaster and Storekeeper, and with forethought and intelligence on the part of officers commanding corps in the discharge of their important duties, respectively, I entertain no doubt that the duties of this District will be as correctly performed in the future as I assume they have been in the past.

“And here I must express my acknowledgments to the Staff and to officers commanding corps for the valuable support and assistance they have invariably accorded me in the discharge of my duties as Deputy Adjutant-General.”

It struck him (Mr. Mitchell) that Lieut.-Col. Beers had been appointed Deputy Adjutant-General; what had become of this officer?

Mr. VAIL: That was only a temporary appointment.

Mr. MITCHELL: I will tell you the rumour down our way. It is said he was appointed because a certain gentleman, a member of the House, desired the appointment, and very probably claimed a share of the patronage. He is a first-class officer, but he did not suit the Minister of Marine and Fisheries, and the member had to give way to the Minister, consequently Mr. Beers after being gazetted had to retire, and step down and out, and Mr. McShane received the position.

Mr. VAIL: The hon. gentleman is mistaken; Mr. Beer was never gazetted.

Mr. DOMVILLE: He received his appointment.

Mr. VAIL said Lieut.-Col. Beers might have had some little encouragement,

but he felt quite safe in saying that this officer was never gazetted. He was not aware of the politics of Col. Beers and Col. McShane. This point was not taken into consideration, but Col. McShane was reported to be a very good officer.

Mr. MITCHELL: He is a very good officer.

Mr. VAIL said that the clothing, now served out, as he had stated two years ago, was taken on trial. It had not, however, given the satisfaction hoped for, and it was just possible that they might go back to the old system. Ever since the formation of the volunteer force—and certainly since he took office—ammunition had only been kept at district headquarters. It was not possible to distribute it about through the country. This would lead to its destruction in the first place, and, in the next place, it would cost a good deal to have it properly taken care of. He made this remark with reference to reports in the newspapers as to what had taken place at Belleville last winter. Complaint was already made as to the expense of the outside force.

Mr. BOWELL: I never complained, as the hon. gentlemen well knows, of expense with regard to the men.

Mr. VAIL said the hon member for Quebec stated, he was one of those who did not find fault with the money spent on the militia, as a rule; the only complaint made referred to the cost of the Department. It was impossible to make the men efficient unless a very large sum of money was expended. General orders were forwarded from the Department to staff officers of battalions, and captains of companies belonging to battalions. Officers of isolated companies were not furnished with them unless they contained some change in that connection. The Adjutant-General informed him that they were invariably sent to commanders of companies. They had tried every possible means not to increase, but to reduce the force where it could be done without injury. When the Royals of Montreal made the application mentioned, a year before the Stadacona Rifle Company applied, a peculiar state of things

existed in Montreal. This was about the time the volunteers there were called out; and it was thought that the force in Montreal was probably rather short, and that it would be advisable to allow that corps to take its place on the roll. With reference to the number of militia at Halifax and St. John, it would be found that nearly all the volunteer forces of the Lower Provinces were situated in these cities, there being more men who enrolled there, at the inception of the movement, than in the outlying districts. Quebec, he thought, had its full quota, when his hon. friend considered there was a battery there. That city was pretty well taken care of. The Foot Guards at Ottawa were not treated, so far as he was aware of, better than outside corps. The officers paid for their own uniforms. The men were furnished with little better caps, but this seemed to be absolutely necessary. They were at headquarters, and wore a peculiar kind of uniform, and had to wear an appropriate cap. As to the want of clothing referred to by the hon. member for West Hastings (Mr. Brown), he was satisfied that the renewal had regularly been made in that district. He believed that some of the officers purchased their uniforms in preference to using those furnished.

Mr. BROWN said the men had not obtained their renewal of clothing, because, as was alleged, application had not been made.

Mr. VAIL said one reason why the clothing did not last the full time was that some of the men used it in their ordinary work.

Sir JOHN A. MACDONALD asked whether the Government had any intention to establish free military schools, as recommended by the Major-General in command.

Mr. VAIL said the Major-General in command had made this recommendation three times, but it was a matter which he (Mr. Vail) did not think the country would agree to, as it was feared it was but the commencement of what might grow to be a standing army.

Mr. CARON enquired whether any special allowance had been made to the Guards at Ottawa. He understood that there had been.

Mr. VAIL said a certain amount had been paid to the officers, which they claimed in consequence of a change in their uniform, made just before the present Government took office.

Mr. BOWELL said this change was made during the present Government's incumbency of office.

Mr. PLUMB asked whether the drill buildings at Niagara, which were in a very dilapidated condition, were going to be refitted and rebuilt.

Mr. VAIL replied that this was a matter for the Public Works Department. Whenever the military authorities, in a certain district, represented that new buildings were necessary, or that the old ones needed repairing, the Department of Militia reported to the Department of Public Works, which was then responsible. No such representations had been made in the present case.

Mr. DOMVILLE referred to the case of Brigade-Major Beers. That officer had the influence of the Minister of Customs and the Minister of Militia, and received letters notifying him to take up the position. Nevertheless, without any cause, Col. McShane was appointed to his place, in order, perhaps, to please some other member of the Cabinet.

Mr. VAIL said Major Beers was only appointed temporarily.

Mr. DOMVILLE: I deny it.

Mr. VAIL said he had no further information to give.

Mr. BOWELL called attention to the inaccuracies of the returns, or else of the statements of the Minister of Militia. That hon. gentleman had told the House that Col. Hanson was appointed Brigade-Major on the 17th November, 1862, which would show that, up to the time he was removed, he had been Brigade-Major 14 years. But the return brought down stated that he had only been Brigade-Major for five years, eleven months and thirteen days; his appointment taking place on the 19th January, 1869. Col.

**Mr. VAIL.**

Hanson's name was a familiar one, and it was strange that there should be this inaccuracy. There must have been some reason for that. The reason for Col. McCullough's removal was his age, but there was no reason why Col. Inches should have been dismissed and another gentleman appointed in his place. He was anxious to know what deduction the hon. the Minister of Militia was going to draw from his (Mr. Bowell's) remarks of last year. What he said then was in accordance with what he said in previous years, and with the position he was now taking. He did not complain of the reduction of the staff, but of the manner in which it had been effected. He would like to ask the hon. the Prime Minister if the recommendations of the Major General were not only considered and acted upon in all those cases.

Mr. MACKENZIE: I am sure I cannot tell.

Mr. BOWELL: I understood the hon. gentleman to state that such was that practice.

Mr. MACKENZIE: Oh, no.

Mr. BOWELL said it would appear from the report that the recommendations of the Major General had not been carried out. They had no explanation why the Hon. L. Aylmer, who had served little over a year, was retained, and Col. Hanson, who was equally efficient, and had been in the service fourteen years, was dismissed.

Mr. VAIL said the reason for Mr. Aylmer's retention was because he was the only Brigade Major in the district. Action in a good many instances was taken on the recommendation of Major General Smythe.

Mr. ROSS (Prince Edward) said there had been a great deal of discussion about the officers, but he thought the men ought to be looked after first. The payment of 50c. a day without rations was enough to demoralize the force. It would be better to keep a smaller force and have the men well drilled and reasonably remunerated, than to support 40,000 under the present system. He would advise the hon. the Minister of Militia to retain the old officers if they were efficient.

The Duke of Wellington was Commander-in-Chief until he was 80 years old. What arrangements were to be carried out in regard to drill this year?

Mr. VAIL said the present intention was to drill 20,000. The artillery, cavalry and infantry would be drilled twelve days. When the reduction was made last year, they hoped it would only be temporary. The hon. the Finance Minister had this year granted an additional \$30,000, and if they were able to afford more money in the future, they would drill more men. His own opinion was that the force would have to be reduced in the future, as he did not think the country would grant the money to drill the whole 43,000 men.

Mr. MASSON said if we could not maintain the 43,000 efficiently, the advice of the Major-General should be followed and have fewer men drilled well. In his opinion it was an absurdity to drill the cavalymen for eight days and expect them to become proficient, it took longer than that for the horses to become accustomed to their work. Even twelve days were not enough, nor could the artillery be expected to learn much in that short period. He congratulated the hon. the Minister of Militia on the determination he had formed. The Government were not expected to give more men than were required, but they were bound to make the force that was maintained efficient. The great mistake in the Belleville affair was owing to there not being ammunition at headquarters; it was nothing to keep a few barrels of ammunition at the headquarters of a battalion. Then, as to the great coats. In the good old time, when he was a Brigade-Major, he never heard of volunteers going out in winter without great coats. Those little details should be attended if we wished to make the service equal to the requirements of the country.

Vote agreed to.

65. Allowances for drill instruction..... \$40,000

Mr. BUNSTER said this was a large sum to devote to this purpose in the present state of the country, especially when it was desirable that

we should have the means for building the Canadian Pacific Railway. Hence, he, as a British Columbian, had a right to object to the foolish expenditure of money in this matter. He saw that \$300,000 was asked for the Mounted Police in the North-West Territory. He would like to know what they were worth. The hon. gentleman said the Mounted Police were required to protect the Indians. In his (Mr. Bunster's) country two or three constables handled them well. He did not see that men who were well off should get these large salaries for doing nothing. General Smythe went across the country, and he thought his trip was not worth the money. Every contract made with British Columbia had been laughed at, and yet \$966,956 was to be voted for militia purposes. He did not think the country received value for that expenditure. He would much rather see a reasonable amount put down for military instruction—say \$25,000 or \$250,000 to run the whole machinery, now costing a million.

Mr. MITCHELL: You had better go for half a million.

Mr. BUNSTER: No; half of half a million; especially when the Government says the railroad can only be built as the resources of the country allow.

Vote agreed to.

64	{	Ammunition... \$40,000	}	\$120,000
		Clothing..... 40,000		
		Military stores. 40,000		
65.		Public armouries and care of arms, including the pay of store-keepers and caretakers, stovermen, and the rents, fuel and light of public armouries.....		52,000
66.		Drill pay and all other incidental expenses connected with the drill and training of the Militia.....		155,000

Mr. BOWELL said he had been given to understand that in the drill last year, the officers in connection with the Batteries, or with the Garrison Artillery, received pay in accordance with their rank, while the pay given to the Infantry officers was a certain allowance *per diem*, equal to one dollar per day.

Mr. VAIL said he believed the Garrison Artillery were paid the same as the others who drilled at head quarters—\$1 per day, but the Field Artillery, who drilled in camp, received the usual allowance.

Mr. BOWELL: But the Infantry that drilled in camp that went out last year?

Mr. VAIL: There was no drill of Infantry in camp that I am aware of last year.

Vote agreed to.

67. Contingencies and general service not otherwise provided for, including assistance to Artillery and Rifle Associations and bands of efficient corps..... \$45,000

Mr. KIRKPATRICK asked why there was a reduction in this grant.

Mr. MITCHELL said the country understood that the sooner the Rifle Association business was wiped out altogether the better.

Mr. MACKENZIE said he thought it was right that there should be something said about this when the House was fuller. He had always considered it a good vote to promote practice with the rifle. How much that was promoted by the expedition to England was a matter for discussion, and the Government were quite prepared to receive the views of members, and to be guided, to a great extent, by them. It was the duty and the desire of the Government to receive suggestions from members of the House who were intimately acquainted with the service and had studied the method best adapted to create good firing in the country.

Mr. MASSON: Has not the Government already decided the matter by this reduction?

Mr. MACKENZIE: No; we desire to invite discussion.

Vote agreed to.

68. Drill - sheds and rifle ranges..... \$10,000

69. Care and maintenance of military properties transferred from the Ordnance and the Imperial Government, including rents..... 10,000

Mr. BOWELL.

Mr. MITCHELL said a lot of land had been given in the town of Newcastle for a drill-shed, and it had never been built.

Mr. VAIL: We will consider it.

Mr. BUNSTER asked if a drill-shed was to be built at Nanaimo this year.

Mr. VAIL: We are not sufficiently informed on that point, whether there are sufficient volunteers and whether they are entitled to it.

Vote agreed to.

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at

Twenty minutes after

Two o'clock.

HOUSE OF COMMONS.

Wednesday, 11th April, 1877.

The Speaker took the Chair at Three o'clock.

IMPROVEMENT OF THE MIRAMICHI RIVER.

QUESTIONS.

Mr. MITCHELL asked whether it was the intention of the Government to continue during the present season the improvement of the navigation of the south-west branch of the Miramichi River.

Mr. MACKENZIE: It is not the intention of the Government to do anything there.

Mr. MITCHELL asked whether it was the intention of the Government to continue the improvements commenced on the Horse Shoe Bar at the entrance of the Miramichi River with the Government steam dredge, and resume operations on that work at the opening of navigation, or how soon thereafter.

Mr. MACKENZIE: Not for about a year thereafter, I think. Our information is that vessels frequenting the river can obtain entrance without very serious difficulty at present, while other places on the coast require improvement more than this.

Mr. MITCHELL: The improvements, I presume, will be continued the year after.

Mr. MACKENZIE: I presume so.

#### APPOINTMENT OF HARBOUR COMMISSIONERS.

##### QUESTION.

Mr. CHEVAL asked, whether it was the intention of the Government so to amend the Act respecting the appointment of Harbour Commissioners, as to provide that no shareholder of any navigation company should be eligible or should be appointed as a member of any Harbour Commission.

Mr. SMITH (Westmoreland): It is not the intention of the Government to amend the law in that respect. In fact, I never heard of any difficulty before.

#### SETTLEMENT OF CLAIMS.

##### QUESTION.

Mr. DEWDNEY asked whether the claims made by Mr. Seeley, Mr. J. Galbraith and Mr. J. C. Haynes have been settled according to the recommendations made by Mr. T. C. Dupont, the Inspector appointed to report as to the justness of those claims. If not, what was the reason of such delay.

Mr. BURPEE replied, that Mr. Seeley's claim had not been settled yet. The belief was that it was wholly unauthorized, and they did not know whether all the articles were there or not, and had to wait for further information. Mr. Galbraith's claim had been settled by the return of some of the articles furnished by him, and the balance was paid over. Mr. Haynes' claim was a very large amount for building purposes and was wholly unauthorized.

#### PORT COLBORNE HARBOUR MASTER.

##### QUESTION.

Sir JOHN A. MACDONALD asked, 1st. The name of the Harbour Master at Port Colborne; the date of his appointment, and the amount of his

salary? 2nd. Whether it was a new appointment? 3rd. Whether the Department of Marine and Fisheries was not informed that the Harbour Master was the proprietor of a steam tug or steam tugs at the time of his appointment?

Mr. MACKENZIE replied that the information was not in the Department of the Minister of Marine and Fisheries, and he had not received sufficient intimation of the question to give the desired information. His impression was that there were some private letters in his Department stating that the Harbour Master (Mr. Carter) was an owner of tugs, and there was also a letter from the gentleman denying the fact. The duties of the Harbour Master at Port Colborne were chiefly connected with the canal, and there was no ordinary harbour duty. He would bring down an exact statement when the vote for canals was reached.

#### NEWSPAPER POSTAGE.

##### QUESTION.

Mr. TROW asked, whether it was the intention of the Government to abolish the collection of postage from the publishers of newspapers in the city, town and county of publication?

Mr. MACKENZIE: The Postmaster-General is not able to attend to-day, being unwell; but I think there is no intention to abolish the postage collection at the present time.

#### DISMISSAL OF ARNPRIOR SLIDE-MASTER.

##### MOTION FOR CORRESPONDENCE.

Mr. WHITE (North Renfrew) moved for copies of all correspondence and papers relating to the dismissal of John Harvey from the position of Slide-master at the village of Arnprior. He said the gentleman referred to in this motion had occupied the position of slide-master, having charge of certain works on the Madawaska River, in the vicinity of Arnprior, for twenty years. During that time, he appeared to have discharged his duties in a manner satisfactory to those who were

engaged in trade on that river. It was true that, in the year 1871, the boom at the mouth of the Madawaska broke, and certain timber contained therein became scattered. It was alleged, by those interested, that the breaking of that boom was caused by the neglect of Mr. Harvey; and application was made to the Government for compensation for the loss or damage sustained by the persons who owned the timber in the boom at the time of its breaking. The case of one of the parties, Mr. Rochester, was referred to the Dominion Arbitrators, and, in 1873, evidence was taken before them, and their decision was adverse to the claim of that gentleman. It was contended by Mr. Rochester and his friends that the decision of the arbitrators was unjust and partial, and was biased by their political proclivities and affinities. He (Mr. White) might say that that decision was made during the tenure of office of the hon. gentleman who now led the Opposition. After the present Administration attained office, and the *personnel* of the arbitrators was changed, two gentlemen on the Board having been replaced by nominees of this Government, the question was brought before them again, and the decision given in 1873 was confirmed. There was, therefore, he thought, very strong evidence that the breakage of that boom was not caused by negligence on the part of the officer of the Department. He had not had an opportunity of looking at the evidence, but it seemed quite clear that, if the loss these gentlemen sustained was caused by the negligence of an officer of the Department, compensation would have been granted them by the Dominion arbitrators, and the Department would have been held liable. Not only that, but, when it was known that Mr. Harvey was about to be dismissed in April last, a petition was sent to the Minister of Public Works praying that he should continue him in the office he had occupied for so long a time, and expressing regret that he was about to be dismissed. Although he had discharged his duties honestly and faithfully, it was his misfortune to be a Conservative, and also to be open and frank in the avowal of his political opinions, and, during the election contests in South Renfrew since 1872, Mr.

MR. WHITE.

Harvey had always, he believed, been consistently opposed to the hon. member for that Riding (Mr. McDougall). It had been stated, and he (Mr. White) believed could not be denied, that it was at the suggestion of the hon. member for South Renfrew that the dismissal had taken place. Mr. Harvey had occupied the position for twenty years, and up to the 21st April last had received no intimation that the Department was dissatisfied with his conduct. On that day he received a letter from the Department of Public Works, stating that his services were no longer required. No reason was given for his dismissal, and no charge, as he (Mr. White) understood, was brought against him by any person. If he was correctly informed, certain deputations also waited upon the Minister of Public Works to endeavour to get Mr. Harvey reinstated in his position, and the Minister stated that the reason for his dismissal was that he had spoken disrespectfully of the Government and the Minister of Public Works. He made this statement subject to correction, and hoped, if he was inaccurate, the Minister would correct him. The gentleman who was appointed to succeed Mr. Harvey in the position of slidemaster, was a gentleman against whom he (Mr. White) had nothing whatever to say. He had no doubt he discharged his duty faithfully and properly, but he had been, and now was, engaged in the lumber trade upon the River Madawaska; and it seemed to him that it was not in the public interest that a gentleman, whose private interests might conflict with the interests of those he served, should be appointed to the position Mr. Macdonald now held at Arnprior. He hoped, if there was any correspondence in this matter, it would be brought down to show the real reasons for Mr. Harvey's dismissal.

MR. McDOUGALL (South Renfrew) said the motion of his hon. friend, though apparently aimed against the Government, and although he had no accusation to make in this regard against his hon. friend personally, yet he had no doubt that it was put in his hon. friend's hands to injure himself (Mr. McDougall) personally. A good deal of talk had taken place in his coun-

stituency about this matter, and they all knew it was much more easy to cause excitement and interest in a small matter of this kind, in any part of the country, than in questions of much greater importance. At the same time, he could say he had not been actuated by any mean, tyrannical spirit towards a political opponent in doing the little he had done in connection with Mr. Harvey's ceasing to act for the Government at Arnprior. Had he done so, he would have been justly open to the censure of every right-thinking man. He was glad that the hon. gentleman had taken this course, as his conduct had been free from anything like injustice towards any person. His hon. friend said that Mr. Harvey had been dismissed from office; but this he denied. Mr. Harvey had for years acted for the Government at Arnprior, but was only employed by the day and temporarily, on his own account and in his own interest. Had Mr. Harvey been engaged by the year he would have been prevented from taking contracts under the Government, his chief source of livelihood. Although Mr. Merrill, the Superintendent of the Ottawa works, had often suggested to this person that he should make application for permanent employment, he had not done so for the reason stated, and surely, under these circumstances, a man should not lay claim to be continued in office as a permanent employé could have done. He did not say that because he was an open opponent of the Government, Mr. Harvey should have been dismissed, but he believed that this person had so acted, not because he wished to uphold the views of the Opposition, but because he thought that, by taking this course, the Government would be afraid to dismiss him from office. Opposition to the Government should not be made a cloak for every sin Mr. Harvey had committed in the discharge of his duties as slidemaster. What the Premier might have said with reference to the reasons for dismissing Mr. Harvey did not affect him (Mr. McDougall) personally. The First Minister could defend his own course in this matter. He had drawn the attention of the Premier to the matter.

Sir JOHN A. MACDONALD: Hear, hear.

Mr. McDUGALL: Oh, no doubt. He would not shirk any portion of his responsibility. He had informed the First Minister of the fact that Mr. Harvey, according to sworn evidence, had neglected his duty, and that he was the means of having persons, many of whom were strong opponents of the Government, lose a large amount of money. Moreover, he had the testimony of the Hon. James Skead, to the effect that Mr. Harvey had formerly been suspended, owing to neglect of his duties, and this was done by that person's political friends. This was confirmative evidence showing that there was reason why attention should be drawn to such neglect of duty. He had the evidence taken before the arbitrators in this matter. Mr. Snedden, a well-known and respectable gentleman, testified before them: that he knew Mr. Harvey, the slidemaster, at Arnprior, who was in Ottawa when the boom broke; that he and Mr. Harvey came down to Ottawa on the Wednesday or Thursday of the week preceding the breaking of the boom; that he returned home on that Saturday the boom broke; that he returned to Ottawa on the following Tuesday morning, when he saw Harvey at Mr. Graham's hotel; that he asked Harvey if he had heard the boom was broken, and Harvey said yes; that Harvey had the appearance of having been on the spree, and that he (Harvey) was under the influence of liquor at the time, and that he did not see Harvey drinking. This showed how Harvey had attended to his duty as slidemaster at the time. The losses occasioned by the breaking of the boom had exceeded \$10,000. This was pretty strong evidence to show that such a person ought not be continued in his office. Harvey had left Arnprior when the water was at its height, and had been warned by persons interested as to the precautions that should be taken, and had not only neglected to take them, but also came to Ottawa where he was when the breakage took place.

Sir JOHN A. MACDONALD: When was that?

Mr. McDOUGALL: It was in 1871 or 1872.

Mr. WHITE (North Renfrew): When was the evidence taken?

Mr. McDOUGALL said the late Government perhaps would not have been eager to draw attention to the matter, but this information was given before the arbitrators to whom the matter was referred a second time. The person who had committed the wrong had no cause to complain because the punishment was not as speedy as it ought to have been. Hon. Mr. Skead testified that Harvey had been suspended from his functions as slidemaster some years previously; and that although a sufferer by the accident which caused that suspension, he was one of the first to solicit Mr. Merrill to reinstate him.

Sir JOHN A. MACDONALD: Hear, hear.

Mr. McDOUGALL: Oh, yes; they all knew very well that when any officer was suspended there was always pressure brought to bear in so many forms to secure re-instatement. His hon. friend said the decision of the arbitrators was adverse to these claims against the Government; but the reasons for this decision were not known, and the Government might occupy a different position to other persons in these matters. He would not impugn the soundness of this decision or the motives of the arbitrators; but he did say that whatever this decision was, it did not rebut the evidence taken before them with respect to Harvey's conduct and neglect of duty; and this was before them. Any one could tell whether it was right and proper for an officer in Mr. Harvey's position to have acted as he had done. His hon. friend said a petition was sent to the Government, asking that Mr. Harvey should be reinstated, but they all knew how easy it was to get signatures to petitions, especially when the signers had no interests at stake. He thought that fully half of the names on this petition were those of men who had no interest in the business on the river. Even if most of them had been so interested they knew it was very easy to secure signatures to such petitions.

Sir JOHN A. MACDONALD.

His hon. friend seemed to think that, as a political move, this was a good thing for him to have done; but the removal of a person from office in a constituency, rendered the man, if a political opponent, a personal enemy, whose friends also espoused his cause, and while the man who obtained the place vacated was, perhaps, satisfied, the 99 out of the 100 applicants who were unsuccessful were dissatisfied. The new officer would also soon probably become discontented with his remuneration. The man who had succeeded Harvey, however, was a respectable man, in every way suited to the position; and he did not, for a moment, say that this officer would act in such a manner. He was always sorry when any vacancy occurred in his constituency. He believed his hon. friend had said it was a surprising thing that, if there were no objections to re-instate Mr. Harvey, and if the Premier had no such objections, he (Mr. McDougall) should have any. It was generally considered that the patronage of such offices belonged to the representative of the constituency.

Sir JOHN A. MACDONALD: That is not constitutional.

Mr. McDOUGALL said if that practice was changed, the change had taken place within the last three years. It was the rule under the late Administration, and he never blamed the right hon. gentleman for it. He nominated the successor to Mr. Harvey, and considered that, if there was no objection on the part of the Government, his nominee had a right to the place. If the statement that he had made was not sufficient to clear the Government from any imputation of having acted unfairly in this matter, he did not know what would satisfy hon. gentlemen opposite.

Sir JOHN A. MACDONALD said when the hon. gentleman (Mr. McDougall) first got up to address the House, he supposed that he was speaking on behalf of the Government as a kind of Assistant Minister of Public Works; but he afterwards discovered that the hon. gentleman was not speaking in an official capacity. The hon. gentleman commenced by saying that

this was no office, and that there was no appointment, and he ended by saying that there was an appointment which lasted over twenty years, and that he claimed the right of nominating a successor to the office. He did not know whether the popularity of his hon. friend had increased in the county he represented, owing to his action in this regard. The hon. gentleman seemed himself to doubt whether such was the case or not. He must congratulate the hon. gentleman on his high-souled patriotism, notwithstanding that he knew he was making enemies, he rushed to Ottawa to inform against Mr. Harvey and get another man appointed in his place. But what was the exact date of this patriotism, when the hon. gentleman rose superior to all considerations of personal advancement? It commenced after Mr. Harvey had worked against the hon. gentleman and almost defeated him at the last election. Then it was he rushed to Ottawa to have this officer dismissed. The complaint was an old one, and had been examined by the arbitrators of the late Government, who reported that there was nothing to show that this man had been so neglectful as to cause the Government to become liable for damages. The case was also submitted to the arbitration of the present Administration, who came to a similar decision. Under the circumstances, however, the hon. Prime Minister might have felt it his duty to listen to the hon. member for South Renfrew. He had no doubt that that hon. member considered he was performing a great duty, and that he would find out that virtue was its own reward. The hon. gentleman had got his revenge; but he (Sir John A. Macdonald) contended that neither in the House nor out of it, the hon. gentleman stood in a position equal to that he occupied before he made this announcement.

Mr. MACKENZIE said there was no objection whatever to the correspondence being brought down. The remarks of the hon. member for North Renfrew were, generally speaking, correct. He did state to a deputation that called upon him, that he had been informed that this man had spoken most disrespectfully

of the Government and himself, and he told that deputation, as he now told the House, that he would permit no public officer to speak disrespectfully of the Government they served. Apart from that, however, his attention was called by a number of lumbermen to the repeated acts of carelessness on the part of this person, and he found that during the first year of his incumbency that Mr. Harvey was frequently engaged away from home attending to small contracts on the river. These considerations compelled him, apart from any political considerations, to direct his deputy to inform Mr. Harvey that his services were no longer required. It was also quite true, as the hon. member for Kingston (Sir John A. Macdonald) stated, that the arbitrators decided that there was no ground upon which to charge the Government for damages; but he was not aware, until a year and a half ago, that this slideman had ever been charged with carelessness in the matter. It was, however, not quite true that the case was referred to new arbitrators. There only was one new arbitrator, and the verdict was a partial one.

Sir JOHN A. MACDONALD: I did not know that.

Mr. MACKENZIE said one of the arbitrators dissented, and stated that he considered the Government liable. There was never a clear case made out of any person neglecting his duties, but that person was dismissed without the slightest hesitation. He protested against any one bringing up a case in the House when a man was removed for sufficient cause. He was quite sure that the hon. gentleman opposite knew very well that it had not been a peculiarity either of his own or of the Government to dismiss people for political reasons. They had great reason to do so on many occasions, and they had exercised a forbearance towards people in office that never was manifested by the hon. gentlemen opposite. They had allowed that forbearance to go a great deal too far in protecting men who had used their offices in order to injure the Government they serve. But he could tell the hon. gentlemen opposite, and all such office holders, that that was at an end.

Mr. McDOUGALL (South Renfrew) said he presumed it was perfectly justifiable for the hon. member for Kingston to turn and distort what he had said in the way he did, but he could not permit it to go unchallenged. There was ground for stating that this man was engaged temporarily; he was paid by the day, and could not be considered to have any regular office. The hon. gentleman (Sir John A. Macdonald) said his popularity was waning. It was true he did not get a very large majority at the last election, but, small as it was, it was three times as large as the majority of the hon. gentleman; and it was, moreover, despite the fact that the hon. gentleman himself introduced special legislation under which he (Mr. McDougall) was suffering, to legislate him out of the House.

Mr. WHITE (North Renfrew) said he had no intention of injuring his hon. friend from South Renfrew; nothing he could do in or out of the House would have that effect. It was quite true that Mr. Harvey was paid by the day, but his office continued from year to year, and he had occupied the position for 20 years. This might appear to be a small matter to his hon. friend (Mr. McDougall) but it was of great moment to Mr. Harvey, who was suffering, not only from the loss of the office, but under the imputation which always attached to a man who was dismissed in this summary manner. The first name upon the petition asking that this gentleman should be retained in office was that of the Hon. Jas. Skead, so that if Mr. Harvey had been at one time derelict in duty he must have condoned his offence in the eyes of Mr. Skead. Among other names on the petition were those of McLaughlin Bros., Wm. McKay, E. B. Eddy, J. R. Booth, and almost every firm doing business on the river. It was rather strange that three years after the evidence was taken before the arbitrators, it should suddenly be discovered that Mr. Harvey had neglected his duty in 1871, and that he must therefore be discharged. While he knew that the practice had been under party Government, that hon. members supporting the Government should have the patronage in their counties, he thought in this

**MR. MACKENZIE.**

instance this principle had been strained. He would like to enquire of the hon. member for South Renfrew how he would feel if the members for Quebec had secured the dismissal of an officer from the cullers office in that city in the face of a petition signed by a large majority of those who contributed to the support of the office. That hon. gentleman would be found to say that it would not conduce to the interest of those engaged in the lumber trade, nor to the efficiency of the public service. The hon. the leader of the Government had stated that the reason Mr. Harvey was dismissed was because he had spoken disrespectfully of the Government and himself (Mr. Mackenzie), and that no person would be allowed to remain in the public service of this country who did not have a due respect for that hon. gentleman and his Government. This was the first time it had been announced that public servants were servants of the Government and not of the country, and that the measure of respect a public servant had for the Government of the day was the test of his efficiency. The statement that Mr. Harvey was engaged in other employment he (Mr. White) believed was tolerably correct; but with the fact that all those interested in the river had certified to his efficiency, the inevitable conclusion must be arrived at, that the dismissal was made to gratify the political spite of the hon. member for South Renfrew. The hon. the Premier had neglected to notice the statement he (Mr. White) had said he was prepared to substantiate, namely, that the present incumbent was not a person who ought to have the position, as he was engaged in the lumber trade at Arnprior.

Mr. McDOUGALL (South Renfrew): I deny that.

Mr. WHITE read the following declaration of partnership:—

“PROVINCE OF ONTARIO, }  
“County of Renfrew. } ”

“The undersigned, James Hartnev, of the Village of Arnprior, in the County of Renfrew, and Province of Ontario, Merchant; Neil Robertson, of the Township of McNab, in the County and Province aforesaid. Lumber Merchant; and William John Macdonald, of the said Village of Arnprior, Provincial Land Surveyor, hereby certify that we have carried on, and intend to carry on

trade and business as Lumber Merchants at Arnprior, in partnership, under the name or firm of "Hartney & Co.," and that the said partnership hath subsisted since the twentieth day of September, one thousand eight hundred and seventy-five; and that we, the said James Hartney, Neil Robertson, and William John Macdonald are, and have been, since the said day, the only members of the said partnership.

"Witness our hands at Arnprior, aforesaid, this twentieth day of September, one thousand eight hundred and seventy-five.

(Signed) { "JAMES HARTNEY,  
"NEIL ROBERTSON,  
"WM. J. MACDONALD."

"I certify the within paper writing to be a true and correct copy of a partnership made between James Hartney, Neil Robertson and William John Macdonald, and registered in the Registry Office for the County of Renfrew.

"Given under my hand and Seal of Office, at Pembroke, this twentieth day of March, A.D. 1877.

"ANDREW IRVING,  
"Registrar."

Mr. McDOUGALL: When was it dated?

Mr. WHITE said it was dated on the 25th September, 1875, six months before he was appointed to the office. Although he had searched in the registry office and the *Canada Gazette*, he had been unable to find that any dissolution of partnership had since taken place. He claimed this: that it was not in the public interest that a man engaged in the lumber trade at that point should be slidemaster.

Mr. McDOUGALL: He had ceased to have any interest in the trade before he was appointed.

Sir JOHN A. MACDONALD: He could not by law according to the registry.

Mr. McDOUGALL: I know the fact.

*Motion agreed to.*

### THE CHICOUTIMI MAILS.

#### MOTION FOR CORRESPONDENCE.

Mr. CIMON moved for all correspondence respecting the lessening the number of the mails between Chicoutimi and L'Anse-au-Foin, in the County of Chicoutimi.

*Motion agreed to.*

## VOTING BY BALLOT ON THE DUNKIN ACT.

### RESOLUTION PROPOSED.

Mr. ROBINSON moved:

"That the House do resolve itself into a Committee of the Whole to consider the following resolution:—That it is expedient to provide that so far as the concurrence of the Parliament of Canada may be necessary for the purpose, the Legislature of the Province of Ontario or the Province of Quebec shall be authorized and empowered to provide that the votes of the electors under the Act of the late Province of Canada, 27, 28 Vict., chap. 18, therein called the Temperance Act, and commonly known as the Dunkin Act, shall be given by ballot in such manner as the Provincial Legislature may direct, subject to such provisions and changes only as may be deemed necessary for the purpose, but retaining all the provisions of the Act which are not inconsistent with the voting by ballot."

He said hon. gentlemen would see that there was no attempt in this resolution to affect the principles contained in the well-known Dunkin Act. It merely involved a new manner of carrying out these principles. The principle of voting by ballot had been found to be most useful in more important matters than even the Dunkin Act, and was very popular. He thought he was authorized to say that the principle of voting by ballot in reference to this measure, was approved of, not only by those who were inclined to oppose the principle of the Dunkin Act, but also by those who were in favour of the principles of that Act; and it was, therefore, as much in the interest of one party as another that he had drawn the attention of the House to the question. The well-known Dunkin Act was passed in 1864, and applied to Upper and Lower Canada—now Ontario and Quebec. The powers under it were to be exercised by municipalities and by the British North America Act, section 92, legislation respecting municipal institutions in the Province, was assigned exclusively to the Provincial Legislatures. But by section 91 of that Act, legislation respecting trade and commerce was assigned exclusively to the Parliament of Canada; and the Dunkin Act, where in force, made the trade and commerce in intoxicating liquors

unlawful and so restrained trade. By section 129, laws in force at the time of the passing of the British North America Act remained in force, but could only be altered or repealed by the Legislature which could legislate on the matters to which they respectively relate; and if they related both to matters under the control of the Provincial Legislature and Canadian Parliament, it would seem that the action of both was required to repeal or alter them. He would point out to the House the examples of such joint action, in support of the principle involved and asked for in his motion. In 1869 Parliament passed Mr. Sandfield Macdonald's Act, 32 and 33 Vic., chapter 35, authorizing County Judges or their deputies to try certain offences; but, as the constitution of courts, fees of sheriffs, &c., for carrying the Act into execution belonged to Ontario, the Provincial Legislature passed their Act, 33 Vic., chapter 10, and called the Court "The County Judge's Criminal Court." It had no name under the Dominion Act, nor was the Judge said to hold a Court. In 1874 the Canadian Parliament passed Mr. (now Judge) Moss' Act about Permanent Building Societies in Ontario, and the Legislature of Ontario, thinking their powers encroached upon, passed their Act, 39 Vic., chap. 32, repealing the Canadian Act, except section seven about interest, which was not a matter they could deal with, and confirming things done under the Canadian Act. In 1870-71 the Ontario Legislature passed their Act establishing the Central Prison, and in 1873, chapter 46, and again in 1875, chapter 69, the Parliament of Canada passed Acts to enable the Lieutenant-Governor and officers to carry out the Act, and to transfer prisoners to it from the common jails, and do other things to which the Provincial legislative powers did not extend. In the present Session the Minister of Justice's Bills, numbers 55, 77 and 94, all had the same effect of supplying, by the powers of the Canadian Parliament, the want of legislative powers in the Ontario Legislature; and the Finance Minister's Bill, No. 36 (Insurance Bill of last session), after reciting that the Act, chapter 52, of The Consolidated Stat-

utes of Upper Canada, respecting Mutual Insurance Companies, was repealed by the Ontario Legislature, but that doubts might be entertained as to their powers over the said chapter, repealed it once again, so far as it might be within the legislative jurisdiction of Canada. He could find no more precedents, but the House would see that those already cited were sufficient to bear out the principle of jurisdiction, for which, in his motion, he had asked the concurrence of the House; and as, apart from the question of jurisdiction, the principle of voting by ballot, another important question, was now approved of by the people, and found to be beneficial, he hoped the House would see no objection to its being adopted in voting for the Dunkin Act.

Mr. BLAKE said, without entering into any controversy, which he did not think it was expedient to enter into in the present state of the dispute as to whom the jurisdiction in this particular matter properly belonged, he would say that it seemed to him that the proposition of the hon. gentleman was one which could not be at all assented to. There were, no doubt, many classes of subjects upon which it was difficult to find the precise line which separated the jurisdiction of the Local and Federal Legislatures. There were some subjects of a different character to each other, but yet which ran very much into one another, in reference to which both the Federal and the Local Legislatures were liable to find themselves overstepping their several jurisdictions. But this proposition he took to be clear: that whatever might be the legislative authority of the Parliament of Canada, it was bound to execute that authority itself. It could not delegate to any other power the execution of its legislative rights. If they had power to repeal, amend, alter, or supplement the provisions of the Act of 1864, they, of course, had the right to do it, but they had not the right to authorize Local Legislatures to do it. They were responsible to the people for the execution of their legislative powers. They were bound to exercise for themselves this power, but they could not entrust their respon-

sibility to, or confer their authority upon, Local Legislatures. Doubts might occasionally arise, in which it might be found expedient—although it must only be pursued in emergency to avoid the possibility of serious difficulties—that there should be legislation in both the Federal and the Local Legislatures. But this was upon the very principle which underlay the objection he had to the hon. gentleman's motion, namely, that the exercise of the legislative power of a Parliament, whether it were Federal or Local, must be performed by that Parliament itself. Therefore, it was that he felt it necessary to enter into no other considerations which might occur upon this motion. He regretted very much that circumstances had prevented the question of jurisdiction being disposed of by the highest court. While he thought it would be more expedient that legislation in connection with this matter should not take place during the present Session, in the hope that the difficulties now existing might be cleared up in the interval, he would not say that the argument which he was here presenting would be an argument of more than expediency. He would not say that Parliament might not, if it pleased, take upon itself, even at the present time, and with the risk of inconvenience which might arise, to assume jurisdiction; but what he would say was that, if Parliament assumed jurisdiction, it must perform its own legislation and exercise its own powers and not delegate them to any other body. He could not, therefore, support the proposition of the hon. gentleman.

Sir JOHN A. MACDONALD said it was to be regretted, as the hon. the Minister of Justice had truly said, that the conflict of jurisdiction which had arisen in regard to that vexed question that seemed to agitate the people, especially those of Ontario, had not been finally settled by an authoritative decision. They could not, however, help it. Meanwhile, he ventured to differ entirely from the contention of the hon. the Minister of Justice that the Canadian Parliament could not hand over its powers to a subordinate body. It was the first time he

had heard of any such limitation. The power of putting into effect the Dunkin Act was delegated by the Legislature of the late Province of Canada to the different municipalities. The Dominion Parliament had the power to impose a tax throughout every municipality, town, and county in Canada, and yet it handed over that power to municipalities. Parliament might give them certain powers, and might limit or increase them, or take them away. It was clear to him that if the question of a Prohibitory Liquor Law was within the jurisdiction of Parliament, it had the power to delegate its authority to a subordinate body, and could even distinctly limit the Legislature of Ontario or Quebec to dealing with the subject in a certain way; and so in the case of municipalities. So long as Parliament had jurisdiction over the subject for legislation, as a matter of administration it could employ the medium of any subordinate body. It did not appear, moreover, that those subordinate bodies were to be merely machines; Parliament could call on them to exercise their judgment as *quasi-legislators*.

Mr. MILLS said the doctrine laid down by the right hon. member for Kingston was a most extraordinary one. He had not only confounded the principle of administration with legislation, but he had asserted that this Parliament might deprive itself of the power of legislation when it pleased. The British North America Act provided for a division of the powers between the Dominion Parliament and Local Legislatures. If the right hon. gentleman's views were correct, that division was a mere imaginary one. That contention did not rest on a substantial basis. If it were true, Parliament might pass a law declaring that Provincial Legislatures should deal with the subject of criminal law, or might pass a law declaring that Provincial Legislatures should determine whether Parliament should be elected for five or ten years. There was not a power possessed by Parliament under the British North America Act, which power was declared to be exclusively vested in the Parliament of Canada, but might be handed over to and vested in Provincial Legislatures, if the argu-

ment of the right hon. member for Kingston was valid. There was a provision in the British North America Act regarding property and civil rights, which provided that with the consent of Provincial Legislatures, the Canadian Parliament might legislate upon that subject. If the right hon. gentleman's views were correct, there was no necessity for such provision; the Provincial Legislatures would have had that power with the consent of the Dominion Parliament without their being any special provision on the subject. That would not be a Federal system under which Provincial Legislatures had an independent existence within their own sphere, distinct from the power of the Dominion Parliament. He stated, without hesitation, that the right hon. member for Kingston could not find, from any Federal constitution, a law which would, in the smallest degree, sustain the view which he had promulgated. There was no authority for any such view. The right hon. gentleman had declared that Parliament could form municipal councils and boards, distinct from those which had an existence under the authority of the Provincial Legislatures. If Parliament had that power, what necessity was there to expressly mention that it was vested in the Local Legislatures; it was not expressly stated that it was vested in the Parliament of Canada. If Parliament had the same power to create a municipal body, having a distinct legislative power, there might be a legislative power independent of the Provincial Legislature; instead of giving the power to the Provincial Legislature, Parliament might create a separate and distinct body; and such a body would have its existence, not under the constitution, but under the Act of Parliament. The position of the right hon. member for Kingston was, not only untenable, but it was not consistent with common sense that any such power should be asserted. Instead of having two legislative bodies, distinct and separate, existing under the constitution there might be a number created by Government and a number created by the Provincial Legislatures, each undertaking to discharge the

duties specially and exclusively vested by the British North American Act in the Provincial Legislatures and in Parliament. The object of administration was quite distinct from that of legislation. Parliament might provide machinery for the administration of the laws, and it might, in some cases, make use of local machinery, where there was no objection to its doing so; but to say that because Parliament had the power to provide the necessary machinery for the proper administration of the laws, that therefore it had the power to surrender the power it possessed and put an end to its existence and authority, was an entirely different proposition. The right hon. member for Kingston had claimed that this was a paramount Legislature, and declared that it possessed paramount power. There was nothing of that kind in the Constitution, and the Canadian Parliament had its functions as well as the Local Legislatures. Its functions might be more important in the eyes of hon. members than those of the Provincial Legislatures, and in that view they might be correct. More ability and information might be required for the proper and efficient administration of the affairs of Parliament, and they might be more dignified in the estimation of the people. But Parliament was not paramount. The functions of Parliament and the Provincial Legislatures were separate and distinct. If Parliament were paramount it would have the power to determine on what subjects they would legislate and what not; but the British North American Act provided that certain subjects should be exclusively vested in the Provincial Legislatures. Those Legislatures had their own legitimate sphere and were as independent of Parliament as if they were separate and distinct sovereignties. There could be no question about that point, and the idea of paramount power was one wholly inconsistent with the federal system of Government which, under the constitution, had been established in this country. There could be no question that it was the British North American Act that gave the Canadian Parliament power to legislate upon the subject of licensing or refusing licenses to sell intoxicating liquors. If the Provincial

Legislatures possessed that power under the British North America Act, the Canadian Parliament could not divest them of it; if they did not possess that power, Parliament had no legal power to interfere, and any legislation on the part of Parliament, without the authority of the British North America Act was simply *ultra vires*, and would be so held by the Courts of the country. There was nothing Parliament could do which could extend the powers with which it was invested, and nothing which could limit and take away any portion of the authority imposed upon it; and the legislation proposed would be quite improper under the Constitution on the authority of which hon. members were in the House undertaking and executing the legislation of the people. Parliament had all power and authority so long as it attended to its own business and kept within the limits of the Constitution. The French Minister once said to Charles II that if the English King would keep within the limits of the Constitution he would be one of the greatest monarchs of the world, but if he were outside of the Constitution he was nothing. That was precisely the position of the Dominion Parliament; its power was absolute within the limits assigned to it, but when it went outside it was nothing.

Mr. PALMER said he quite agreed with the hon. the Minister of Interior that the powers of the British North America Act were divided, and they could not be encroached on either by one side or the other. The power to legislate given to the Provincial Legislatures was just as absolute within the limits of the British North America Act as was the power given to the Canadian Parliament within the class of subjects relegated to Parliament. He also agreed with the principle laid down by the hon. the Minister of Justice, that it was impossible for Parliament to abrogate its legislative powers. That meant that whatever it could enact, it could repeal; that it was impossible it could grant any power—the power to legislate—to any other body whatever, whether a Provincial Assembly or any other body, that it could not take away at any moment.

He agreed with the right hon. member for Kingston in regard to the paramount power of Parliament. That meant that it was impossible that Parliament could grant a power to anybody which it could not repeal. It would be extraordinary to limit the power, if they could not declare upon these subjects, when, where, and how it should be enforced. He could understand no such limit being placed upon their powers. He considered that their power of legislation over the class of subjects delegated to them was absolute. They could deal with them in any way they chose. It would be impossible for them to act with relation to the great variety of subjects under their control on any other principle. It might be perfectly right to trade in alcoholic liquors, but it was not in the power of the Local Parliament to prohibit such trade. While he entirely agreed with his hon. friend opposite to a certain extent, he must concur with the argument of his right hon. friend from Kingston, as far as it was applicable to this subject.

Mr. MILLS said he wished to ask the hon. gentleman if he understood the hon. gentleman to argue that they could create a Parliament and confer upon it the power to legislate—say upon the subject of promissory notes, or upon the interests of shipping or navigation? Could they call a second Parliament into existence to legislate on these subjects as long as they pleased?

Mr. PALMER said he did not think they could do that. They might create a tribunal in this relation, but it would not be a Parliament. Power was delegated by Parliament to the Governor in Council, and if his hon. friend the Minister of Justice was able to draw any distinction in this regard, he was not so able. This question came within the class of subjects upon which this Parliament could legislate. He had never heard it suggested whether or not the Local Legislatures had power to regulate the sale of liquor, or, if there had been, to what extent they could do so. He knew of no case in which the point was raised. He apprehended that there could not be a conflict of opinions in this respect unless

they knew exactly the extent of the particular sale. He thought that the New Brunswick decision was, that whenever the real scope of regulations and powers entirely interfered and stopped the trade in that particular article, it was unconstitutional. Whether anything further than that had been decided he did not know; but he had never heard it suggested that this Parliament could not regulate the trade in alcoholic liquors, but of course they could not interfere with the local rights of the Local Legislatures.

Mr. BLAKE said he was supposed to have said that they could not delegate power to anybody; but what he had really said was that this Parliament could not delegate any of its legislative powers, except so far as administrative powers were concerned, and sometimes the line might be drawn so that they could not delegate these save to be properly executed by Ministerial officers.

Mr. PALMER: May I ask, whether this Parliament has any power to delegate exceptional legislative power, or not?

Mr. BLAKE: This Parliament has power to legislate, and to legislate touching things to be administered, and to make provision by law for the administration of affairs and the powers of the various administrators.

Mr. KIRKPATRICK said, he took it that they had a right to pass a law stating that the manner of voting with regard to the Dunkin Act should be the same adopted for voting at the municipal elections in the Provinces, and in the manner adopted by the Provincial Legislatures, for any election they choose to name, as they had already done. They had delegated or given power to the Local Legislatures to say who should vote for members of this House.

Mr. BLAKE: No, no.

Mr. KIRKPATRICK: Yes, we have.

Mr. BLAKE: No.

Mr. KIRKPATRICK said they had declared that the persons who should so vote were those who voted for members of the Local Legislatures.

Mr. PALMER.

They had divested themselves of certain powers. The Local Legislatures might change, from day to day or year to year, this regulation without reference to this Parliament, and almost legislate them out of existence by adopting universal suffrage or raising the franchise very high. He knew his hon. friend would say they did not delegate this power, and perhaps they did not; but they could say that the manner of voting for this law should be the same as was adopted in certain other cases.

Mr. BLAKE: That is not what is proposed.

Mr. KIRKPATRICK said they could change the resolution, and say that the manner of voting for this Act should be the same as was adopted for municipal or provincial elections; and this, in fact, would attain the object of the resolution. He agreed certainly that it would not be expedient, and, perhaps, not possible or right, for them to delegate their legislative powers, but they could prescribe the manner of voting.

Mr. BLAKE: That is to say, if the jurisdiction exists.

Mr. KIRKPATRICK: Assuming that we have jurisdiction at all.

Mr. GUTHRIE said another and very serious difficulty existed with regard to dealing with the Dunkin Act. Could they delegate their powers? He understood the right hon. member for Kingston to say that they could do what the Imperial Parliament had done, and add to the list of subjects concerning which the Local Legislatures were clothed with jurisdiction by the British North America Act, the subject of prohibition. The very statement of the proposal seemed to show that it was untenable. No doubt there was a general desire on the part of both those who opposed and favoured the Dunkin Act, that certain amendments in its provisions should be made. He had intended to propose a very important amendment—had it been clear that the House had jurisdiction on the subject—and this was to strike out the five-gallon clause, which allowed any merchant or trader without a license to sell liquor in quantities of five gal-

lons or one dozen bottles, where the Dunkin Act was in force. Another amendment would be to increase the number of polling places as, in some municipalities only one poll at present existed, voting was rendered very difficult. People had to travel many miles to vote, in some cases fifteen or twenty, and he thought this might well be amended. Voting by ballot should also be adopted. These were all points of importance. The difficulty was to decide where the power of amendment lay. If they assumed that they had power to authorize it, why should they not do it themselves? The very fact that they could authorize another Legislature to do so, would presuppose that they had such power; and, if they possessed it, they ought not to shirk the responsibility or to transfer it. There were reasons for not doing so, and which rendered it inexpedient at the present time. These reasons were well known to members of the House. The proposal of the hon. member for Toronto (Mr. Robinson) implied that difficulties surrounded the question and did not relieve it of any.

Mr. ORTON said it was well known that the question of the adoption of the Dunkin Act was now causing a great deal of excitement. In many counties much ill-feeling was shown, and many County Councils had refused to submit the law to a vote, on the ground that in interest of fair play and of both classes, the bitter feeling existing between the respective parties should be removed. He hoped that the Minister of Justice would reconsider the question and be able to frame some form of motion, or devise other means by which this vexed question could be settled. If this could be done, a very great benefit would be conferred, and it would be well received throughout the country. As the Dominion Government had control over the portion of the Act which referred to the trade and commerce of the country, there was some way by which they could, by an expression of opinion, state that voting by ballot would not interfere with the trade and commerce of the country in reference to this particular subject; and it would then be

left open for the Local Legislatures to act upon it.

Mr. ROBINSON asked whether he had understood the Minister of Justice to say that the principle involved in this motion, as to the power of the House to delegate legislative powers to the Ontario or Quebec Legislatures, was one of the questions about to be argued before the Supreme Court, and that until it was decided one way or the other, he (Mr. Blake) would object to any motion containing any such principle.

Mr. BLAKE: I do not know how the hon. gentleman understood me; but I know that if he understood me in that way he misunderstood me entirely.

Mr. ROBINSON: I asked a civil question and I expected a civil answer.

Mr. MACKENZIE: I hope the hon. gentleman does not wish to put it to a vote. The motion ought not to have been proposed at all.

Mr. ROBINSON: Under the circumstances I will withdraw the motion.

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

## SPECIAL TARIFF FOR BRITISH COLUMBIA.

### MOTION FOR CORRESPONDENCE.

Mr. DECOSMOS moved for a return of all correspondence respecting a Special Tariff for the Province of British Columbia. He said that this subject had engaged the attention of the Legislature of the Province of British Columbia before they entered the Dominion, and since that period; and it was at the present moment under discussion. This subject, he believed, had gained a conquest even in this Parliament. The fact that the hon. member for Sunbury had seconded his motion, was an evidence of his belief that a special tariff for British Columbia was desirable. The people of that Province had never asked that a tariff should be imposed with a view to exclude the products or manufactures of any other Province or territory of the Dominion. They had always held that the produce and manufactures of

one Province should freely pass into any other, as at present; but British Columbia was so remote from the Eastern Provinces, that there was a natural barrier to interchange of commodities. All that they had asked was that their tariff should be so modified that American products and cattle would be met with a heavier duty than now existed. When the Dominion Act was passed, the Legislature of the Province had the right to say whether they would accept the tariff of Canada or make their own. They rejected the existing tariff and accepted that of Canada, but it was done under a misapprehension. It was expected then that the national policy, inaugurated by the hon. member for Cumberland (Mr. Tupper), would have been continued and the farming interests of the country would have been protected. Instead of giving such protection, however, the Canadian tariff had allowed American produce to come into competition with the section of the Province east of the Cascades, the representatives of which in the Local House voted to accept that tariff in the hope that they would be free from American competition. But what had been the fact? Between 10,000 and 11,000 sheep passed from Puget Sound to Victoria last year, 2,000 head of cattle, 1,000 horses, besides nearly 30,000 barrels of flour. The men behind the Cascades had for years been hoarding up their stocks in the hope of having an opportunity to make their fortunes. Up to a recent time stock-growing was one of the chief sources of profit among the farmers, but the competition of the Americans had destroyed this branch of their industry, and to day many men who were formerly wealthy were becoming embarrassed from this cause. He wished the correspondence brought down to the House and printed for the use of members. He was aware that last Session the hon. the Finance Minister declined to take this question into consideration, believing that it could not be done, and that the hon. gentleman had taken the same position this Session. He (Mr. DeCosmos) saw no reason why this Parliament could not delegate to the Local Legislature the right to make such a tariff as they

Mr. DeCosmos.

deemed necessary, providing that they paid the same per capita tax as other portions of the Dominion.

Mr. CARTWRIGHT said there was no objection to his hon. friend obtaining any correspondence existing on the subject, but, so far as he was aware, it was of a very limited character. The request was made by some of the authorities of British Columbia, but the Government had not yet seen their way to accepting the proposal made by those gentlemen. That was the substance of the correspondence.

Mr. DECOSMOS said he thought that, after examination was made, it would be found there was more correspondence than supposed. It extended from the time they entered the Union, up to the last Session.

*Motion agreed to*

#### NORTHERN RAILWAY COMMISSION.

##### MOTION FOR RETURN.

Mr. BOWELL moved for a return of all fees paid by the Government of Canada to, and the names of all Counsel, Solicitors or Attorneys employed in connection with the Royal Commission appointed to enquire into the affairs of the Northern Railway; also the names of all Counsel, Solicitors or Attorneys that have been employed at Toronto by the Dominion Government, or by any Department or Head of Department of said Government, and a statement of all fees paid to such persons by the Government for fees or service in connection with the business of the Government of Canada.

Mr. BLAKE said no fees had been paid to the Counsel, and, therefore, it was impossible to give a return of them. There was no objection to the other part of the motion.

Mr. BOWELL said, as he could not obtain the information desired, he would withdraw the motion and make it at another period.

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

## CANADA CENTRAL EXTENSION.

## MOTION FOR ENGINEER'S REPORT.

Mr. McDOUGALL (South Renfrew) moved for the Engineer's Report of the Bonnechere and other possible routes of the Canada Central Extension.

Motion agreed to.

## CHANGE OF MAIL ROUTE TO GRANVILLE, N.B.

## MOTION FOR CORRESPONDENCE.

Mr. TUPPER moved for petitions and correspondence relating to the change made in the mail route between the Intercolonial Railway and Granville. He said the change had caused a great deal of trouble and annoyance to the people in that district. He desired more to call the attention of the Government to the matter than to obtain the papers.

Mr. MILLS said there could be no objection to the papers being brought down. Of course, the hon. gentleman was aware that the new arrangement was much less expensive than the old one.

Mr. TUPPER said by a parity of reasoning the Post Office Department would be done away with entirely.

Motion agreed to.

## WINTER NAVIGATION OF THE ST. LAWRENCE.

## RESOLUTION PROPOSED.

Mr. FRÉCHETTE moved for a Committee of the Whole on a resolution declaring it expedient that the Government should be advised to take proper steps to test the possibility of navigating the St. Lawrence from Quebec to the Gulf during the winter season.

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

## After Recess.

## PRIVATE BILLS.

## THIRD READING.

The following Bills were severally considered in Committee of the Whole, reported, read the third time and passed:—

Bill (No. 97) To amend the Act to incorporate the National Investment Company of Canada (Limited).—(Mr. Blain.)

Bill (No. 99) To amend the Act respecting the Canadian Engine and Machinery Company.—(Mr. Workman.)

## NORTHERN RAILWAY OF CANADA BILL.—[BILL No. 62.]

(Mr. Macdonald, Toronto.)

## SECOND READING.

Order for second reading read.

Mr. CARTWRIGHT, by command of His Excellency the Governor-General, acquainted the House that His Excellency having been informed of the purport of this Bill, gives his consent, as far as the interest of the Government is concerned, that the House may do therein as they may think fit. He remarked that, although the Government would assent to the Bill taking this stage, it should be understood that negotiations on the subject were not entirely concluded, and, therefore, the passing of this stage was not to be understood as at all compromising the claim the Government held against the railway.

Mr. OLIVER asked if the clause in the original charter of the Company, as to the control over the track, was in the Bill, or would be restored to it.

Mr. MACKENZIE said it was under consideration.

Bill read the second time.

## PROHIBITORY LIQUOR LAW.

## ADJOURNED DEBATE.

Order for resuming adjourned debate on Mr. Schultz's proposed motion, "That in the opinion of this House a Prohibitory Liquor Law is the only

effectual remedy for the evil of intemperance, and that it is the duty of the Government to submit such a measure for the approval of Parliament at the earliest moment practicable;” and the motion of Mr. Ross (West Middlesex) in amendment thereto, and which motion was:—“That all the words after ‘that’ in the original motion be expunged, and the following substituted in lieu thereof:—‘Whereas grave doubts exists whether, under the provisions of the British North America Act, 1876, this House has the power to deal with the sale of intoxicating liquors, as a beverage; and

“Whereas the Court of Error and Appeal in the Province of Ontario has referred a case to the Supreme Court, whereby the relative jurisdiction of the Provincial and Dominion Legislatures over the liquor traffic will be argued;

“Be it therefore resolved, that this House, while not receding from any previous declaration on the importance of a Prohibitory Liquor Law, deems it inexpedient, under these circumstances at present, to express any opinion regarding the action to be taken by the Government in dealing with this question,” *read*.

Mr. DYMOND said he regretted having to address the House in the absence of the mover and seconder of the original motion, because the design of those gentlemen, and the appearance of one of them in the character of a champion of this movement, was a point to which he might feel it his duty very briefly again to allude. He would now, further, refer to one or two of the subjects to which he had alluded on a former occasion. He had ventured to remark then, that it did not appear to him any time was being lost in regard to the progress of Temperance legislation; that in all parts of the country the most active agitation was on foot; that in all directions the two parties, those who upheld the traffic in liquor under certain restrictions, and those who were desirous of imposing upon that traffic further restraints, were brought into collision with one another, and in Ontario the Temperance, or as it was popularly termed Dunkin Act, had been carried in Prince Edward, Lambton, Oxford, Brant, Lennox and

Addington, Ontario and York; and in Quebec, in Argenteuil and Missisquoi, and there were isolated townships up and down both Provinces in which the Act was in force. The municipalities in which it had failed to be carried in Ontario were Peel, Haldimand, Frontenac, Kingston, Ottawa, and, he believed, Carleton.

Mr. KIRKPATRICK: Frontenac carried it.

Mr. DYMOND said he was very pleased to hear that. He was glad to put Frontenac for once, at all events, in such good company. He might further remark that there appeared to be every disposition to carry on this agitation in many counties where the question had not been raised, and he believed that if it were possible for this House or the Local Legislature to amend the Dunkin Act so that it might be more easily worked, they would find that it would be appealed to more frequently than it had been hitherto. Some of the objections to the present Act, and the difficulties to be overcome, had been alluded to in the course of the debate. The period for voting was a great deal too long. It would be far better that the system pursued at municipal elections generally were adopted in relation to a Temperance Act By-law. In one important township in the county of York, the township of York, the voting continued for something like six days, at a very large outlay of time and trouble. Regarding the restrictions upon the sale of liquor, he thought that those in earnest in regard to the Dunkin Act would be willing that further limitations should be imposed. As to the adoption of the vote by ballot he confessed he had a little doubt. Human nature was so weak that he had sometimes feared those who did not like to vote against what was universally acknowledged to be a great and crying evil, when they were compelled to go to the polls and openly register their names, might find a cover under the ballot for an adverse vote. The position was entirely distinct from that which existed in political elections. He confessed that the eagerness he had seen displayed for the ballot on the part of some per-

sons—he would not say in this House, because then he would trespass on forbidden ground—but the eagerness displayed by persons who were not formerly interested in the ballot, and by those interested in the liquor traffic, showed that they at all events expected to gain from it; and as there was no principle involved in it, but simply a question of convenience, he confessed that he did not feel very sanguine as to its adoption in connection with the Dunkin Act. He desired once more to call the attention of the House to the charges thrown out against the leader of the Government in connection with temperance legislation. He had not at his disposal, when he last addressed the House, the report which he now held in his hand of the deputation which waited upon the hon. gentleman (Mr. Mackenzie) a year ago, when Mr. Malcolm Cameron was led into a slight misunderstanding and used some expressions which did great injustice to the hon. gentleman. He found that the remarks of the hon. the First Minister were somewhat in this wise:

“Nothing would delight him more than to be the means of effecting the great moral reform which the deputation and the friends of prohibition desired by legislation or otherwise, but he would not be blind to such evidence as the increased consumption of liquors and other facts brought forward supplied, and could only act as the public opinion of the country would sustain him. He would be delighted, however, to receive suggestions from the Council and others on the subject and to give them the closest and most considerate attention.”

On the 31st October of the same year, the hon. gentleman was waited upon by another deputation, this time from Montreal. Referring to the previous deputation he said:

“I pointed out to a deputation from the temperance bodies last spring the political difficulties that existed. The operation of the existing law and the enactment of another law must necessarily depend very largely upon the amount of sympathy or opposition which it may receive from one or other of the great parties into which our political world is divided. As a member of the present Administration, I must simply endeavour to do what for the moment seems to be right, and just so far as we have the power legally and morally of carrying what is right and practicable into operation.”

He (Mr. Dymond) ventured to say that there was not in those expressions a single tinge of insincerity, but they were necessarily couched in that guarded language which a Minister of the Crown was pre-eminently bound to use when dealing with a subject upon which public opinion was admitted, even by its most strenuous advocates, to be at the moment unripe. There was not a member of this House who believed that if a prohibition measure was passed at that moment, it would be effectually sustained by the public opinion and legal power of the country. He did not believe there was any one there prepared at the present time to say, that even if the Government themselves came down with a measure, it would be likely to be so effectual as it probably would be if deferred for a considerable period longer or shorter, the opportunity being taken, in the meantime, to avail of such legislation as they now had at command. The speech delivered by the seconder of the motion (Mr. Farrow) was a political speech. It assumed the form of a political attack by a strong political opponent against hon. gentlemen on the Ministerial side of the House. He (Mr. Dymond) considered that the introduction of politics into the question was greatly to be deprecated. There had been no attempt on the part of his hon. friend from West Middlesex (Mr. Ross), who might be said to be the leader of the movement in the House, or on the part of any temperance organization to isolate itself from the parties of the day, or to set men of one political party against those of another in that matter. When some hon. gentlemen two years ago met together in one of the Committee rooms to concert measures to carry on this movement, they were honoured by the presence of the hon. member for North Huron (Mr. Farrow), and he (Mr. Dymond) held in his hand a document addressed to the friends of the Prohibitory Liquor Law agitation, and sent widely through the country, referring more particularly to the Convention about to be held in Montreal, and there he found in common with the name of the hon. member for West Middlesex (Mr. Ross) and many

other members who supported the Government in that House, the name of the hon. member for North Huron (Mr. Farrow). So far then there was no occasion on the hon. gentleman's part to complain that his services had not been welcomed by those who favoured the Prohibitory Liquor Law movement on the Government side of the House. And why, because he was impelled by a desire to second the motion of the member for Lisgar (Mr. Schultz) and run a little ahead of those who had as much experience on that question, or stood before the country in regard to it in the position of his hon. friend from West Middlesex, he should suppose they were all insincere and agitating it as a piece of political machinery, it was not necessary for him (Mr. Dymond) to attempt to show. The inference might be left to be worked out in the mind of everybody who had taken the matter into consideration. If the Reformers were forced to take up the question as a political party, they had nothing to fear for the result. Throughout the country, the Temperance cause and Reformers were, to a considerable extent identified. A great many Conservatives, like the hon. member for North Huron and some hon. Senators on the same side in politics, were and long had been identified with the Temperance cause; but it could not be denied that so far as the liquor traffic and the agitation against the Dunkin Bill were concerned, the great majority of its opponents were Conservatives. He had an illustration of that fact in his possession. The Ontario Government had recently been engaged in enacting very stringent License Law legislation, and it was to the honour of the Reform Party that the first Government that ever fairly grappled with this subject, and carried and enforced without fear or favour, an effectual License Law, was a Reform Government. It was alleged that in the operation of the Licensing Act, favouritism to the Reformers had been shown, and the Government, through the Provincial Secretary, ordered the License Inspectors to ascertain what were the politics of the persons who had applied for licenses. It was then found that last

Mr. DYMOND.

year 2,017 Conservatives and 852 Reformers had applied for and received tavern licenses, while the respective number of unsuccessful applicants was, Conservatives, 758; and Reformers, 316; the proportion of refusals being rather in favour of the former. The total number of applicants was—Conservatives, 2,775, and Reformers, 1,168. Of shop licenses, Conservatives received 511, and the Reformers 264, while the refusals numbered—Conservatives, 103, and Reformers, 62. Total number of applicants—Conservatives, 614, and Reformers, 326. This return was the more significant when they remembered that the overwhelming majority of the people of Ontario was composed of Reformers—a fact demonstrated by their representation in the Dominion and Local Houses. He had, however, another evidence of the reliance placed by hon. gentlemen opposite on what might be termed the partnership or confederacy existing between those hon. gentlemen and the liquor selling interest. Some time since an election trial took place at Kingston, and there, as unfortunately in most of those cases, the questions of treating and of the use of taverns came up; and he found the right hon. member for Kingston, who was the respondent on that occasion, giving his evidence with the greatest possible frankness and making the remark:—"Every tavern-keeper is a little power in his own locality; it is very good support to get the publican interest." It was not very often that people threw away what they felt to be a very good thing, and it must be a great consolation to hon. gentlemen opposite to find that, even under the auspices of a Reform Government, they had still left to themselves the vast majority of the liquor sellers of the Province of Ontario, and that, therefore, they would receive that "very good support" which their leader had approved.

Mr. BOWELL: Is that practice ever followed by Reform candidates?

Mr. DYMOND: Unfortunately, they sometimes follow where Conservatives lead. It would be a good thing if no bad example were set them.

Mr. BOWELL: Will you point to the instance where Reformers took people after church to taverns and treated them on Sunday? If we are to have distinctions and inferences drawn between parties regarding the liquor traffic, we may as well bring it home.

Mr. DYMOND said he made no charge against any gentleman in that respect. He had merely quoted public statistics regarding the position of hon. gentlemen opposite, who had attacked members of the Government and their friends in the House. He did not believe that a Reformer was more sober, personally, than a Conservative; nor was he one of those persons who would go to a public hotel and slander some unfortunate gentleman who might profess temperance principles, but who happened to have a bottle of claret before him, in obedience to the Apostolic injunction, to take a little wine for the stomach's sake.

Mr. BOWELL: Does the hon. gentleman mean to insinuate that I did so—because as to the remark I just made, if the hon. gentleman desires, I have no objection to make it personal. I had no reference whatever, either directly or indirectly, to the case to which the hon. gentleman refers.

Mr. DYMOND said he was quite aware of that. He had only ventured on an illustration of the folly and injustice of calling attention to matters which certainly ought to be questions of honour between themselves.

Mr. BOWELL: The case to which I called the hon. gentleman's attention came out on trial before the Courts. There was nothing in it of a private character.

Mr. DYMOND said that, with the exception of Frontenac, every county that had carried the Dunkin Act was represented by Reformers in the House. He alluded to Ontario. One constituency, Missisquoi, which had carried the law in Quebec, was represented by a gentleman with whose politics he was not familiar. Neither to find those who were sent out to oppose the Dunkin Act would any one go to the headquarters of the Reform Association. The missionary opposition to the law certainly consisted of Conser-

vatives. He was aware that some Reformers opposed the Dunkin Act, either because it went too far or did not go far enough. In his own Riding some earnest temperance men considered that it might be a barrier to a more comprehensive measure. In the Counties of Waterloo, Haldimand and Peel, one of the most trusted agents and confidential fidetial lieutenants of hon. gentlemen opposite, Mr. E. King Dodds, who was well known in Ontario, was regularly retained in the liquor-selling interest. He (Mr. Dymond) was opposed to the introduction of the political element into this controversy. He had only wished to show that, if it were made a party question, the Reformers had nothing to fear. It would be worse than useless for them to pass a law of the constitutionality of which eminent men amongst them were now altogether doubtful. He had heard his hon. friend (Mr. Ross, Middlesex) assailed in that city by ardent temperance men who thought he was lagging behind because he was not prepared to propose prohibitory legislation in that Parliament. A couple of years ago this question was before them, and he (Mr. Dymond) had then said, he would never vote again on a mere declaratory motion. Whenever they had to deal with the subject—and that he did not doubt would be the case at no distant day—they must do so as a matter of practical legislation. He did not believe that the difficulties, provided public opinion was ripe for it, would be so great in the way of such legislation as many believed. An enormous accession to the revenue from dutiable goods would take place when a Prohibitory Law was passed, for then a general impetus would be given to what they might call legitimate traffic in the absence of the trade to which he had alluded, and a large saving would be effected in the case of the administration of justice, for no one doubted the intimate relations existing between the liquor traffic and crime. The whole country would also be a moral and social gainer, and the loss of four, five or six millions of revenue, which would take place in the first instance, would be wholly or partially recouped to the Treasury. At all events, there could

be no doubt if there were a public opinion thoroughly favourable to the passing of a Prohibitory Liquor Law, it would sustain the Government in laying on such taxes as might be necessary to recoup to the Treasury any portion of the revenue lost by it.

Mr. McNAB said he desired, as one who had advocated the passage of a Prohibitory Liquor Law for a number of years, to give his reasons why he had seconded the amendment. During some years of municipal life, he had endeavoured in his official position to throw around the liquor traffic all possible restrictions; and he was not receding in the slightest from his belief that such a law would be the best remedy for this great evil. His reason for seconding the amendment was this: He believed it was in the interest of this great question, that this amendment should now be proposed. The motion ought not to be pressed upon the House at an unfavourable period; it ought not to be brought forward when the House had no reason to expect that it would be favourably entertained. The circumstances were most unfavourable. He had no right to impugn the motives of the hon. member for Lisgar (Mr. Schultz), but the hon. gent. was making a very great mistake in now pressing this question. A defeat was inevitable, and this would be injurious in a very great degree to the temperance cause. The judicial mind of the Dominion was very much divided on the question of jurisdiction. The Supreme Court of Nova Scotia had declared that this lay in the Local Legislatures, and the Court in New Brunswick had decided that it lay in this Parliament; and high legal gentlemen in Ontario and in the House had great doubts in this relation. Under these circumstances the motion should not have been brought before the House, as hon. gentlemen who entertained these views conscientiously though warm advocates of the measure, were obliged to oppose it. It was to be regretted that one hon. gentleman should attach so much importance to a party triumph. He entertained very strong opinions on this question, and he regretted very much indeed that it

Mr. DYMOND.

should be at all mixed up with party matters. The foremost advocates of the measure throughout the country had agreed that the course pursued by the hon. member for Middlesex (Mr. Ross) was a wise one; and they owed him a debt of gratitude for his consistent and able advocacy of temperance principles. When the jurisdiction question was settled by the Supreme Court, and when the temperance people considered the time had arrived for the pressing of this great measure, he promised his hon. friend from Lisgar (Mr. Schultz) that he would support such a resolution as he had proposed.

Mr. CHRISTIE said he would not occupy the time of the House at any length; he simply wished in a few words to express his views on this, the most important question now before the country. The county he had the honour to represent had passed the Dunkin Act by a large majority, and they desired that the Temperance Act should be amended, that further provision should be made for the enforcement of that measure, and that it should be extended over the whole Dominion. He quite concurred in that desire, and was prepared to give his hearty support to any measure which would effect that result. The decision given by several of the Judges in the Province of Quebec had led them to believe that the question of jurisdiction was well nigh settled; but subsequent events had proved that a very great diversity of opinion still existed among legal minds as to where the jurisdiction really lay. The comparatively recent decision of the Superior Court of Nova Scotia appeared to establish the right of the Provincial Governments to deal with this question. Under these circumstances it was certainly desirable, perhaps he should say it was absolutely necessary, that they should get the decision of the Supreme Court upon this point; and, as there was now a case pending before that Court, which, in all probability, would settle the question of jurisdiction at an early day, he thought the wisest course would be to wait for that decision. He was aware that any delay, even that of a few months, would be a cause of great disappointment to many of his friends. It was a great disap-

pointment to himself, as he expected and desired that some legislation would have taken place this Session; but they must bow to the inevitable, and it might be that this unavoidable delay would tend to the furtherance of the temperance cause. A very considerable number of constituencies having passed the Dunkin Act, they would know by experience what amendments were necessary to secure the more efficient working of that Act, and he hoped that they would be in a position next Session of Parliament to carry out such amendments or to introduce a local Option Act for the whole Dominion. He quite agreed with the hon. member for West Middlesex (Mr. Ross) that it was desirable to move slowly and surely, but, at the same time, they should move steadily forward. This question should be taken up and dealt with, so far as might be practicable, at the earliest moment, and they should not allow another Session to pass without the introduction of some practical measure which could be adopted by the House and endorsed by the country. He would record his vote in favour of the amendment moved by the hon. member from West Middlesex, who, he believed, was the recognized leader of the temperance movement in this House. That hon. gentleman was a true, consistent temperance man, one who had enacted a Prohibitory Law for himself. He had fought the battles of temperance nobly in the past, and was still entitled to the confidence of the temperance men in this House and throughout the Dominion.

Mr. WHITE (East Hastings) said this matter of prohibition was something which should not be approached from a Conservative or Reform standpoint, but be considered on broader principles. If hon. members were sincere in their desire for a Prohibitory Law, they should not refuse the support of anyone, no matter what his politics were. He claimed that the Government had a right to state whether they were favourable or opposed to this measure. If the hon. the Premier would treat the matter in a statesman-like way, he had no doubt a great deal of good would be effected. It was a well-known fact that the hon. member

for West Middlesex claimed to be the leader of the great temperance party, and that the hon. member for North York presided at temperance meetings, advocated prohibition, and, he believed, indulged in temperance in every shape and manner. He supposed, in fact, that the latter was a gentleman who would neither "touch, taste, nor handle the unclean thing." It would be a good thing if the Governor General followed the example set by Her Majesty Queen Victoria and the Lieut.-Gov. of New Brunswick, who would not allow a drop of liquor to enter his house. It would also be a good thing for the hon. the First Minister to adopt the same course. The whole Government of Canada seemed to encourage the sale of liquor, on account of the revenue derived therefrom. It would be unfair to stop the business of the distillers, brewers, and saloon-keepers without indemnifying them to a certain extent. In numerous parts of Upper and Lower Canada, the Dunkin Act had been carried, but that had not the effect of stopping the traffic; it was sold in low grogeries, where the worst kind of morality was encouraged. He would ask the hon. member for Prince Edward if there was not just as much liquor sold in his town, where he resided, now, as before the adoption of the Dunkin Act? In a village in East Hastings, where he believed there was as good, industrious, and generous a people as any in the country, the Dunkin Act was adopted; but it was admitted by every temperance man in the village that just as much liquor was used after as before its passage. The hon. member for West Middlesex, when this amendment first came up, kept going from one Minister to the other, and the House must have come to the conclusion that he was dodging the question.

Mr. SPEAKER: I must call the hon. gentleman to order. He has no right to say the hon. member was dodging the question.

Mr. WHITE: I will withdraw the "dodging" expression and say avoiding the question. Prohibition would never be carried by such methods; it must have the support of members of both parties and be accepted by the country.

Of course, the hon. member for North York was a temperance man, sound in every respect; he wished he was as temperate as that hon. gentleman. Every one was not like that hon. gentleman, of whom it was said, however, that he liked his "drop" as well as other people. If the temperance people knew how hon. members stood on this question they would know what course to pursue. For himself, he would support a proposition to submit the question to the people, because he believed they should have the right of deciding this question. He thought hon. members on the Ministerial side had forgotten the pledges they gave before election, for then they pledged themselves that when they came into power they would support such a law; but in this, as in other questions, they had signally failed in carrying out their promises. He believed that the House should decide in favour of the motion of the hon. member for Lisgar.

Mr. BURPEE (Sunbury) said this was a question which involved changes of the most radical character, and should be considered with the greatest deliberation and caution. Hasty legislation might have the effect of throwing it back for many years. In 1855, a Prohibitory Law was passed in New Brunswick, and the experience there ought to be a warning to the House not to be too hasty in enacting laws in advance of public opinion. He believed, however, that a Prohibitory Liquor Law would do incalculable benefit. It would, of course, involve many sacrifices, but he believed hon. members and a large number of people would willingly make them. If it were necessary in order to obtain a Prohibitory Liquor Law, he would be willing to sacrifice both the Government and the Opposition. At the same time he could scarcely see the utility of making an attempt when they were satisfied that the country was not in a position to carry it out. In the first place, as had been well said by the hon. the mover of the amendment, the conditional question as to the jurisdictions of the Local and Federal Governments was not yet settled. When this question was decided he was prepared to vote for a Prohibitory Liquor Law,

**Mr. WHITE.**

no matter what the consequences were. But he did not think any Prohibitory Liquor Law should be put into operation at once. Some notice should be given, in order that parties who had invested money in the sale, manufacture or importation of liquor, might have an opportunity to clear off their stock and prepare themselves for the coming change. The question should also be submitted to the people. When the matter was taken out of the arena of politics, and the people affirmed their acquiescence in the matter by a direct vote, he was willing to put the law upon the Statute-book. He was not prepared to vote for the proposition of the hon. member for Lisgar (Mr. Schultz), but would vote for the amendment of the hon. member for West Middlesex (Mr. Ross).

Mr. ROSS (Prince Edward) said Prince Edward County had always set a good example to the other counties of the Dominion. For the last eighteen months there had not been so much drinking there as before the Dunkin Act came into force. The hon. member for East Hastings (Mr. White) said he knew there had been. But he (Mr. Ross) would say there was not. He believed there never was a county in the Dominion more noted for sobriety, and especially now. A very large vote, 3,400, was taken, and, although the battle was fought perhaps more severely than any which had been fought for many years, the majority was 247. Whenever there was a Prohibitory Bill brought up in the House, he would support it. With regard to the motions before the House, he thought the amendment of the hon. member for West Middlesex was the more honest, and he would be glad to support it.

Mr. WHITE (East Hastings) explained that he had said that the sale of intoxicating liquors had not been entirely stopped in Prince Edward County. He would ask the hon. member whether a good deal was not still sold?

Mr. ROSS said not to his knowledge. He hoped other counties would follow the example of his county.

Mr. OLIVER said, in his remarks, he desired more particularly to reply to the observations of the hon. member for North York. That hon. member and the hon. member for Sunbury had defeated the open system of voting on the Dunkin Bill. The county which he (Mr. Oliver) represented had recently gone through a contest of this description, and had carried it by a very considerable majority. In particular sections, influences were used, on both sides, in open voting on the Dunkin Act, which required the ballot to counteract. All other elections, both Parliamentary and municipal, were by the ballot. That system had been adopted by the people of Canada, and the Dunkin Act, as well as all other elections, should be under it; in fact it was more important in this than in anything else. His hon. friend from North York had said that the Conservatives in his county were opposed to the Dunkin Act. In his (Mr. Oliver's) county, there was one Conservative township which gave a large majority in favour of the Dunkin Act; and two of the strongest advocates of that cause in his county were Conservatives, they not confining their labours to their own county, but extending them to the counties of Ontario and North York. He desired to keep this question apart from political feeling. He, therefore, regretted that the hon. member who had seconded the motion of the hon. member for Lisgar, had indulged in a strong political speech, condemning the Government and his hon. friend from West Middlesex for not immediately passing this Act. He agreed, most cordially, with his hon. friend from North York that there had been a great change in public opinion on this question. You could not go into any part of Canada but what you found parties who had formerly been strongly opposed to the measure were now its strongest advocates. One of the strongest advocates of prohibition in the House, was, until very recently, engaged in the traffic himself.

Mr. BOWELL: He has seen the evils of it, I suppose.

Mr. OLIVER said that was one of the signs of the times. He was rather amused at his hon. friend from North

Hastings appearing very anxious for the passage of a Prohibitory Liquor Law, when he had asserted that in the counties where the Dunkin Act had been passed there was more liquor sold than previously. So, according to this, if a Prohibitory Liquor Law was passed, there would be more liquor sold than at the present time. But there were difficulties to contend with in the passing of this Act. One was in reference to vested rights. He was not going to express his opinion upon it, but it was a subject worthy the serious consideration of the House, as to whether parties who had put a large amount of money in the business should be remunerated for the losses they must inevitably sustain if a Prohibitory Liquor Law was passed. This was one of the difficulties with regard to the Dunkin Act. Another great difficulty was that of smuggling. If a prohibitory liquor law was passed there would be smuggling on an extensive scale. The hon. Minister of Inland Revenue had stated that, as it was, there was a large amount of smuggling, and it would be seen by the public press that illicit stills were seized at various times in various parts of the country. If the legitimate trade was suppressed it would encourage illicit distillation as well as smuggling. It was of the utmost importance that the public should be prepared for the passing of an Act of this kind in order that they might be prepared to assist the authorities in carrying it into effect. When the proper time came, and the question of jurisdiction was settled, he would be prepared to vote for a Prohibitory Liquor Law, as he would be for an improved Permissive Bill. He thought the latter ought to be passed, as its operation would give the Government an idea whether a Prohibitory Liquor Law could be carried out or not. It was his intention to vote for the motion of the hon. member for West Middlesex.

Mr. MACDONALD (Centre Toronto) said there were one or two things which he regretted had been introduced into the discussion. He regretted, for instance, the attempt which had been made to cast reflections upon the hon. member for West Middlesex. He

thought that gentleman was entitled to a very great deal of credit for the part he had taken in the matter of temperance. He regretted, on the other hand the remarks made as to Conservatives or Reformers in this discussion, and the attempt made to show from papers and tables the number of men who applied for licenses that were Conservatives or Reformers. His own impression was that outside of this House the remarks would be regarded as bids for votes. He thought the matter of temperance would have been immensely promoted if it had been looked at altogether apart from politics.

Mr. DYMOND: Hear, hear.

Mr. MACDONALD: The hon. member says "hear, hear," and yet he introduced it himself.

Mr. DYMOND: Possibly the hon. member was not in the House when this question originated. I deprecate as strongly as he does the introduction of politics into this question, and I only took the line I did because this principle was departed from by the hon. member who seconded the motion. I agree with the remarks of the hon. member for North Oxford (Mr. Oliver); but, if this question was to be made a political one, I was determined that it should be shown on which side was the better record.

Mr. MACDONALD said he had hesitation in stating his own opinion as to the difficulties which surrounded this question. It was, to his mind, a matter of very grave doubt whether the passage of a Prohibitory Act to-day would secure the advance of the temperance cause. Every reader of history knew that the enforced piety, if that was not a paradox, of the period of the Commonwealth was followed by the licentiousness of the reign of Charles. And he maintained that the steady example of one man who through his life abstained from intoxicating liquor for the benefit of the rest, was better than 10,000 men who did not drink liquor because they could not get it. In the matter of prohibition, it required no little resolution in a day like this for a man to dare to be singular when that beverage was handed about so freely. It required more fortitude for a man now to put it away from his table

Mr. MACDONALD.

than it would if, by an Act of Parliament, every man was obliged to appear an abstainer, while not so in principle. He wanted to glance at one or two of the difficulties connected with the object. There was, first, the simple question of vested rights. The Government was obtaining revenue year after year for those who had invested large sums of money in plant connected with their business. He admitted that the traffic was bad from beginning to end; but the Government had recognized it. He maintained that, by a reasonable and fair view, they could not by an Act sweep away the capital invested without making some provision for compensation. When men had wares to sell they displayed them wisely and well. In the case of saloons he could almost fancy he saw written over the door: "He leaves all hopes behind who enters here." Another objection to a Prohibitory Law was the displacement of revenue which would ensue. He thought the people should be consistent. He was often spoken to in regard to prohibition, and he asked his interlocutors in what way they would make up the six millions of revenue which would be displaced. Hon. gentlemen said out of manufactures. That was another objection. But to his mind the most serious objection lay in the amount of smuggling, deceit and fraud which would follow the enactment of a Prohibitory Law—an amount of evil perhaps almost as great as the law would prevent. There was, however, a Prohibitory Law which they could all adopt. Every hon. member in this House could tomorrow morning pledge to become an abstainer. If they really were consistent let them cease talking about Conservatives and Reformers, but become pledged abstainers, and he would venture to say that the effect of such action would be felt throughout the entire Dominion, and would make this one of the most successful Sessions of Parliament ever held in Canada. Then, he thought, there was a great deal too much said about what Parliament was expected to do. Were there no other agencies which should speak out? Should not the Press speak out on the question? Did they not know that wherever a temperance paper

was started it had only a poor, sickly life for a very short time, and then died a natural death? Why did not the Reform and Conservative Press throughout the country speak out on the question? That would afford the best evidence of what Reformers and Conservatives felt in regard to it. Then let the pulpits speak out; let every Christian man and woman throughout the land banish alcoholic drinks from their tables. An immense advance had been made in the temperance cause. Any one who was in Parliament thirteen or fourteen years ago—there were only thirteen or fourteen in the House—would agree that there was an immense improvement in the House as compared with the legislative body of that time. He had great hope for the temperance cause, but he liked to speak plainly in regard to it. If he were allowed to refer to a private matter for a moment, he would mention that a deputation expressed a desire to wait upon him before the day of his nomination. They said they would only vote for a man who would vote for prohibition pure and simple. "Then," he said, "don't vote for me." As the matter of prohibition progressed, the question of vested rights must be considered, and a scheme propounded for providing the amount of revenue that would be displaced. He held that that was the only fair and square way to meet the question on either side of the House. He was not afraid to say he was a temperance man, one who had rigidly abstained; and he was glad to see the cause advancing.

Mr. MACKENZIE said he desired to say a few words on this question. The hon. gentleman who had moved the resolution, he believed had moved it prematurely, and he quite approved of the resolution of his hon. friend the member for Middlesex. The seconder of the resolution had alluded to a report of a conversation which he (Mr. Mackenzie) had had with Mr. Knowlton regarding the course the Government would pursue. He had only to say that Mr. Knowlton had denied that statement over his own hand, and had given a corrected statement of what took place between them. The House knew he had been in favour of a Pro-

hibitory Liquor Law for 30 years. It was nearly 30 years since he gave utterance to these views on the public platform, when few men, either in public or private life, gave utterance to similar views on this question. He always held, however, that it was useless to give legislation on this or any other question until the public was ready for it. He quite admitted that public men of standing and ability might lead the public mind to a considerable extent. To legislate in advance of public opinion was merely to produce anarchy instead of maintaining law and order. He did not believe that public opinion was ripe for a Prohibitory Liquor Law, even if the power was located. He believed a great advance had been made towards it, and the mere fact that a Prohibitory Law had been voted upon and practically carried in many counties,—though in many large counties, notably his own, by narrow majorities,—proved a willingness on the part of a very large proportion of our population, if not of a majority, to have such legislation as that. He quite admitted that ordinary political life, ordinary political affairs, and ordinary political questions, were quite secondary to a question of such vast importance as would be produced by a reform in the drinking habits of the country. But abundant evidence was furnished in the shape of the Inland Revenue returns, in the figures presented every year, that, while there had been more intelligent appreciation on the part of the public generally of the views of temperance men, and a nearer approach to that state of public opinion which would justify a not very remote Legislature in enacting a somewhat stringent measure in that direction, it was quite evident from these returns that the drinking habits of the people had not to any extent been affected as to the quantity used, by the agitation which had prevailed and been useful in its way. There was more ardent spirit consumed this moment than ten years ago. It was quite true that there had been a diminution in the amount last year. Whether this resulted from an improved public opinion, from the greater advance of temperance views with

the people generally, or produced to some or the entire extent by the inability to purchase as compared with former years, he would not venture to say. They could hope for the best, though personally he thought it was partially due to those reasons. He could only say in such matters that it was not desirable to have it made a political foot-ball. He did not believe that any of his friends, certainly not himself, were seeking to make a political foot-ball out of the question for the benefit of their own party. He was bound to take a fair and reasonable view of the difficulties in the way, and believed at this moment, if the Legislature had the power and in the exercise of that power should enact a Prohibitory Liquor Law, it would be impossible with the support which was to be obtained at present from public opinion, to carry it practically into effect. He believed they would run great danger of vastly increasing the opportunities for the illegal sale of intoxicating liquors, instead of having it controlled by some sort of licence system as at present. Any backward step in this movement would be a fatal calamity to the prosperity of the temperance cause and of the country generally. On the other hand, the revenue difficulty raised by the hon. member for Centre Toronto (Mr. Macdonald) would have to be met. No doubt, as had been stated, if, by passing a Prohibitory Law you could compel people to avoid spending their money in the consumption of ardent spirits, and spend more for the necessaries and luxuries of life, it must necessarily result in increasing the revenue from Customs, and otherwise promoting the prosperity of the people by making them better able to pay taxes from some other source. At the same time, it must be remembered that they derived nearly one-fourth of the revenue from Excise, and they would have to face the responsibility of imposing some sort of direct taxation, for some years at least, in order to make up the deficit caused by such a law as this. It might be stated, and with a good deal of reason, that they should let no revenue considerations interfere with what would prove a great moral refor-

Mr. MACKENZIE.

mation in the country. He was bound to admit that that should have due weight. He would not be the last to recognize its force when they came to deal with the subject at close quarters. They would have to decide on the course to be recommended by Parliament to pursue. In the meantime, it was quite clear that the motion indicated by the hon. member for Lisgar was premature, and could serve no purpose. It might embarrass the Government a little if the House should declare it to be the duty of the Government to do what they believed it was not their duty to do; but he did not believe that the House was of opinion that the Government should at the present moment do what the hon. gentleman indicated. After the argument advanced by hon. gentlemen on both sides of the House, he believed there would be no difficulty in arriving at the conclusion that the amendment made by his hon. friend, the member for West Middlesex, was the one which should have their confidence and support.

Sir JOHN A. MACDONALD said he thought the hon. gentleman at the head of the Government had taken a very wise course in making the declaration which he had done, as the statement would no doubt dissipate the idea which was entertained to some extent, and had found expression in the Press, that the hon. the Premier was in favour of a Prohibitory Liquor Law. The hon. gentleman had just told them that he was not in favour of it; he was opposed to it. Although, he thought, the hon. gentleman said he was in favour of a Prohibitory Liquor Law thirty years ago, he was opposed to it now.

Mr. MACKENZIE: I am as much in favour of it as ever.

Sir JOHN A. MACDONALD: Then it follows that you never were in favour of it, for you are opposed to it now. The Premier thought the time had not yet come for such a law, that the public mind was not sufficiently educated up to it, and if the House was quite ready to pass the law by a majority, yet he (Mr. Mackenzie) himself would not be in favour of it, as it could not be enforced and would be of

no service. For his part he agreed that it would be wrong to pass a law which the people would not obey. But he could not vote for the amendment for two reasons. First, it expressed a doubt as to the power of the House to legislate on the question. He had no doubt whatever that the House had such power, and he believed that the Supreme Court would so decide when the case was laid before the tribunal. But there was another proposition in the amendment, "that this House, while not receding from the opinion expressed in favour of a Prohibitory Liquor Law, deemed it expedient," and so on. Now the House had never taken any step towards prohibitory legislation, and therefore it could not recede from a position it had never taken. It was true there had been a Committee and a report, but the report was never adopted by this House. The House had never been asked to concur in it—never had concurred in it, and had never taken any steps on it; therefore, it was a recital which was not true as a matter of fact. They could not recite any such previous declaration. On these two grounds, in first place, because they had power to legislate, and, in the second place, because the statement was not borne out by the facts, as shown by the Journals of the House, he must vote against the amendment.

Mr. APPLEBY said he thought this the most important question that had ever come before the House. Being a moral question, affecting life, property and social happiness, it was far superior to such matters as trade, commerce and finance. He had long been associated with the temperance reform, and he believed that the only sure remedy for the existing evils of intemperance was the enactment of a Prohibitory Liquor Law. The aspect presented by the debate was peculiar. The Premier told them he had been for thirty years, and was still, in favour of such a law, but thought it unwise to legislate in advance of public opinion. He hardly agreed with the hon. gentleman on this point. The right hon. member for Kingston had criticized the position of the First Minister, and had, he thought, unfairly attempted to interpret that hon. gen-

tleman's language by giving it a meaning that the hon. gentleman did not intend to convey; but the right hon. gentleman sat down without telling them what his views and opinions on the question were. He believed that such a law was of the first importance to the country. Aside from party politics, he was bound to unite with that party, whatever its shade or stripe might be, which honestly would endeavour to pass such a law. The right hon. gentleman was an old politician and statesman, who had been in the field for thirty years, and his (Sir John A. Macdonald's) opinions on this subject, as on every other, were well formed and established. He asked the hon. gentleman to tell the House and country what his views on this question were. He would not let the hon. gentleman escape; and if the hon. gentleman would inform the House that he was in favor of a Prohibitory Liquor Law, and that as soon as he crossed the House and took a seat on the Treasury Benches, which the hon. gentleman expected to do at an early day, he would introduce such a law, he (Mr. Appleby) would pledge to the hon. gentleman his honest support, forgiving the hon. gentleman the many political offences he had committed, as he was prepared, under such circumstances, to forgive him (Sir John A. Macdonald) the many faults he would probably commit, as any Government necessarily did in the administration of public affairs. The right hon. gentleman had acted most unfairly in trifling with the House as he had done. One of the first things he (Mr. Appleby) and the people he had the honour to represent, had in view, was the passage of such a law. He had associated himself in the House with temperance men, and after frequent discussions, they had agreed it would be better to wait until the question of jurisdiction was finally settled, before they should press on the Government the great importance of introducing this measure, when lo! and behold, almost at the eleventh hour, the hon. member for Lisgar made this motion. The hon. mover, at the same time, told them that he (Mr. Schultz) had never been connected with the work of temperance reform;

and it was, consequently, astonishing that this hon. gentleman, of all the hon. members, should have introduced this question. He had no doubt as to the matter of jurisdiction, but when it was settled beyond dispute, he would associate himself with the party which was prepared to introduce a Prohibitory Liquor Law. He again called upon the right hon. gentleman to express at once his views on this question.

Mr. FARROW said the Premier had stated that he had misquoted the hon. gentleman. He asked the Premier to set him and the House right in the matter. He would read the words over again, as to the interview the Premier had with Mr. Knowlton at the Queen's Hotel. His words were these:—

“Mr. Knowlton, about half-past eight o'clock, entered the hall and said: ‘Grand Worthy Chief Templar, I have a very important communication to make to this Grand Lodge. I have just come from the Queen's Hotel, where I have had an interview with the Premier, the Hon. Mr. Mackenzie, and he assures me that he is strong for prohibition; and that if we will only back him up by plenty of petitions, he will do his best; and he will do his utmost to have enacted, as speedily as possible, a Prohibitory Liquor Law. He also assures me that he is a strong temperance man, and a Good Templar; and that, were it not for pressing engagements elsewhere, he (the Premier) would be with us to-night.’”

He did not ask in an impertinent way, but earnestly, to be set right on this point. He paused for a reply.

Mr. MACKENZIE: I have already stated what were my views to the House. I have never stated my views anywhere else. I could not have said that I was a Good Templar, because I never was; and I could not have gone to that meeting, because I had no business in other people's houses.

Mr. FARROW: And you did not state what is here said?

Mr. MACKENZIE: Yes; I never stated that.

Mr. FARROW denied that he had made of this matter a political question. All he had said was that the Premier ought not to have led temperance people to believe he desired to introduce a Prohibitory Liquor Law. Whatever the hon. gentleman had said to Mr. Knowlton, the words he had

quoted were said by Mr. Knowlton in the Grand Temple, then assembled. The hon. member for North York had said that the late lamented Mr. Cameron had been misled, or he (Mr. Cameron) never would have said what he did at the meeting on the 12th March, 1875. He believed he could say distinctly and positively that the late Mr. Cameron knew what he stated at the time. This was the last temperance speech the lamented gentleman had ever made, and he believed that he (Mr. Cameron) had never spoken more earnestly to the question than he then did. He now asked the hon. member for West Middlesex, if he (M. Ross) was at that meeting. The hon. gentleman was there, and what did the hon. gentleman in coming out from it say to a friend. He wanted the House and country to know. The hon. member then said:—

“I see clearly that some one has got to be hurt with this question of prohibition before it is through with, and I will take good care that it shall not be I.”

What did the hon. gentleman say to this? He thought that the hon. gentleman had taken most excellent care that “it shall not be I.” The hon. gentleman's whole manœuvring at the Montreal Convention had been “it shall not be I.” What consolation had the hon. member received this night from his chiefs? What did the hon. gentleman's amendment say? It asked for time. This was reasonable; all the hon. gentleman asked for was a few months. He (Mr. Ross, Middlesex) declared that they must come to some conclusion shortly, and before the next Session. Was this what the hon. gentleman really meant? Did he understand that the hon. gentleman would move in the matter next Session? The hon. gentleman's leader, however, said he (Mr. Mackenzie) had had this question at heart for thirty years, and that he saw no signs favourable to the passage of such a law yet. He would judge from his remarks that the hon. gentleman would not propose such a law for another thirty years. The hon. gentleman from West Middlesex appeared to be a great admirer of the Dunkin Act. He (Mr. Farrow) was not. He thought that this law was onesided. He ardently and earnestly

Mr. APPELBY.

desired prohibition for the whole country, but the hon. member seemed to be in love with this Act. It had been on the Statute-book for 13 years, and why had not the hon. gentleman thought of it before, if it was such a very good thing. Why had not the hon. gentleman submitted this law in West Middlesex? The hon. gentleman was evidently determined that whoever should be hurt—"it should not be I." This was the hon. gentleman's motto. The hon. gentleman had stated the other day that he had the endorsement of all temperance men and organizations for his course; but the hon. gentleman had not had the earnest endorsement of Hon. Mr. Cameron. Mr. McNaughton, of Cobourg had published the following statement in the *Temperance Advocate*:—

"I charge the Government with eluding, tampering with, postponing, and in any and in every way, by their organs and their hired defenders, evading the issue of temperance. I am sorry to say these words. I am a Reformer and have never given a Conservative vote; but I do love this cause yet more, and I am very anxious that our party in the House of Commons should do better than in the Ontario Legislature."

This gentleman's opinions were worth something as well as those of the Hon. Malcolm Cameron. He wished to call attention to what the Rev. A. A. Cameron, a well-known clergyman of Ottawa, thought of the Montreal Convention. In a letter written to an earnest temperance worker, in May, 1876, the rev. gentleman said:

"I am perfectly convinced that we have been completely sold by the Montreal Convention leaders."

This was written several months after the Convention was held. The Rev. Mr. Cameron was not only a very reliable Reformer, but also a great friend, he believed, of the hon. member for West Middlesex. He had given reasons, with these proofs, for saying what he had the other day on this question. His complaint then and now was, and should be, that, until the hon. gentlemen in question showed more earnestness in dealing with this matter, they were unworthy of support. These hon. gentlemen, at the general elections in 1873, had made professions which had never been fulfilled to the

country, and which, to all appearances, were hollow. Every time they were desired to walk up to the mark, they ran back. How was the Premier to know when the country desired prohibition? How many petitions were required? If the hon. gentleman waited until every one consented to it, they would never have prohibition, and this the hon. member for West Middlesex knew. Having gone to the expense of sending a Commission to Maine to ascertain how the law worked, and having received a favourable report, he thought the Government ought to have done something. He hoped the question would not be viewed in a party light, but that all true friends of the cause would support a prohibitory measure.

Mr. GREENWAY said he had been more or less connected with the temperance movement in the West for some time, and he felt it was his duty to make a few remarks on this question, and give a reason for the vote he was about to record. He regretted that politics should be mixed up in a question of so much importance as this. During the discussion more than one hon. member had referred to politics. This was certainly to be regretted, as it was the duty of all temperance men, whether Conservatives or Reformers, to try and drive from the country that monstrous evil of intemperance. He heartily agreed with the hon. member for Centre Toronto, that it was necessary first of all that those who advocated intemperance should first pass a Prohibitory Liquor Law for themselves; it would do a great deal of good, not only for themselves but for the temperance cause. The hon. gentleman who had just sat down (Mr. Farrow) asked why the Dunkin Act was not brought out before. The temperance people wanted something whereby they might express an opinion in regard to prohibition, and that was the only means at their disposal at present. It was not their ultimatum, but it afforded an opportunity of testing the feeling of the people on this question. He believed that prohibition was the only cure for the evil of intemperance. The Dunkin Act was unfair. If it were passed in one county, it simply

gave an unfair advantage to the dealers in the adjoining counties; it decreased the value of one man's property and enhanced that of another. It might be possible at the next general election to take the sense of the people in regard to a Prohibitory Law. As soon as a majority declared in favour of it, the House would be justified in passing such a measure. The fact that the Dunkin Act could not be enforced in many counties merely proved that public sentiment was not ripe for prohibition. As a temperance advocate the hon. member for West Middlesex (Mr. Ross) required no defence at his hands. He agreed with that hon. gentleman that they should go slowly, securing their position at each step. It would indeed be unwise to proceed hastily in this matter, and any hon. member who advocated a Prohibitory Law at this time was one of the worst enemies of the temperance cause. Taking that view, he believed it to be his duty to record his vote in favour of the amendment of the hon. member for West Middlesex, and he hoped that before the next election some means would be devised to obtain an expression of the people on this important question. He hoped it would be treated here, and in the country, without reference to political feeling or party prejudices, and that all friends of the cause would unite with one common object, the suppression of the evils arising out of the liquor traffic.

Mr. GOUDGE said he had always been in favour of a Prohibitory Liquor Law, as he believed it to be the only effectual remedy for the evils of intemperance. But, before any legislative action was taken, Parliament should be in possession of knowledge to enable it to judge whether a majority of the people were favourable to the passage of such a law. The hon. member for North Huron (Mr. Farrow) had taken occasion to challenge the sincerity of hon. members on that side of the House, and characterize their professions as hollow and meaningless. Yet before the hon. gentleman sat down he made an appeal to both sides to lay aside sectional and political difficulties, and to unite on this question. He thought this question might safely be left to the hon. member for West Middlesex,

Mr. GREENWAY.

who had long carried the banner of temperance in this House. He thought they should give that hon. gentleman credit for his sturdy, consistent advocacy of the cause, both in his public and private life. Before the hon. member for North Huron charged anyone with insincerity, the House ought to be placed in possession of the fact whether he was a practical teetotaller or not. For himself, he had been strictly teetotal since he was nine years of age, and he had no hesitation in saying that when the proper time came, and he was in possession of the information that the majority of the people were favourable to it, he would record his vote in favour of prohibition. The hon. gentleman (Mr. Farrow) said no benefits were derived from the Dunkin Act; but he (Mr. Goudge) thought that Act would furnish the information to enable them to arrive at a practical solution of the question. By observing the vote on this Act in the different counties of Ontario they would soon see what the sentiment of the people was. While they had no Dunkin Act in Nova Scotia, they had another which practically enabled them to gain the information desired. Any one wishing to obtain a license to sell liquor was obliged to obtain the signatures of a majority of the ratepayers, and then submit the petition to the Grand Jury of the county. That amounted almost to prohibition as far as the issue of licenses was concerned. He would vote for the amendment of the hon. member for West Middlesex, as he hoped that before next Session they would be in possession of information as to the sentiment of the people in regard to this question.

Mr. ROSS (West Middlesex) called the attention of the hon. member for Kingston to the first clause of the resolution in reference to the words "grave doubts." The Supreme Court of Nova Scotia had decided that the Local Legislatures had jurisdiction over the liquor traffic. Chief-Justice Ritchie had decided that the Dominion Legislature had jurisdiction. There were other decisions of like character.

Mr. GILLMOR said he had some experience in the passing of a Prohibi-

tory Liquor Law in New Brunswick. The hon. the Minister of Marine and Fisheries, the hon. member for Queen's (Mr. Ferris) and himself were the only members present, who were members of the New Brunswick Parliament at the time a Prohibitory Liquor Law was passed. There was no difficulty in obtaining a majority in the New Brunswick Legislature at that time. A dissolution of that Parliament was the result of the passage of that law, and the members were sent back to the people. There were other issues mixed up with that contest, but it was the question which caused the dissolution, and it was the main question to be decided at that time. And on the reassembling of the new Parliament only two out of the forty-one members returned were returned to vote against the repeal of that law, he being one of them. He believed the introduction of the question was premature, and did not aid in advancing, but rather retarded, the progress of total abstinence. It was not his business whether hon. members of this House indulged in a glass of wine or not; but it was his opinion that representing, as they did, the opinions of the people of the country, unless a large number of them were themselves total abstainers, a Prohibitory Liquor Law could not be carried out because they must be assumed to represent the social habits, intelligence, and practices of the people. If the evil of intemperance was so great that they must compel other people to abstain from drinking, they would certainly be more consistent to abstain themselves before seeking to compel others; and until there were a larger number of total abstainers in Parliament than there was at present, it was to him pretty good evidence that a Prohibitory Law would not be successfully carried out. He believed the temperance sentiment was advancing, but to introduce a Prohibitory Law now, would, in his opinion, be premature, and he would, therefore, vote for the amendment. He would not venture on a temperance speech to those who knew the great evils of intemperance as well as he. It was, undoubtedly, the greatest social evil of the day, and so great that it would justify a Prohibitory Law, and

he was prepared to vote for it just as soon as he thought it could be successfully enforced. Moral suasion was doing a noble work; but, when public sentiment was sufficiently advanced to carry out prohibition, he would, if in Parliament, be prepared to vote for it. He was himself a total abstainer, and all members, as well as all others who acknowledged the extent of the vice of intemperance, would do more good to the cause by abstaining themselves, than by prematurely enacting a compulsory law; and they would find much more freedom in advocating the cause of temperance. The question should be dealt with outside of party politics, although it would seem as if this were impossible, party feeling in connection with this question being manifested both in and out of Parliament. Intemperate indulgence in strong drink was undoubtedly the greatest social evil, but the extreme to which party political prejudices and rancour extended, was almost as great.

Mr. FLESHER said he recognized the importance of the question, and the desirableness of public opinion being known before any action was taken upon it. No policy should be adopted which would have to be retracted in the future. But, while he recognized the force of the arguments of the First Minister in this respect, he thought every hon. gentleman should acquaint himself with the views of his constituents on the subject, as had been suggested by the hon. member for North Huron (Mr. Farrow). He understood that a number of gentlemen who were prominent abstainers had waited upon the First Minister in Montreal to obtain his personal opinion, and he understood that that hon. gentleman had given encouragement to the view that the question should be submitted to popular vote. In the absence of this popular vote, the best expression of public opinion was the vote of hon. members themselves. Although he thought the Dunkin Act was a very imperfect measure, a majority of 800 had been given in favour of it in his county. He, therefore had no alternative but to vote for the motion of the hon. member for Lisgar, and he did not see that any hon. gentleman who represented con-

stituencies which had declared in favour of the Dunkin Act, had any other alternative.

Mr. McCRAANEY said, from the fact that he had the honour to represent the most temperate county in Ontario, he must say that he felt somewhat uneasy with reference to this great question. The people of his county also felt somewhat uneasy. They felt that some advance ought to be made in this question. In 1864, he believed, the Dunkin Act was submitted to the electors of his county, and it was carried by about 500 majority; but through some legal technicality the by-law was quashed. The question had not been submitted since, not because it could not be carried by a large majority, but because they were desirous of either securing prohibition pure and simple, or else some amendments to the Dunkin Act. He believed the people would be satisfied at present, as a step in the direction of prohibition, if the ballot was applied and the number of polling places increased, if there was only one day's polling, the five gallon clause abolished, and it was made compulsory on County Councils to submit the by-law. He did not entirely approve of prohibition in spots, it being too circumscribed in its character; but even that was better than no prohibition. There was no doubt that there were great difficulties surrounding this question; they had already been referred to by the hon. the Prime Minister, and he did not wonder that the Government hesitated in their action. If they desired to obtain a prohibitory measure they must throw aside all political differences, and make the temperance question the great question before the people. For his own part, he was quite willing to sink every other political question in order to obtain prohibition. He would support prohibition every time, when he believed it was advocated by those who were sincere. But he paused in regard to this motion of the hon. member for Lisgar. It was a significant fact that neither the mover nor seconder of the motion was a total abstainer or Prohibitionist. He was satisfied that no man who was not a total abstainer himself could consistently ask others

Mr. FLESHER.

to advocate a system on which he himself was not sincere. He hoped the Supreme Court would soon settle the question of jurisdiction. Then the people of this Dominion could have prohibition whenever they were ready for it. In view of all these considerations, especially the fact that the question of jurisdiction had not been settled, he did not see his way clear to supporting the motion of the hon. member for Lisgar.

Mr. SMITH (Peel) said the discussion was a pretty fair indication of the fact that if a majority did not desire prohibition, at least a very large proportion did. As the temperance people had decided a short time ago that it would not be expedient to force prohibition now, the House would, in passing the motion, go directly opposite to what the temperance people asked. Moreover, we had 3,000 miles of a boundary line between us and a country where illicit distillation had given a great deal of trouble, it having even dragged down some of the best American politicians, and at the present time the Mounted Police in the North-West were fully occupied in preventing liquor being brought in from the United States illegally. If a Prohibitory Liquor Law were passed, the same difficulties would exist here as existed in the North-West.

Mr. SCHULTZ said some hon. gentlemen had expressed doubts as to his sincerity in making this motion, but if there were one evidence of his sincerity as a Prohibitionist more than another it was the part he had taken in assisting the passage of the first Prohibitory Law in the Dominion. The passage of this resolution would commit the Government to immediate action in this matter, but it would place them in this position: that, having taken the sense of the House on this matter, when the question of jurisdiction was settled by the Supreme Court, they would be able to go on and pass a prohibitory measure which he believed, all the speakers on both sides of the House had admitted, was the only remedy for intemperance. The hon. member for Centre Toronto (Mr. Macdonald) had dwelt in a very interesting way on the injury which

would accrue to vested rights. Did the hon. gentleman forget that this was not an agitation of a day, or of a year, but of many years, and that these gentlemen who are engaged in the manufacture of spirits in Canada must know that, if the assertion of the hon. gentleman were correct, that the temperance movement was advancing, and we were all the time steadily progressing towards prohibition, sooner or later that from which they derived so much revenue would be left upon their hands. It was, therefore, the duty of those people themselves to look out for the possible ending of this lucrative traffic. He (Mr. Schultz) did not agree with his hon. friend from Centre Toronto that they should have this tender feeling for these vested rights in dealing with this question. In regard to the matter of revenue, notwithstanding the fact that the passage of a Prohibitory Liquor Law would make a difference of six millions to the revenue, the same argument applied. The Government of the day must have known of the agitation which had been proceeding in this country; they, too, must see that sooner or later, if this agitation kept on, this question must be met, and it was not to be met by the suggestion of any individual member of the House. It was the duty of the Government to provide for those exigencies themselves, and hon. gentlemen were not, in his opinion, called upon to advance any suggestion with a view to relieving the Government of what might possibly be a source of embarrassment. A good deal had been said upon the Dunkin Act. A good many gentlemen seemed to be of the opinion that it would be better to be contented with the Dunkin Act. That would be all right for hon. gentlemen who represented counties in Ontario and Quebec, because he believed it was only there that that Act applied; but even if they wanted that Act in Manitoba, in the present state of the question in regard to jurisdiction, he did not believe the Government would consent to its extension to that Province. While, therefore, in Ontario and Quebec they might see some chance of averting, with this lesser measure, some portion of this evil, in Manitoba, they were

entirely deprived of any redress whatever. He (Mr. Schultz) looked upon drunkenness as a disease to a very great extent, and he was not disposed to hold so highly the efforts made by temperance societies and organizations of various kinds, as gentlemen who had spoken in regard to them were. He believed that after a certain stage drunkenness so far became a disease that they could not reach the man who was the subject of it by moral measures at all, and that all the commendable efforts of temperance organizations, all the efforts made in the pulpit and elsewhere by temperance lecturers, were, in many cases, utterly thrown away. Therefore, in the consideration of this subject, which was first brought up in this House by his hon. friend from West Middlesex (Mr. Ross), he felt that no Dunkin Act, no success, however great, would be applicable to it, and the only remedy would be the passage of a Prohibitory Law by the Supreme Court of the Parliament of Canada. He hoped, if the measure which he had placed before the House did not carry, it would have at least a sufficiently large number of hon. gentlemen to support it as to give it that prominence which he thought it deserved. If he could see in the amendment offered by the hon. gentleman from West Middlesex, any middle course, any way of getting out of the difficulty, any way which, if the Government found—as they would probably find—the question of jurisdiction settled this summer, would compel the Government to take action upon it at the next Session of Parliament, he would have been disposed to support the amendment. He had no feeling of hostility towards it whatever; he merely differed with the hon. gentleman, and would vote against his amendment.

Mr. KILLAM said he had the honour of representing a constituency in which for many years no licenses had been granted for the sale of liquors. He believed that not more than one-half the adult male population there knew the taste of ardent liquors. He did not say that liquor was not sold there, but it was a temperance county, and he did not doubt that half the voters were members of temperance organizations.

From a constituency of that sort they would not expect to see a member returned unless he were a pretty good friend to the prohibition movement; and having both from choice and necessity been a friend of that movement in the past, he expected to be a friend to it in the future, and hoped to have pleasure some day, if the confidence reposed in him by that constituency were not forfeited, to support a Prohibitory Liquor Law, if the jurisdiction were here, or to assist it in some other place if the jurisdiction were not here. However, at the present time, he believed the friends of temperance in his own county, in common with those in the rest of the Dominion, were not prepared to see a Prohibitory Liquor Law forced upon the country. They had seen some of the effects of passing a law of that kind hastily, and, although they had understood pretty well the argument of some of their temperance friends, that if the people left off drinking rum, they would buy more clothes, cabinet organs, and things of that kind,—still, no doubt, the revenue would be seriously diminished, and the result might be, perhaps,—what it might not be fair to impute to his hon. friends on the opposite side of the House—that they would have the pleasure of defeating the present Administration, because they would not have sufficient money to carry on the public service. He (Mr. Killam) believed, and thought the Government believed, that the only hope of securing good and sound temperance reform, and a Liquor Law when the time came, lay with the Reform Party; and, as far as he knew, the great friends of temperance throughout the country had a majority upon the Reform side. Whatever motion might be moved in this House, either with an honest view of promoting the interests of temperance or for any other purpose, he had no doubt the temperance men of this country were intelligent enough to be able to weigh the arguments *pro* and *con* used in this House or outside of it and to take into consideration the motives impelling friends of temperance in this House to take either side of the question; and, he had no doubt, the great body would support the course of the temperance

members in opposing the motion of the member for Lisgar (Mr. Schultz) and voting for that of the member for West Middlesex (Mr. Ross), because they knew the conflict of jurisdiction. In his own Province they had reason to complain of the operation of their own law which was better than the Dun-kin Act, and which, if passed in Manitoba, would go far to prevent undue indulgence in intoxicating liquor. But the friends of temperance were willing to wait, first, to see where the jurisdiction lay; and after that was ascertained, he believed they were willing to wait to ascertain pretty nearly what public opinion was before they proceeded with the measure. He thought the suggestion which had been made at different times—that as the temperance organizations extended through the country, in every town and village, and had such a perfect organization, it would be quite possible for them, through their different divisions and lodges, to ascertain whether a majority of the people of the Dominion were or were not in favour of prohibition, by petitions presented to the House, was worthy of notice. They had had an example of what could be done in this matter a year or two ago. If each division canvassed the country, and a majority of the people could be got to petition, it would be a convincing proof that the majority were in favour of prohibition. In the meantime, he was sure that temperance men did not desire to see the question unduly hastened, and would be willing to wait for the decision of the Supreme Court of the Dominion.

Question *put*, and amendment (Mr. Ross, West Middlesex) *agreed to*, on the following division:—

## YEAS :

## Messieurs

Appleby	Horton
Archibald	Irving
Aylmer	Jetté
Bain	Jones (Halifax)
Barthe	Killam
Béchar	Kirk
Bernier	Lafamme
Bertram	Lajoie
Biggar	Landerkin
Blake	Laurier
Borden	Macdonald (Cornwall)
Bourassa	Macdonald (Ostre)
Brooks	Toronto)
Brouse	MacDonnell
Brown	McDougall (S. Renfrew)

Mr. KILLAM.

Bunster	MacKay (Cape Breton)
Burk	McKay (Chester)
Burpee (St. John)	Mackenzie
Burpee (Sunbury)	McCraney
Carmichael	McIntyre
Cartwright	McIsaac
Casey	McLeod
Cauchon	McNab
Charlton	Metcalfe
Christie	Mills
Church	Oliver
Cockburn	Paterson
Coffin	Perry
Colby	Pickard
Cook	Ray
Coupal	Robillard
Cunningham	Ross (East Durham)
Delorme	Ross (West Middlesex)
De St. Georges	Ross (Prince Edward)
DeVeber	Ryan
Dymond	Rymal
Ferris	Scatcherd
Fleming	Scriven
Flynn	Shibley
Forbes	Short
Fréchette	Smith (Peel)
Galbraith	Smith (Westmoreland)
Geoffrion	Snider
Gibson	St. Jean
Gillies	Thompson (Haldimand)
Gillmor	Thomson (Welland)
Goudge	Trow
Greenway	Vail
Guthrie	Wallace (Albert)
Hagar	Wood
Hall	Workman
Higinbotham	Young.—104.
Holton	

**MAYS:**

**Messieurs**

Baby	Macdonald (Kingston)
Benoit	McDougall (Three Riv.)
Blanchet	McCallum
Bowell	McQuade
Cameron	Masson
Caron	Monteith
Cheval	Montplaisir
Cimon	Mousseau
Costigan	Quimet
Cuthbert	Palmer
Daoust	Pettes
DeCosmos	Pinsonneault
Desjardins	Platt
Dewdney	Plumb
Domville	Robinson
Farrow	Robitaille
Ferguson	Rochester
Flesher	Rouleau
Fraser	Roy
Gaudet	Schultz
Gibbs (North Ontario)	Sinclair
Gibbs (South Ontario)	Stephenson
Gill	Thompson (Cariboo)
Haggart	Tupper
Hurteau	Wallace (S. Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	White (North Renfrew)
Langevin	Wright (Ottawa Co.)
Lanther	Wright (Pontiac).—59.
Little	

Question put on the motion as amended.

Mr. BUNSTER: I certainly feel it my bounden duty to thank the Premier

of the Dominion for his good judgment in putting down this question. I am glad to see he takes such a sensible view of it, and has instructed his colleagues on the other side of the House in the way he has done. Even the hon. member for West Middlesex has been converted to what I have been advocating for the last three or four Sessions. I give them credit for their conversion to the principles I have been advocating.

Motion, as amended, agreed to on the same Division, as follows:—

“Whereas grave doubts exist, whether, under the provisions of The British North America Act, 1867, this House has the power to deal with the sale of Intoxicating Liquors as a beverage; and whereas the Court of Error and Appeal in the Province of Ontario has referred a case to the Supreme Court, whereby the relative jurisdiction of the Provincial and Dominion Legislatures over the Liquor Traffic will be argued: Be it therefore Resolved, That this House, while not receding from any previous declaration on the importance of a Prohibitory Liquor Law, deems it inexpedient under these circumstances, at present to express any opinion regarding the action to be taken by the Government, in dealing with this question.”

**ONTARIO BUILDING SOCIETIES ACT AMENDMENT BILL.**

[BILL No. 21.]

(Mr. Hall.)

THIRD READING.

Bill read the third time and passed.

**QUEBEC BUILDING SOCIETIES BILL.—[BILL No. 53.]**

(Mr. Jetté.)

THIRD READING.

House resolved itself into Committee of the Whole to consider Bill (No. 53), To make further provision respecting the constituting and management of Building Societies in the Province of Quebec.

(In the Committee.)

Mr. JETTÉ said he had drafted another clause in place of the last section, which had been struck out. The object of the amendment was to render the Act immediately applicable

to building societies. In the meantime, it would allow societies with less capital than was required by the Act—a quarter of a million—to continue business, and those who borrowed money, either on debentures or deposits, to receive deposits until the 1st July, 1878, to give ample time for the amendment of the Act if this clause proved obnoxious to their business.

*Amendment agreed to.*

Bill, as amended, *ordered* to be reported.

House resumed.

Bill reported.

*Amendment read the first and second time and agreed to.*

Bill read the third time and passed.

House adjourned at  
Thirty-five minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Thursday, 12th April, 1877.

The Speaker took the Chair at Three o'clock.

### ORDNANCE AND ADMIRALTY LANDS BILL.

#### FIRST READING.

Mr. MILLS asked leave to introduce a Bill, (No. 111), respecting certain Ordnance and Admiralty lands in the Provinces of Ontario and Quebec.

Bill read the first time.

### THE OLD RAILS DISTRIBUTION.

#### QUESTION.

Mr. BOWELL asked when the return concerning the distribution of old rails, for which he had moved early in March, would be brought down.

Mr. MACKENZIE said the time of their Engineers had been of late taken up in cases before the Courts, and they had been in this respect somewhat delayed. He would, however, then state roughly, that he believed twelve tons of rails had been distributed to the Elgin Branch, nine tons to the Chatham branch and about four and a half tons to the branch of the Albert Railway.

Mr. JETTÉ.

He thought that was all that had been so far actually delivered.

Mr. MASSON asked if returns were taken up in the order in which the motions for them were passed,

Mr. MACKENZIE said he gave no orders at all on the subject. This was left to the Deputy Ministers, as a matter of course.

### MEASUREMENT OF REGISTERED SHIPS BILL.—[BILL No. 106.]

(Mr. Smith, Westmoreland.)

#### THIRD READING.

Order for third reading, read.

Mr. CHEVAL moved :

“The Bill be not now read a second time, but that it be referred back to a Committee of the Whole House with instructions to amend the said Bill by adding to the third section thereof the following words :—And any amount which may have been paid previous to the passing of this Act, by the owner or master of any steamship, over and above the amount which under this Act he is held to pay, shall be refunded to him.”

Mr. SPEAKER : I must inform the hon. member that he cannot move such a motion unless a message is previously received from His Excellency, the Governor General.

Mr. SMITH (Westmoreland) moved :

“That the Bill be not now read a third time, but that it be referred back to the Committee of the Whole House with instructions that they have power to amend the same by adding the following words after the word ‘tonnage’ in the 35th line in clause one :—For all purposes except those of the Act respecting the inspecting of steamboats and for the better safety of passengers by them passed in 1868, and the Acts in amendment thereto, for which last mentioned purposes the tonnage shall remain as it is at present.”

*Motion agreed to.*

House resolved itself into Committee of the Whole.

Bill amended according to instructions, and ordered to be reported.

House resumed.

Bill reported.

*Amendment read the first and second times and agreed to.*

Mr. MACKAY (Cape Breton) asked the Minister of Marine and Fisheries, why there was no fee allowed to the surveyor of the ships for measurement, and whether measurement was paid for by the Government or not. It seemed

to him unfair that an official should be asked to travel perhaps a long distance to measure a vessel and receive no payment. He should be paid either by the Department or the owner of the vessel.

Mr. SMITH (Westmoreland) said, of course, these services would not be gratuitous. Compensation would be allowed, but not according to the scale of fees prescribed by the present law. This work could be done for a less amount, and they proposed that the charge would fall on the Government and not on the owner of the vessel.

Bill read the third time and passed.

PILOTAGE ACT AMENDMENT  
BILL.—[BILL No. 108.]

(Mr. Smith, Westmoreland.)

THIRD READING.

Order for third reading read.

Mr. SMITH moved :

"That the Bill be not now read the third time, but be re-committed to the Committee of the whole House with instructions that they have power to add an amendment after the word 'authority,' in the 28th line of Clause 2, the following words :—" Which collects the pilotage dues."

This amendment, he said, was proposed to meet the objections of the hon. gentlemen from Northumberland and Cape Breton, and other persons, who had knowledge of the subject. Its effect would simply be to require a clearance certificate to be produced from a Customs' officer only in places where the pilotage authorities collected pilotage dues ; where the pilots themselves collected the dues, this would not be required.

Mr. MITCHELL said he was very glad that this amendment was proposed. He would take back what he had said the other day about the Minister of Marine and Fisheries not accepting any of his suggestions.

Motion agreed to.

House resolved itself into Committee of the Whole.

Bill amended according to instructions, and ordered to be reported.

House resumed.

Bill reported.

Amendment read the first and second time and agreed to.

Bill read the third time and passed.

ONTARIO MARITIME COURT  
BILL—[BILL No. 41.]

[Mr. Blake.]

BILL FURTHER CONSIDERED IN  
COMMITTEE.

Order for consideration of amendments made in Committee of the Whole read.

Mr. BLAKE moved the discharge of the order and the recommittal of the Bill. He said certain alterations had been made, but it would probably suit the convenience of the House if they were not discussed until the Bill was reprinted.

Mr. MITCHELL asked if the hon. the Minister of Justice had considered the suggestion he made, that the experts who were to assist the Judges should be sworn and examined like other witnesses.

Mr. BLAKE: I have considered it, but unfavourably.

Mr. MITCHELL: I did not think my hon. friend would give any consideration to a really practical suggestion, and, therefore, I am not disappointed.

Motion agreed to.

House resolved itself into Committee of the Whole.

(In the Committee.)

Bill amended, and ordered to be reported.

House resumed.

Bill reported.

REPRESSION OF BETTING AND  
POOL SELLING BILL.

[BILL No. 95.]

(Mr. Blake.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 95) For the repression of betting and pool selling.

(In the Committee.)

Bill ordered to be reported.

House resumed.

Bill reported.

CULLING OF TIMBER ACT  
AMENDMENT BILL.

[BILL No. 103.]

(*Mr. Laflamme.*)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee of the Whole to consider Bill (No. 103), To amend the Act respecting the culling of timber.

(In the Committee.)

Mr. CARON said when this Bill was before the House he was absent, and he took advantage of this opportunity to make a few remarks. He was glad to find his hon. friend for Quebec East (Mr. Thibaudeau), who represented a considerable number of cullers, concurring in the views he expressed on this subject. It was considered then that the average salary of \$700 was too low, and he had since presented a petition from the Board of Trade of Quebec concurring in the views that he (Mr. Caron) had submitted to the hon. Minister in charge of the Bill. The Board of Trade seemed to think that the sum was not at all adequate, and it was beyond a doubt that if it were not increased a large number of efficient men would give up the culling of timber. He hoped that the Government, even at this late stage, would find some means of altering the clause governing the salaries, and allow the cullers a reasonable sum for their services.

Mr. LAFLAMME said the measure had been discussed and weighed by the parties most interested. The friends of the cullers suggested that \$50 be added to the amount. This proposition was also submitted to the gentlemen conversant with the matter, and they arrived at the conclusion that \$700 was ample remuneration. As the average earnings of the cullers were between \$400 and \$500, he also considered that this was a fair remuneration. The hon. member for Quebec county (Mr. Caron) had stated that if the amount were not increased some of the most efficient cullers would be inclined to withdraw from the office; but he (Mr. Laflamme) understood differently, and there had been a large number of

Mr. MITCHELL.

applications from cullers who wished to remain under the proposed conditions.

Mr. CARON said he had no doubt a large number of applications were made from parties who would be perfectly willing to step into the shoes of those now engaged. Without pretending to be familiar with the subject himself, he expressed the views of those who were. The hon. the Minister of Inland Revenue would admit that the Quebec Board of Trade were competent to express an opinion, and no doubt their views would have considerable weight with the Government, and they had unanimously stated in their petition that \$700 was a perfectly inadequate compensation. He could quite understand how hon. gentlemen engaged in the lumber trade were willing that the amount should be limited to \$700. He inclined to the belief that, if the amount were not increased, inefficient men would get into positions. He did not know whether the hon. the Minister of Inland Revenue had had sufficient time to look into the petition, but he would see that it was directly opposed to the Bill. He did not expect that his representations would have much influence with the Government, but he had no doubt that the hon. the President of the Council, as representing Quebec interests, would be willing to substantiate what he had said. No doubt that hon. gentleman would pay due respect to the petition from the Quebec Board of Trade, especially as a considerable number of them were his supporters.

Mr. ROCHESTER said his hon. friend from Quebec County had quoted largely from the Quebec Board of Trade; but those gentlemen had nothing to do with the payment of the cullers. He (Mr. Rochester) thought \$700 ample remuneration, as the cullers were only employed a month in the year, and they had the rest of the time to themselves. Some deal cullers made from \$2,000 to \$3,000 a year, which he thought far too much. Cullers, in the winter, could go to the woods and get from \$1.25 to \$1.50, with board, for culling logs.

Mr. CARON said he only referred to square timber cullers.

Mr. ROCHESTER: A great many of them act in both capacities.

Mr. WHITE (North Renfrew) expressed his surprise that the hon. member for Quebec County should make the attempt he had to place an additional tax upon lumbermen. The evils which they had been suffering from, and which the Bill was intended to remedy, were induced by the political necessities of gentlemen representing Quebec constituencies; but he did not refer particularly to the hon. member for Quebec County. In years past, and under the administration of his own friends, cullers had been forced into office beyond the requirements of the service. To remedy that evil lumbermen were willing to tax themselves for the purpose of pensioning off those not required, and also to pay an amount of remuneration equal to 50 per cent. over the average earnings of the last five years. Lumbermen were quite willing to risk not getting efficient men for \$700. He himself had received applications from some of the most competent men—and he had no doubt other hon. members in the lumber trade had also—who were anxious to be retained, with a full knowledge that the average salary would be \$700. He did not think it judicious that the question of salaries should be again reopened. He would like to know from the hon. the Minister of Inland Revenue whether he was prepared to answer the question put to him a few days ago, as to the amount now at the credit of the cullers in the Consolidated Revenue Fund, which it was intended to apply to the payment of the annuities.

Mr. LAFLAMME said, if the hon. gentleman referred to what had been collected and what was now due, the amount to the credit of the fund was, he supposed, about \$40,000. Some years the receipts did not more than cover the expenditures in the office, but generally there was about \$7,000 over and above the expenses.

Mr. WHITE said he understood that, since 1867, the surplus had amounted to \$43,000, but he was informed by Mr. Langton that there was a surplus prior to that date, which he presumed would be applied to this fund.

Mr. LAFLAMME said the amount every year fell into the Consolidated Revenue Fund, and a vote was required to take it out.

Mr. CAUCHON said he was not in Parliament as the representative of any particular class of his electors, but he came there to do justice to every man, and at the same time to the public, and to consider and deal with the various questions brought forward in a spirit of fairness and justice. He was ready to take his full share of responsibility for the proposed legislation in regard to the cullers. He had had many conversations with the cullers and the lumber merchants, and it was after full consideration of the whole question, during two or three years, they had come to the conclusion that the proposal was a fair one. As \$450 was the average earnings of the cullers, though some who were favoured made more money, while others earned scarcely anything, though equally competent, \$700 was a fair remuneration to propose. He had received letters from friends asking that the amount should be placed at \$1,000 or \$800. Of course, if he had the right to put his hands into his neighbour's pocket he would be glad that the cullers should be paid even \$2000, for nothing would be more agreeable to him than that the constituents should become rich. When he entered the House he was supported by members of the Quebec Board of Trade, and by nearly the whole of the constituents of the Quebec Centre, but he never promised the Board of Trade that he would follow all their wishes. He would only follow them when their recommendation was in accordance with what he considered was right. In proof of the fact that the proposal was not unfair, he might state that he had received letters from men sending recommendations and asking that they should be retained on the list.

Mr. BLANCHET said that when the Bill was allowed to be read the second time the hon. the Premier said he would be ready to consider the recommendation of the member for Quebec East (Mr. Caron.)

Mr. MACKENZIE: I said nothing of the kind.

Mr. BLANCHET said the hon. the Premier had stated that he would take into consideration, and very likely favourably, the recommendations of the hon. member for Quebec East (Mr. Caron). He wished to know what new light had been cast on the subject. He was afraid there had been the combined influence of lumber merchants who had seats in the House. While he was glad that the hon. members for South Renfrew and Carleton possessed such influence with the Government, he should prefer it to be exercised in another direction and not against the interests of his constituents and those of the hon. member for Quebec East (Mr. Caron). He feared it would be impossible to have the Bill amended on account of the influences being too strong, but he thought the lumber merchants themselves would be the first to regret that they had not allowed a trifle to be added to the salaries of the cullers.

Mr. KILLAM said he was not sufficiently posted in regard to the duties of cullers as to know what remuneration they should receive; but he knew that whenever a question arose affecting any of the constituents and votes of hon. members from different portions of the Province of Quebec, those hon. gentlemen were always ready to attend to their interests in a particular way—that they should do as little work as possible and receive as large pay, if it came out of the pockets of the rest of the Dominion. He felt bound to say that unless hon. members from the Province of Quebec came to look at those questions in a different light, the trade of Quebec and of the Dominion through Quebec would seriously suffer. The expenses on lumber and ships at the port of Quebec were becoming exceedingly heavy. The cost of loading ships at Quebec was such that ships were obliged to obtain three or four cents per ton more for freight on lumber to enable them to make as much as they did seven, eight or ten years ago. They all knew the reason. It cropped out in every item of legislation regarding Quebec. It was the same spirit which induced opposition to the steam ferry

Mr. BLANCHET.

in winter between Quebec and Lévis. It was the same spirit which led the labourers of the city of Quebec and adjoining country not only to object to, but to prevent the employment of steam engines in loading ships, and those persons who controlled the labourers, having a monopoly of the business by means of the Association, kept the wages at such a rate that the cost of loading ships was about double what it should be. He believed that a labouring man should be well paid for his services; but when an organization like the Ship-loaders' Association had control of the port and managed the business, whereby the expenses of every vessel entering the port was increased 25 or 30 per cent., it was time the country looked into the matter. In the views of the hon. member for Quebec County (Mr. Caron), and the hon. member for Bellechasse (Mr. Blanchet), in regard to culling and pilotage prevailed, the question would be a serious one for the country and would have to be taken in hand.

Mr. COOK said that when a few days ago the Bill was up for the second reading, he advocated it in the interests of the country. At that time the hon. member for South Renfrew (Mr. White) said that he (Mr. Cook) was not engaged in the square timber trade. Even if he was not so engaged, he had some sympathy with it, and if he had no sympathy, he had a right to express his views on any question brought before the House. On examining the Bill, he observed that it was framed entirely in the interests of the Ottawa lumbermen. The fourth clause set forth that the reduction upon the timber to be measured was only on white and red pine. It was well known by everyone having an acquaintance with the square timber business of Quebec, that ash, elm, oak, tamarac, and other kinds were also received at that port, and were as much entitled to the reduction as the timber of the Ottawa valley. He was satisfied that the timber of other portions of the country was as much entitled to reduction as that of the Ottawa valley. Hon. gentlemen might contend, as they had done, that it cost more to measure St. Lawrence timber.

In his opinion it did not cost as much, because large rafts were sent down, and wherever a raft had to be measured it had to be prepared by the owner, and there was no difficulty occasioned to the culler. It was easy to cull the St. Lawrence timber, also, because the timber was much larger, and when the culler measured a stick the quantity was as great as that of two sticks of the Ottawa Valley timber. He hoped the promoter of the Bill would take that matter into consideration, and either include St. Lawrence timber, or strike out the clause entirely and have the point left to an Order in Council, when they could contest the question as to the rights of the Ottawa valley and those of other portions of the Dominion.

Mr. CARON said he was surprised to hear the statement of the hon. the President of the Council, that he did not represent any class whatever, but that he was in Parliament to do justice to all classes. He would, therefore, call on the hon. Minister to do justice to that class—the cullers, to inquire into the question, to take up the petition of the Quebec Board of Trade, and all information which had been received from the Province of Quebec, and to say whether the cullers had really been dealt with in a spirit of justice. He could not understand the statement of the hon. President of the Council, that the cullers were perfectly satisfied with the proposal. He did not know what information the hon. gentleman had received, but all the information he (Mr. Caron) had received was that the cullers were thoroughly dissatisfied. He believed that the cullers might be satisfied with the remuneration of \$700, except for the fact that cullers of square timber were called upon to disburse between 28 and 30 per cent. of their salary. The remuneration was not sufficient to induce efficient men, who possessed that education which was necessary for a proper performance of the duties, to enter into the business. He was well aware that men to cull timber could be obtained for any price Parliament might choose to pay; but they should legislate to improve, if possible, the culling of timber, and endeavour to

get into that business a class of men who would command the confidence of the timber trade; but if the trade would not pay reasonable remuneration to those men, the trade could not expect to enlist into the culling business a class of men who would obtain the confidence of the lumberers.

Mr. BLANCHET said he did not support an increase in the amount of salary proposed because the cullers lived in Quebec or Lévis, but because he thought, in the interests of the lumber trade, the men should be well paid, so as to secure skillful cullers. The hon. member for Yarmouth had taken a wide range in his remarks. He (Mr. Blanchet) would not discuss the question as to whether an association like the ship labourers association at Quebec was right or wrong, for it was not the time to discuss that point; but if the wages paid for loading vessels had been increased, it was not injurious to the shipping, because vessels were now loaded in a much shorter time than formerly. Some few years ago three weeks were occupied in loading a vessel, but now only eight or ten days. They did not hear any complaint in the port of Quebec about the wages paid to ship labourers, except, of course, by interested parties like the hon. member for Yarmouth, (Mr. Killam.)

Mr. CURRIER said his hon. friends from Bellechasse (Mr. Blanchet), and Quebec (Mr. Caron) had complained of the \$700 it was proposed to allow cullers; but, at the same time, they knew very well that the cullers only received \$407 per annum, and this increased their pay from \$407 to \$700. Of course he wanted to get the work done as low as possible, but, nevertheless, he liked to see men obtain fair wages. It seemed to him that \$700 would be fair remuneration; and the cullers would be satisfied with it, because it placed them in a much better position than they now occupied. The cullers now received \$17,400, and under this arrangement reducing the number one-half, to eighteen, to be paid \$700 each, superannuating others with \$200 each per annum, they would receive \$17,500. The lumbermen were consequently saving nothing at present.

by the operation. Nine-tenths of the cost of culling, of course, came out of the pockets of the lumbermen. He would like to ask his hon. friend if any interest was secured on the accumulated fund while in the public Treasury.

**Mr. MACKENZIE:** No.

**Mr. CURRIER** said his hon. friend from North Simcoe (Mr. Cook) argued that the measurement of timber on the St. Lawrence ought not to be any higher than on the Ottawa, but it took *cullers double the time to measure the rafts of oak, elm and birch, and even of pine, which came down the St. Lawrence that it did to measure the rafts on the Ottawa.* The former rafts were built three tiers deep and had to be counted off, and altogether broken up for the purpose; consequently, the cullers lost half their time. He thought that no complaint should be made because there was no alteration in the fee for measuring hardwood. He suggested an amendment to the second clause, but withdrew it.

*Section agreed to.*

On Section 4,

**Mr. LAFLAMME** said he proposed to amend it so that instead of the measurement of white and red pine being established at three cents per ton, the Governor in Council could increase or diminish the charges, so as to equalize the cost and meet the amount of the expenditure.

**Mr. McDOUGALL** (Renfrew) said he would like to know whether the Government intended to pass an Order in Council with reference to this matter. It was of little use for them to give time and attention to it if it was to have no effect. Ever since he had been in the House—since 1870—constant promises to reduce the fees had been made by the Governments in power, but this had never taken place, owing to the conflicting interests involved and the pressure brought to bear on them. It was extremely difficult for the Government, under the circumstances, to make any change. The measurement of timber would soon commence, and the rates with which it began must be continued throughout the whole season.

**Mr. CURRIER.**

**Mr. MACKENZIE** said the alteration was made on the ground that, if the Bill provided a tariff, it should be complete, and not for merely one class of timber. This seemed reasonable.

**Mr. WHITE** (North Renfrew) said he regretted exceedingly the change proposed. The calculations made by the gentlemen interested in the trade had led them to believe that the payment of three cents per ton would be sufficient to pay the amount of charges, which should be made on the average to cullers. The expense of measuring timber on the St. Lawrence was necessarily very much greater than it was on the Ottawa River. The cullers lost a good deal of time while the rafts were being canted and prepared for measurement. This matter was fully understood and discussed in the conferences which had taken place between lumberers and those who represented the cullers. He hoped that the clause would not be amended as was proposed.

**Mr. McDOUGALL** said he thought the Bill could be left over for further consideration, in order that a complete tariff might be brought down.

**Mr. LAFLAMME** said that, as the fees for culling square timber were to be paid by the lumber merchants, it was understood that they should be so regulated that the expenses would be covered by them. The clause remained exactly in the same position it was when they had originally discussed it. The only elimination related to the words determining the fees to be charged on squared red and white pine. This he had remarked at the conference, was useless, because the Governor in Council had still the power to raise or decrease the amount of fees to be collected. The fees to be obtained should, as nearly as possible, be made to meet the expenses of the office.

**Mr. WHITE** (North Renfrew) said he had pointed out to the respective Ministers of Inland Revenue since 1867, that a very large amount had been collected from the lumbermen in addition to the necessary expenses of the office. In point of fact they had been taxed during the past year to the extent of

between \$3,000 and \$10,000 per annum. They desired a rate to be fixed, the basis of it being the quantity of lumber measured during the past five years, so that this special tax on the trade should not be continued; and that the amount to be collected, should, as nearly as possible, cover the expenses of the office, and do no more.

Mr. LAFLAMME said, there was an excess of receipts over expenditure, but from this must be deducted a large amount of outstanding claims which were due, and part of which would not be collected.

Mr. WHITE (North Renfrew) : They are all good.

Mr. LAFLAMME: They are not all good, and some are in the hands of lawyers in Quebec for collection. As the hon. gentleman from Renfrew had stated, the intention of the Department was not to impose a higher amount than was necessary to meet the expenses of the office, and this Bill and the Order in Council were shaped in the same direction.

Mr. WHITE (North Renfrew) said he understood the hon. the Minister of Inland Revenue to say that the fees were placed in the hands of lawyers to be collected. Was he to understand that a further tax was to be placed on those who did pay their measuring charges to meet the deficiency caused by those who did not pay.

Mr. BLAKE: Oh, no.

Mr. MITCHELL said the point taken by the hon. member for Yarmouth (Mr. Killam) was well put. Persons might suppose that the charges imposed on the shipping interest did not affect the producer of lumber; but it was his opinion that every item put on the shipment of lumber affected even the labourer in the woods. In those advanced days of legislation Government should obviate any undue burdening of one industry. He considered it was bad to make laws by Order in Council, and considered the present system ought to be changed. He thought that the taxation on this

interest should only cover the expenses of the office, and that upon that basis alone the fees should be imposed.

Mr. CURRIER said every cent of the \$500,000 belonged to the lumbermen. It would be more satisfactory if the three cents a ton were left to meet the expenditure of the office.

Mr. MITCHELL thought his hon. friend (Mr. Currier) and himself meant the same thing. He thought an additional clause should be put in the measure to the effect that the tax might be increased or lessened according to the requirements of the trade.

Mr. McDOUGALL (South Renfrew) said he thought that the 3c. a ton on white and red pine would be sufficient to pay all expenses. He thought it was only fair that the reduction should take place this year. It was not right that it should be postponed for another year.

Mr. MACKENZIE said the size of timber was constantly varying. Ten years ago the size of old timber from the west was considerably in excess of that obtained from the Ottawa valley. The conditions might now be different; he had no doubt they were different, and they might change again in the course of a few years, and the timber in the Ottawa valley might be much smaller than it was now, as the old timber became exhausted. There could not be found the sort of timber there was in New Brunswick 30 or 40 years ago, and the cost of measuring heavy timber was much less then than the cost of measuring light timber was now, when it was taken by weight. It was, therefore, an inevitable necessity that there should be a discretionary power to change the tolls both in the canals and slides and in culling timber. It would be anomalous that there should be a specific rate for a certain kind, and that the other kinds should be left to be regulated by Orders in Council.

Bill, as amended, ordered to be reported.

House resumed.

Bill reported.

Amendments read the first and second times, and agreed to.

INLAND REVENUE ACT AMEND-  
MENT BILL.—[BILL No. 91.]

(*Mr. Laflamme.*)

THIRD READING.

Bill read the third time and passed.

INSPECTION OF PETROLEUM  
BILL.

FIRST READING.

House resolved itself into Committee of the Whole to consider the following resolution:—

"That it is expedient to provide for the inspection of Petroleum by properly skilled persons, more especially with respect to its being explosive or non-explosive, and to define the test by which this shall be determined,—to prevent the sale for consumption in Canada of any petroleum not inspected, by imposing a penalty on persons offering it for sale, except only for exportation, and by subjecting it to seizure and forfeiture:—and, to provide for the payment of fees not exceeding three cents for the inspection of any package containing not more than ten gallons, and five cents for every package containing more than ten gallons and not more than forty gallons, and so in proportion for any greater quantity."

(In the Committee.)

Mr. LAFLAMME said, while the duty on petroleum had been changed, there was no provision for inspection. The intention of the Government was merely to have oils inspected so that it might be shown what oils were explosive and what were not explosive, for the better protection of life and property. The fee was very light, as the House would see—only 5c. per package.

Mr. TUPPER: I don't understand how the alteration in the duty can make this Act necessary. I presume under the old Act petroleum is still inspected.

Mr. LAFLAMME: That Act was abolished by the alteration in the tariff, consequently there would be no power unless the proposed Act was passed to inspect petroleum.

Mr. MACKENZIE: The design of the Bill is to provide for inspection simply for safety. Both imported and Canadian oils would be inspected.

Mr. TUPPER: But we had that under the law before.

Mr. MACKENZIE.

Mr. MACKENZIE: But that was under different conditions. The Bill prescribes as little formality as possible. It will certainly give satisfaction to the trade in that respect. It is absolutely necessary that there should be inspection of some kind. The standard fixed upon was 105° to which there could be no objection.

Mr. KILLAM: I am not aware that imported oil was inspected in Canada before. I understood that imported oil is inspected where it is refined.

Mr. MACKENZIE: It is exactly the same as under the old law. Imported oils should be inspected.

Mr. KIRKPATRICK: That is what the Canadian refiners want.

Mr. GIBBS (South Ontario): Will any revenue be derived?

Mr. LAFLAMME: No; the fee is merely for the purpose of paying the cost of inspection.

Resolution agreed to and ordered to be reported.

House resumed.

Resolution reported, read the first and second times and agreed to.

Mr. LAFLAMME introduced a Bill, (112), to provide for the Inspection of Petroleum.

Bill read the first time.

BRITISH COLUMBIA JUDGES  
TRAVELLING ALLOWANCES  
BILL.

FIRST READING.

House resolved itself into Committee of the Whole to consider the following resolution:—

"That it is expedient to provide that the County or District Court Judges of the Province of British Columbia may be paid out of the Consolidated Revenue Fund of Canada; travelling allowances to be from time to time fixed by the Governor in Council."

(In the Committee.)

Resolution agreed to and ordered to be reported.

House resumed.

Resolution reported, read the first and second times and agreed to.

Mr. BLAKE introduced a Bill, (No. 113), to provide for the payment of travelling allowances to certain Judges of British Columbia.

Bill read the first time.

THE NORTH-WEST TROUBLES—  
W. D. O'DONOUGHUE.

RESOLUTION PROPOSED.

Order for the House to go again into Committee of Supply read.

Mr. COSTIGAN moved in amendment :

"That Mr. Speaker do not now leave the Chair, but that it be Resolved,—That in pursuance of an Address, passed by this House on the 13th day of February, 1875, full amnesty was granted to all persons concerned in the North-West troubles, for all acts committed by them during the said troubles, save only Louis Riel, A. D. Lépine, W. D. O'Donoghue, and a partial amnesty was granted to Louis Riel and A. D. Lépine, conditional on five years' banishment from Her Majesty's Dominion, thereby leaving the said W. D. O'Donoghue as the only person liable to the extreme penalty of the Law for all acts committed by him during the said troubles. That this solitary exception has created dissatisfaction among a large class of Her Majesty's loyal subjects of the same nationality as the said W. D. O'Donoghue, and that, in the opinion of this House, as all disquiet and fear of disturbances have long since ceased in the North-West Territories, it is just and proper that the said W. D. O'Donoghue be placed in the same position, with regard to the said troubles, as Louis Riel and A. D. Lépine."

He said he was sure the House and the Government would not feel at all surprised at his making this motion at the present time. It would be in the recollection of the House that when the subject was under consideration last year, he said it was his intention, so long as he continued to occupy a seat in this Parliament, to make this a cause of complaint, and that he would continue to urge that justice should be done. He had taken the opportunity to urge that justice should be done by the House in this matter. He believed that in the House, and out of the House, it was generally admitted that there was no reason why such an extreme measure of punishment should be inflicted upon only one man of those who were implicated in the troubles of the North-West. If there had been any good reason at the time, the fact that all these troubles had ceased, that all excitement had subsided, was evidence that there was no reason now why the amnesty, or partial amnesty, which was granted to Riel and Lépine, should not be extended to this man, O'Donoghue. It had never been shown that he was more guilty than any other of the persons who were concerned in the troubles of the North-

West. It was claimed by himself and many of his friends that he was less guilty, that he was not concerned in some of the troubles which had taken place there. It would be necessary, he (Mr. Costigan) thought, for the Government or the House to show that O'Donoghue was more guilty than any other person—in fact, that he was the greatest criminal in that country, seeing that he had been singled out to be dealt with, as he had been dealt with. After all, the crime of this man from the first had been that he became a settler of that part of the country. He was living in Manitoba at the time when these troubles first took place, occupying a respectable position. The cause of these troubles was well known in this House, and he had never heard anyone inside or outside of it attach very great blame to the population of that country for taking steps to secure their rights, which were in great danger. In the first place, the people who felt most aggrieved at that that time were the French half-breeds. Their rights were being ignored, and they took the best steps, in their minds, to secure these rights, and to secure the liberties which they thought were being wrested from them. When they were organized for this purpose, this young man, a young man of talent and ability, was led by his warm heart and disposition to sympathize with them, and from that time until the present day in no instance had he shown a want of faith, in no instance had he failed them in anything he could do to advance the common interests of that Province. The hon. the Minister of Justice would, perhaps, as he had last year, tell the House that the only reason this gentleman had excluded from the benefits of amnesty was that he took part in the Fenian Raid, assisted in organizing a raid outside of this country to make an attack upon this Dominion. He (Mr. Costigan) had stated at that time that even if this were correct, even if this man O'Donoghue were guilty of having participated in the Fenian raid, he would not have then committed such a crime as would entitle to such an extreme course as had been pursued towards him. He thought he was justified in taking this position in

face of the facts to which he might refer. He would suppose, for an instant, that this were true, and he only supposed it, because he was not prepared to admit that O'Donoghue organized the Fenian raid in the sense which was implied.

Mr. BLAKE: What sense?

Mr. COSTIGAN said that, admitting that he did so, what reason could justify the fact that he was banished for all time out of his country, his property, a large amount, wrested from him, and enjoyed by others, and himself branded in the eyes of the public as a murderer, and treated by hon. members of this House as a ruffian? They knew that a Fenian raid had taken place in this country, even in the Province of Ontario, and that, unfortunately, lives were lost in those raids,—these things were to be regretted; they knew also that for those who were arrested and tried, the clemency of the Crown was asked and obtained, and that in no case was the law carried out in its rigour against them except in this one case, in which he (Mr. Costigan) was prepared to argue this man did not act as a Fenian.

Mr. BLAKE: How did he act?

Mr. COSTIGAN said he had before stated that, in order to justify their extreme course, the Government must prove that he did take that position, to show that they had reason to try him as a Fenian. Was he ever tried as a Fenian?

Mr. DYMOND: Will he come and be tried?

Mr. COSTIGAN said he should like to ask if the Government were dealing with a Fenian invasion? Was it not with the troubles which existed at that time that they were dealing? He could understand if the Government had come down, and said: "We will grant an amnesty, a partial amnesty, if you will, to Lepine, Riel and O'Donoghue, and put them on the same footing; but, inasmuch as we suspect—because we have not proved it—that O'Donoghue took part in the Fenian invasion at that time we will hold him responsible for his acts in that." He could understand the reason for such a course as that; it would be holding

Mr. COSTIGAN.

O'Donoghue responsible for whatever action he took at the time; but the Government held him responsible, not only for being a Fenian, but for all the acts committed in the North-West Territories. He was charged with the crime of murder, and the whole consequences of that act were still held over his head.

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

### After Recess.

Mr. COSTIGAN said he thought that the few remarks he had made on this question had been so delivered that hon. members could grasp the reasons he had advanced for expecting a vote of the majority of hon. members in favour of the proposition before them. He had said he could see no reason why this man, O'Donoghue, was held more responsible for the North-West difficulties than Riel and Lépine. He found that the only reason assigned by the Government at the time for this, was that he (O'Donoghue) had engaged in this raid into the country, and therefore this man was more guilty or less entitled to the clemency extended to the other two persons named. He had stated that in every case, where more serious offences than this had been committed, the clemency of the Crown had been extended to them; and that several Fenian invasions had taken place into this Province, which had caused more serious results and loss of life, had not been followed by so severe a punishment as was dealt out to O'Donoghue. In this course no serious consequences had resulted, and, therefore, O'Donoghue should not have been dealt with in this manner. Although the Government might not have singled this man out because of his nationality or had any particular dislike to him on this account, he could not bring himself to believe that if O'Donoghue had belonged to any nationality having an influence in this country he would not have been treated in so exceptional a manner; and he was not alone in this opinion. When the amnesty was granted the Government were in a

difficult position. It was true that owing to certain features and transactions in these difficulties, a great excitement had been raised throughout the whole Dominion, and particularly in the Province of Ontario, many of whose people, and indeed members of the present Government, doing much to increase that feeling of excitement. They knew that the Minister of Justice himself had appealed to the feeling of the people of that time and spoke loudly for vengeance to be brought down on those who had participated at least in some of the acts then committed. While there was a large portion of the people of this country who felt that the rigour of the law should be exercised against these men, there were also others who believed that the people of the North-West had great reason to resist the authorities and insist upon knowing the position they would occupy before they surrendered their rights as a people. The Government found it absolutely necessary to grant some measure of pardon, and this they were compelled to grant to Louis Riel and Ambrose Lépine, conditional on five years' banishment. He had sympathized with these people, and advocated a lenient course towards them. He fully sympathized with the people of the Province of Quebec, who felt a particular sympathy with regard to these men, and who desired to see them dealt with as leniently as possible. The Government, he believed, felt that they were then between two fires; if they refused to meet the wishes of the people of the Province of Quebec, with reference to Riel and Lépine, they felt that even their own supporters would not continue to support them, although they were satisfied to give much less, perhaps, than the majority of these people demanded, and while they were disposed or rather compelled to yield to the necessities of the time and the pressure brought to bear upon them, they also felt that another class in the Dominion would not be content unless some persons were banished; and he thought this was perhaps the reason why, this man, O'Donoghue, a stranger in the country, unknown and having no influence in or outside of the House, which the Government feared, was

treated in such a manner, insisting upon the rigour of the law being carried out in this respect. There was no doubt about that. He was more convinced of it now than ever before; and he saw no reason why the Government would not now, when troubles had ceased, and no danger of rebellion or trouble in that country existed, and when there was no further excitement in this country, and when men of every nationality and creed in it—and outside of the House at any rate, if not in it—of every shade of politics, say honestly and candidly that they perceived no reason why this man should have been dealt with in such a manner, and adopt the course recommended. He contended that so long as the present state of things continued, serious dissatisfaction must exist among many residents of the Dominion, who were as loyal to the country, to say the least of it, as any other portion of the population. He knew it had been said that it was unfortunate to raise a question of nationality in this chamber or outside of it. They saw daily articles in leading papers condemning the practice of discussing any question from this standpoint; and he had been somewhat reluctant to introduce and discuss this matter, knowing that it must so be treated; but while he thus felt, he found that he must pursue this course. The true policy to make us all Canadians was not to write in the public journals and make speeches, saying that they must be Canadians in sentiment, that they were one people, and that in the interests of the country they were not to be Scotchmen, Irishmen, Englishmen, or anything of the kind, but simply Canadians. He believed in this policy, and it was his desire that they should be all Canadians; and while Irishmen were as well prepared and as willing to contribute their mite towards the defence of the country if in danger, as any other nationality, they desired to be equally treated. The position he at present occupied, was forced upon him when Irishmen looked around and saw that they were not considered as Canadians, and the public positions of the country were not open to them, as to other Canadians; at many times they did

feel that they occupied a humiliating position. In some cases, they were told that they were not Canadians but only Irishmen. They had felt this for years, and if the House of Commons and the Government and the public journals wanted Irishmen in the country to stand up and speak and act as Canadians, they must first lead them to believe and feel and have confidence that they would be treated as were other residents of the Dominion. This was what they wanted. They did not desire to raise a nationality cry. They had nothing to gain by it. It was only when the position was forced upon them that they resisted what they considered was an injustice to their nationality, and because they were treated, not as Canadians, but too much as Irishmen in a Canadian country. They were, sometimes, called upon to speak and raise their voice in this relation, and, whenever he should be so called upon, he should speak in that tone. There was no necessity for people to say that this caused excitement. He knew of no reason why it should. When, on public occasions, they made known what they considered their grievances, he could not see why gentlemen entertaining different views could not listen to them with patience, and meet them in a fair and frank way. He saw no danger at all in discussing this point fairly. It was in the interest of the country that this should be done; and if grievances existed they should be removed. He took it that this was a case in point. This man had been banished from the country for ever, and stripped of his property which was not inconsiderable. Perhaps this latter fact might explain the peculiar interest that some persons took in opposing this amnesty. The Hudson Bay Company either directly or through some of their agents, held a tract of land inside the limits of the city of Winnipeg, which was worth over a million of dollars, and O'Donoghue claimed to be the rightful owner of this property. Of course, having been banished from the Dominion for all time, it had been taken possession of by persons who claimed to have a better right to it. He was not in a posi-

tion to discuss this matter, nor was O'Donoghue in a position to defend his rights. This was another reason why he felt that this man had been treated too harshly in being driven from the country of his adoption among strangers, stripped of his property and branded as a murderer. It had been said that because this man had not asked for mercy in direct terms, he had no claim on the sympathy of the House; but this person claimed that an injustice had been done him. It would be difficult to know what course this unfortunate man should have taken. One hon. gentleman said, because he had not asked for mercy, it should not be given; and another hon. gentleman, that he (O'Donoghue) would be a coward to sue for mercy at the hands of the House after the acts he had committed. O'Donoghue simply asked that justice should be done him.

Mr. BLAKE: Justice?

Mr. COSTIGAN: What is that?

Mr. BLAKE: Is it justice you said?

Mr. COSTIGAN said, in a legal sense probably the Minister of Justice would construe this in a different sense to what he meant, but he called equal treatment to all men justice. He did not know how the hon. gentleman considered this proposition. Not that he asked for amnesty—they would say nothing about that; but the House declared that W. B. O'Donoghue, who was not charged with any greater criminality than those who were pardoned, should be held no more responsible than they. He wished for no more and no less. He desired them to be placed on the same footing; and this he called justice. He thought he had a right on this vote to expect the calm consideration of the hon. members, particularly from the Province of Quebec on both sides of the House. Those hon. gentlemen had obtained a measure of mercy at least for Lépine and Riel, and O'Donoghue was no more guilty than they were. The man's only fault and criminality lay in his sympathy for these men in Manitoba by whom he stood in their hour of peril, risking his life for their common interests. Surely also the same measure of leniency and justice should be meted out

Mr. COSTIGAN.

to him (O'Donoghue) as had been done to the others. He hoped hon. gentlemen would not, on this occasion, pay too strict attention to the order which they might receive from the Minister of Justice. He hoped that hon. members generally would vote for the motion. Last year, hon. members had told him they were favourable to this motion, but after they were told to treat it as a vote of want of confidence, which they must vote down, they had done so. He was told that this was not a vote of want of confidence, at all events it was not so brought; nor was this the case last year; but it might be so treated, and only in this way could it be defeated. He was satisfied that two-thirds of the members would vote for him, if the Government left it an open question. He simply asked for fair play. If it was voted down he would make the motion next year; and, if the same fate then befell it, he would bring it up year after year until he obtained justice. The difficulties had blown over, and, as the excitement had calmed down, O'Donoghue should be placed in the same position with Riel and Lépine. He did not think that the question of politics should be introduced in this regard; and he was perfectly satisfied that if the verdict of the House was given on the pure merits of the case, it would be in his favour.

Mr. POWER said he believed he had felt as much sympathy for O'Donoghue as the hon. member for Victoria, N.B. (Mr. Costigan) until he was shown a letter written by him (O'Donoghue) to a member of that House, in which he gave as a reason why the Government should allow him to come back to this country, that he would be able and willing to give evidence against Riel and others. When he (Mr. Power) saw that letter, he came to the conclusion that O'Donoghue had been treated as he deserved. He referred to this matter now with reluctance, and only because he believed it necessary that something should be done towards saving the House from being bored by a discussion the sole aim of which was political. The object of the resolution was to make political or electioneering capital,

but he could assure the hon. mover and his friends on the Opposition side of the House, that they would be mistaken in the result, for his countrymen never sympathised with those who offered themselves to become informers.

Mr. RYAN said the subject was one directly affecting his Province, and, although he had not intended to speak, yet as the hon. members for Lisgar and Selkirk were not in their places, he felt compelled to say a few words. He regretted very much that the hon. member for Victoria, N.B., (Mr. Costigan) had chosen to introduce the question a second time, because the discussion could do no possible good, and might do much harm. It would certainly take up the time of the House at a very late stage of the Session, which time was very urgently required for the discussion of other more important and more practicable questions. When the subject of amnesty was being discussed during the Session of 1875, he (Mr. Ryan) took the position that there were no valid reasons for granting an amnesty, either pure and simple or qualified, to those persons whom the Court of the highest civil and criminal jurisdiction in the Province of Manitoba had pronounced guilty of murder. None of the arguments adduced by the promoters of amnesty during that debate; nothing that he had learned or heard since that debate; nothing that had transpired since then, had sufficed to convince him that he was mistaken or to induce him to alter his position. But, although the action of the Government in granting even a qualified amnesty was, in his opinion, without justification, yet he thought that the logic of the hon. member for Victoria was unsound, when he accused the Government of unfairly discriminating between Riel and Lépine on the one hand, and O'Donoghue on the other. The hon. member for Victoria had contended that, in order to justify the discrimination made, it would have been necessary to prove, by undoubted testimony, that O'Donoghue had been guilty of treason by participating in the Fenian raid of 1871. It was not necessary for their justification that the Government should go so far, although they could, if they chose, furnish such proof. All that was neces-

sary for them to do, to justify the discrimination made, was to show that certain extenuating circumstances existed in the cases of Riel and Lépine, which were wanting in the case of O'Donoghue. That such extenuating circumstances did exist was beyond dispute. When Manitoba was threatened with a Fenian invasion in 1871, Riel and Lépine had offered their services and bore arms in defence of their Queen, and O'Donoghue had taken his place in the Fenian ranks, if indeed, he was not the Fenian leader. This was the natural and conclusive reason for the discrimination made between the parties. The hon. member for Victoria had undertaken to speak for the Irishmen of Canada, although it was not, perhaps, quite clear that he was peculiarly entitled to speak for them.

Mr. COSTIGAN: The hon. member for Marquette will permit me to put him right. I did not assume to speak for the Irishmen of Canada.

Mr. RYAN remarked, that the hon. member for Victoria said he did not assume to speak for the Irishmen of Canada. He (Mr. Ryan) understood him to do so. The resolution of the hon. member alleged that the exclusion of O'Donoghue from the qualified amnesty of 1875, "has created dissatisfaction among a large class of Her Majesty's loyal subjects of the same nationality as the said O'Donoghue." Was not this assuming to speak for the Irishmen of Canada? While neither the hon. member for Victoria nor himself had the right to speak for the Irishmen of Canada, they were respectively entitled to speak for the Irishmen in their own constituencies. Speaking for the Irishmen of Marquette, he desired to say that they had no sympathy with traitors or persons justly open to the charge of murder.

Mr. WHITE (East Hastings): Hear, hear.

Mr. RYAN said the hon. member might cry "hear, hear." Did he mean to dispute the accuracy of his statements? If he did, he would have the opportunity of doing so in a more intelligible manner. He (Mr. Ryan) regretted that hon. gentlemen who, in

1875, had stood shoulder to shoulder with him in opposing amnesty, had, without any intelligible reason, changed their position, and were now found crying out for amnesty. They had contended in 1875 that the circumstances did not justify the granting of an amnesty to any of those guilty of the Scott murder. They had contended then that it was a violation of justice to grant even a qualified amnesty to Riel and Lépine. The circumstances of the case were, so far as the merits of the case were concerned, unchanged. What was unjust then was unjust now. The violation of justice in granting a qualified amnesty to Riel and Lépine could not justify a second violation in granting a similar amnesty to O'Donoghue, nor could it indeed justify a change of opinion upon the subject of amnesty, unless those who changed their opinions were prepared to assert that two wrongs made a right. He did not believe that the Irishmen of Canada were willing to amnesty treason or murder when committed by an Irishman. Irishmen claimed no special liberty to violate law and escape punishment. The hon. member for Victoria had contended that O'Donoghue was innocent of the crimes charged against him. If he were innocent, he needed no amnesty. Strong in the consciousness of his innocence, he could return to Manitoba and stand his trial. There were Irishmen enough in Manitoba, and if not enough of Irishmen, there were enough of those who loved British fair play, to see that he got a fair trial. An innocent man needed no more.

Mr. WHITE (East Hastings) said, if he thought that O'Donoghue had anything to do with the death of Scott he would not vote for the motion. From all information that he could obtain, however, he believed that O'Donoghue had nothing to do with the death of that man, but that, on the contrary, he protested against it. He was extremely sorry that men, claiming to be Irishmen, should stand up in this House and try to place an additional black mark on his countryman's brow. He belonged to a society that would stand as firm for British connexion, and constitutional liberty, and to what they considered right and proper, as

Mr. RYAN.

any other men in the country. They found no fault with him for voting, last year, in favour of an investigation into O'Donoghue's case, and if found innocent, and deserving of an amnesty, they would not object to it. He gave Frenchmen, Scotchmen and Englishmen credit for standing up shoulder to shoulder to help each other, but Irishmen were the very men who opposed each other, as has been illustrated by their action in regard to this man. It was no wonder that Irishmen were hewers of wood and drawers of water so long as they would not assist each other. For himself, he did not care what church a fellow countryman worshipped at; he considered that it was his duty to do what he could to take the mark off an Irishman's brow who had done nothing to deserve its remaining there. He could not understand why O'Donoghue was not placed in the same position as Riel and Lépine; he believed that he would make a useful citizen, and that he had done nothing to deserve perpetual condemnation as an outlaw. He believed that if the hon. the Minister of Justice would say that hon. members could vote as they pleased on this question, there would be a large majority in favour of amnesty. If the Government would state that they would deal with this question as with Riel and Lépine, his hon. friend (Mr. Costigan) would withdraw the motion. The hon. the Minister of Justice had been very liberal with his pardon; out of eight persons condemned to suffer the extreme penalty of the law, only two had expiated their crimes on the scaffold. The hon. gentleman had allowed men to escape who had committed ten times worse crimes than O'Donoghue, and he did not see why this man, whom no one could say had spilled a drop of blood, should not be amnestied.

Mr. RYAN: If he has not spilled a drop of blood, why does he not come back?

Mr. WHITE said O'Donoghue could possibly come back and be a member of this House when the hon. gentleman was no longer a member. He knew that the election of the hon. member (Mr. Ryan) was owing to the support of his fellow countrymen, and his

course on this occasion ill-became him. So far as O'Donoghue was concerned, the crime of which he was charged, was raising Fenians in the United States and bringing them into Manitoba. If there was one thing more than another that we, as Canadians, should be pleased with, it was that so-called Fenian raid of O'Donoghue, as it showed the American people that the Fenians could not raise strength enough to injure this country. The Fenians were encouraged by the United States people; they were fed and clothed by them. On account of the damage done to the American commerce by the cruisers sent out by some of the people of Great Britain, the Americans encouraged the Fenians. The Canadians acted very differently, for, during the American war, we kept volunteers along our frontier to keep parties from the South going into that country from here. And well the Americans repaid this country. The very moment the American Civil War was over, they encouraged the Fenians to come here and disturb our peace. He did not believe the Fenians would attempt to make another raid, as they saw they had not sufficient strength, courage or organization to injure this country. He hoped that the Minister of Justice would deal with O'Donoghue as he had with Riel and Lépine. The Minister of Justice could, by intimating that he wished it, secure the passage of this motion, and the people of the country would give him credit for doing so. The remarks of the hon. member for Marquette were unnecessary and unbecoming. Why could not Irishmen agree as other nationalities did? They seemed so strictly loyal that they seemed anxious to condemn one another. If Irishmen were true to themselves, and stood shoulder to shoulder, they would occupy a much better position than they did to-day. It might be said that he was forced to speak as he did, because of Roman Catholics who were his constituents. But this was not so, for in the last election, out of 600 Roman Catholic voters, all voted against him except some twenty or thirty. He hoped that the Minister of Justice would take a statesmanlike view of this matter. He was proud to see that hon. gentleman

occupy the position he did. Perhaps, if he was leading the Government he would give him his support. He hoped the Minister of Justice could see his way clear to do them justice in this case, and not allow one man to suffer alone for the sins and crimes of others.

Mr. BANNATYNE said he more than regretted that the hon. member for Marquette (Mr. Ryan) had spoken in the way he had. They all knew there were mistakes made at the time of the trouble, both here and in the North-West. He had no hesitation, however, in saying, as he said last year, that if it had not been for O'Donoghue the crime so lamented would never have been committed; and, if it had not been for the hon. member for Selkirk and others connected with the Hudson Bay Company, that country would never have belonged to the Dominion of Canada. But he thought the time had come when we should attempt to obtain peace and unity. He, for one, would be perfectly willing to see a full and complete amnesty granted to every one of the men. That they were murderers, he did not believe. They were forced to take the position they did. They might have gone too far, and it was unfortunate that they did. No hon. member could now say they were not justified in taking the action they did at first. If they committed acts that were to be regretted, it was because they were driven to do so by people who came into the country. He would be very happy to see a full and free amnesty for all, O'Donoghue not excepted. It was time we should have peace and that these things were forgotten.

Mr. MASSON said he believed his record with reference to the North-West troubles was a clear one. He had no idea of being inconsistent with himself all through these troubles, and he did not think he had been. He had always believed that the affair was most unfortunate, and that the people had good ground for being dissatisfied; and he thought after events showed that they were entitled to a full amnesty, even O'Donoghue, whom he believed to be the sole instigator of the insurrection. But what was the use of discussing past events? The Conser-

vatives from Lower Canada had asked for a complete amnesty. When they asked for it they expected that O'Donoghue would have been included with the others. They never accepted the qualified amnesty of the hon. gentlemen opposite, because they thought it would be a condemnation of the whole position they had taken. But the question was carried by the various elements which composed the majority of the hon. gentlemen opposite. The Conservatives of Lower Canada held that all those who participated in the troubles should be treated in the same manner. The Government had decided to discuss the question of the North-West troubles entirely independent of anything that occurred afterwards, but that the amnesty should only be partial, on account of promises made to the persons so amnestied. If this paltry amnesty had been promised to Riel and Lépine, so also had it been to O'Donoghue. If it was on the public ground that the sponge should be passed over the troubles and peace restored, that the partial amnesty had been granted, it should, on the same principle, have been extended to O'Donoghue. Harmony could not be secured by making a discrimination between the parties. They should have been treated exactly in the same manner. If the Government resisted this motion, and decided that the amnesty should be only granted to particular parties, they would force the House to vote this illogical proposition: That O'Donoghue should be exempted from the amnesty, because, forsooth, he had been implicated in troubles which occurred two years afterwards. That was not common English fair play. If he were guilty he should be punished with the others, if they were punished; but, if they were acquitted, he should be acquitted with them. If it was said he had been guilty of a crime posterior to the troubles in the North-West, and not connected with them, then he was judged guilty without being formally accused. If the amnesty was refused, from the single fact that he had been engaged in the Fenian invasion of 1871, then he was declared guilty of a crime for which he

Mr. WHITE.

had never been tried; instead of taking the broad English principle that a man was to be held innocent until he was proved guilty. The Government said he was guilty of bringing the Fenians into Canada; but, unless the amnesty was granted for his participation in the North-West troubles he could not be tried, and therefore could not be held guilty. If he came back, he could be arrested both on account of the North-West troubles and on account of the Fenian invasion. He thought the time had come when the Government should get rid of this trouble. Let the Government forget and sponge out the troubles of the past, and let O'Donoghue be treated like the others. Let the Government say to O'Donoghue that they would let him come back and have a chance to be tried for his connection with Fenianism. Last year he was not in a position to vote for the motion of his hon. friend. Anybody that would read the motion last year would see that the whole question should be re-opened. He had rested the ground of amnesty to Riel and Lépine not solely on the fact that they had helped to repel the Fenian invaders, but principally upon the fact that there had been a promise made by the Ambassador of the Government, which promise had never been countermanded. He saw nothing inconsistent in his vote then and the vote he proposed to give to-day, and he would give that heartily and without hesitation, believing that O'Donoghue should have the amnesty with the others. He was sorry that the vote of amnesty had not included O'Donoghue. The hon. gentleman who seemed to wish to resuscitate the whole difficulty would, if he turned to his own Province, see that the whole population desired an amnesty, and wished the subject not to be spoken of any more. The hon. gentleman did not know the feelings of his own Province; he did not represent the feelings of his own people.

Mr. SMITH (Selkirk) said it was to be regretted, and deeply deplored, that such questions as that now under consideration should be brought so constantly before the House as they had been—questions which tended to keep alive a spirit of ill-will and enmity among the people of the North-West.

There was good cause for making a distinction between O'Donoghue and other persons who were implicated in the insurrection in the North-West, at the time amnesty was asked for Riel and Lépine. At that time he very cheerfully joined in voting for the amnesty. Last year he did not vote for amnesty to O'Donoghue, because he presumed, from all he had heard of O'Donoghue's conduct and actions in the North-West, that he did a very great deal more to cause and perpetuate the insurrection than all the others put together. Further, they knew, and he had an assurance of the fact, that Riel and the others were simply opposed to the entrance into the country of the Canadian authorities, and proofs had been produced to show that they were quite indisposed to accept any connection with the United States; not only so, but they repelled any advances made to them from the United States. In proof of this, they found that, after remaining away a short time, these men returned to their houses in Manitoba, showing that, from their point of view, they felt justified in having done the acts which occurred under their Administration or management in the North-West. O'Donoghue, on the other hand, left the country and remained out of it, and all the time he was plotting treason against the Queen. In that circumstance there was a very great difference between the parties. He did not think that the hon. member for Terrebonne (Mr. Masson)—while he agreed with the hon. member in many respects—was very logical in the arguments he addressed to the House. One of the principal reasons advanced for granting an amnesty to Riel and Lépine was, that they had done everything they possibly could do to oppose O'Donoghue when he made the raid on Manitoba in 1871. They had the authority of the hon. member for Marquette (Mr. Ryan), which was corroborated by what he (Mr. Smith) had heard in the North-West,—and the circumstance was more than probable,—that, but for O'Donoghue's presence there in March, 1870, the country would not have had to deplore the death of Thomas Scott. Even now he (Mr. Smith) could not ad-

vocate an amnesty for O'Donoghue. It was said that O'Donoghue had had no opportunity to take his choice. He had had an opportunity to remain in the country or leave it. He might have then surrendered himself to trial. They knew that the one member of those implicated in the troubles who did stand a trial, viz., Lépine, was condemned to death, and it was very probable, from the evidence brought forward against O'Donoghue, that the sentence on him would have been the same as on Lépine. While it was desirable that there should be an end of those troubles in the North-West, still the House should remember that one was a pronounced traitor, while the others were standing up for what they believed to be their rights on coming into Confederation. For those reasons he could not vote for the motion.

Mr. POPE (Compton) said his opinions on the question were well known. When the discussion regarding Riel and Lepine took place in the House he held that they had committed an act for which they should be punished, and he agreed on the course taken to bring them to punishment. But there was a time when it was better for the future of the North-West and the Dominion at large that the people should forget past deeds. When the time had come that it was no longer necessary to hold those men up as an example or suffer further punishment, he was prepared, and had been prepared for some time, to give his vote and voice in favour of the occurrences of the past being forgotten. The Fenians who invaded this part of Canada had been allowed to go free, and the same leniency should be extended to O'Donoghue. Last year, he regretted that the amnesty given to Riel and Lépine was not full and complete. He thought so still, and believed that the country would never be satisfied with anything short of this.

Mr. ROSS (Prince Edward) said he had voted against every motion which had been brought forward to grant an amnesty to either Riel, Lépine or O'Donoghue. O'Donoghue was doubly bad, for he had headed the Fenian raid on Manitoba. The hon. member for Provencher had declared that

O'Donoghue was not present at the murder of Scott. But the hon. member for Selkirk (Mr. Smith) knew that O'Donoghue was present at and planned the murder. The hon. member for East Hastings (Mr. White) had said that the Fenian Raid in Manitoba was a farce. He asked that hon. member whether the Fenian Raid was a farce when some of the best blood of the young men of the country was spilt in its defence. He was surprised at such a statement being made by the hon. member. He was the first to call attention that an hon. member was sitting in the House who was connected with the murder of Scott. He would vote as he had done during the previous year, but never in favour of granting an amnesty to any of those men.

Mr. WHITE (Hastings) said his statement was that the Fenian raid into Manitoba was a farce. He said so still. He did not say a word about the time when the Fenians came to Fort Erie. The last Fenian raid was a farce, and proved that the whole Fenian organization was a farce.

Mr. LITTLE said he saw some force in the remarks of the hon. member for Victoria (Mr. Costigan), relative to O'Donoghue being placed on an equal footing with the other offenders, Riel and Lepine, because the hon. member had voted that an amnesty should be granted these two offenders. But, he (Mr. Little) did not give such a vote. He did not believe in this House whitewashing any individual of his crimes, whether political, criminal or otherwise. He admitted that these misguided men were only puppets, used by the wire-pullers of that time and locality, who, to suit their mercenary and political ends, prompted Riel, Lepine and O'Donoghue with others to raise the disturbance. O'Donoghue should do something to show himself worthy of pardon; should be tried in Her Majesty's courts of law; evidence and witnesses should be produced to show that he was not so bad as represented; he should state who or what persons or Company prompted him and others to commit the outrages. It was not for the House, without evidence, to grant even a conditional pardon. He did not believe in the Government

Mr. SMITH.

granting or ordering committees of investigation on criminal cases, or political crimes. We had the courts of law open. Already this Session, thousands of dollars would be expended on an enquiry into the affairs of the Northern Railway Company, which, he believed, had complied with all the terms of the late agreement with the Government, and owed them nothing, except what in good time it is hoped it will repay. The Government through its Committee was now investigating its financial affairs, for what purpose? Not for the benefit of the Dominion, but to the injury of the line. Last night he had to vote on a matter he did not approve of. He neither liked the amendment of the hon. member for Middlesex, nor the original motion introduced by the hon. member for Lisgar (Mr. Schultz). He could not support the amendment, from a remark made by the right hon. member for Kingston, in relation to it, viz: "As it affirmed that the House had already taken some steps towards securing prohibition," when the House had taken no action whatever; and if he (Mr. Little) had had an opportunity, he would have voted against the original motion also. But to-night he was obliged to vote, he presumed, with the Government, judging from the action they took last year, for, as yet, the Government had not spoken. Nationality with him was not the question; a crime was a crime by whomsoever it was perpetrated. No one admired more than he did the late D'Arcy McGee, one of the first statesmen in Canada, who fell while endeavouring to build up our Dominion, and it was a source of satisfaction to him (Mr. Little) that D'Arcy McGee expired, holding the same principles that he (Mr. Little) upheld, and the great party to which he belonged. Yet the Hon. D'Arcy McGee was of the same nationality as O'Donoghue; but their principles were not the same. With him (Mr. Little) and the Liberal Conservatives, principle was before party. He had conscientiously opposed an amnesty in any shape being granted by this House to those offenders; last Session he took the same ground, and he saw no reason now to change his opinion.

Mr. MITCHELL said that any person who had taken any prominent part in public affairs should give his reasons for the vote he was about to give. When this question was up last year, he had felt it to be his duty to vote for amnesty; and on the ground which he would state. There was a time in the history of the North-West, and its relations to this Parliament, when it might have been very questionable whether any proposition of this kind ought to have been sustained. Had it been made immediately after these occurrences, he would have refused to grant an amnesty. But we had acquired a great territory in the North-West, which was to be built up; and it ought to be the object of all statesmen and of this Parliament, as he was sure it was the desire of the people of Canada, to cause peace, unanimity and good feeling to prevail throughout that whole section of the country. What was, and what had been the result of this agitation, regarding O'Donoghue, Riel and Lépine? They had never had peace here or there, until a conditional amnesty had been granted the two latter. While he deprecated the occurrences in question, and denounced what he believed to have been a vile act—the taking away of the life of Thomas Scott—he felt that vengeance was not for them. They had a duty to perform. They had to protect the authority of the law and punish criminals, but they had not to perpetuate vengeance. This House had by its solemn act pardoned these offences. They were looked upon by some as acts of rebellion, and by others, and by a large section of the people living in the North-West, as a vindication of the rights of the people. Although he was a member of the Cabinet under whose administration these troubles arose, and though he could not do otherwise than look upon them as acts of rebellion against constituted authority, he must say that his sympathies had always been excited in favour of the men, who believed, as they did, that they were attempting to impose a Government upon them without their approval and without consulting them. If these men had resisted, in a constitutional way, what they considered the unjust attempts

of Canada, they would not only have had his sympathies, but also his support. These days, however, had passed and gone. The feelings of animosity and antagonism created in the country by their acts, had, in a great measure, disappeared. The population of the North-West had become largely increased by the exodus from this part of the country, and by immigration from across the water of people who know nothing about these difficulties, and cared less; and under the circumstances, he thought that this Parliament could fairly and constitutionally wipe out the remaining vestige of this trouble. O'Donoghue might have been equally chargeable and responsible for the inception of the trouble, for its continuance, for its maintenance, and for its results; but, in the interests of public peace and order, and of the maintenance of the harmony that ought to exist, and which it ought to be the desire of Parliament to promote, as Riel and Lépine had been pardoned conditionally, he could see no reason why the same leniency and consideration should not be extended to O'Donoghue. He rather agreed with his hon. friend on his right who said that the resolution reflected upon the action that had been taken; but Parliament should promote peace, and endeavour to procure a peaceful solution of all these difficulties, and wipe out the smallest vestige of them that existed. When they looked at the history of the mother country for the past three or four centuries, and the difficulties which had there occurred, they would find that men whose lives had been in jeopardy, and around whose necks the halter had almost been placed, had subsequently occupied distinguished positions in the annals of their country. In our country, and in Australia, similar instances had occurred. Allusion in this regard had already been made to the late lamented D'Arcy McGee, against whom similar charges had been preferred. Irishmen had acted wrongly, but in good faith. They had been misguided. No substantial benefit was to be derived from a retention of these feelings, or the keeping alive of the charges made in connection with these troubles. It was to be regretted that these acts had occurred,

**Mr. MITCHELL.**

but they should not cultivate sentiments of animosity between one and another class in this country. He had voted last year for amnesty. He would do so again. He felt that O'Donoghue should be treated in the same way with Riel and Lépine. They heard it said that this man should not be granted a conditional amnesty because he had been connected with a Fenian raid; but this was no reason for such a course. All men should be treated alike, and they should not pre-judge and convict a man without giving him an opportunity for having a fair trial. No matter how much mistaken with regard to the course they had pursued, so long as Riel and Lépine were entitled to amnesty so was O'Donoghue, and they should give it to him. If this man was guilty of other acts than Riel and Lépine were guilty of with regard to the promotion and inspiring of an invasion of the country by Fenians, let him come back and be arraigned for inciting such an insurrection and take the consequences; but they should not say, that while an amnesty was granted to the leader in an insurrection, it should be refused to a subordinate. This was most unjust to O'Donoghue, whom he was not going to defend. It was a matter of common justice to treat this man as had been treated his two accomplices. They should give O'Donoghue a conditional amnesty, and if he chose to come back and place his neck in danger of the halter for rebellion to the Queen and the constituted authorities of the country, and take his trial, let him take the consequences.

Mr. PALMER said he represented a constituency, where a large number of descendants of U. E. Loyalists lived, and consequently as he intended to vote for the resolution of the hon. member for Victoria, he could not give a silent vote. He considered that the circumstances surrounding the case were very extraordinary. After a number of years had passed since the occurrence of these events in which this person had unquestionably taken a criminal part, it was even still difficult, with the most minute enquiry, to find out what were the real facts connected with the

whole transaction. This being the case with persons who had occasion and were able to investigate the matter, it was astonishing that throughout the length and breadth of Canada, the common people had very little knowledge of what were the real facts. There were many who sincerely believed that the officers of the Hudson Bay Co., when they found they were to lose an easy and lucrative position, in which perhaps it was easy to gain a livelihood, were unwilling to permit Canada to possess that country. He did not say this was so; he had no means of learning it; but he did know that, throughout the length and breadth of the land, a great number of people believed that this was the real foundation of all the trouble, and that O'Donoghue, Lépine and Riel were mere tools in the hands of the persons mentioned, while they committed crimes which, in his constituency, would be considered the last that should be forgiven—treason against the Crown. But, although this was so, yet what did they find? That in this country there were different nationalities, French, Irish, Scotch, and English. He hoped that these people would forget, in the course of time, their origin, and simply claim to be Canadians. This was, however, not the case at present, and it was necessary to endeavour, as far as they could, to blot out distinctions of every kind and nature. It was completely proper for those who represented different nationalities to advocate the rights of their countrymen, because the latter looked to their representatives to secure justice. This was the case with Irishmen, scattered not only through this land, but everywhere; and they knew that, while Irishmen were generous, they had of course their strong national feelings. He held that no man concerned in such troubles was entitled to an amnesty. This was granted simply because these men had been misguided and because their crimes were not of so base a nature as those of ordinary criminals. The feeling which made a man risk his life for some fancied wrong, he did not care how misguided the man might be, was not the same as that baseness which induced a

man to murder another for mere pelf. The latter was totally unfit to live; but to the other, on his discovery of the fact that he had been mistaken, and that the cause he had looked upon as holy was wrong, and that he had been misguided, mercy could be extended. Such persons became the most loyal of men, and the truest of friends. Such had history been with reference to all crimes of this description. Great men whose voices had been heard in this legislative hall, had taken up arms against the sovereign of Great Britain; had left the country, and had been amnestied; and these men had committed a crime which was unquestionably as heinous in its nature as that which O'Donoghue had ever committed. Why was it necessary to amnesty them at all if they were not guilty of treason against the crime with reference to the Fenian raid? Surely O'Donoghue was not more guilty than the others who had been pardoned. They all knew that no blood had been spilled in connection with this raid, and as his hon. friend from East Hastings had said, it was a mere farce. He did not at all palliate the act. This was entirely wrong; but it was better for peace and quiet to grant an amnesty. Again, as they were pardoned if they returned to this country, there was no reason why they should not tell the whole truth with regard to this transaction; and the country would be gratified to know that the officers of the Hudson Bay Company were free from blame, if such should be the issue. If on the other hand, these officials had created this difficulty, they would meet with the just execration of the people of this country. Many people besides Irishmen thought that the person in question was kept out of the country to prevent his story being told. Whether this was true or false, he had heard it stated in the House by the hon. member for Lisgar. The country would gain by knowing who was really to blame in the matter. He thought that the motion of his hon. friend had nothing to do with the Fenian raid; it simply asked amnesty for the same acts which Lépine and Riel had committed. How could this man come

back under the present circumstances? If he did so, he would be tried, and properly so, for the acts he had committed. If O'Donoghue was guilty of a crime from which Riel and Lépine were free, if he returned after such a motion was carried, he (O'Donoghue) could be placed on trial for such offence. If the passage of the motion would incite Fenianism or disloyalty, or the committal of treason, he would be the last to vote for it, but he could not see the slightest evil that could possibly arise from it. They were only asked to do justice and extend fair play to three persons engaged in the same act. Two of them, who were of another nationality, had been pardoned; the same clemency had been refused to the third, who was of a different nationality; and he could perceive no reason why this should be done. He would vote for the resolution of his hon friend from Victoria, New Brunswick.

Mr. BLAKE said there was one part of the discussion which he had heard with pain and grief. The hon. members who moved and seconded the resolution described the people who inhabited this country, as Frenchmen who stood shoulder to shoulder, Scotchmen who stood shoulder to shoulder, Englishmen who stood shoulder to shoulder, and Irishmen who did not stand shoulder to shoulder. As a Canadian of Irish descent, when he heard those sentiments he looked around the House to see where there was a place for a Canadian. The hon. gentlemen did not think that there was any such thing as Canadian sentiment or nationality. Was this the way such questions were to be met here? Was this the way in which patriotic sentiment was to be made to glow? It was utterly impossible. The hon. gentleman (Mr. Costigan) deprecated raising this question; but, if he did not wish to raise it, why did he do so? He would prove to the House that the mouth of the hon. member for Victoria (Mr. Costigan) was closed on this subject. The Government measure in this respect met his hearty approval. The condition was that a complete amnesty should be given to all persons concerned in the North-West troubles, except to Riel, Lépine and O'Donoghue; and to

Mr. PALMER.

Riel and Lépine on condition of five years' banishment. The hon. member for Victoria said this man was banished in reference to what was called the Fenian Raid, and that he had no connection with it. There was a ground existing with reference to Riel and Lépine which did not exist in O'Donoghue's case. In fact O'Donoghue was largely responsible for the extreme condition of affairs which led to the outlawry of Riel and Lépine. He always believed that O'Donoghue was one of the principal actors in that crime, although he did not think his guilt was much greater or less than that of the other two persons. But as it had been denied that there was any Fenian raid, he would have to cite the evidence which was taken before the North-West Committee. Archbishop Taché said :

"After leaving Fort Garry, I met some of those who were called Fenians. I met O'Donoghue himself three days' distance from Fort Garry. I made a point of speaking to him on the question, and I showed to him not only the impropriety, but the criminality of the thing. He denied to me having any intention of making an attack upon the Province of Manitoba; he said he was merely leader of a party of emigrants who were going to Manitoba, and that he had come to an agreement with the railway companies to get a reduction in the passage for these emigrants. He also stated that he would convey them to their destination and go back at once to secure other emigrants to Manitoba."

Father Richot, in the course of his examination, said :

"I wrote a letter to the Lieutenant-Governor upon the occasion of the O'Donoghue raid. I have a copy of the letter which I can produce. The Lieutenant-Governor then wrote me a note stating that he desired to see me. \* \* \* His Excellency said he wanted to know what attitude the French population would take on the Fenian invasion."

Sir John A. Macdonald said :

"Among other subjects that we discussed, was the Fenian raid that had been put down in October, 1871. I spoke to him of information that had been received by the Government, that Riel and Lépine, although professing to act against the Fenian movements, were really in concert with the leaders of that movement. \* \* \* At that time the situation of the country was very different to what it is now. The feeling of bitter hostility between the races was then at its height, having been greatly aggravated by the Fenian invasion."

A letter from Mr. W. H. Watt, of Pembina, stated :

"This place was, this morning, at 7.30, taken possession of by O'Donoghue, O'Neill, Donnelly and Curley, who had 35 men as followers. They were driven out by Colonel Wheaton, of the United States Army. He captured O'Neill, Donnelly and Curley, with ten of their men, also all their ammunition and arms, at least what they did not carry off with them. O'Donoghue left his cloak-overcoat, and since his flight from the fort has been captured by some of the Half-breeds on this side of the line."

Then the proclamation of Lieutenant-Governor Archibald contained the following passages :

"From the moment when the rumour of a Fenian raid assumed a character to be relied upon, my great anxiety was that our people, irrespective of past differences, should present a united front to the band of miscreants—the scum of the cities of the United States—who were collecting on our border for purposes of plunder, robbery and murder.

\* \* \* O'Donoghue, one of the leaders of the gang, assured his companions that, on their arrival at the frontier, they would be joined by a party of our people, disaffected to the Crown, and ready to aid any invasion.

\* \* \* O'Donoghue escaped to this side of the line, but was arrested in the course of the evening by some French Half-breeds. During the night, under a mistaken view of what was best to be done, he was taken to the frontier and placed in the same custody as the other prisoners, by parties who acted very naturally under the circumstances, but still in a way to be regretted. \* \* \*

If among these people there were, and I believe there were, some persons whose exceptional position might have led O'Donoghue to look for their support, it only adds to the value of the demonstration, and removes the last hope of the miscreants who have invaded your soil that they would receive sympathy or aid from any branch of the population. \* \* \*

I regret to have to inform you that, on the same day, the United States civil authorities at Pembina, to whom Colonel Wheaton was obliged to hand over his prisoners, discharged these marauders, for reasons that I am unable to comprehend, and that one of them, O'Donoghue, still remains in the neighbourhood of Pembina, awaiting an opportunity of renewing the attack."

The following was an extract from Lieutenant-Governor Archibald's speech from the Throne :

"I have reason to congratulate you on the attitude assumed by all classes of the people on the occasion of the recent Fenian raid."

The following was an extract from the address of the Legislative Council in reply :—

"We feel that your Excellency could have no more signal proof of the soundness of the policy of forbearance and fair-play towards all classes of the people, than was afforded by the attitude of the whole population on the occasion of the recent Fenian raid."

But he would not go on. He had given enough extracts to show this House that it was not misled when he characterized this transaction in which O'Donoghue was engaged in company with O'Neil, as a Fenian raid. The hon. gentleman said that O'Donoghue was sacrificed, that he was treated unjustly, that his property had suffered, and that he ought to be permitted to return to attend to a large tract of land in the North-West which he claimed. But what the hon. gentleman asked was, that O'Donoghue should be placed in the same position as Riel and Lepine, in that, by the proclamation issued in pursuance of an address by this House, they were amnestied. As to Riel, he was condemned by a process of outlawry, the proclamation amnestying him after five years' banishment. As to Lepine, he had been tried and convicted and was under sentence of two years' imprisonment at that time, and the pardon, of course, could only be a conditional one. But he claimed to accept the condition, and served out his time and, therefore, the amnesty did not reach him, he preferring to remain in prison for two years to five years' banishment. Riel then was the only case that had to be considered. Even were O'Donoghue placed in the same position as Riel he could not return to Manitoba as an amnestied man, because that privilege was not accorded to Riel himself, his term of banishment not having expired, so that this question of property would remain in the same position as it now was, were O'Donoghue treated like Riel, for he could not return to Manitoba till after five years had elapsed. The hon. gentleman had spoken as if Riel and those placed in the same category with him, were enjoying present rights and privileges not accorded to O'Donoghue. But this was fallacious, because, were an amnesty given to O'Donoghue to-morrow, on the same terms as it had been given to Riel, he could not enter Manitoba, and his

property would have to be attended to, and his residence fixed by the same considerations by which they were governed to-day. The hon. gentleman said that an injustice was done to O'Donoghue because he might return at any rate at the end of five years if he were amnestied. He (Mr. Blake) undertook to show by the most conclusive evidence, to which the hon. gentleman had given the attestation of recording it on the Journals of this House, that it was not the want of an amnesty that prevented his returning to Manitoba. He would refer the House to the hon. gentleman's motion of last year, moved on the 23rd March. In that motion was recited a letter from O'Donoghue to the Speaker of this House, in which he declared that he was entirely ignorant of, and had nothing to do with, and was quite irresponsible for the death of Scott, and that if it was not for the so-called Fenian raid, he would long since have demanded a trial as to his action in the North-West. It would be seen by this that he did not want an amnesty for his participation in the North-West troubles, but for his action in the Fenian raid. That was what prevented his coming to his adopted country.

Mr. WHITE (East Hastings) : That is correct.

Mr. BLAKE said they knew now what was desired: that, under colour of a motion to grant a like amnesty to that granted to Riel and Lepine in connection with the North-West troubles of 1869-70, the House was asked to amnesty O'Donoghue for his participation in the Fenian raid. One man was arrested by reason of his connection with that raid. He was a British subject, and, had it not been for the present painful discussion, he would not mention his nationality, but he was a Frenchman. His name was Louis Latonne. He was arrested, charged, tried, convicted of high treason and sentenced to death. His sentence was commuted to twenty years' imprisonment, and subsequently to twenty years' banishment. There had been no appeal. No Englishman, Irishman or Scotchman had asked for the remission of his sentence, so he was not embraced

Mr. BLAKE.

in the motion of his hon. friend. O'Donoghue, in a letter formally addressed to Mr. Speaker as the organ of this House, had told him in the strongest and plainest terms, by his own statement, that he did not care for amnesty, that he was not prevented from entering Manitoba by reason of the North-West troubles, but that it was the Fenian trouble that prevented him from going there. But it was said this was not really a Fenian raid, but was part of the original organization, part of the old troubles of 1869-70. He (Mr. Blake) did not hold O'Donoghue's crime the less on this account. At that period, a Constitution had been given to the North-West. The rights of the people there had been vindicated. They had the blessing not merely of popular representation, but also of a Legislative Council nominated by the Crown. Under these circumstances, with the full form of the British Constitution mirrored in their small society, these men, in October, 1871, attempted to renew the old rebellion, by the concurrence of others and of O'Donoghue himself. And this was the man who said he did not ask for any favour of the Canadian Government, that he had meted out to him the full measure of their injustice, and that the world should know, in his own good time, the full particulars of the whole matter; this was the man who said he did not require amnesty, and that he would come back were it not for the Fenian raid; this was the man who now found an advocate in the hon. member for Victoria, N.B. (Mr. Costigan). Would the hon. gentleman give the House to understand that O'Donoghue had withdrawn from the position he had before taken and that he would now accept amnesty, and then that he was not afraid to meet his trial as a Fenian invader? The hon. member said: Try him for that. But O'Donoghue did not want to be tried. The hon. gentleman said that the last motion made upon this subject was voted down as one of want of confidence, and that the followers of the Government were appealed to to treat it as such. The hon. gentleman did not correctly recollect the circumstances of the debate; no such appeal was made, nor was it necessary. The

motion was not treated as a motion of want of confidence by either side, and this was evidenced by the fact that 30 supporters of the Government voted with the hon. gentleman, and 26 of the members opposite voted with the Government. To call such a motion one of want of confidence was quite out of the question. The motion was treated upon its merits. He did not think the present was the proper time to bring forward such a motion. There had been plenty of time allotted to ordinary business in which it might have been brought up, without occupying the scanty time remaining of the Session. The hon. gentleman from Terrebonne (Mr. Masson) had announced a change of base.

Mr. MASSON: I have not changed.

Mr. BLAKE said, of course, the hon. gentleman would say so. He said he always voted for amnesty, but could not vote for the motion last year because it called for an enquiry into the facts stated by O'Donoghue. The hon. gentleman was willing, however, to assume the facts.

Mr. MASSON: No.

Mr. BLAKE: Then the hon gentleman does not believe this letter?

Mr. MASSON: Of course, I do not.

Mr. BLAKE said, in that case the hon. gentleman added the character of a liar to O'Donoghue's other good qualities. It now turned out from what the hon. gentleman said, that the letter upon which an enquiry was asked, was a tissue of falsehoods—as he himself believed; and yet, the hon. gentleman was willing to vote in favour of the man who was impudent and mendacious enough to write it.

Mr. MASSON: I did not mean an enquiry at all.

Mr. BLAKE: No, he meant justice without an enquiry.

Mr. MASSON: No, but because an amnesty had been promised him.

Mr. BLAKE: No.

Mr. MASSON: You voted for it.

Mr. BLAKE: No. The hon. member for East Hastings (Mr. White) had been good enough to allude to him as having facilities for taking the

course of mercy on this subject. He would be willing to meet the challenge in respect to his share in the administration of his Department when the proper time came, but he hoped the hon. gentleman would make himself more familiar with the facts in the future than he had shown himself that right. It had been his (Mr. Blake's) painful duty and great misfortune to have had occasion to advise or be responsible for, during the course of his short tenure of office, no less than seven capital cases, instead of two, as stated; and he could assure the hon. gentleman that when he had hesitancy, it was not so much with regard to commutations as with regard to executions. There was another difficulty to which it was his duty to call the attention of the House. At the period at which this proclamation took place, as for several years before, it had been the custom of the Colonial Government to use the prerogative of mercy by making the condition of punishment mere absence from the dominions of Her Majesty. But about that time the attention of the Colonial Secretary was called to the difficulty arising out of the remonstrances of one of the Australian Colonies, against criminals being sent there from another country. The result was, that the position was taken, which he believed to be impregnable, that it was not fitting to thrust upon other countries criminals who were unfit to live among our own people. He had, however, endeavoured to secure exemption from this rule in the case of political offenders, as the same reason did not obtain as in the case of criminal offenders, and as this mode of punishment sometimes was the most convenient mode of dealing with such cases. That subject was still under discussion, and was not now settled; and, were it to be settled, the precise mode in which it should be settled would, of course, require to be considered before the arrangement could be held to include such a particular case in all its aspects as that of O'Donoghue. If, under these circumstances and at the present moment, the Government were prepared to say that the time had arrived when a decision could be taken on the subject, that difficulty would

stand in their way, unless some means could be devised of practically putting O'Donoghue on the same footing with Riel and Lépine. It was the opinion of the Government that, without naming such a time or declaring any decision, the time had not arrived for taking any action on the matter; and, that no real injustice—according to the sense in which the hon. member for Victoria, N.B., (Mr. Costigan) used that term, in which he (Mr. Blake) did not agree with him—was done O'Donoghue at the present moment. Even if the motion were granted, O'Donoghue would not be, for years, in a position to return to Manitoba, and, therefore, no injustice—in the hon. gentlemen's sense—was done by not granting it at this time.

Mr. WHITE (East Hastings): Then we may take it for granted that it will be granted by-and-by.

Mr. BLAKE said the hon. gentleman would take nothing for granted from him. When he was prepared to make such a statement, he would do so in unmistakable terms; but he made no such proclamation or announcement to-night. Taking the exceptional circumstances under which Riel and Lépine were amnestied, which the Government had thought, and, he believed, still thought, had weight, they had not thought fit to agree to the present proposition, and would resist the motion of the hon. gentleman.

Sir JOHN A. MACDONALD said, in the first place, he did not see why the Minister of Justice felt so deeply pained at the allusion made to the different nationalities, which occupied that country. It was a fact that, while we are all Canadians, or ought to be, we all had different origins, and should be proud of them. The Englishman, being a portion of the United Kingdom of Great Britain and Ireland, would be proud of being a free-born Englishman; the Scotchman, his own countryman, was proud of his own nationality—sometimes, it was said, too proudly—and they all knew the patriotic feeling of an Irishman for his nationality. These feelings always worked for good in the mother country, and they worked for good here. They found Englishmen working for and

looking after their countrymen, because they were Englishmen; and so with Scotchmen and Irishmen; and instead of its being a feeling to be deprecated, it is a loyal feeling which ought to be encouraged. Coming to the motion before the House, he would look at the position of the parties. They had three persons named in the resolution, Riel, Lépine, and O'Donoghue. All three were, he fancied, beyond a doubt, engaged in the insurrection and disturbances in the North-West. They stood upon a par there. All three were equally guilty of taking up arms against Her Majesty in the legal sense, though some of his hon. friends on that side of the House would say they were not so guilty in a moral sense. Lépine, besides, was found guilty by a court and jury, of his countrymen, of murder. A process was issued against Riel by the Attorney-General of Manitoba, for the same crime, but he fled from justice, and after legal notice, was outlawed for murder. The Attorney-General and the Government of that country, did not think, he presumed, that they had evidence against O'Donoghue for murder, either to issue a process or to proceed to outlawry. He (Sir John A. Macdonald) had yet to learn that the Governor, or Government, or Attorney-General, or any of the authorities there, found they had evidence sufficient to issue a process against O'Donoghue, or to carry out that process to outlawry for murder. They stood, then, all guilty of this insurrection; two guilty of murder, for outlawry was equal to conviction. They were bound to believe that the third man was innocent, because no action was taken to establish his guilt. Comparing, therefore, the position of these three men, O'Donoghue did not stand in a worse position, in any respect, to say the least of it, than the other two. On the other hand, he stood in an infinitely better position in the eye of the law, because he was neither found guilty nor outlawed, nor charged, so far as he (Sir John A. Macdonald) could learn, by legal process; and he stood equally with them, having committed no greater crime, having taken no other action, no other treasonable step or course, than they, in regard to the rising in the North-West. Under

**MR. BLAKE.**

these circumstances, why should not O'Donoghue be placed with respect to those troubles in the same position as the other two men? He was not worse as a traitor, a rebel, a person rising in armed insurrection against the Crown than the other two. Then why should he be dealt with differently from the others? The resolution did not ask for the pardon of O'Donoghue, if he was guilty of any subsequent offence, such as this subsequent Fenian raid, which the hon. the Minister of Justice had taken so much trouble to prove he was mixed up in,—the attempt of 1871. That was not asked for. If he were guilty of that, let him be tried for that if he came into the country; but it was outside of this question, and of the causes of dissatisfaction specified in this resolution, which was not so much addressed to the case of O'Donoghue as to the deep-seated dissatisfaction of persons who fancied that the treatment of this man in an exceptional manner was because of his nationality. The dissatisfaction had been intensified because, from various concurrent circumstances, rightly or wrongly, a large class of their fellow-subjects believed that this man was made an exception of on that ground. They did not say or perhaps believe that it was because he was an Irishman, but they thought it was because he was not a Frenchman, which came to the same thing, because the strong influence within and without the Cabinet was not experienced in his favour which was exercised for two men of another nationality. Whether that were well founded, or altogether baseless and a mistake, or had an element of truth in it, the dissatisfaction was certain, and not so much in Manitoba and the North-West as in other parts of the Dominion. He (Sir John A. Macdonald) knew, and other members of this House knew, that it existed among that nationality in the Province of Ontario, and it was an ever-continuing source of irritation and indignation in their mind that this man was made the solitary exception in regard to this rising in arms: that one measure of punishment was dealt out to the other men, while he was excluded from all hopes of mercy and amnesty. They believed it was

unfair and unjust, and that feeling of dissatisfaction and of discontent would continue to rankle in the mind of that nationality until the cause was removed. And why should it not be removed? With respect to the Fenian raid, his hon. friend had alluded to a letter of O'Donoghue's; he had read a portion of his letter, and had called him by a term which was very strong—used against a man writing in his position—an exile. The Minister of Justice had called him a "liar."

Mr. BLAKE: What was the term the hon. gentleman applied to a Lieutenant-Governor?

Sir JOHN A. MACDONALD said that whenever he used that language he thought he could defend it. He was speaking, not of a man who was a Lieutenant-Governor or a Minister of Justice either, but a poor exile, who had written a letter, which, though a very intemperate one, was an excusable one; and the hon. gentleman might well have spared the taunt he had thrown out. The Minister of Justice should have read the whole passage. This man denied that it was a Fenian raid, and alleged that it was the continuation of the original insurrection. Thus, he contended that his conduct across the line was a continuation of the original insurrection, carried out by the same parties, acting in consort. But if that were not so, if he was separately to be held responsible for his conduct in the Fenian raid, let it be so. If he were tried for being concerned in a Fenian raid against Canada, and found guilty, the country would acknowledge the justice of his sentence. This resolution did not say anything about that, but only referred to the offences of which Louis Riel and Lépine were amnestied on the condition of an exile for five years. Let them place O'Donoghue in the same position, and not leave him unamnestied for ever and ever for that offence, when the others, in three short years more could return. The head of the republic, Louis Riel; Lépine, his Adjutant-General, could return in three years more, and hold up their heads in Manitoba, and perhaps come and represent it in the House. Mr. O'Donoghue was banished for the term of his life,

from his home and from his country. It was the height of injustice; there was no excuse, no justification for it, and he saw no reason why his hon. friend the Premier should not assent to the proposition to put this man in the same position as the other two, so that at the end of three years he could, if he chose, return and run his risk upon the same terms. Having committed the same crime, he should receive the same punishment as the others, and should get the same mercy. As to this being a vote of want of confidence, that was folly. No one could pretend that. The whole principle of motions made in Supply was this: that it was the right of the subject to take this time to bring forward any grievance he may have. The Commons were originally summoned to say how much money should be granted; but it had come to be the practice to discuss any questions of grievance on motion to go into Supply, and it was certainly no expression of want of confidence. It might be that a vote of censure was a vote of want of confidence; but the fact that a statement of this kind, asserting a right or claim, or a grievance of any kind, was made, was no matter of want of confidence. Again, in England, it was a matter of almost continual recurrence for motions of this nature to be offered. If they were carried, the Government accepted them—the House had decided—and then the Chancellor of the Exchequer moved that the Speaker do leave the Chair, and the House went on as before. As an hon. friend reminded him, his hon. friend the member for Victoria, N. B., had made a motion in precisely the same spirit as this one, when they (the late Government) were on the other side of the House; but they had not received or considered it as a vote of want of confidence. They knew that his hon. friend had confidence in them. He (Mr. Costigan) made the motion and it was carried. So every one knew that the Government of Lord Palmerston had nine of such motions made in one Session. They were not intended as votes of want of confidence. A charge of inconsistency had been made against his hon. friend (Mr. Costigan) because he voted for the resolution of 1875; but

hence it was not to be supposed that the hon. gentleman was to be held responsible for the truth or falsehood of every allegation contained in the long recital which was the basis of this resolution. The hon. gentleman could not be cognizant of this long recital of details, and the resolution ended by recommending that there should be an immediate amnesty for everybody excepting three persons; and that there should be an amnesty for two of these at the end of five years. His hon. friend, at the time, like a sensible man, had taken the advice of his great countryman, O'Connell, who was always glad to take a step in advance. The hon. gentleman (Mr. Costigan) took what he could get, and voted for a general amnesty for the whole people, and a modified amnesty for Lépine and Riel, and he (Mr. Costigan) now came to carry out constitutionally the object he had honestly and faithfully been working for, as was his original idea, and hope and wish, to the full extent—the securing of a complete and thorough amnesty for all the parties concerned. One word more: He would vote for this resolution, and on the ground mentioned in it, that there was no disquiet in that country, or in this country, and no fear of disturbance in the future. They had to thank Providence that what had threatened to be a long and lasting trouble and a long and lasting embarrassment had passed away, and that the people of the North-West were now as law-abiding as the people of Ontario and Quebec. Under these circumstances, if it was believed, as he did in his heart of hearts believe, that there was a real feeling of dissatisfaction—and he would mention it plainly—among the Irish people of this Dominion, because they thought that this man, their countryman, with whom they sympathised, had a good case, and had been left out in the cold, to use an American expression, and condemned to spend the rest of his life in a foreign land, when the other two men would, in three years, return to this country and assume the position of British subjects and free men, enjoying their property and rejoining their families and friends. As he had said before, one

of the two had already been elected to this House, and, he dared say, they would find both of them yet sitting in the House; while this other man, O'Donoghue, would stand looking wistfully across the Line, seeing his lost friends and his conspirators on this side of it, enjoying all British subjects could enjoy—all their hopes, and, if they liked, all their ambitions. This was not fair play. He appealed to the common sense and good heart of the House, and asked if it was not fair play to vote for the resolution to grant fair play and justice to these three men.

Mr. MACKENZIE: Will the hon. gentleman say why, when he had the opportunity, and sent secret service money to Riel and Lépine, he did not give O'Donoghue a small share.

Sir JOHN A. MACDONALD: And that is the First Minister's speech in answer to this appeal for mercy to this man.

Mr. MACKENZIE: The hon. gentleman has no faith in his appeal, and he knows that very well.

Mr. BOWELL said he had not given a vote on the question of amnesty or any question affecting the North-West Territory since he had had the honour of a seat in the House without giving his reason for it, and upon the present occasion he proposed to follow the same course, particularly as the aspect of affairs had somewhat changed. He must express his surprise in connection with others, at the tone which had characterized the utterances of many members who had spoken on the question, and not less for the reasons that some of them had given for the course they intended to pursue. On former occasions, it had either been his good fortune or his misfortune, to differ from others on this important matter, and the vote he should give to-night would be cast for other reasons than those assigned by any hon. gentleman who had preceded him. He had witnessed, however, even in the inception of this debate, the same reasons given for the course members intended to pursue upon this question that had been stated on former occasions, more particularly by those gentlemen who were supposed to be either directly or indirectly

connected with the North-West troubles and difficulties. He had not been surprised to hear the hon. member for Selkirk give the reasons he did, nor to hear the reasons advanced by the hon. member for Provencher, for the course he (Mr. Bannatyne) intended to pursue. He could easily understand that where there was any danger or likelihood of even a probability arising as to evidence being given that might implicate those who were not yet directly implicated in these difficulties, those gentlemen who were at least interested to a greater or less extent in these difficulties, should prevent, to the best of their power, any person coming into this country who might shed some light on that question; but he was surprised, and very much so, at the remarks made by the hon. member for Halifax, (Mr. Power). The only reason that hon. gentleman had given for opposing the motion was because O'Donoghue had stated he was desirous of returning to this country in order to give evidence against others who had not yet been implicated in the troubles in the North-West. If there were those in the country, who, though occupying prominent positions, should be punished in connection with these difficulties, and if any of the Hudson Bay Company officers had instigated these troubles, he thought it would be well that the country should know who they were that should bear this responsibility. His hon. friend from Marquette had told the House what he (Mr. Bowell) at least had not learned before—and he thought he could say, without egotism, that he had devoted some little time to the study of this question—that O'Donoghue was a party, directly, to that foul and bloody murder which took place in the west, but adduced no evidence to sustain his assertion. Had he done so, there would have been no difficulty in dealing with this question, so far as he (Mr. Bowell) was concerned, as he would vote against him without a moment's hesitation. He had, however, been unable, though he had taken some trouble in the matter, to ascertain the truth of this statement; and he had yet to learn that this charge was based upon fact, or that the question of nationality was a reason

why a man should be convicted or amnestied, pardoned or elevated to office. He deprecated the introduction of the question of nationality or religion as much as any man possibly could, having, outside of the House—and he thought he had inside of it—but at all events on every occasion in his own constituency, and otherwise, raised his voice against the claim which any particular nationality or creed set up for office or for any other position. He had deprecated this when these amnesty resolutions were introduced; he had ventured the opinion last year, and he repeated it now, as he had seen no reason to change his mind—that had O'Donoghue been, to use the language he had employed in 1875, when discussing this question, of the same nationality as those who were amnestied and pardoned, he (O'Donoghue) would not have been made a solitary exception. He was not surprised at the tone assumed by the Minister of Justice. It was a tone which the hon. gentleman generally employed, more particularly when he (Mr. Blake) was hurling his taunts across the floor of the House. It would, indeed, be somewhat surprising if any member who dared to have an opinion different from that entertained by that hon. gentleman, and dared to give expression to it, was not treated in the same insolent manner in which the hon. gentleman treated every man—he would, if the word insolent were objectionable and unparliamentary, withdraw it, and, in a more parliamentary manner, declare that it was objectionable for the Minister of Justice to treat every man who deemed it his duty to express an opinion in opposition to or in contradistinction to him, to hurl such epithets at them as he did. The hon. gentleman had no right to assume the position he had, and to tell him (Mr. Bowell) that he had expressed opinions which he never had uttered; nor was the hon. gentleman justified, either by fact or by the documents from which he (Mr. Blake) had read—the account of the investigation into the troubles of the North-West Territory, of which he (Mr. Blake) was a very prominent member, and of which he (Mr. Bowell) was a very humble one. What he (Mr.

Bowell) had said, and what he would repeat, was, that O'Donoghue might have been a Fenian as well as a rebel. He had never stated it to be his belief that he (O'Donoghue) was not. He had never expressed an opinion that would lead anyone to believe, as far as he was concerned, that O'Donoghue was less guilty than Riel and Lépine, so far as related to the outbreak in the North-West; but he had never seen any evidence showing that O'Donoghue was a direct party to the murder, and such evidence had never been produced in the House or in the Committee. The contrary, indeed, had been established. What he had said he now repeated: there was no evidence in the document from which the hon. gentlemen had quoted, to prove to the contrary—that though O'Donoghue might have gone into the United States for the very purpose of raising a body of men to invade British territory, he did so with the knowledge, consent and authority of those with whom he had formerly acted in rebellion; and in order to show this, he would read what had already been read once or twice in the House, the affidavit of a Frenchman who was present on a Sunday, before church, at St. Norbert, and who heard the conversations and discussions between Riel and his friends which arose on this very question of the raid into the North-West Territory. He knew that some hon. gentlemen had said that this man was unworthy of belief and characterless, but he had never yet found anything to establish that this was the case, save mere assertions. The affidavit ran as follows:—

“I, Francois Charrette, of the parish of St. Norbert, make oath and say: That, at the church of Pere Richot, on Sunday, the 8th October, 1871, I was present and, in the morning, before service commenced, I heard Louis Riel say to a number of Half-breeds, who were assembled outside the church, ‘You see,’ said he, ‘that our friend O'Donoghue is taken prisoner at Pembina, he has always been our friend, and we should fight for him and try to get him released.’ Pierre Delorme said: ‘Our O'Donoghue is a prisoner and we can do nothing, as the English are stronger than we; but the best thing we can do is to go and see the Governor and to offer him our services, to show, as we can do nothing for O'Donoghue, we are all on his side now.’ To this, Riel agreed, and they all went away to see the Governor. From what I have heard Riel and others say, I

**MR. BOWELL.**

know that it was the intention of him and his party to join O'Donoghue and the Fenians."

This affidavit of François Charrette was sworn to at Winnipeg, on the 12th of October, 1871, before J. H. Ashdown, J.P. Taking the subsequent events in connection with this Fenian invasion, everything would show that these men were all implicated in, and supporters of, the movement, and there was no doubt but that when O'Donoghue came to the frontier, it was with the distinct understanding that he should be met and assisted in this incursion by Riel and his followers. It had taken the Minister of Justice half his time to disprove what really was not contained in the resolution and what the House was not asked to affirm; there not being a word in it about pardon for the crime of the Fenian raid. It was true the hon. gentleman (Mr. Costigan) had referred to this matter in his speech by declaring that O'Donoghue was no worse than Riel and Lépine, but those who voted for the resolution would affirm only what it contained, and not what the mover of it had given as his opinion. The Minister of Justice had tried to divert, designedly, he (Mr. Bowell) believed, the attention of the House from the facts at issue, as embodied in the resolution. What they had to decide was simply, whether the House was prepared to affirm that W. D. O'Donoghue should be placed in the same position as Riel and Lépine, so far as related to the North-West troubles, without considering in any way the Fenian raid. If this man was guilty of being a Fenian and had transgressed the law in that respect, he was subject to the laws of this country, and if he came into it, he must take the consequences. He had stated and now repeated—he did not believe there was a man in the whole of this broad Dominion who would have objected to a general amnesty if blood had not been spilt, and more particularly if it had not been shed in the manner it had been. O'Donoghue must take his own responsibility for any crime he might have committed after he left the country, and which had no connection with these troubles. If O'Donoghue could show that this raid was

an offshoot and part and parcel of the insurrection, all these men who had been pardoned were equally guilty, and connection with the raid would not be a separate and distinct crime, but one coming within the meaning of this resolution. If it did not, as the Minister of Justice contended, then the House was not asked to pronounce an opinion on it, and it was trifling with the question to drag it into the discussion. The hon. gentleman laid a great deal of stress on the alleged fact that Riel and those with whom he was associated, had offered their services to the Governor of Manitoba, when the raid took place. Dates, however, show this to be a fallacy. It was on the 5th March the fiendish attack was made, and on the 7th they were driven from Canadian territory, and yet it was not until the 12th following, after O'Donoghue and his friends had been driven out of the country, that Riel and his fellow patriots offered their services to Governor Archibald. How that act could be made a justifiable reason for the amnesty granted, he could not comprehend. Still, he and his followers were reprieved, while O'Donoghue was made a solitary exception of, on the ground that he was a Fenian; but, whether he was a Fenian or not, the resolution did not propose to deal with anything of that kind. The simple proposition before them was whether it was just and proper that one man, who was no more guilty than those who had been amnestied, should be selected and doomed to perpetual banishment, while those who had added to their other guilt that of murder were either pardoned or banished for only five years; that was what they had to consider and nothing more. After making enquiries into the case of O'Donoghue, and having found he was not a party to the murder of Scott, he was prepared to vote for the resolution of the hon. member for Victoria, and he was also prepared to justify that vote before his constituents. He had voted against the resolution last year because it reflected upon members of the House, which he did not think either right or proper, and therefore should be opposed; but now it was a fair proposition and he trusted, how-

ever strong his feelings were and had been in regard to the North-West troubles, that he could at least take a dispassionate view of the question four or five years after the difficulty occurred, and do an act of justice. He cared not one rap for a man's nationality or his religion; he wished to see equal justice meted out to all. O'Donoghue was no more guilty than the other parties, and he saw no reason of justice in placing him in a worse position than Riel and Lépine had been placed, so far as it related to the troubles in the North-West territory. That far he was prepared to go, but no further, and not even that far if he had one tittle of evidence to show that O'Donoghue had been a party to the murder of Scott.

Mr. YOUNG said the best evidence of the character of this vote was to be found in the speeches of the hon. member for Kingston, and the hon. gentleman who had just resumed his seat. Both speeches, towards the close, were explanatory of the reasons why the hon. gentlemen would vote for the resolution; both seemed to think it was desirable to explain the extraordinary vote they were about to give. A more extraordinary motion than this he never saw moved in the House, and he thought his hon. friends on the other side must be hard up for subjects out of which to make political capital when they moved to amnesty a man who was guilty of participating in a Fenian raid on the peaceable people of this country. If there was anything hon. gentlemen opposite had been noted for it was their loyalty; if there was one thing more than another for which the hon. member for North Hastings (Mr. Bowell) had been distinguished, it was his intense loyalty; and yet that hon. gentleman and his colleagues had advocated the amnesty of a Fenian. He thought the case of Riel and Lépine was different from that of O'Donoghue, and for this reason: That they objected to the entrance of Mr. Macdougall into their Province because they maintained that certain rights to which they were entitled had not been confirmed to them. He said at that time, as he said now, that those gentlemen were justified to a certain extent, but not to the length

to which they went, because the trouble was owing to the blunder of the late Government in sending worn-out politicians from Ontario to rule over this people without their consent. He thought he was correct in stating that the main consideration in granting the partial banishment to Riel and Lépine was, because, at a critical moment, when the Province was attacked by Fenians from the United States, they offered their services to repel the invasion. The fact that the Crown accepted their services on that occasion constituted a reason why they should not be treated in the same way as O'Donoghue. In addition to that person being engaged in the rebellion, he had collected a force in the United States, and proceeded to attack the Province of Manitoba, hoping that the rebels would assist him in wresting it from the British Crown, and annexing it to the United States, and he thought the hon. gentlemen who were now advocating an amnesty were acting quite inconsistently with their past record. He was of opinion, all things considered, that O'Donoghue was not entitled to amnesty at the hands of the House.

Mr. ST. JEAN said he had been opposed to a general amnesty from the first, and the discussion to-night had shown him that it was his duty to vote against the motion. If the hon. member for Victoria had brought up the motion in another shape, on another day, he might have supported it; but, all circumstances considered, he felt it his duty to oppose the motion.

Mr. FARROW said the question had narrowed down to a small point, and he certainly differed with the hon. the Minister of Justice's idea as to justice in this matter. It seemed to him the whole question was in this shape: Riel and Lépine invited Gen. O'Neill to come over the line into Manitoba with a band of Fenians, and being pretty wide awake they decided at the eleventh hour, in order to secure pardon for their misdeeds, to offer their assistance to the Government to repel the invaders. But those Frenchmen, who were as guilty as O'Donoghue, were amnestied and this poor Irishman was condemned to perpetual banishment. It could not be proved

Mr. BOWELL.

that O'Donoghue had anything to do with the murder of Scott. He wished to do right to all classes, and he certainly thought that O'Donoghue had been badly treated. He would, therefore, vote for the resolution.

Question put, and amendment (Mr. Costigan) *negatived*, on the following division:—

YEAS :  
Messieurs

Baby	Lanthier
Benoit	Macdonald (Kingston)
Bernier	McDonald (Cape Breton)
Blanchet	McDougall (Three Riv.)
Bolduc	Macmillan
Bowell	McCallum
Cameron	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Monteith
Costigan	Montplaisir
Coupal	Mousseau
Currier	Orton
Cuthbert	Ouimet
Daoust	Pissonneault
DeCosmos	Platt
Desjardins	Plumb
Dewdney	Pope (Compton)
Domville	Robinson
Farrow	Robitaille
Fraser	Rochester
Gaudet	Rouleau
Gibbs (North Ontario)	Roy
Gibbs (South Ontario)	Stephenson
Gill	Thompson (Cariboo)
Harwood	Tupper
Hurteau	Wallace (South Norfolk)
Jones (South Leeds)	White (East Hastings)
Kirkpatrick	Wright (Ottawa Co.)
Langevin	Wright (Pontiac).—60.

NAYS :  
Messieurs

Appleby	Jetté
Archibald	Jones (Halifax)
Aylmer	Kirk
Bain	Lafamme
Bannatyne	Lajoie
Barthe	Landerkin
Bécharde	Langlois
Bertram	Laurier
Biggar	Little
Blackburn	Macdonald (Cornwall)
Blake	Macdonald (Centre Toronto)
Borden	McDougall (S. Renfrew)
Borron	MacKay (Cape Breton)
Bowman	Mackenzie
Boyer	McCraney
Brown	McIntyre
Buell	McIsaac
Burk	McLeod
Burpee (St. John)	McNab
Burpee (Sunbury)	Metcalfe
Carmichael	Mills
Cartwright	Oliver
Casey	Paterson
Cauchon	Perry
Charlton	Pettes
Cheval	Pickard
Christie	Pouliot
Church	Power
Cockburn	

Coffin	Ray
Cook	Robillard
Cunningham	Ross (East Durham)
Delorme	Ross (West Middlesex)
DeVeber	Ross (Prince Edward)
Dymond	Ryan
Ferris	Rymal
Fiset	Scatcherd
Fleming	Scrifer
Flesher	Shibley
Flynn	Sinclair
Fréchette	Smith (Peel)
Galbraith	Smith (Selkirk)
Gibson	Smith (Westmoreland)
Gillmor	Snider
Goudge	St. Jean
Greenway	Thompson (Haldimand)
Guthrie	Thomson (Welland)
Hagar	Trow
Hall	Vail
Higinbotham	Wallace (Albert)
Holton	Wood
Horton	Workman
Irving	Young.—105.

SUPPLY.

XI. MILITIA.

House again *resolved* itself into Committee of Supply.

(In the Committee.)

70. Pay, maintenance and equipment of "A" and "B" Batteries Garrison Artillery and Schools of Gunnery, Kingston and Quebec..... \$115,000

Mr. LANGEVIN asked the reason of the \$5,000 increase on last year's vote.

Mr. VAIL stated it was because of small increases to officers, &c., to the extent of \$3,340. The balance went to make up the Estimates of last year, which were slightly short.

Mr. MITCHELL said he thought there ought to be a large reduction, because the expenditure was useless in the present condition of our finances. He knew of six young men who studied at the batteries and then went to the United States, and this practice was pretty general. Young men who entered the schools were either too idle or too useless to find other employment for themselves. The necessary details of the expenditure of last year should have been given in the Public Accounts.

Mr. CARON said he thought no money was better applied than that to "B" Battery at Quebec, and he presumed the same was the case with

respect to "A" Battery at Kingston. During the winter months, many young men out of employment took advantage of the schools, and thus got a fair military training. The commanding officer of the Battery was well known in military circles.

Mr. DOMVILLE remarked upon the large expenditure for fuel and light.

Mr. VAIL said, the winters being cold, a large expenditure was necessary. Everything was purchased by contract.

Sir JOHN A. MACDONALD enquired whether the contracts were made at Ottawa.

Mr. VAIL: Yes.

Sir JOHN A. MACDONALD suggested that hereafter they should be made at Kingston and Quebec, on the ground of cheapness. He approved of the militia being kept up to a high state of efficiency. If it was worth while having a militia force at all, it should be well organized. Still, the Government should be ready to furnish all information, as there was no appropriation which was looked upon with such suspicion by the public, as that for the militia. For instance, the Government should be able to show how it was that so large a sum as \$13,000 was required for fuel and light.

Mr. CARTWRIGHT said that a large quantity of fuel was necessarily used at the barracks at Kingston and Quebec.

*Vote agreed to.*

71 Military College.....\$35,000 00

Mr. LANGEVIN said that when the vote was before the House last year, he called the attention of the hon. the Minister of Militia to the regulations with respect to the Military College. His observations received the attention of the hon. the Minister and the Government, and shortly afterwards a new set of regulations were ordered. They did not, however, go so far as he (Mr. Langevin) desired, in order that the young men of Quebec Province might be induced to compete at the examinations and become cadets. Out of the 26 who had submitted themselves for examination, 17 were from Ontario, 4 from Quebec, 4 from New Brunswick, and 1 from Manitoba; 15 of those admitted were from Ontario,

3 from Quebec, 3 from New Brunswick, and 1 from Manitoba. Of the three admitted from the Province of Quebec, only one was a Frenchman. According to the population of the Province, they should have about six cadets at the College. In the interest of the French-Canadians he asked that the regulations should be amended so that they would be put in a fair position with other races. At present, one of the qualifications required was English grammar, and writing English correctly, in a good, legible hand, from dictation. He suggested that the regulations might be amended to provide that a French-Canadian should know his own language correctly, and write his own language correctly, and know the English language sufficiently to be understood. Very few French-Canadians, from 15 to 20 years, would be able to comply with the regulation in its present form.

Mr. BABY said he concurred fully with the remarks of the hon. member for Charlevoix (Mr. Langevin). Should the country become engaged in a war, at any time, it would have to rely for troops, to a considerable extent, on the French-Canadian population. If there were soldiers, there must be officers to command them, and the soldiers would prove valuable only as they had confidence in their commanders. He must admit that the Province of Quebec—as he had heard were the countrymen of the Premier—was a little clannish.

Mr. MACKENZIE: You are quite mistaken.

Mr. BABY: We are to some extent clannish and diffident, but not prejudiced.

Mr. MACKENZIE: That is exactly what we are.

Mr. BABY said that if the officers commanding inspired confidence among the soldiers they would no doubt render very great service. He did not need to look back to the record of what his race had done for the glory of the British flag in this country—for everybody knew it—when led by officers who spoke their own language, and in whom they had perfect confidence. This college should be so con-

ducted that their young men could enter it and prepare for service, should such an emergency arise.

Mr. MACKENZIE said he could only state that the Government was exceedingly anxious to adopt such regulations as would suit all classes of the population. There was, no doubt, a great deal in what the hon. gentleman had said. The regulations had been changed somewhat, as the hon. member for Charlevoix had advised last year, and if this did not suffice, they must make another attempt to do so. The Government would lose no opportunity or avoid any effort necessary to accomplish the object they desired—to have in the school French-Canadian students to a number at least equal to their proper proportion. He quite agreed with almost everything the hon. gentleman had uttered as to the desirability of accomplishing this result. He took a special interest in this institution, for it was a *penchant* of his; and he had no doubt that it would succeed. It was admirably managed by officers brought from England, and he would be very glad if the French-Canadians would visit the institution before they returned home, to see for themselves the progress that had been made. He had no doubt the Minister of Militia would take note of all that had been said, and endeavour to meet the objection made, which seemed to be a fair one; and instead of submitting dictation in English, cause it to be submitted in French. At the same time, it would be quite apparent to every one, that a fair knowledge of English was almost, if not absolutely necessary, to enable the French-Canadian students to make due progress and keep their ground with the other students.

Mr. TUPPER: What is the present number of its students?

Mr. VAIL: Twenty-nine.

Mr. MACKENZIE: Seven entered lately.

Mr. LANGEVIN asked whether, if the regulations were changed in the direction mentioned, an opportunity would within four, five or six months be given to young men from the

Province of Quebec, to compete for entrance into the College without waiting for one, two or three years?

Mr. VAIL said they were now sending out advertisements relative to examinations to take place six months hence. They intended to have two or three more examinations at the termination of the period. The hon. member for Charlevoix would remember that when he made his suggestions last year, he (Mr. Vail) had gone over the examination papers with him; and he would ask the hon. gentleman to come to the Department, when he (Mr. Vail) would be very happy to consider the different subjects, and any further alterations proposed. Their object was to secure a certain number of students from each Province—Quebec to have its share. There were none at present from the Provinces of Nova Scotia, Prince Edward Island and British Columbia.

Mr. LANGEVIN: What is the full number?

Mr. VAIL: Twenty-nine.

Mr. LANGEVIN: Fifteen of the students are from Ontario.

Mr. MACKENZIE: The maximum number of students is laid down in the Act.

Mr. LANGEVIN said that only three of the students came from Quebec. He wished a chance to be given to this Province to have its full proportion.

Mr. VAIL: If students do not offer, as the Act provides, then the number is filled up from the other Provinces.

Mr. JONES (South Leeds): What is the total number that can be admitted?

Mr. MACKENZIE: I think that 100 is the maximum at the end of four years, and, after that, one quarter of their number will go out yearly.

Mr. JONES said the college was a very good institution, and very well managed, but it appeared that, for the amount of money expended on it they were receiving at present comparatively little value. Only 18 or 20 students had been in it until lately, and now the number was only 29. He attributed the increase to the fact that the examinations were made less

stringent. In the first instance, these had been too severe. If properly administered, the college would be of very great advantage to the country. He desired to know whether the examinations had not been changed. He thought they should be the same for every cadet, and such as to admit into the institution gentlemen of fair and ordinary education.

Mr. VAIL said the Act only permitted the entrance of 22 students during the first year. A very large number of applications were then received, and they, therefore, desired to secure the entrance of the best. Possibly the examination papers were then a little difficult. They had since been altered somewhat, but the young men who passed under them intended to have passed when the first papers existed.

Mr. JONES (South Leeds) said he was glad to know that the Government and Premier took such an interest in the College, which, in the course of time, would have the results attained by similar institutions in England and the United States. During the American civil war, almost all the prominent officers on both sides had graduated at West Point.

Mr. CARTWRIGHT said the Estimates provided for sixty instead of twenty-nine cadets; and if the former number enter, as each cadet paid \$250, \$200 on entering and \$50 afterwards, this would effect a considerable reduction, and if that number did not enter, the expenditure would not be so great as it otherwise would be.

Mr. COSTIGAN said he desired to call the attention of the hon. the Minister of Militia to the fact that he had received from a former volunteer officer in the Engineers, a letter complaining of the treatment he had received and asking for certain papers to be laid before the House. He mentioned the matter in order that if the hon. gentleman (Mr. Vail) was so disposed the papers might be brought down before concurrence. The papers included a report made on the 26th of June last, by Sergeant-Major Hurd and requisition written by this officer on the 13th of last March, and a letter on the same subject, dated March 16th, 1877.

Mr. JONES.

Mr. BLAKE: Send across a memorandum of the papers you desire.

Mr. MITCHELL called attention to page 164 of the Public Accounts, and suggested that next year, it would be better to separate the items of which the gross sums now entered were made up, as to travelling expenses, furnishing guards of honour for local legislatures, &c., in order that they might better judge of them. On the next page, \$968.75 was entered for the supply of wood to the detachment stationed in a small building on St. Helen Island. The island had an abundance of wood upon it, and the charge was something outrageous.

Mr. MACKENZIE: That wood is never cut for fuel.

Mr. MITCHELL said the decaying wood would keep the place in fuel. If three times the market price were paid, it was utterly impossible that so much money could have been expended for this purpose.

Mr. CARTWRIGHT: That includes the fuel for the building in Montreal.

Mr. MITCHELL: Then you should say so.

Mr. CARTWRIGHT: The item is entered for Montreal.

*Vote agreed to.*

72. Military Schools, Nova Scotia and New Brunswick.....	\$10,000
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Mr. MITCHELL said he thought those schools ought to be done away with, as they did no good whatever.

*Vote agreed to.*

73. Pay and maintenance of Dominion forces in Manitoba.....	\$35,000
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Mr. SCHULTZ said that before this item passed, he desired to call attention to a grievance felt by discharged volunteers in Manitoba, in regard to the manner of their payment, and certain vexatious conditions and restrictions imposed upon them in the matter of the execution of Bounty Warrants, which, to a certain extent, formed part of their pay. The volunteer force in Manitoba was composed generally of the very best class of men. The inducement of serving their Queen and country in the new Province, had been

found sufficient to tempt men who were classically bred, and of the best families, into the ranks of the force. These men who had faithfully served their country during the period of their enlistment, now felt that they had been in some points, badly treated; and in the absence of the hon. gentleman who had special charge of their case, he would merely call attention now to their petition to this House, and trust to that hon. gentleman to bring the matter up formally at concurrence. The volunteers in question had presented to the House, this Session, the following petition:—

*"To the Honourable the Commons of Canada, in Parliament assembled.*

"The petition of three ex-staff sergeants of the Provisional Battalion of Infantry in garrison at Fort Osborne, Manitoba, who were duly appointed at a meeting of the non-commissioned officers and men discharged from the said garrison July 1st, 1876 (held in Winnipeg the following 3rd of July; present: his Worship the Hon. W. N. Kennedy, the Mayor of Winnipeg, in the chair), to petition the Government with respect to the grievances of the said discharged volunteers, and to take such other action as might be required: Humbly sheweth,

"1. That your petitioners and their late comrades were discharged one calendar month and three days before the twelve months' service for which they were attested had expired, at one week's notice;

"2. That they were all men of good character, and had served Her Majesty loyally and faithfully;

"3. That a new order of the Dominion Lands Department, of which no public notice had been given, prevented the volunteers so discharged from disposing of their interests in their land grants, which had always been permitted previously;

"4. That the ex-volunteers were thus deprived of the opportunity of obtaining money for the purchase of civilian clothing, and otherwise greatly inconvenienced;

"5. That their land warrants were not given them until six weeks after the date of their discharge;

"6. That they had to incur the personal cost of board and lodging during this period;

"7. That, owing to the issue of Half-breed scrip in the meantime, when their land warrants did arrive, they were worth only fifty (\$50) dollars, having declined fifty per cent. in value during the interval;

"8. That the attaching by Parliament, during its last Session, of a new condition to volunteer land warrants, whereby all warrants issued subsequently should be receivable at the offices of the Dominion Lands Department to the extent of twenty per cent. only of any single township, which condition

should in equity not have been made applicable to the land warrants of volunteers then in the service of the Government, as being an alteration, without their consent, of the equivalent promised for their services on enlistment, tended further to diminish the market value of their said land warrants;

"9. That the fifty (\$50) dollars realized by the sale of each grantee's land warrant was scarcely more than sufficient to defray the cost of board and lodging incurred while awaiting its arrival, and it would not compensate for the loss of time incurred;

"10. That each individual accordingly suffered damage as follows:—

By depreciation of his land warrant.	\$50
Estimated cost of his board and lodging.....	45
For loss of time at \$13 per month (private's pay), or more, according to rank.....	20
<b>Total.....</b>	<b>\$115</b>

"11. That the officers affected by the said reduction of the garrison received three months' notice that their services would not be required after the 1st of July; and, further, a bonus of six months' pay according to rank on quitting the service, but the non-commissioned officers and privates were thrown upon the world at one week's notice, without any bonus at all, without their land warrants, and deprived (without warning) of the privilege of disposing of their interest in the same;

"12. That, on a reduction taking place on a previous occasion, the non-commissioned officers and men discharged received a bonus of two months' pay according to rank, and the privilege of disposing of their interest in their land grant was not interfered with;

"13. That your petitioners and their comrades were not afforded an opportunity of joining the Mounted Police Force, which many of them desired to do, although recruits were being enlisted in Canada at the time of their discharge; but their officers affected by the reduction were, in addition to the bonus of six months' pay already referred to, either provided with civil employment or reinstated in their military rank, the only exceptions being Lieutenant Nash, who declined reinstatement, and Quartermaster Stuart.

"Your humble petitioners therefore pray that they and their late comrades may be treated with the same consideration and liberality as their officers, and that your Honourable House approve of their being granted six months' pay according to rank, and pay according to rank and an allowance of one dollar per diem, in lieu of rations and quarters, for the period during which they were kept waiting for their land warrants; also the sum of fifty (\$50) dollars each, in compensation for the depreciation in the pecuniary value of their land warrants resulting from the delay in issuing the same, and from the attaching by Parliament of the new condition hereinbefore referred to without

the consent of the parties primarily interested.

"And your petitioners will ever pray, etc.

"R. A. W. ROLPH,

*"ex-Quartermaster, Sergt.*

"HENRY WALKER,

*"ex-Band Sergt.*

"CHAS. WM. ALLEN,

*"ex-Paymaster Sergt.*

*"Standing Committee on  
"Volunteer grievances."*

This petition, it would be remembered, was ruled out of order on account of the framers of it inadvertently bringing its prayer into collision with the rule of the House preventing petitioners asking directly for money. However, another petition similar in form, but without the objectionable portion, was duly received by the House. He (Mr. Schultz) felt that no hon. gentleman could give these complaints the slightest consideration without feeling the justice of the arguments offered and the reasonableness of the request made, and trusted that, although the hon. Minister of Militia had, in reply to a question put by the hon. member for Selkirk, pronounced against the claims, yet he (Mr. Schultz) trusted that more mature consideration, and consideration of the facts of the case, might change his opinion and lead him to grant simple justice to a class of men who had, by their conduct in the force and since, secured the respect and esteem of their fellow-citizens in Manitoba.

Mr. VAIL said the Department had given this matter a great deal of consideration. He had sent all the papers to the Adjutant-General at Winnipeg and asked for a full report. He was satisfied himself that the men had no cause for complaint, as everything that could be done was done for them. They had every opportunity to enlist in the Mounted Police if they chose to do so, but they did not avail themselves of the chance. He was satisfied that if his hon. friend was acquainted with all the circumstances he would agree with him that they had no cause for complaint.

Mr. SMITH (Selkirk) asked what authority had been given for raising militia companies in Manitoba.

Mr. VAIL said they had authorised the raising of two new companies of

Mr. SCHULTZ.

late, and application had been made for a third.

Mr. BOWELL said one item had escaped his attention. It appeared that a charge was made for guards attending the opening of local legislatures. Was it usual for the Dominion to pay the expenses of this?

Mr. VAIL: Yes, it has been a standing order since Confederation.

*Vote agreed to.*

Mr. CARTWRIGHT said very great exertions had been made to reduce the expenditure. But the grasshoppers had devoured the entire crops for forage. The total charge for the force last year was \$369,000. No doubt the amount was very large, but it had been found almost impossible, in that distant country, to keep the expenses for forage and transportation down. Year by year, as settlers went to the neighbourhood of the forts, there was good ground to suppose that the amount would be decreased. In a year and a half or two years it was expected that forage could be obtained from settlers around Fort McLeod.

Mr. TUPPER called attention to the case of a young Nova Scotian, named Nash, who was killed at Fort McLeod while in the discharge of his duty. His mother being a widow, the case was a particularly hard one, and as he was within a few months of having served the three years necessary to entitle him or his relatives to 160 acres of land, it was thought the grant might be made.

Mr. CARTWRIGHT promised that the matter should be taken into consideration.

Mr. BOWELL said, on looking over the Public Accounts, he had come to the conclusion that the expenses for forage were very heavy.

Mr. CARTWRIGHT explained that this was owing to the grasshoppers having devoured everything in the vicinity.

Mr. BOWELL drew attention to the statements made on good authority that the discharged volunteers in the North-West were refused admission into the Mounted Police. Many of the Volunteers had their way paid to Ontario and Quebec, where they en-

listed in the Mounted Police, and their passage was paid back to Manitoba Volunteers would make good policemen or soldiers, and he thought it bad policy to pursue the course he had referred to.

Mr. MACKENZIE said his impression was, that the first body of men in the volunteer force who were dismissed were offered positions in the Mounted Police.

Mr. VAIL said he thought the hon. member for North Hastings (Mr. Bowell) was mistaken, although there might have been one or two such cases.

Mr. CARTWRIGHT said he would take especial care to call the attention of the Secretary of State to the statement of the hon. member for North Hastings.

Mr. ORTON enquired whether any portion of the item was intended to recompense those in the Mounted Police who had received injuries while on service.

Mr. CARTWRIGHT said contingencies might perhaps cover that.

Mr. ORTON presented the case of a sub-constable named Hayes, who had been injured so as to necessitate his coming home, and in consequence of which injury he had not been able to work for five months. He (Mr. Orton) thought some compensation ought to be made.

Mr. MACKENZIE said, of course, if the name was given to the Government, they would look into the matter, and grant a compensation if it was warranted by the circumstances.

Mr. SCHULTZ said he quite agreed with the proposition that the discharged volunteers should, if possible, be taken into the Mounted Police Force. He believed the statement made by the hon. member for North Hastings in this respect was correct. He did not exactly know of his own knowledge, but it would be remembered that this formed one of the grievances complained of by these ex-sergeants of volunteers. Presumably, these men were better fitted for the Mounted Police than raw recruits obtained from different parts of Ontario. The First Minister would find in the report of the

Minister of Justice that when the first part of the force went up, the commander of that force showed that of those who enlisted at Toronto and elsewhere, representing themselves to be good horsemen, only about five per cent. found themselves on arriving at Fort Garry able to mount a horse at all. He trusted that in future dealings in the cases of the discharged volunteers in Manitoba, every facility and encouragement would be given them and to the Mounted Police. In regard to the pay of these forces, the Public Accounts showed that a very large proportion of their pay had been made through J. G. Baker & Co. of the Hudson Bay Co. He could not understand why it was incumbent on the Department to make these payments through these particular parties. By some understanding with the parties in charge of particular posts, J. G. Baker & Co. were allowed to deal with the men, and allowed them to contract debts, and then, instead of the payments being made direct to the men, they were made through this firm, who were themselves in a position to deduct the amounts due from the men's pay. This had given rise to a good deal of dissatisfaction and on the face of it, it looked as if, with a paid paymaster and with facilities for the transmission notes to that territory, payments should have been made direct to the men and not through any of these other parties. In the matter of the very large cost of forage, if he understood the Minister of Finance correctly, forage was likely to cost more this year than last. If that was the case, he thought this item ought to have very strict investigation at the hands of the House. When he had had occasion to speak of a payment of \$31,000 for forage to J. G. Baker & Co., the Minister of Justice stated that this amount was a very large one, but explained the circumstances to a certain extent, under which it was rendered so much, and said he trusted it might be very materially reduced. From the Minister of Finance, however, they learned that it was likely to be increased. He should like to know in some way how this amount was expended. It was stated to have been by contract. Where, he would ask,

were tenders for this contract asked for? Who were the persons who tendered for the supplies besides J. G. Baker & Co.? Who were these J. G. Baker & Co., that they should be so indispensable to the Government of Canada in the North-West? They found them in everything in the Public Accounts. At page 135 they found payments to M. C. Page for services as Solicitor and Counsel for the prosecution in the matter of the Cypress Hill massacre, \$2,272.49. They seemed to be the Attorneys or Proctors of Attorneys in the United States for the Government. There were other items amounting to \$12,266 in connection with this Cypress Hill massacre case, which was a humbug from beginning to end, and was perhaps started by this J. G. Baker & Co. for their own emolument. And what was the result? After the ill-will of the neighbouring State of Montana had been raised, when the matter was brought before the Courts of Manitoba, it was found that there had been no reason for the prosecution from the first. If the North-West was to be an outlet for the spending of Dominion money in that way, there could not be too close an investigation of each individual item of the accounts, and of the manner in which it had been spent.

Mr. ROSS (Prince Edward) said he would move to strike the item for Mounted Police out, if there was to be peace and quietness and no danger of a Fenian raid in Manitoba.

Mr. CARTWRIGHT said it did not apply to Manitoba at all. The territory was a thousand miles long and four hundred miles broad, and ranged from the Rocky Mountains to Manitoba. The Cypress Hills massacre was under the Department of Justice, and their officers there represented that the outrage on some unoffending Indians called for some exercise of diligence to bring the offenders to justice, and the action of the Government had, at all events, convinced the Indians and the American outlaws along the frontier, who had been concerned in the outrage, that the Government would not spare any expense to punish such an atrocious crime, as it undoubtedly was. As to J. G. Baker & Co., the Government

had had very great difficulty in having the horses supplied in that difficult country systematically with rations. These people had given great satisfaction in effectually supplying the stations—and as an officer had reported repeatedly—at cheaper terms than he could get them elsewhere. He believed that Col. McLeod had informed the Government that he had caused advertisements for tenders to be issued in American papers, principally, of course, because it was a better base of operation than Manitoba. That was the reason why the American firm was employed.

Mr. SCHULTZ said his hon. friend did not understand enough of the details of this matter to be able to answer proper and pertinent questions put in regard to these items; therefore, until they could have some Minister able to answer these questions, it would be better to let the item stand.

Mr. MACKENZIE said he thought the question had been answered. The member for Lisgar (Mr. Schultz) had said that no tenders were asked for in Manitoba. There was no opportunity of getting supplies there.

Mr. SCHULTZ: I did not say so; the questions have not been answered.

Mr. TUPPER asked what were the questions that had not been answered?

Mr. SCHULTZ said he desired to know under what circumstances a contract amounting to \$31,428 had been awarded to J. G. Baker & Co.; where the advertisement was published, who tendered, and for how long the advertisement was published.

Mr. CARTWRIGHT said these questions ought to be asked in the Public Accounts Committee. The hon. gentleman was asking in reference to a certain contract for the year ending 30th June, 1876. These questions were usually demanded in the Public Accounts Committee. The instructions of the Government to the officer in charge were to obtain contracts at the cheapest rates he possibly could for the forage required for the various forts where the Mounted Police was stationed. At present a great number had been stationed near the American frontier to keep watch on the move-

Mr. SCHULTZ.

ments of the Sioux and other hostile Indians, some of whom were now encamped on our territory. J. G. Baker & Co. resided within a short distance of the front where our men were concentrated. Whether they would receive a contract for the year for which the Government were now asking supplies, would depend upon the views of the officer in charge.

Mr. MITCHELL said that while he agreed that it would have been more convenient if the member for Lisgar had asked for the information in the Public Accounts Committee, still it was quite proper for him to ask for it here. It was necessary to know how the tenders were issued in order to know whether it was proper to grant this amount this year. The right of members to criticise keenly and closely every vote of money asked for, should not be limited.

Mr. MACKENZIE said the Government were quite disposed to give all possible information; but as to these supplies at Fort McLeod, they were entirely away from the possibility of getting supplies there from any other place than they had obtained them. Col. McLeod, who was an officer high in the confidence of the Government, was necessarily entrusted with the getting out of tenders. He had no doubt his hon. friend could bring down Col. McLeod's report. The Government were very desirous to do the best that could be done. The member for Lisgar (Mr. Schultz) must have been joking in speaking of there being easy means of conveying money through this territory. It had been a matter of serious difficulty to get money through to these posts, and arrangements were made with these men to take the responsibility of conveying money for a time. The arrangements were all tentative. He (Mr. Mackenzie) did not believe that it was all a humbug to look after the Cypress Hills massacre. We owed to ourselves the protection which we pretended to give to the Indians, and one source of less expense to us than to the United States in the territories, was the fact that the Indians had confidence in our sense of justice. Governor Morris had told him that when

he was talking over one of the treaties with the Indians, Col. White came into the room with some of these whites handcuffed for trial, at Winnipeg, and the effect of their being taken through the room impressed the Indians with a sense of the justice and power of the Canadian Government more than anything else could have done; and to do that to these people who were guilty of that massacre—

Mr. SCHULTZ: Not guilty.

Mr. MACKENZIE: Was due to themselves. Several of these men were traced up to Montana, where they were obliged to employ legal assistance. The guilty men were brought before a Commissioner, and no doubt if extradited and tried, they would have been convicted, judging from the evidence in their possession; but the Commissioner having been over-awed by a mob, they escaped. He was quite certain that the country had gained in honour for the very vigorous efforts made to punish this shocking outrage. If they had lost \$10,000 in endeavouring to find out and punish the guilty parties, he thought it well spent.

Mr. MASSON asked whether any report concerning the discipline and inefficiency of the Mounted Police would be brought down. A report on the matter had been made last year by Major General Smythe, who had informed them that the men did not even know how to saddle a horse. This was a most extraordinary statement.

Mr. MACKENZIE: I think that the statement is wrong.

Mr. MASSON said the Premier implied that Major General Smythe, who was sent by the Government to organize and inspect the Mounted Police, had reported about what he (Major General Smythe) knew nothing. He did not complain of the expenditure on this Force. It had done good service in the North-West. The case alluded to was not the only one in which the Force had exhibited want of instruction, for two years ago, men who had served for two years in it, had left without one of them having fired even a blank cartridge.

Mr. MACKENZIE: That saved the ammunition.

Mr. MASSON said he thought that these important matters should not be trifled with.

Mr. SCHULTZ said he would like to call attention to the statement made by the First Minister with regard to the expenditure touching the Cypress Hill massacre case. He thought that perhaps there was a little bit of romance in it. The Premier had told his story very prettily about the effect the action of the Government had had on the Indian tribes, when these persons were taken through the Indian camps handcuffed. Of course the hon. gentleman had very naturally endeavoured to throw a halo of romance about the affair, but the facts unfortunately were not in accordance with the romance of his hon. friend. The facts were simply these: the men knowing perfectly well their innocence before they came before the British Court of Justice, were in no danger of harm whatever; and they were not handcuffed at all until they came near Manitoba; and so far did those who were in charge of them feel that they were innocent, and believe in their innocence, that being expert hunters, these men were furnished with rifles and sent out to kill buffalo for the party. He had only one word to say with relation to the expenditure for supplies for the Mounted Police; if they passed this item, it ought to be with the understanding and the assurance of the Government, that as these supplies could be furnished from Manitoba, advertisements for tenders for them should be published in the principal Canadian cities. At all events they should have this assurance before consenting to pass the item.

Mr. DEWDNEY said he saw an item of \$6,850 charged to J. D. Baker & Co. for twenty-seven horses, the average cost being \$254. He could inform the gentleman in charge of this Department that good horses could be bought 50 per cent. cheaper in British Columbia. Another item stated that 100 head of cattle had been purchased at an average cost of \$50—and there were cattle raisers in his district who would guarantee to deliver 100 or 500 head to

Mr. Masson.

the Mounted Police, at Edmonton, or at any place in the North-West, for less than that figure.

Mr. MACKENZIE: We will be very glad to get them where they can be obtained cheapest.

Mr. MASSON asked if a report concerning the Mounted Police would be submitted before concurrence.

Mr. MACKENZIE said he was not aware of the existence of such a report. Col. French had left the Force some months ago, and Col. McLeod had visited the posts. He presumed that there must be some report from this office, but there was none from Col. French. Major-General Smythe's visit had not been an ordinary one.

Mr. SMITH (Selkirk) said he wished to support the Premier's views regarding the expedition sent to bring to justice the perpetrators of the Cypress Hill massacre. From what he had heard he felt satisfied that it had the very best effect in that country.

*Vote agreed to.*

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Twenty-five minutes after  
Two o'clock.

## HOUSE OF COMMONS.

*Friday, 13th April, 1877.*

The Speaker took the Chair at Three o'clock.

### LOAN COMPANIES BILL.

#### FIRST READING.

Mr. CARTWRIGHT moved for leave to introduce a Bill (No. 114), For defining and rendering uniform the powers of certain loan companies therein mentioned.

*Bill read the first time.*

### PROVINCIAL GREAT SEALS BILL.

#### FIRST READING.

Mr. BLAKE moved for leave to introduce a Bill (No. 115), Respecting the Great Seals of the Provinces of

Canada, other than Ontario and Quebec. He said he was about, in a few moments, to lay on the table a supplementary return to an address for correspondence on this subject, which would bring that correspondence up to the present date. He thought the House would be much better able to understand the occasion which had given rise to this Bill after the correspondence was before them. This measure was introduced not without some hesitation and reluctance, entertaining, as he did, the opinion that there was very strong reason to believe that the power to deal with this matter resided elsewhere; but the consequences which might ensue on allowing this Session to pass without taking action in the matter would be such, if the opinions elsewhere were well founded, that the Government had been induced to bring in this Bill. The measure proposed to enact that the Lieutenant-Governor of each Province, in Council, had the power of appointing and altering the seals of such Province, and of validating instruments under such seals. It was the opinion of the law officers of the Crown in England, officially communicated to the Government, that the power to deal with this question rested, not in the Local Legislature, but in this Parliament; and if that opinion were maintained, and on the strength of that opinion the legislation asked for by Nova Scotia were not granted, this Parliament would be responsible for a great deal of the uncertainty and disquiet existing in that Province, if it did not pass some such measure as this. He proposed to act in a manner which could do no mischief, and would give the power to the Provinces which it was universally conceded each Province should possess, and place them all on the same footing.

*Bill read the first time.*

## GOVERNMENT BUSINESS.

### MOTION.

Mr. MACKENZIE moved:

"That for the remainder of the Session, Government business shall have precedence on Mondays."

Sir JOHN A. MACDONALD said this was equivalent to saying that the

Government should have the exclusive right to use and control all the days for the remainder of the Session, because Wednesdays were not given to private members after six o'clock when they got into Public Bills and Orders, and these were pretty well disposed of. The real matters of importance for the rest of the Session, for members not connected with the Government, were contained in the Notices of Motions, and the door would be shut down on such motions at the very last moment when the guns were firing to announce the approach of the Governor. Legislation was being more and more absorbed by the Government of the day, and perhaps wisely. He thought, therefore, that his hon. friend should not ask for Monday. Let him take Wednesday instead, and then the Government would have all the days except Monday.

Mr. MACKENZIE said the truth was that, although the Government had had certain days nominally on the paper, the Opposition had taken possession of all the Government days so far, and the Government had had only the fag end of their own days. It had been quite clear for the last two weeks that it had been almost impossible to get any business done. The Session was now exactly the same age as the whole of last Session and the Session before, and surely ten weeks was enough in which to bring forward any matters of administration, unless the Opposition meant to conduct the business of Parliament altogether. There must be a limit to everything, and he thought he was only asking what members on both sides of the House would consider reasonable.

Mr. MITCHELL said he thought the Government were asking what would not be approved of by the country. It was never contemplated that the Government should absorb five and a half days out of six, or more than that. He had never known a Government to take the whole time of the Session as this was practically doing. It was putting a complete stop to the grievances of the public, or the business, or public questions which members might think it right to bring under the notice of Parliament; and he

thought the Government would even now hesitate in taking from the Opposition the only day they had to present to the House and to the country points they might consider necessary—though, if they did, let the responsibility be upon their heads of shutting the mouths of members on the Opposition side of the House. The hon. gentleman opposite should not close the mouths of the Opposition, which had pursued a fair course. They had criticised pretty freely public affairs, but this was their duty. They were sent to the House for the purpose of criticising the conduct of the Administration and the distribution of the public monies. They had a perfect right to do it, and his hon. friend had no right to complain, because, on going into Committee of Supply, the time of the House had been taken up with the discussion of questions of public interest. He, with due deference to the judgment of hon. gentlemen on the other side of the House, did not think that this time was lost. If deprived of Monday, their only resource would be to take up the motions and discuss them in this way, and public business would not be thus promoted.

Mr. GIBBS (South Ontario) said he hoped that the remonstrance addressed to the Government would meet with some consideration. If the motion was carried, the effect would probably be that only one or two notices of motion could be reached on Wednesday next, and the balance would be thrown over for another week. He trusted that the Government would, at least, grant part of the day. Notices of motion would have to lie over altogether if this was not done.

Mr. BERTRAM said it was hardly fair for the Government to take away the small portion of the time left to members of the House. He would have no objection to the motion if it granted to members half of Wednesday. There was one notice of motion on the paper in which he was interested, and if this motion was carried, they would not probably get down to it during this Session. He hoped that the Government would consider the matter.

Mr. POPE (Compton) trusted that the Government would now yield the

Mr. MITCHELL.

point. The country did not care how long they stopped there, as they were already entitled to all the money they could receive. The country would not object to their stopping to take care of legislation. He did not think the Government would be supported in the course they proposed to take, outside the House. The Government had now five days in the week, and this was all that they should expect.

Mr. CARTWRIGHT said, if his recollection served him aright, the late Government, on similar occasions, towards the close of the Session, had their business take precedence on every day. He would not say that this was the case in 18.2-73, but it was done in some of the previous Sessions.

Mr. GIBBS (South Ontario): But with the consent of the House.

Mr. MASSON said it had then only been done during the last week of the Session. He thought that an *entente cordiale* should be established, and that the Government should yield something to the Opposition. There was nothing to be gained by adopting the present course.

Mr. MACKENZIE: Yes. We can gain a great deal.

Mr. MASSON: Yes—annoyance.

Mr. MACKENZIE said this was a common and usual occurrence. The Government was not personally interested in shortening the Session by a day; still they were bound to conduct the business of the House, both in accordance with the views of members generally, and of the public. The hon. member for Compton had threatened them with public opinion, but they understood public opinion quite as well as hon gentlemen opposite. However, he was bound to give fair deference to the views of the Opposition in this matter. There was nothing on the notice paper which they desired to prevent being passed.

Sir JOHN A. MACDONALD: Of course not.

Mr. MACKENZIE said he had no objection if the House generally desired it, to take Wednesday, instead of Monday. The Government business had to be done, and it was in the interest of

the House to see it done. They courted fair criticism and favourable consideration, but not a hypocritical one to their measures.

Sir JOHN A. MACDONALD: Hypercritical.

Mr. MACKENZIE: The hon. gentleman can spell it as he pleases. He should amend the motion so as to read that, during the remainder of the Session, Government business should have precedence on Wednesdays.

Sir JOHN A. MACDONALD said his recollection was that, formerly, when it was stated the Session would soon terminate, then, by general consent, the whole time was given to the Government; but the Minister of Finance had just introduced a very important Bill, and the Minister of Justice had also just introduced a Bill.

Mr. MACKENZIE: The hon. gentleman must recollect that there was a reasonable Opposition in the House at that time.

Sir JOHN A. MACDONALD: There was then a reasonable Opposition, but now there is a rational one.

Motion, as amended, *agreed to*, as follows:—

*Resolved*, That for the remainder of the Session, Government business shall have precedence on Wednesdays.

#### REPRESSION OF BETTING AND POOL-SELLING BILL.

[BILL No. 95.]

(*Mr. Blake.*)

THIRD READING.

Bill read the third time and *passed*.

#### CULLING OF TIMBER ACT AMENDMENT BILL.

[BILL No. 103.]

(*Mr. Laflamme.*)

THIRD READING.

Bill read the third time and *passed*.

#### ONTARIO MARITIME COURT BILL.—[BILL No. 41.]

(*Mr. Blake.*)

THIRD READING.

Order for the further consideration of the Bill, *read*.

Mr. JETTÉ said he noticed that some changes had been made in the jurisdiction of the Court, and he would like to know how far they would affect the jurisdiction of the Vice Admiralty Court of the Province of Quebec. From a return which had been made, he found this subject was discussed as far back as 1861, in a letter sent by Mr. Justice Black to the authorities in England. It appeared that the Lords of Admiralty expressed the opinion that Vice-Admiralty jurisdiction could be granted to the Canadian Parliament, but that it should not be by an Imperial Act, unless it was passed with the explicit concurrence of the Canadians themselves. From this, it would seem that, if the House were to express an opinion that we ought to have full power to adjudicate in such matters, the Home authorities would grant such powers. He had no objection at all to the Bill before the House, which he considered a very good one, but he found that the jurisdiction of the Court of Quebec did not go as far as was necessary to govern the entire Province. There was a restriction that the jurisdiction of the Court should extend no further than the ebbing and flowing of the sea and high-water mark. The jurisdiction under this provision, therefore, did not extend further than Three Rivers, and the space between that city and the Provincial line of Ontario would remain without any Vice-Admiralty jurisdiction at all. It was important, he thought, that Montreal, Sorel, and the ports on the entire course of the St. Lawrence should come under the jurisdiction of such a Court. Their Provincial legislation was in such a shape that they could accept immediately legislation looking to that end. In defining the jurisdiction of the Superior and Circuit Courts it was provided that they should not infringe upon the jurisdiction of the Court of Vice-Admiralty. Many cases happened in Montreal in which a Court of Maritime Jurisdiction could be extremely useful, and he trusted those suggestions would receive the consideration of the hon. the Minister of Justice.

Mr. BLAKE said the jurisdiction of the Court of Quebec was not interfered with by this Bill. With reference to

the question of jurisdiction above tide-waters, there was no doubt that the commission read as the hon. gentleman had stated. The Imperial Act upon this subject, however, gave a jurisdiction which was not confined to tide waters; and the learned Judge of that Court held, and had exercised it in several cases, that he had jurisdiction above tide-waters. The Judge held, he presumed, any ambiguity or limitation which might be created by the Commission, was overborne by the language of the recent law. For instance, he would exercise jurisdiction in a case of a collision happening at Hull, on the Quebec side of the Ottawa River. Practically, it was known that there was a concurrent jurisdiction in some class of cases, although there was not the convenience of jurisdiction *in rem*. That circumstance added to the inconvenience and difficulty which existed when the Court was far removed from the scene of the accident. There was no doubt whether the Court had the jurisdiction which it was contended it had, and which he rather thought it had, or whether it had not, so long as the seat of the Court was at Quebec, its procedure, which was the only procedure possible under the Imperial regulations, it would not be a practical advantage to the people of Montreal. The attention of the Government not having been called to this, and no representations having been made as to the want of such a Court at Montreal, and that question being somewhat complicated by the fact that there existed a Vice-Admiralty Court for the Province of Quebec, although, perhaps, its powers were defective, and the machinery provided by the Imperial Act not suitable, it was not thought proper to complicate this measure by any attempt to introduce another jurisdiction, on Canadian authority, into the Province. His own opinion was that such an attempt would be extremely unfortunate. They could not attempt to alter the Vice-Admiralty jurisdiction which now existed *per se*. There were two courses open: one to procure by representations to the Home Government such legislation as would make the Court suitable to the exigencies of the Province; and the other, to procure the abrogation of

the Court which existed under Imperial legislation, and legislate according to our own views in our own Parliament. An attempt to establish a second Court having concurrent jurisdiction in the Province of Quebec, would be fraught with complications and difficulties which would be serious to grapple with; and, therefore, while he invited rather than deprecated an expression of opinion as to what was desirable, he would strongly counsel the House against any such attempt. His own strong opinion was, that the time would shortly come when public feeling would be in favour of legislating for ourselves. When this Bill passed and became law would be a reasonable time to consider the alternatives he had suggested. He would not say that the clauses of the Bill with reference to jurisdiction were precisely what he would like. They might have been drawn in plainer and more extensive terms; but they were as plain and as extensive as he saw his way clear to propose at the present time. It was not desirable in this Bill to interfere with the jurisdiction of the Vice-Admiralty Courts existing, either directly or indirectly.

Mr. MITCHELL said he had listened to the explanations of the hon. the Minister of Justice with a great deal of interest, but he regretted that the hon. gentleman had not seen his way clear to bring in a general measure, such as that outlined, for the purpose of making the law uniform. He held it was very unfortunate that, in one part of the Dominion we had a system under the control of Great Britain, while, in another part, we had a system subject to the control of the Dominion. It was not at all too soon that this legislation had been initiated, it having been anxiously looked forward to by the people interested in maritime matters in Ontario. So far as his experience went, the system in Quebec was not satisfactory. He supposed the reason why the Minister of Justice had not introduced a general measure was, that there was not sufficient time to enable him to get the consent of the Imperial authorities to the change. But, now that his attention had been called to the matter, it was to be hoped that he would next Session place before the

Mr. BLAKE.

House the result of his correspondence with the Imperial authorities, and place them in a position to create a Court of Maritime Jurisdiction more suitable to the circumstances of Canada, and under the control of Canada. He begged to call the attention of the House to the 10th Section of the Bill, in which were introduced some of the worst features of the present Admiralty Law. One anomaly was that, when experts were called by the Court, their simple *ipse dixit* was taken, without their being placed upon oath, and without being subject to cross-examination. They were taken in secret conclave, and the persons interested had no opportunity of cross-examining them, or of finding out upon what they based their opinions. This system was fraught with the greatest evils to suitors. He did not see why a similar course should not be applied to Admiralty Courts in this particular, as was applied to Civil Courts.

Mr. BLAKE said the hon. gentleman was mistaken as to the practice in the Civil Courts. In those Courts, the Judge had the power, which was not unfrequently exercised, to call in scientific persons, who would give their opinions to the Judges. The difficulty was to prevent such evidence being tinged with partizanship, as would possibly be the case were the hon. gentleman's suggestion carried out. He (Mr. Blake) would not pledge himself to anything without further consideration. If the system, as embraced in the new Bill, were not satisfactory, it could easily be altered by Parliament. One of the great advantages of the change of jurisdiction was, that it placed the matter in their own hands.

Mr. MITCHELL said whatever might be the practice of Equity Courts, he thought the principle of our Common Law Courts should be embraced in the Bill.

Mr. CAMERON said the plan in Chancery Courts was that the expert placed his opinion in writing, which was argued upon by the respective Counsel.

Amendments read the second time and agreed to.

Bill read the third time and passed.

## THE LOAN OF 1876.

### RESOLUTION PROPOSED.

Mr. GIBBS (South Ontario) said, in accordance with his announcement a few nights ago, he rose to call the attention of the House to the manner in which the loan was negotiated by the Finance Minister, in the city of London, in the month of November last. In doing so, he would state at the outset that he would have been glad to have been spared the necessity he felt was imposed upon him of bringing up this matter. It would have afforded him great pleasure to have been able to compliment the Finance Minister upon the successful manner in which the loan had been conducted. That course was pursued by the Opposition last year, and, he and the hon. gentlemen on his side of the House would have been gratified were they able to repeat such an expression of pleasure. All party feelings in connection with a matter of this kind must be held in abeyance. It must be a matter of satisfaction to hon. members to be informed that the securities of this country had been placed at the best possible advantage in the markets of the world, and particularly in London, where nearly all our loans were negotiated. He proposed to make a few observations upon the mode in which this loan had been floated, and he proposed also to offer a resolution for the consideration of the House which would embrace two propositions: First—That the method adopted of floating the loan was unwise and inexpedient; and Second—That the consequences entailed a pecuniary loss to the Treasury of this Dominion. In the first place, he would call the attention of the House to the document he held in his hand, it being a return to an order of the House, dated 19th February, 1877, of the prospectus issued and moneys advanced in London at the date of the last loan, a statement of the time allowed for the reception of tenders and the period when the respective tenders were closed, and the several amounts applied for by parties tendering and the amounts allotted to them respectively. He need scarcely say that this loan was for a considerable amount, £2,500,000 sterling, that it

was for 30 years, interest at 4 per cent., and another condition was that one half per cent. was to be employed annually in the purchase of these bonds so long as they remain at, or were below par. The loan was placed upon the market at the fixed sum of 91 per cent. It was a remarkable fact in connection with this matter that, although it had been before the House for the last six weeks, up to the present time no one had been officially notified as to what the actual sum was which was realised at 91 per cent. with the allowances of accrued and accruing interest granted to the purchaser. Members of the Opposition had affirmed that it was a certain amount; but the Finance Minister had made a counter statement that it was not correct. But, for some reason or other, the Finance Minister had seen fit not to reply either to any of the criticisms which had taken place in the House with regard to the manner in which the loan was conducted, nor as to the nett sum realized. It must have occurred to anyone who listened to the hon. gentleman's Budget speech that he must have had a very difficult task, and that, from the outset, he must have been awakened to the responsibility of his position in negotiating the loan. But when he returned to Canada and heard the criticisms upon the transaction, he must have felt that he could not successfully reply to them. He (Mr. Gibbs) had almost come to the conclusion that the hon. gentleman had abandoned the case, as he considered the position taken by the hon. member for Cumberland, the hon. member for Cardwell, the hon. member for Niagara (Mr. Plumb) and of others who had spoken on the subject, was unassailable. The terms of the loan were:

" 5 per cent. on application.	
15 do on allotment.	
20 do on 31st January, 1877.	
20 do on 27th March, 1877.	
20 do on 25th May, 1877, deducting the half-year's coupon due 1st May, 1877, less Income Tax.	
11 do on 25th July, 1877.	
<hr/>	
91 per cent."	

A number of calculations had been made both by the Press—none of which he had seen since he came to the

**Mr. Gibbs.**

House—and by hon. members, the result of which was a statement made by one and another, that the actual amount obtained for the loan was 89½ per cent. The hon. member for Cumberland (Mr. Tupper) had said it was about 90; to that statement the hon. the Finance Minister replied that he was incorrect. He (Mr. Gibbs) had made a calculation which he would be very glad to submit to the hon. the Finance Minister—though, no doubt, the hon. gentleman had himself made calculations. He (Mr. Gibbs) claimed the following results, and looked at it thus:—£91 should be paid on the 1st November, 1876, as the interest dated from then, but it was not really paid until the following dates:—

8 days thereafter	£20 =	160	8th Nov., '76
92 do	20 =	1,840	31st Jan., '77
147 do	20 =	2,940	27th Mar., '77
206 do	20 =	4,120	25th May, '77
267 do	20 =	5,340	25th July, '77

$$14,400 \div 91 =$$

158½ days' interest, average at 4 per cent., would be 1,575, or £89,425 = £89 8s. 6d., or if paid under discount at 3 per cent., would be 1,18125, or £89,81875 = £89 16s. 4½d.

Taking the most favourable view of the transaction, supposing that the the purchasers of the securities paid all the money down, and were entitled under the terms upon which the loan was floated to a rebate of 3 per cent. for immediate payment, the interest to which they would be entitled would be 1,18125, making the nett result £89 16s. 4½d. By another calculation, which he thought would commend itself to any person who would give attention to it, the same result was obtained.

Average of each £100 drawing in interest at 4 per cent. :—

	days.	s.	d.
£20 paid Nov. 8th, 1876; a gain of interest on £100.....	8	1	9
£20 paid Jan. 31st, 1877; gain of interest £80 from Nov. 8th, 1876.....	84	14	8
£20 paid Nov. 27th, 1877; gain of interest £60 from Jan. 31st, 1877.....	55	7	2
£20 paid May 25th; gain of interest on £40 from March 27th.....	59	5	3
£11 paid July 25th; gain of interest on £20 from May 25th....	61	2	8
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Total gain of interest.....	£1	11	6

Which, deducted from £91 left £89 8s. 6d. nett; or, if paid in advance, under rebate of interest at 3 per cent.,

it would nett £89 16s. 4½d. These calculations were made from Laurier's interest tables. However, he was quite ready to have those statements criticised, and the House and the country would be only too happy to know what amount had been received according to the calculations of the hon. the Finance Minister himself, and those who successfully floated the loan for him. Hon. members might ask themselves the question, in the first place, why was the mode of floating the loan changed from that of the previous year? The hon. the Minister of Finance, perhaps, might reply that the loan which he floated in the previous year, being secured and having the guarantee of the Imperial Government, he was enabled to place before the English capitalists in a more favourable light, and that the last loan required different manipulation. The hon. the Finance Minister was good enough to say in his Budget Speech that he regretted that no hon. member opposite him occupied the position of an ex-Finance Minister, and, consequently, the arguments he addressed to the House were not so readily received, and perhaps not so readily comprehended, as they would have been had any such person occupied a seat on the Opposition side of the House. It so happened there was only one hon. gentleman (Mr. Holton) in the House who had occupied the position of Finance Minister in this country, and he (Mr. Gibbs) certainly expected that hon. gentleman would have risen on so important a question which had engaged the attention of the House for so long a time, and have endorsed the course which the hon. the Minister of Finance had pursued. The House would be very glad yet to hear the hon. member for Chateauguay, and to hear from him that the amount received from the loan was the very best that could be obtained under the circumstances. The hon. the Finance Minister had stated that he encountered much difficulty when he went to London to negotiate the loan, because he was introducing a new system, for the first time, on the London market—a loan which bore 4 per cent., and he took credit to himself that, upon that occasion, he obtained for

Canada the largest possible sum obtained for Canadian securities when the securities were of the character of those he offered in November last.

Mr. CARTWRIGHT said his statement had been misapprehended. He had spoken of the whole series of loans beginning in 1874.

Mr. GIBBS said he took the hon. gentleman's speech as the authority. The hon. gentleman had said the difficulty he felt in regard to placing the loan was not simply in obtaining the best possible amount under the circumstances, but he had also to guard himself against the possibility of failure. He (Mr. Gibbs) thought any person having anything to do with financial or even business matters, could readily appreciate the feelings which appeared to have weighed very strongly with the hon. Minister when in London. He had to provide: first, that he should obtain the highest possible sum for the securities offered; and second, that there should be no possibility of failure, and that, accordingly, he should guard himself at every point. The question was not simply whether he obtained the best possible terms under the circumstances, but the question to which the House and the country desired a reply was, whether the hon. the Finance Minister had obtained the largest possible sum which it was in his power to obtain, and that he had placed the securities on the market on the most advantageous terms to the people of this country. He thought at a time like that which prevailed in London in November, when there was a plethora of money, when the banks were groaning with deposits and gorged to repletion, when people were seeking safe investments in every quarter, and those desiring to place their money where they could obtain it at a moment's notice could only obtain from the banks three-quarters of one per cent. interest per annum, it was the best time of all times for the hon. the Minister of Finance to have taken the course he did not take, viz., to have offered the loan to public competition. If there was any doubt whether the whole sum would be realized, it must be remembered that there was no

hurry, that the money was not wanted immediately. The hon. the Finance Minister had told the House the other night that the money was required to meet obligations of the country falling due, some in July next, as well as to make provision for the construction of public works. If such was the case, there was no haste in placing the loan, and the hon. the Finance Minister was justly chargeable with having been unwise in the course he pursued, so far as it affected the interests of the people of Canada. The hon. gentleman, in the course of his Budget speech, referred to what other countries were doing, mentioned the price at which the securities of the countries were quoted, and what sums were realised for various foreign loans. Although the House had heard from hon. members the best possible quotations which could be obtained—the quotations of some of the leading papers in the city of London, which were reliable, not only in regard to questions affecting Canadian securities, but regarding all securities placed on the market—the hon. gentleman declared to the hon. member for Cumberland, who quoted from them, that they were incorrect and that he did not care what they said. He hoped the hon. the Finance Minister, before the House had finished the consideration of this subject, would furnish that information which it appeared could not be supplied by any other hon. member. The following quotations were from the *Times* as to the value of Canadian and Australian securities on 21st Feb., 1877:—

“Canada 4 per cents., 30 years, of 1874-75, 93½ to 94½, with business done at 94½, equal to 93 nett. South Australian, 98 to 99. Colony of Victoria, 98½ to 99.”

The following quotations were from the London *Stock and Share List*, published by H. H. Whittenhall, of 3rd November, 1876:—

“Canadian Securities, 30 years to run at 4 per cent. from 1874-75, with business done at 94½ to 93¾. South Australian 4 per cent., 97½. Colony of Victoria 4 per cent., 97½ to 97¾.”

It appeared to him that when securities of that kind were offered at that price, a margin of one and a half or two per cent. would have been ample, that

purchasers of the securities would have been perfectly satisfied if the price had been placed at two per cent. below market quotations at wholesale. Those securities, at a time when there was such a plethora of money, would have been readily purchased by persons who desired to make investments, and he thought that the hon. gentleman upon that occasion was under a feeling of uncertainty which misled him. In making that statement he was not going to attack the character of those gentlemen who had managed the financial affairs of Canada in England in years past. No hon. gentleman had denied their high character; but he was surprised when the hon. the Finance Minister, in his speech, should begin to excuse what had been done in London, and when he called on hon. members on his (Mr. Gibbs') side of the House to denounce what had been said with respect to the conduct of the financial agents in London. Up to that time nothing had been said in the House with respect to that matter, and no matter what had been said outside, the hon. gentleman was not warranted in importing into his speech the remarks he had made with respect to the action of the London agents on that subject. The hon. member for Cumberland had spoken at some length on that particular point. He (Mr. Gibbs) would not detain the House by recapitulating what had been said by that hon. member. But he deeply regretted the mode in which the hon. the Finance Minister had disposed of the loan, because it involved a loss of not less than 2 per cent. on the whole amount, which, on a loan of £2,500,000, meant a loss of £50,000 to the public exchequer of the Dominion. The hon. the Minister had himself said that the manner in which the loan was floated was a fair subject for criticism. The hon. gentleman had also said that, as regarded himself, he did not care what was said, and that he was able to defend himself; further, that he did not care what was said with respect to the London financial agents, because no criticisms could affect or hurt them. If that were the case, hon. members might have criticised their acts with a little more freedom. Without importing the financial agents into the debate,

Mr. GIBBS.

he would repeat that the hon. the Finance Minister was himself responsible to Parliament and the country, he being in London to receive advice and give instructions for all that had taken place with regard to the floating of that important loan. The House had been informed that the hon. gentleman had to guard himself against the possibility of failure. He quite believed it. If an hon. gentleman could be sent to London, who had cause to indulge in that feeling more than another, it was the hon. the Finance Minister. That hon. gentleman, as those hon. members who were in the House at that time would remember, was in the habit of making, during successive years, doleful complaints—he was almost going to say lacrymose statements—with regard to what would happen in the not very distant future; and when in London, no doubt, that fear of the future occupied his attention far more than the hope of placing the loan at the price at which he had hoped to place it when he left Canada. He was not, therefore, surprised to hear the hon. gentleman now state that he had to guard himself on that particular point. It was fortunate for the hon. gentleman that, in placing a 4 per cent. loan for the first time on the London market, with the difficulties surrounding it, that he was not met with the active as well as the passive opposition of those who were in the habit of dealing in Canadian securities. It was exceedingly fortunate, too, that the hon. gentleman went into the London market at a time so opportune as was November last. He trusted the hon. gentleman would never meet with greater obstacles in floating a loan than he did on that occasion. If ever there was a time in the history of this or any other country when securities such as those which Canada offered should have realised their highest price, it was certainly the period at which the hon. the Finance Minister entered the London market for the purpose of floating those particular securities. It was matter for regret that the House had not been furnished with more information in regard to the transaction, and that the returns brought down had not been so full and

ample as the circumstances of the case demanded; but there was one sentence in the return which had been brought down, which was a sufficient condemnation of the manner in which the loan was negotiated. The only information, as far as he was aware, which they possessed in regard to the amount which was applied for when the loan was placed on the London market, was supplied by the London correspondent of the *Toronto Globe*. That gentleman wrote that three times the amount of the loan had been applied for. The hon. gentleman had said that the subscription list was to be opened on Tuesday, the 7th November, 1876, and to be closed on Thursday, the 9th of November, at 4 p.m., but that it was really closed on Wednesday, the 8th November, at 2 p.m.; yet, instead of taking two days to obtain all he wanted, they were told by outsiders that the amount was taken up within twenty-four hours from the time the loan was put on the market, and before the subscription list was closed; that he (Mr. Cartwright) had then got all the money he wanted, and that if he had required three times as much more, the monied men of England were quite ready to give it to him.

AN HON. MEMBER: At that price?

Mr. GIBBS: Of course at that price. The number of allottees was 566; there were no less than 566 parties to whom this particular loan was allotted. How many more were refused he was unable to say, because the House was not yet furnished with the information. The hon. gentleman might have been justified in refusing to give the House the names of the persons who had applied for the loan; there might have been some reason for this, but at present he could not see why this information had not been given, in order that the House might have had the benefit of having all the facts before them while they discussed the question. It would have been some source of information, and it would have been gratifying to the House and country to know that the position of Canada was so satisfactory that they were enabled to obtain, within twenty-four hours, a sum of money amounting to seven or eight millions

sterling, if they required it, and on the terms at which the Finance Minister of the Dominion of Canada saw it right and proper to offer the securities. He said it was not fair to compare the securities which were offered by other countries with the securities which Canada was offering on the London market at that particular time; but they might, however, look at the securities offered by some of the other British Colonies bearing also four per cent., and having the same length of time to run as had this particular loan. He found that a South Australian Colony loan of £1,812,000 sterling, at four per cent., was quoted at 96½ and 97½, with business done at 97¼. Another loan of the Colony of Victoria, £4,500,000 sterling, was quoted at 97 and 98, with business done at 97½ and 97¾. The hon. gentleman had taken a good deal of pains to let the House know that it was not possible to obtain so much for these securities wholesale as retail, and also to inform them that while the financiers of the city of London were opposing the four per cent. loan he (Mr. Cartwright) was then floating—

Mr. CARTWRIGHT: I do not wish to be misunderstood. The statement I made, as will be easily seen by reference to the Budget Speech, was this:—"At the first introduction of the four per cent. loan of 1874, I had to encounter a tacit and decided opposition." But I did not extend that statement to the loan of 1876.

Mr. GIBBS said this was the case, and the hon. gentleman said that other countries would be following the example which Canada had in this instance set. Well, he found on looking the matter up, the colony of Australia had borrowed £500,000 sterling a short time ago, and about the very time when the hon. gentleman was making his Budget Speech he believed; but instead of following the example of the hon. gentleman, she had placed the loan for competition, inviting tenders, and instead of offering it at 91, as the hon. gentleman had done, with a loan bearing the same rate of interest, they found that 209 tenders were received amounting to £2,967,300 sterling, at prices ranging from £96 10s. to £100.

Mr. GIBBS.

The average price for the £500,000 allotted, was £97 10s. per £100. Tenders at £97 9s., and above, amounting to £483,500, were allotted in full, while those at £97 8s. 6d. would receive about 53 per cent., of the amount applied for. Whether the hon. gentleman considered that he got the highest possible amount for this loan or not, he (Mr. Gibbs) thought that the hon. gentleman was no prophet. He did not see that the colony mentioned had followed the hon. gentleman's example. She did what he had supposed the hon. gentleman himself would have done; and he confessed when the statement first appeared made by the Canadian papers, that the hon. gentleman had placed the loan on the London market at a fixed sum, he could not credit it. He was unwilling to believe that in a time like that, and this of all other times, the hon. gentleman should have made the mistake he did. He believed that the hon. gentleman had committed a serious error on that occasion. He should and could not say anything else than this: he believed that the hon. gentleman had taken every opportunity to make himself familiar with what was going on in London at the time, and acquainted himself with what was being done by other countries,—the hon. gentleman was able to draw his inferences therefrom; and he regretted exceedingly that the seductions of those who had surrounded him were so great that he (Mr. Cartwright) was induced to yield to them, causing the sacrifice of a sum of money not less than that which he had stated, and which had already been mentioned by previous speakers who had touched on this subject. It was true that there were no gentlemen on that side of the House who occupied the position of ex-Finance Ministers, and if any of them had held such a position, they would not have committed the vulgar error, the hon. gentleman had said, of looking at the old, musty English newspapers to obtain their quotations and draw their own inferences from them. They had, however, the very best information that could possibly be obtained on this subject. They had the very best authorities, open to anybody, as to the value of these and of other securities; and they

had come to the conclusion that the hon. gentleman, on that occasion, had adopted a means which was not conducive to the best interests of the people of this country, and, in so doing, a very large sum of money was lost to the public exchequer. If none of them had had the honour of occupying the position of Finance Minister, which the hon. gentleman regretted, he thought there were very few in the House who were unable to comprehend the difference between 93 and 91 per cent., and between 95 and 93 per cent. He would not say that there was one on the floor of the House who could not readily understand what the difference would have been if the hon. gentleman had obtained what the other colonies that had offered the same securities, had secured, and who was not able without any difficulty to make accurately the calculation regarding the loss the country had sustained by the course the hon. gentleman had pursued. He regretted, as he stated at the outset, that he had been obliged to bring the subject up; but he had come to the painful conclusion, when the hon. gentleman delivered his Budget Speech, that not only had he a very serious and difficult task before him to make the House believe that he had done the very best it was possible under the circumstances to do, but also that before the hon. gentleman concluded his speech, he himself (Mr. Cartwright) felt what every member of the House felt who had listened to it attentively—and he himself was seriously impressed with the idea on looking, perhaps, at subsequent events, and making the allowances necessary in doing so—that he had committed a very great blunder in the method he had pursued in reference to this loan. He moved, therefore,

“That the Speaker do not now leave the Chair, but that it be *Resolved*, That, in the opinion of this House, the course adopted by the Minister of Finance in placing the late Government loan of £2,500,000 sterling on the London money market at a fixed rate of 91 per cent., with allowances of accrued and accruing interest, thus reducing it to about 90 per cent., was an inexpedient course in itself, and also resulted in great pecuniary loss to the Dominion.”

Mr. CARTWRIGHT said he entirely agreed with the hon. member for

South Ontario, that holding the opinions he (Mr. Gibbs) did, and which he presumed other hon. gentlemen held, it was their bounden duty to place on record a motion of this kind; and he had himself intended, at some fitting opportunity, to have again called the attention of the House to this matter, and to have intimated very distinctly to the hon. gentlemen opposite that he thought, after the statements they had made, they were bound to take action. It was his earnest desire that they should do so; and also that he should again have the opportunity of reviewing the whole question, because he knew it was most desirable, not only in the interests of the Government but also of the country, that public attention should be again called in a formal and explicit manner to all the circumstances surrounding the contraction of this loan. Nor, save always and excepting the inevitable loss of time, could anything have occurred which would have given him individually, and the Government collectively, more pleasure than the opportunity which the hon. gentleman had afforded them. They desired to meet the several issues the hon. gentleman had raised promptly, squarely and explicitly. Those issues, as he understood them, were three in number, two being of fact and one of policy. The hon. gentleman, in the first place, challenged his statement as to the real quotations of the former loan, and also as to the general value of retail quotations on the London market. He also challenged most distinctly, although disclaiming any intention of doing so, the honour and probity of the agents of the Government of Canada, and their conduct in this matter.

Mr. GIBBS (South Ontario): No, no.

Mr. CARTWRIGHT: Yes; most distinctly and explicitly.

Mr. GIBBS: No.

Mr. CARTWRIGHT said he should show this before he closed his remarks. And lastly, the hon. gentleman, as he had a perfect right to do, had questioned the expediency of the particular mode of issue which he (Mr. Cartwright) had adopted on that occasion.

Now, he had nothing in the world to complain of as to the manner in which his hon. friend had treated this question. As he had said, holding the opinions the hon. gentleman held, it was his undoubted duty to bring the matter up in some such way as this. But he, in all courtesy, gave the most unqualified contradiction to the hon. gentleman's statements of fact, and also took issue with him most decidedly as to the expediency of the action of the Government on that occasion. He upheld the policy of the Government at all and every point at which it was assailed, without the faintest reserve or the faintest limitation. He was going, and he must crave the indulgence of the House, in so far as he was obliged necessarily to do it at some little length, to analyze the evidence on which the hon. gentleman's statements were based, and to make a somewhat more detailed statement to the House of the reasons which had induced him to take the action he did, and he should then, with perfect confidence, leave it to the House and the country at large to say whether or not the Government and himself were justified in the course they had adopted. Now, there was one slender particle of foundation for the allegations the hon. gentleman had made, and one slender particle only. The hon. gentleman had based his whole attack upon the price asked for this loan, on the retail quotations which were obtained during an exceedingly short period, to wit: a very few days of the latter portion of October, and in the early days of November, for very insignificant fragments of the old loans. He called particular attention to this fact, that the whole force of this attack was based on five or six days', or at the most eight or ten days' quotations affecting very small amounts of the old loan contracted in 1874-5, and would say at once that, so far as he was aware, the hon. member for South Ontario had stated correctly enough the quotations which were given in Whittenhall Share List and some London papers of these dates. He had no objection whatever to the figures as given by the hon. gentleman, but he wished to know if the member for Cumberland agreed with these statements, as otherwise he

must call the attention of the House to the fact that the hon. member for Cumberland, in his speech, as recorded in the *Hansard*, had stated that the figure of 95 ex div. was obtained.

Mr. TUPPER: No.

Mr. CARTWRIGHT: I am quite willing to accept correction.

Mr. TUPPER: I may say to the hon. gentleman that the same paper I quoted from is the paper quoted by my hon. friend in the speech he has just made.

Mr. CARTWRIGHT: I desire to call the attention of the hon. gentleman and the House to this matter, because it is so stated in the *Hansard*, at least I verified the quotation a few days ago. He is reported to have said:

"I am able to show that the value of the loan put on the market at 4 per cent., Canadian Debentures, were sold at 94½ to 95, and at that, ex-dividend."

Mr. TUPPER: I gave it.

Mr. CARTWRIGHT said it was not a matter of any importance, as far as he was concerned, but it was desirable that a statement of this kind should not remain on the Journals uncorrected if the hon. members for Cumberland and South Ontario were agreed, and based their attack on the quotations contained in Whittenhall's Stock List, and also he had no doubt repeated in the other London journals. He desired, however, to clear up one misapprehension. He had not at all meant to say that these quotations were not correctly given, but, simply that the quotations obtained in the casual entries in stock lists of that kind were entitled to less regard as compared with quotations given in such papers as the London *Economist* and the *Investor's Manual*, for this reason: it did occasionally occur, and in this particular case it had occurred, that casual stray quotations of a particular stock were made for a few days in excess of the true value, and when it was known, as known it was no doubt, to the editors of journals like the London *Economist* and the *Investor's Manual*, that these were due to a purely accidental and transitory cause, they were in the habit of taking the true quotations and of paying but little regard to the casual and acciden-

Mr. CARTWRIGHT.

tal quotations. And therefore, it was that he said, and he now repeated, that it was always safer to rely upon the quotations which were found in such journals as the *Economist*, in preference to those which appeared daily in the newspapers, which might be true, but were very often of no real, practical value. In estimating the real market value of any stock, he thought the common sense of the House and the country would go with him entirely in saying, that we ought not to look at mere temporary quotations for three or four days, but rather to the quotations which had prevailed for months before and for months afterwards. If the House would look at the appendices to the Budget Speech they would perceive, given in considerable detail, under schedule A. and B., the quotations from which the accrued interest had been deducted, and would see that all through the months of July, August and September, and up to the very closing days of October, our Canadian 4 per cent. loan issued in 1874, ranged from £90 6s. 8d., to £92 with an entrance value of 93½ in the closing days of October. After that date, the moment the loan was fairly on the market the actual values—and this referred to the old issue and not to the new—ranged from about 91½ to 91¼; and he maintained, and was prepared to prove, that this represented the true, genuine market values of this security, and not the exceptional and temporary quotations, produced by causes which he would presently explain in detail, on which the hon. gentlemen had based their attack. If hon. gentlemen had only looked, as he thought in a matter of this importance they might have looked, at the prices of consols, of our guaranteed Four per cents., and of our Five per cents., during the interval from July to November, they would have seen that there was no increase whatever in those important lines of securities within that period. Our four per cent. guaranteed bonds, in June, ranged from 106½ to 106¾; in July 107½ to 108½, which quotation they maintained in August and September; and in October they were 105½ to 106½, which was almost precisely the same value as they maintained in June,

allowing for interest. Our Five per cents. ranged from 104 to 105 in June; from 105 to 106 in July; much the same during August and September, falling back in October to 105. Consols, in like manner, were 96½ in July, 96¼ in August, 95¾ during September, and 95¼ on the 28th October. Without in the least wishing to reflect on hon. gentlemen opposite, he thought had they taken the trouble to examine the ranges of Canadian securities, or looked at the ranges of consols, which were the barometers of the money market, they would have seen that the increase which took place in Canadian Four per cents. between the months of July and November was purely exceptional, and it might have suggested to their minds that there were probably some special causes for the rather remarkable increase in the value of the Four per cents., which took place about that period. It was necessary, perhaps, that he should make a statement to the House in some detail of what those causes were, and why it was that he did not pay particular attention to those casual quotations to which he had alluded. With respect to this, the House would remember that it was not always expedient for a Minister of Finance, or any man entrusted with the negotiations of affairs of this kind, to go into any very great or lengthened details as to the special causes which might have operated in increasing the price of any special security. He desired to state that those causes were perfectly legitimate, but, at the same time were such as he would not have drawn attention to had it not been rendered necessary by the language and attacks of hon. gentlemen opposite. Early last year it had become quite apparent to him that a serious deficit was to be apprehended on the transactions of the year 1875-76. As soon as he saw that the harvest in this country was likely to be a bad one, he perceived—partly for that, cause and partly on account of the very unsettled state of things in Europe—that it was exceedingly desirable that, if possible, a loan should be contracted in the autumn. He thought he would not have been justified in the public interest in putting it off until after

the close of the present Session; and, accordingly, he opened negotiations in July with their London Agents, and also with some other friends in London, with a view to ascertain what was the prospect for floating a loan successfully at that time. In the month of June, 1876, and also in the month of July, as any hon. gentleman could see for himself by a reference to the share list, our securities were ranging at something like £90 6s. 8d., deducting accrued interest. Soon after those negotiations opened he received information from the parties with whom he was in communication, that there was a very considerable amount of issues of the previous loans remaining on the market and still unabsorbed, and until they were absorbed it was not probable that he would succeed in floating another loan on anything like favourable terms. The very first step to be taken, therefore, was, if possible, to get this unabsorbed issue removed in order that the way might be cleared for the issue of the new loan, and he at once took measures to induce the agents to exert themselves for this purpose. He was very glad to state that those gentlemen responded at once most heartily and cordially to his request. They did exert themselves, and took all possible means to that end. They used their personal influence, which, as every hon. gentleman knew, was very large, to the utmost, to induce *bond fide* investors of high character and position in London to take up this unabsorbed amount, which, as, he remarked, was hanging over our heads, and was greatly damaging our chance of effecting a loan. In this they succeeded, and in so doing they rendered a very important service to the people of this country. Now, the result of the operation was two-fold. In the first place, as everybody who was familiar with Stock Exchange operations knew, in a comparatively small market such as the Canadian securities could afford, *bond fide* investment to any considerable extent would always increase the nominal price for the time. This gave two considerable advantages. We got rid of the floating stock, and the actual *bond fide* price of the stock was raised from 90½ to 91½ or 92, and we secured

also an exceptional temporary advantage, which amounted to 1½ more. It would have been utterly preposterous for him, when he knew that this was going on, and what those transactions were, and how it came to pass that there had been a rally in our stock which had forced it to a value somewhat beyond that which it fairly bore in the market—it would have been preposterous for him to have taken those temporary, casual quotations as any guide in his future operations, particularly when it was necessary to float such a large sum as £2,500,000 on the London market. In order to fully understand the position of affairs, he must necessarily recall to the attention of the House the fact that, although in 1874 he succeeded in placing a loan of £1,000,000 sterling on the London market, the result showed that there was a considerable indisposition to absorb that amount. It was a positive fact that hardly any of the parties who took the first loan succeeded in saving themselves. A great many of them lost money; and he asked the House with what possible chance of success he could have gone into the London market, and on the strength of an exceptional quotation, demanded a sum which he knew to be in excess of the true market value of our loans, and demanded that of men, a great many of whom he knew had lost by participating in the loan of 1874. It would have been utterly impossible to have repeated that operation, and it would have been utter folly in him to have regarded those casual quotations as authorizing him to demand a sum which he was quite aware could not be obtained from the ordinary investors in that security in London. The hon. gentleman had stated that, in consequence of this mode of issuing at a fixed price, we had sustained a considerable loss, which he put as high as £50,000. If the hon. gentleman would look at subsequent quotations of the share list from that date to the present, he would see that although those quotations embraced the old issue, which, as everybody knew was a more favourite investment than the present, he would see they had not touched the net sum of 92, deducting accrued interest. The

MR. CARTWRIGHT.

average retail price had been 91 to 92, and the sellers, if there had been any, would have been compelled to take the lower and not the higher sum. At this moment (and he would take the authority quoted by the hon. gentleman — Whittenhall's Share List) although there was as nearly as possible 2 per cent. accrued on our securities; the very last business done in them was done at 94; in other words 92 was the highest price they had touched under the very latest quotations from London, and that, be it remarked, was the retail price for small quantities which it would be utterly impossible to obtain on a large wholesale transaction. The hon. gentleman asked why the mode of issuing the loan had been changed. The mode of issue was not changed. This loan was issued in precisely the same way as that in 1874. There was no comparison, no possibility of comparison, between Canadian securities and the mode of dealing with them when they were unguaranteed, and the mode of dealing with guaranteed securities which bore the endorsement of the British Government. The hon. gentleman spoke of the plethora of money in London as being a reason why he should have disregarded all ordinary precautions, and invited tenders and have trusted, as some other countries had trusted, to the chance of floating our loan in this fashion. The reason of this plethora of money in the London market was, that almost every form of credit in England was seriously endangered, because credit throughout the British empire had been shaken to its very foundation, and because it was a matter of extreme difficulty to obtain securities which would suit the temper of the English people, smarting as they were then from losses sustained in almost every conceivable direction. The House would see the force of this argument best if he showed how the situation was viewed by agents of other countries, acting at the same time and almost under the same conditions as ourselves. It so happened that the kingdom of Norway issued a loan, for a smaller amount, within a day or two of our own. Its agents offered the loan at a fixed price, precisely as he had. It must be remembered that Norway was as far as possible removed

from any chance of being involved in European complications, that it had a most excellent record in the London market, and that it was able to exhibit an extremely prosperous financial position. The Norwegian Government had everything that could be supposed to recommend its security to the London market. Nevertheless, they offered  $4\frac{1}{2}$  bonds at the fixed price of  $96\frac{1}{2}$ , giving the usual allowance, which, as the House would see, was several per cent. more in favour of the buyer than our 4 per cent. at 91, and the fact of their doing so was surely no small argument in favour of the course adopted by him. The hon. member for South Ontario further declared that there was no hurry in issuing this loan. He (Mr. Cartwright) took issue with him most emphatically upon that point. He was astonished that anybody of the intelligence of the hon. member should make such a statement. Had the issue of that loan been delayed for forty-eight hours, it would, in all probability, have been utterly impossible for him to have issued it at all. From that time to this, as anybody who chose to look at financial authorities could see, and as he had been receiving advices all along, the London market had been in the greatest confusion and uncertainty. People had been most reluctant to invest their money in anything, and very few loans indeed had been brought out. The hon. gentleman had seen fit to accuse him of being subjected to undue influences. Whatever those influences were, they must have emanated from agents of the Dominion of Canada.

Mr. GIBBS: Not necessarily.

Mr. CARTWRIGHT: From what other quarter? The hon. gentleman having publicly accused him of being subjected to undue influences, ought to state what they were. Well, he had not the faintest hesitation in saying that he acted in this matter, though not in obedience to the suggestions of Messrs. Baring and Glynne, yet, after full conference with them, and that they were very strongly of the opinion that they could not possibly, with safety, attempt to raise the loan at any higher rate than 91. As to that point there need be no doubt whatever. The

hon. members for Cumberland and South Ontario appeared to think that Messrs. Baring and Glyn had given him certain advice so as to put money into their own pockets. These gentlemen had acted as agents for Canada for the last twenty-five years. Canada was their client, and they were bound by every possible tie of honour and good faith to give them the best advice they could, and no man would be more ready to condemn than himself, any advice which would be contrary to the interests of Canada. They received a considerable sum of money every year, as the agents of Canada, for transacting the ordinary financial business of this country. There was a relation of trustee and client, and they were bound to give him, or any other Finance Minister of Canada, the best advice in their power, as he believed they had always done, and particularly in the present instance.

Mr. GIBBS: They ought not to have bought any of the securities.

Mr. CARTWRIGHT: He would repeat that they did not buy any of the securities at their own instance, but at his direct request. He took the responsibility. He thought they should back their own opinion. They announced that they were prepared to recommend the purchase at 91. The hon. member spoke of these agents as if they sacrificed their duty to their interests. Putting it on the very lowest ground, they could not afford to do so. If it were suspected on the London Stock Exchange that they had given injudicious, let alone dishonest advice to a client like Canada, their loss would be hundreds of thousands of pounds. Their house was one of those most largely employed in Europe for the negotiation of loans, and it would not be worth their while to allow any suspicion to attach to them for a paltry £4,000 or £5,000, that being the amount, as intimated by the hon. member for South Ontario, which they might have gained on the portion of the loan they took. The loss of the account of Canada itself would amount to more than this; and he could tell the hon. gentlemen they should not hold the position of agents to Canada for one half hour longer, if he believed they

Mr. CARTWRIGHT.

had given dishonest or injudicious advice in this matter. It was only due to them to state that, whereas they would have had, under the ordinary rules and constructions in such matters, a perfect right to the subscription of £500,000 at least—that being the sum he had insisted that they should subscribe—the moment they found that the loan was largely subscribed to, they informed him they were prepared to put the whole subscription at his disposal, stating that they did not want to make any profit out of it, and that they were ready to dispose of the whole; and, as a matter of fact, they resigned one half of their subscriptions of their own free will. The hon. gentleman had been pleased to say that he did not wonder that he went to London impressed with the possibility of a failure, bearing in mind the doleful utterances he had often given vent to on the other side of the House. Well, he dare say, they would all admit that the position of Finance Minister in this country for the last three or four years had not been an easy one. No other Finance Minister in Canada had been called upon to raise such a large sum of money in such a short time. Hon. gentlemen who understood the position of the country would not wonder that he felt it his bounden duty not to neglect any reasonable precaution, rather than to hazard the failure of a single loan. Had he done so the loss to this country would not have been thousands of pounds, but hundreds of thousands of pounds. The hon. gentleman desired to know the exact amount that was tendered for during the two days the loan was open. Speaking from memory, it was about £6,250,000 sterling. The hon. gentleman said this was a proof that the people of England were willing to give £7,000,000 or £8,000,000, or much more, if they were asked to do so. The hon. gentleman must have forgotten that it was the almost universal custom in London for parties tendering to tender for a considerable amount more than they intended to subscribe, and that no safe indication of the sum available could be deduced from that circumstance.

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

### After Recess.

Mr. CARTWRIGHT resumed. He said that when the Speaker left the Chair, he had been alluding to the liabilities which had to be provided for between the years 1874 and 1880. Of these he had already given a very full list in his Budget Speech, and he would, therefore, for the moment, content himself with reminding the House that these aggregated no less a sum than \$90,000,000, chiefly to be provided for in the way of loans in four or five years. This was a very important factor in considering the position. The duty of a Minister of Finance under such circumstances was by no means confined to negotiating one loan, nor was it legitimate for him to run the risk in such a case which it might be legitimate to run in negotiating one single transaction. He was bound to consider not only the existing loan, but also the effect his proceedings would have upon the loans he was about to contract within a very short period. He had found, as he had mentioned to the House, that the price obtained by us for the loan of 1874, which was a price we had fixed ourselves, inasmuch as there were no quotations of Canadian Fours to guide us at that time, was one that could not be maintained. We found great difficulties in our way in inducing the English investing public to absorb that loan. For many months it was at a discount. It was only by negotiations stretching over several years, by obtaining Acts from the Imperial Parliament, by getting many of the leading firms in London to concede advantages to us by taking our securities as floaters, and in other ways, that we succeeded in removing the obstacles in the way of placing these securities in the position which he thought they ought to occupy in the market. Possibly he ought to explain that. Besides obtaining an Act from the Imperial Parliament, it was necessary to obtain the consent of the Treasury to allow certain portions of our sinking fund to be invested in the purchase of our Fours, and also that it had been necessary to arrange that the sums hitherto used in the purchase of Fives should be used in

the purchase of those four per cent securities. In all these matters he had found the agents co operating heartily and zealously. He ventured to say that, in all the points, this country received very valuable service, as it had a right to expect, from the agents of the Dominion. Now, hon. gentlemen opposite, in addition to quarreling with the price at which the loan was placed, had taken very violent objection to the fact that it was issued at a fixed price. If his hon. friends would look at the quotations he had given in the Budget Speech it would be found that no attempts had been made to impugn the accuracy of those quotations. These proved that every foreign country which negotiated a loan in London for several years preceding had negotiated at a fixed price, and that almost at the same day and hour another Government, standing in very good favour in London, negotiated a loan on terms less favourable than ours at a fixed price. If they looked at the transactions in funding the United States loan, they would find that that Government adopted a fixed price. The only exception was one which really proved the rule—that of some of the Australian Colonies, which had recourse to the mode of tender. If he was charged with not answering the arguments which the hon. member for Cumberland (Mr. Tupper) and other hon. gentlemen advanced, he might say that he declined to do so, because he thought they had been very well and fully answered by hon. gentlemen on the Ministerial side of the House who had spoken on the subject; and because, with all due respect to the hon. gentleman opposite, when he was told that it was an argument against the floating of twelve and a half millions of dollars at a fixed price, that it was not the mode adopted by village municipalities in this country to float their debentures, he did not think the attack worthy of much argument. He was not aware that the Dominion of Canada could be administered like a village municipality, or that the rules which would apply to the floating of \$40,000 or \$50,000 would apply to the floating of 12½ millions in the English markets. As to the actual allowances made on the loan, as spoken

of by the honorable member for South Ontario (Mr. Gibbs), he had not had time to examine these in detail, but his recollection was that the calculation made at the time was that the loan would nett £90 1s. and some odd pence. He could easily verify that. For all particular purposes, he was willing to accept nearly the rate named in the resolution, or named by the hon. member for Cumberland (Mr. Tupper), a little over 90. These allowances, as the House knew, were invariably made by every country issuing a loan, whether by way of fixed price or tender. When the hon. gentlemen made it a charge against him (Mr. Cartwright) that he had deemed it necessary to defend the agents of Canada against the aspersions thrown against them throughout the country, bearing in mind how wide-spread they were, and that they were, to his knowledge, unfair and unjust, he would have been wanting in his duty to allow the Budget Speech to pass over without bearing testimony to the honour of those gentlemen and the soundness and accuracy of their judgment on that occasion. He had been given to understand that it had been made, though not on the floor of the House, an argument against issuing a loan at a fixed price, that it was a suspicious circumstance, and that a Minister of Finance so inclined might put a large sum in his pocket by doing so. If ever there was an absurd statement on the face of it, that was the most absurd. If a Minister of Finance were dishonestly inclined, what possible opportunity could he have in that way, compared with the knowledge which a sealed minimum gave him. Using a sealed minimum, a Finance Minister could put any amount of money he was pleased to ask into his pocket; but he could not possibly do it without the extremest danger of detection when the loan was issued at a fixed price. He was bound to say that he had not heard on the floor of this House that any gentleman had imputed any dishonesty to himself in this connection. He entirely acquitted hon. gentlemen opposite of anything in that regard. Hon. gentlemen opposite had called attention—and they were quite right in doing so—to the fact that the

Australian Colonies were able to obtain very considerably better prices for their securities in London than we were, and he would just say that it would be a most astonishing circumstance if they were not. The position of the Australian Colonies, as every one knew who had had experience of the London Stock Exchange, differed materially from that of Canada, and had many points of advantage over us. He (Mr. Cartwright) held that the securities of Canada, in the long run, were as good as those of any Colony whatever. He held that Canada possessed all the elements of durable prosperity, but Australia had for many years back been a more favourite English Colony than Canada. A very large number of the Australian settlers were Englishmen, having extensive connection with England; their exports were enormous in proportion to their population; they were 6,000 miles away from any danger of collision with any one, and that always was, and unfortunately for a long time would continue to be a matter of considerable weight in estimating the relative values of securities. Then, happily for themselves, the Australian Colonies had no Pacific Railway to hang as a dead weight over them. They had displayed unusual prudence in their public works. It was known that almost alone of Colonial enterprise, Australian public works had paid an interest on their investments. Therefore, when they asked for money to carry on public works, they had a great advantage. In London there was an association known, he believed, as the "Ten Associated Australian Banks," and they were always ready to come to the assistance of Australian financiers if they found any difficulty in floating their loans. There was also an unusual number of wealthy Australian capitalists settled in England, who had, naturally enough, very great preference for investing their money in Australian securities. A number of these were resident in London alone, and their incomes were very large. He knew several of them with incomes ranging from £30,000 and £40,000 to £50,000 a year, and it was a vast advantage for a Finance Minister to deal with capitalists of that kind. Moreover, the Australians had

**Mr. CARTWRIGHT.**

been careful not to commit themselves to any great public works at the time great masses of indebtedness were maturing, and, as in all these respects, thanks to their own good sense and good management, they had had a very great advantage over us, it would be a matter of just astonishment if Australia was not able to command at this moment a better price for her securities than we were enabled to get. The moment we were relieved from our difficulties, the moment it ceased to be necessary for us to pay off these masses of indebtedness, the moment we had disposed in some way or other of the Pacific Railway, he had no doubt our securities would rise in the market, and would command as good a price as the Australians. But now, borne down as we were, bearing in mind that nearly \$150,000,000 of English capital invested in private enterprises in this country was making no return, and remembering what a mill stone that had always been round the neck of Canadian credit, it would be a matter of surprise if we, with all these disadvantages, could stand on as good a footing as our Australian fellow-colonists. If he had possessed the same advantages, if he had known that there were wealthy Canadians resident in London, ready at an hour's notice to take up any loan he might offer, he could have asked for tenders. It was known, however, that scarcely one penny of the Canadian 4 per cents. was held by Canadians. He was sorry for it, but it was useless to be blind to these facts, and so long as they existed the Australians would have a considerable advantage over us in their dealings in the London money market. It might appear that he had laid too much stress on the importance of our loan being well held. He had attached, and did still attach, great importance to placing our loan in such hands that it would not be operated with on disadvantageous terms, as the last loan was, and in such a way as to injure the credit of Canada. That was why he deemed it desirable to obtain the co-operation of the agents, and to get them to take a portion of the loan. In 1874, if he had neglected that precaution, and had not induced the agents

to take a large proportion of the loan, it would have been impossible to maintain the price of the stock, even at the comparatively low figure which it touched. Now, let the House consider calmly the state of Canada's credit to-day, and consider, in the face of the deficit of very nearly two millions of dollars, the fact that Canadian credit stood the shock unharmed, and was as good to-day as it ever was in London.

Sir JOHN A. MACDONALD: Hear, hear.

Mr. CARTWRIGHT: The right hon. gentleman cried "hear, hear," but it was very satisfactory to them to know it was so, and it would be very imprudent and impolitic in them not to remember that this was largely due to the fact of the loan being very unusually strongly held at this moment. So far from the £50,000 having been realized, which hon. gentlemen were pleased to say, he had lost on the loan, he had the best possible authority for stating that a very considerable proportion of the loan had not yet been absorbed. He trusted this would speedily be done, for the good and sufficient reason that he had always felt, as he had pointed out to the House, it was of the very greatest importance that before a new loan was issued, the last should be, if possible, absorbed; unfortunately this had not yet taken place, and this fact was the best possible proof that the loan was sold at the highest rate it ought to have been sold for. Now, as to the future. The hon. gentleman proposed, if his motion carried, to lay down a hard and fast rule so that, for the future, no Canadian Finance Minister, no matter under what exigency or under what circumstances, should venture to depart from the plan of inviting competition by tender. In the public interest he protested as strongly as he could against any such resolution. He said it was inexpedient and impolitic to the last degree, and though circumstances might occur undoubtedly under which he should feel it to be his duty, as had been done by him before, to invite propositions by tender, yet they must be governed by circumstances existing at the time, and by a number of considerations which it was utterly impossible for the

House to define, or even to know beforehand. They went to borrow in practically a foreign market, and they must conform, to some considerable extent at any rate, to the customs and habits of the market; and they could do nothing more injurious to the credit of the country than to lay down a positive rule, which no Government would feel justified in departing from: that under no circumstances should they permit a Minister of Finance to exercise his discretion either to invite tender for a loan or to offer it at a fixed price. However, as far as he himself was concerned, he would venture to promise his hon. friend from South Ontario that his resolution, unless it was carried, should do no harm. He would do, as long as he had the honour of holding his present position, and of enjoying the confidence of his friends here, exactly what he believed to be in the best interests of the country, and if he thought that these could be best served by asking for tenders, he would do so; and if, by inviting propositions for subscriptions at a fixed price, he would take this latter course. He would do what he believed to be best, and he would leave his vindication to time and to the country. Before he sat down he would like to say a few words on the position in which they would have found themselves had no loan been effected in November last. Our expenses, as every hon. gentleman knew, had been very great during the past few months, and every hon. gentleman must also be aware that the condition of things in Europe was perilous in the extreme, and that war might break out at any moment. All those who were best able to judge of the position of affairs, regarded them with the deepest disquietude. Within a very few hours he had received a telegram from a high authority in London, warning him that war was imminent. Had he neglected to effect this loan in November last, he would have had to have gone in the course of a few weeks to London to effect a fresh loan. Under these circumstances, their cash in hand would have drawn to a very low ebb, and they would have been confronted in London with the knowledge of a very consid-

erable deficit and the prospect of a great European war, the end whereof no man could perceive. Now, he ventured to say, that had he gone under these circumstances, there the question would not have been whether they would get 91 or 92 for their loan, but whether they would succeed in placing the loan on that market at all. He did not propose to detain the House much longer. As he had said at every possible point, every question of fact, and every question of policy, he was in direct issue with the statements and arguments of hon. gentlemen opposite. His statement in this matter, as he represented, was this: in the first place, he said that in June and July last the actual price of their securities was barely £90 $\frac{1}{2}$ , that they were slow of sale at that rate, that a large amount was pressed on the market and unabsorbed, that it was owing to the exertions of their agents and other friends that this state of things was overcome, that this large amount was absorbed, and that a very considerable rise, natural and genuine, in the value of the loan had in consequence taken place. He appealed, in support of that assertion, to the self-evident fact that the other securities, such as their guaranteed Fours, and their other securities of a like character, including, he believed, Australian securities, had all remained stationary at the same price, as in June and July, making the necessary deductions for accrued interest. Had there been any general influence affecting the whole market, these securities must have risen in price in just the same way and to the same degree as their Four per cents. But these securities did not rise, and that fact alone would have been sufficient to show to a careful observer that there had not been such influences at work. Now there was no stock-jobbing in this; these were perfectly legitimate influences; he had had a perfect right to ask their agents to do their best to remove the unabsorbed amount pressing in the market, and they had had a perfect right to do so. Their agents complied with the requisition, and he repeated that in so doing they rendered a very important service to the people of this country. He further maintained it was a very

Mr. CARTWRIGHT.

fortunate circumstance for them that they were able to float their loan precisely at the moment they did, and that neither within ten days before, nor within eight and forty hours after the loan was floated, could they have obtained, as a matter of fact, as good a price as they did. And, further, that the price obtained was the best ever received for a purely Canadian security. This was his statement of the case as regarded himself and the Government. As to the Opposition, his charge against them was, that they had mistaken casual and accidental quotations produced by special causes, which could not have endured for many hours longer, for real and genuine quotations. He attributed no blame to them, until, at any rate, explanations were given; but he was speaking of matters with which he was familiar, and of transactions which had been going on for months between himself and their agents; and he repeated that the quotations which had misled the Opposition were purely accidental and temporary, and could not have been relied on, and were no sort of guides to the price at which a large loan could have been placed on the London market. He further charged them with having misunderstood and altogether misrepresented the position and duty of the agents of Canada. Had Messrs. Baring and Glyn done what they were alleged to have done, they would have committed a very grievous wrong, dishonouring themselves, and bringing down swift and sure punishment on their heads, because not only would they under such circumstances have lost the agency of this country, which certainly they would have justly deserved to lose, but such conduct would also have very greatly shaken their own reputation and standing in all European Exchanges; and when he heard hon. gentlemen say, that it was possible for firms like Baring & Glyn, holding the position they did towards this country, to make £50,000 or £5,000, or any sum of money, he did not care whether large or small, out of Canada, by giving improper advice to the Finance Minister of the Dominion whose agents they were,—he said it was utterly impossible for him, and,

he should have thought, also for any hon. gentleman there, to understand what possible code of equity or of honour these hon. gentlemen professed to be guided by. If that were an honourable, an honest act, he would like to have defined what was a dishonourable and dishonest one. He further charged the Opposition with having wholly misstated the position of the Government, and under-rated the importance to Canada of effecting this loan at that time, the liabilities of the country, and the necessity of taking precautions in every possible shape and way to guard against so great a disaster as the failure of any one of the three loans of 1874, 1875 and 1876 would have been. When the Opposition charged him with having been imprudent and foolish in adopting the fixed price instead of asking for tenders, he replied that they had entirely lost sight of the fact that it was the custom of the London market to give a very decided preference to loans issued in that way; and, as he had said, he was bound in all reasonable ways, and to all reasonable extent, to neglect no precaution, to do all he fairly and honourably could to recommend our securities to favourable acceptance by the English public and English investors. He had no more to add to the remarks he had made, except this: he had again to thank his hon. friend from South Ontario for bringing this matter up. The hon. gentleman had saved him from speaking of it at some later period of the Session, as he had been fully resolved to do, if the chance had not been afforded to him as it had been that night.

Mr. TUPPER said the House had indulged him with the opportunity of discussing this matter at very considerable length on a former occasion, when it became his duty to offer some criticisms on the Budget Speech of the Finance Minister, and, consequently, it would not be necessary for him to trespass on their patience to any great length at that moment. The more so, as the Finance Minister, in his opinion, had scarcely placed the necessity upon any hon. member of the Opposition to occupy a great deal of time in the examination of the statement the hon. gentleman had just made. Why, when

the hon. gentleman had risen in his place and expressed such intense delight and satisfaction at the opportunity given him (Mr. Cartwright), in the presence of the House, and in the face of a very interested and very anxious country, to vindicate the policy he had pursued, he (Mr. Tupper) had hoped that they would have heard from the hon. gentleman something which he had not already addressed to the House; but in his long and elaborate effort, and extenuation of the course he had pursued, he (Mr. Tupper) would be supported by the judgment of the House and of hon. gentlemen who supported the Government, when he put the question to them whether the hon. gentleman had thrown an additional light on this question, and whether he (Mr. Cartwright) had done more than simply give again to the House the extended statement made when the hon. gentleman first addressed the House on this subject. Now, it would become his duty to examine again some of the observations which the hon. gentleman had made, and draw the hon. gentleman's attention and the attention of the House to some of the inconsistencies which had presented themselves to his mind, concerning the speech the hon. gentleman had just delivered. The hon. gentleman told them he had had a most arduous duty to perform as Finance Minister of Canada, and of the immense difficulties he had had to encounter in going to the money market of the world, and in negotiating loans for the Government of Canada. Why, did the hon. gentleman forget that the credit of Canada had been steadily rising for ten years, or for seven years back at least, when he went into that market, and that day after day the position of Canada had been brought more prominently to the notice of the world, and that day after day her credit had risen. When it first became the hon. gentleman's duty to go there, no easier task had ever been presented to a Minister of Finance, because all he had to do in order to place Canada in the front rank with countries entitled to the best credit on the London market, was to give a fair, honest and true narrative of the position which Canada

Mr. TUPPER.

attained under the Administration of his predecessors; and the hon. gentleman had done his duty in this respect honestly and faithfully, showing by facts and figures, that no man could controvert, that if there was a country in the world entitled to confidence in that money market it was Canada. He could not, therefore, understand why the hon. gentleman's difficulties had been so great on the former occasion, and they were still less in 1876. He would tell the hon. gentleman why? It was because the money market presented a condition more favourable for the negotiation of loans, according to the hon. gentleman's own statement, than any Canadian Finance Minister had ever found it before. The hon. gentleman had told the House, what every person knew, that when the hon. gentleman went to London he found the whole financial condition of the country in such a disturbed and excited state that no one would lend money on the ordinary forms of credit. It was only such security as the Canadian people and Government had to offer, that would induce monied parties to loan money. The hon. gentleman was obliged to admit the accuracy of the statement of the hon. member for South Ontario, that the banks were then literally bursting to repletion with money at the time the hon. gentleman was called upon to negotiate this loan; money could then be obtained and readily secured at three quarters of one per cent. per annum, in London. The hon. gentleman said that he was most prudent in seizing upon just the particular crisis, and that if he had not seized upon it at the moment and the hour—and if he had been 48 hours earlier or 48 hours later, he would not have accomplished the loan. Did the hon. gentleman not know that he (Mr. Cartwright) had told them before that if Lord Beaconsfield's speech had then been made, and the letter of the Czar published, this would have frustrated his efforts to put the loan on the market? And did the hon. gentleman forget that after that speech was made and the letter published, the point to which the hon. gentleman had depressed the securities of Canada, which—Four per cents.—were then selling in London for from 93 to 94 $\frac{1}{2}$  or 94 $\frac{1}{2}$ ,

by placing this loan on the market at 90 was recovered from? The hon. gentleman knew right well that having himself given to the financiers of the world his statement, as Finance Minister of Canada, that people were paying too much for Canadian debentures, and that securities for which 94½ was given, were only worth 90, and that, notwithstanding the depression in these securities, which consequently took place,—their prices had gone back far beyond the prices to which the hon. gentleman had depressed them by stating the value which he attached to them. The hon. gentleman said they must not take the quotations of the hour—and that if they wanted to know what securities were ordinarily worth in London, they must search back for five or six months in order to get at their true value; but did this statement commend itself to the judgment of the House, or of any man in the country, when the hon. gentleman himself said that 48 hours would make a tremendous difference in the value of the securities of Canada? The hon. gentleman could not escape in this way from his dilemma; and he would tell the hon. gentleman why. He would take the hon. gentleman's own principle, and not only the fact adduced as to the value of these debentures at that moment, and not only the prices they were bringing in the money market of the world at the time the hon. gentleman fixed their value below 90, but he would ask the hon. gentleman to look at the *London Times*, which the hon. gentleman would hardly say was astray in its quotations, of February 21st, 1877, months after this loan was placed on the market, and months after the Finance Minister of Canada had told the financiers of Great Britain that Canadian debentures were not worth 90, and that he would fix the price below 90 in offering them for sale. And the hon. gentleman would find in this issue of the *Times*, that, notwithstanding these facts, Canadian four per cents. were sold at 94½ on the 21st February, 1877. Not only that, but he might say there was accrued interest. Well, take it off, and the nett result would be something like 93. What did 3 per cent. on £2,500,000 Canadian debentures re-

present? It exhibited to the purchasers in a few months £75,000 sterling. Every person who had been watching the position that our debentures occupied in the money market knew that they had gone back to the price at which they were when the hon. gentleman was unfortunate enough to depress them by fixing a price vastly below what was just and reasonable. The hon. gentleman had told them they must not take the price at which a single debenture or small parcels would sell. He admitted that that would be quite true in the ordinary condition of the money market; but that was not an ordinary condition of the market, but one in which large parcels would have brought more than small. It was a time when people had millions to dispose of and were looking for the means of disposing of their capital advantageously. At the time this loan was made £2,500,000 could have been placed at as a high rate as small parcels were bringing. The hon. gentleman shook his head, but he would give him proof of this statement. They had not only theory but practice to substantiate this. Almost at the identical moment when the hon. the Minister of Finance was attempting to defend himself in regard to this transaction before the House, Australia was negotiating a loan. The hon. gentleman said they should not look at that country; but in his Budget Speech he quoted Australia to show it had attempted to put a loan on the market by open public competition, and had failed; and his argument was that, as Canada was similarly situated to Australia, he also would have failed to consummate his loan had he put it up to open competition. But almost at the moment the hon. gentleman was delivering his Budget Speech, the financial agent of Australia was in London negotiating a loan of £500,000. The 4 per cent. debentures of Australia were selling at from 96½ to 97½, business done at 97½, just as our debentures were at 94½ when the hon. the Finance Minister put his loan on the market. Did the financial agent of Australia fix the price? No. He understood the condition of the money market, and the necessities of his country, and the responsibility which rested upon him

to make the most of her debentures, and he put it up to open public competition, with the result that instead of having £500,000 sterling offered, he had nearly £3,000,000. And on what terms? Their debentures were selling at  $96\frac{1}{2}$  to  $97\frac{1}{2}$ , business done at  $97\frac{1}{2}$ , and his lowest offer was  $96\frac{1}{2}$ . From that they went up to par, and the whole £500,000 was taken at an average price of  $97\frac{1}{2}$ , or one-quarter per cent. higher than business was done in the sale of their debentures. So that swept away all the ground from under the hon. gentleman's feet. He failed to see how his hon. friend was going to extricate himself from the position the resolution affirmed—that the policy he adopted was an unfortunate one, and that the result was a large loss to Canada. The hon. gentleman had complained about being prematurely judged before he returned to Canada. Who was it that gave the country the history of this transaction? It was the *Toronto Globe*, which had a correspondent in London, who described the whole transaction. This correspondent claimed, for he did not understand the subject, that the loan had been most successful, because more was offered than the hon. gentleman had asked for, and because he had been obliged to close his loan in consequence of the plethora of money floating in upon him long before he had declared the loan should be closed. But the hon. gentleman said all the bankers approved of it. The hon. gentleman had made a fatal mistake in that. He (Mr. Tupper) did not wish to say anything against Glyn, Mills, & Co., or Messrs. Baring. In criticising his speech, the *Monetary Times* fell into the blunder of stating that he had blamed the hon. gentleman for using the financial agents in the negotiations. He did not do so; he never dealt with the question of commission, whether the loan was obtained by fixed price or open competition; nor did he object to the eminent house of Glyn, Mills & Co. being used. He never said that it would be wise to dispense with their services. What he said was this, and he left it to the judgment of the House, whether it was common sense or not—that the buyer was not a safe man to fix the price. The hon. gen-

Mr. TUPPER.

tleman said: "They are trustees for Canada, and we are their clients." Then he (Mr. Tupper) said: "The hon. gentleman was right in 1875 when he put at the foot of the prospectus the statement that the financial agents would take no part of the loan."

Mr. CARTWRIGHT: That was a guaranteed loan.

Mr. TUPPER said that did not touch the principle of the loan except in this respect, that it enabled us to command a higher price than otherwise. But why did the hon. gentleman do that? The hon. gentleman put his loan up to open competition, and when he stated what he had done to the House, he (Mr. Tupper) expressed his gratification at the mode in which the loan was placed on the market. He mentioned this to show that he was not actuated by a spirit of fault finding, but that he was ready to give the hon. gentleman his meed of praise when he adopted a course which was in the interests of the country; and, if he felt compelled to censure this transaction, it was because the hon. gentleman had left no alternative. If they allowed a Finance Minister, in negotiating a loan, to arrange with the buyers who shall get it before the tenders are sent in, they placed in his hands a means of corruption to an enormous extent, and a means of defrauding the country to an incalculable amount. According to the hon. gentleman's own story, other persons were consulted besides our financial agents in this matter.

Mr. CARTWRIGHT: They did not take a penny of the loan.

Mr. TUPPER: Did not Morton, Rose & Co. take some?

Mr. CARTWRIGHT: I do not think they did?

Mr. TUPPER: Do you not know that they did.

Mr. CARTWRIGHT: I do not think so.

Mr. TUPPER: The hon. gentleman said he did not think so. This firm were on the closest terms of intimacy with the hon. gentleman, and held intimate relations with the Government of Canada in connection with

this transaction. If the hon. gentleman did not know whether they took any or not, he (Mr. Tupper) did. They had asked for the names of the parties who had obtained this loan, but were refused the information. The hon. gentleman had the list in his office.

Mr. CARTWRIGHT: I have not the names in my office; I told my hon. friend so before.

Mr. TUPPER said if the hon. gentleman did not have the names, it was because he chose to leave them behind for fear he should be asked for them. In 1874 he offered a motion. It was withheld, but the hon. gentleman gave vastly fuller information than he had on this occasion. Information of the amount, tendered for and the prices was then given. Now, we had simply a statement that the agents of Canada advised the hon. gentleman, who seemed so innocent of the true nature of this transaction that he had actually informed the House that it was at his earnest solicitation the agents consented to accept any portion of the loan. Did the hon. gentleman mean to say that, high as was his position, and acute as his financial ability was, that Glyn, Mills & Co. and Messrs. Baring, the first financial men in the world, were going to be advised whether or not they should take £500,000 of a loan.

Mr. CARTWRIGHT: Certainly.

Mr. TUPPER: The hon. gentleman no doubt believed this, or he would not say so; but he was astonished that he (Mr. Cartwright) could be beguiled into the belief that they would invest money contrary to their judgment in order personally to oblige the Finance Minister of Canada. That statement was an attempt to practice on the credulity of the House to an extent that no hon. gentleman had ever ventured before. The agents made no less than £10,000 through the rise, which was a nice afternoon's work—a nice little arrangement with the Finance Minister of Canada in the cool of the afternoon. Besides, when the securities went up to the rate they are at now, £5,000 more profit must be added to this; and was £15,000 a matter of insignificance to this hon. gentleman? A wise, clear-headed

and cool Minister of Finance would take the advice of those agents in connection with the fact that they wanted to invest half a million themselves, and give it what weight it was entitled to. The hon. gentleman told the House that there was a difficulty in the way of the loan, owing to unabsorbed bonds. He would like to know what bonds were unabsorbed. In response to the order of this House, the hon. gentleman laid upon the table returns showing the condition of the loan of 1874, and that disclosed no difficulty—it showed no necessity for the hon. gentleman to go upon his knees to the financial agents of Canada and beg them to save its credit by investing money in a security they did not believe in. The hon. gentleman said he gave this large amount to Barings & Glyn to the exclusion of other parties who had tendered in open good faith. This, he (Mr. Tupper) thought disposed of the question of the unabsorbed bonds. The hon. gentleman said that the agents advised him that he could not get more than 91. Then he (Mr. Tupper) wanted to know why he could not get 91. The hon. gentleman had put out a prospectus which practically brought the security below 90, as he had admitted. The hon. gentleman admitted that he could not question the accuracy of the calculation made by the hon. member for South Ontario as to the rebate of interest.

Mr. CARTWRIGHT: I did not admit the accuracy. I stated that I had not got time to go through the calculation. I did not in the least admit the accuracy.

Mr. TUPPER said at all events the hon. gentleman said they need not dispute about the amount of that calculation. He said he would undertake to challenge the accuracy of that calculation.

Mr. CARTWRIGHT: I told the hon. gentleman, and I now repeat, that the value was £90 1s. and some odd pence; that was near enough for the purpose of the calculation. I did not admit that the calculation was correct.

Mr. TUPPER said the calculation presented by the hon. member was at £89 8s. 6d., so that there was a very considerable margin. He should think

that, surrounded as the hon. gentleman was with any number of gentlemen who were very expert in making calculations of this kind, during the two hours of recess he could easily have made a calculation had he been very anxious to do so. The hon. gentleman, therefore, admitted that he put the loan upon the market practically at about 90 per cent. He (Mr. Tupper) had stated on a former occasion that it was below 90, and he thought it would take a very able actuary to get the amount above that. But he would give the hon. gentleman the benefit of the doubt. The hon. gentleman would see that there was a loss of 3 per cent. upon the £2,500,000. The House had been implored not to pass this resolution as it would tie the hands of the Finance Minister, and the House had been told that, when the Finance Minister went to England to make a loan for Canada, he would do as he pleased. When the hon. gentleman first went to England he acted in this manner, but, being reproved, the next time he acted according to the wishes of Parliament, and when he returned he was complimented. Then he went back to the old system. In point of fact Canada had an autocrat who was above the House, and above financial authorities of this and every other country. If the hon. gentleman were permitted to manage the financial affairs of Canada very long, we should be brought to a condition in which we would be forced to resort to the system of fixed rates. This resolution drew no hard and fast lines. It simply condemned the transaction, and added what every man who ran could read, and all who read must know, namely, that Canada had, owing to this unfortunate course, lost a large sum of public money. The hon. gentleman made one new statement. He said he went to London unexpectedly. He went there because, he said, in another year Canada would not be in as good a position to go into the market and negotiate a loan as it was last Fall. But this was not stated to the House in his Budget Speech. Then, the hon. gentleman made his calculations and admitted that there was a deficit of \$2,000,000 last year, but he professed that by means of the \$500,000 ad-

Mr. TUPPER.

ditional taxes, he had provided for any deficit that would otherwise exist in the current year. He (Mr. Tupper) wished to understand whether the hon. gentleman was then dealing candidly with the House when he said the worst was over, and why he did not say that the effect of the bad harvest would make itself shown in the present financial condition of the country. It was delusive to say that the loan was at 91 when the Finance Minister meant 90. There was another point. Not content with giving the rebate of interest of one per cent. back to the people who paid the 91, he provided that a sinking fund of  $\frac{1}{2}$  per cent. per annum should be inserted in these debentures. So that purchasers had a binding contract with Canada that it should pay them year by year for these debentures 97 per cent., providing the debentures had risen to that amount and had not gone above par. That provision in the prospectus had increased the value of the securities very considerably. He (Mr. Tupper) would now refer to the only country quoted by the hon. gentleman as a precedent to follow. Norway went into the London market at the same time as the Canadian loan was placed, the Norway loan being at a fixed price instead of at an open competition. The hon. gentleman said that Norway had a most excellent record, and that it was in a position to secure the very best terms in the London market. The hon. gentleman occasionally questioned quotations. But there was one paper which he would not question as an authority on financial matters, and that was the London *Economist*. He (Mr. Tupper) would read a few extracts from an article in the *Economist*, written at the time this Norwegian loan was placed upon the market:—

“For the year ended July last, according to a short pamphlet just issued, it was estimated that the revenue would amount to £1,380,000, and the expenditure, including extraordinary payments for national defenses, to £1,670,000, thus leaving a deficit of £290,000, which was to be made good out of the former surpluses. \* \* \* There have been extraordinary receipts and disbursements, the most important of them being the receipt of the balance of 1874 loan, amounting to £658,000, and the expenditure

of about £593,500 on the construction of railways; and, taking all these into account, the gross expenditure for the year amounts to £2,200,000, showing a deficit of about £636,000, if we include, to use an Indian phrase, "Public Works Extraordinary."  
\* \* \* For the current year the ordinary revenue is estimated at £1,557,000, and the expenditure at £1,708,000."

He only read this extract to show how far the hon. gentleman was justified in taking Norway as a precedent. He did not intend to pursue this subject further. It was not necessary. Enough had been said to satisfy hon. gentlemen on both sides of the House that every line contained in the resolution was true; that the course pursued had been an unfortunate one in the interest of Canada; and that the country had suffered much loss. If this was true, there never was a time when it more behoved hon. members to give a fair and honest and independent support to the candid and straightforward proposition of his hon. friend from South Ontario.

Mr. MILLS said the hon. member for Cumberland had a singular idea of the relations which the financial agents of Canada in England bore to the Government of this country. He told the House that the hon. the Finance Minister should not consult them with regard to the value of securities put upon the London market. It must seem to that hon. gentleman that it would not be an improper act, a dishonest act, for these agents to lead the Finance Minister astray. In fact, he said that, while the Finance Minister was in England, Canada had no financial agent there but the Financial Minister himself. The hon. gentleman said it was a highly improper transaction if the Finance Minister undertook to sell Canadian securities at a fixed price. The hon. gentleman forgot that he himself was in England in 1865, on behalf of the Province of Nova Scotia, and had communication with those same gentlemen, Messrs. Baring and Glyn, and consulted them as to the price it would be possible to realize upon the securities of the Province, and also upon the manner of putting them on the market. In fact, he did everything which he now said was highly improper for the Finance Minister of Canada to do last Fall.

Mr. TUPPER: I think the hon. gentleman is taking a great advantage in making a statement upon my own authority, without stating, at the same time, that when these gentlemen stated the highest price for these debentures, I refused to sell them at all.

Mr. MILLS said this was because the hon. gentleman's Province would not sanction the transaction. There was no doubt, however, that he attempted to persuade these agents to take the debentures at a certain price; and, therefore, his mouth was stopped as to objecting to the Finance Minister doing the same. The hon. member for Cumberland (Mr. Tupper) had told the House that that loan was an improper transaction. But the hon. gentleman had forgotten that the hon. the Finance Minister had a difficult undertaking, that the hon. the Finance Minister was the first Finance Minister of Canada who had succeeded in establishing a credit at 4 per cent., and that he had succeeded in obtaining more favourable terms than any of his predecessors.

Sir JOHN A. MACDONALD: Oh.

Mr. MILLS said the right hon. member for Kingston would no doubt be able to tell the House in what respect he (Mr. Mills) was mistaken, and as to which of his colleagues had floated a 4 per cent. loan or made a loan on more favourable terms than the hon. the Finance Minister. The hon. member for Cumberland had said that it was an improper way to effect a loan. It was very extraordinary that, with the single exception of the Australian loan, during the past twelve or fifteen months not a single loan had been effected on the London money market on any other plan than the one adopted by the hon. the Finance Minister. Were the representatives of all those countries corrupt, or was the policy adopted in every case an improper one? The hon. Minister of Finance had pointed out the difference between the position of South Australia and Canada. Australia was more secure than any other country; there was no danger of its being attacked if England became involved in war. Canada was in a different position, as had been frequently pointed out by capitalists in England.

The hon. member for Cumberland (Mr. Tupper) had himself declared when speaking of the position of Nova Scotia, that the colonies of British North America did not occupy such a favourable position as other portions of the Empire, in consequence of their proximity to the United States. Yet the hon. member had quoted what Australia had done, without taking into consideration its exceptional position. Conclusive proof of the favourable terms obtained by the Canadian Finance Minister were shown by observing the price which Canadian securities had realized since the loan had been effected. If there had been a corrupt bargain, an improper collusion between the Finance Minister and the London agents, the moment the loan had been effected the price of the Canadian securities would have risen rapidly in the London money market. If the securities had been sold below their market value, their price would have risen, and the purchasers would have made a large profit. The reverse proved to be the case. The prices at the end of last month were from 93 to 94, which, deducting accumulated interest, was but little in advance of the sum received by the hon. the Finance Minister. The hon. member for Cumberland (Mr. Tupper) told them that the financial agents of the Dominion were quite willing to mislead the Minister of Finance, and damage the interests of Canada. This was not the position taken by the hon. member in 1865, when he sought the advice of these men. Keeping in view the fact that these securities had not risen in value since the loan was effected, and that this mode was now generally adopted, he considered that the Minister of Finance had done wisely in negotiating the loan as he did. As to Norway. Since 1870, Norway had a surplus; and, consequently, the member for Cumberland had misled the House. He believed both the House and the country would approve of the manner in which the loan had been negotiated.

Sir JOHN A. MACDONALD said he had always thought that this country enjoyed responsible Government and a responsible Finance Minister. They now found that they were mistaken.

Mr. MILLS.

The true Finance Minister of the country was two very respectable and very great houses. The whole argument used by the Finance Minister, in favour of the course, was this: the Barings and the Glyn's had both advised it, and it would be exceedingly wrong in the House to cast a stain on the honour of the Glyn's and the Barings; and if it was insufferable to do so with regard to men of such high standing, the greatest merchants and bankers in the world, what then was the use of a Finance Minister going to England at all? What was the use of having a Finance Minister? According to the hon. gentleman's own statement, as far as this loan was concerned, the hon. gentleman was certainly the fly on the wheel, and of no value, and the hon. gentleman's opinions were of no consequence. Because Messrs. Glyn & Baring advised that this loan should be placed on the market at a fixed price, this must be done; and the fact that they were asked to take or took a portion of it was clear proof with hon. gentlemen opposite, of the justice of the advice and of the accuracy of the opinions of these houses, who backed their own opinion by subscribing to the loan. Was such an argument ever heard before? Would that go down in or out of the House? Why, the hon. gentleman had no right to defend himself by quoting the advice of others, unless his personal good faith and honour were attacked. Then a Minister had a right to get the opinion of experts or subordinates or agents, who understood the subject and who could show the *bona fides* of his actions. In every other case, except when charged with *mala fides*, Ministers must stand by the goodness or the badness of their measures, and they could not shelter themselves behind the advice of agents or subordinates. And what was the boast of Lord Althorpe? He thanked God that during all the time he had been Minister he never quoted the opinion of any prominent officer or sheltered himself behind any servant of the Government. The sole question at issue was this:— Whether this was a judicious or unwise transaction; whether it was for the advantage of or for the disadvantage of the country. They had no right to

be bored by the expression that the Barings and the Glyn's and the other friends of the hon. gentlemen opposite had given them their advice. The hon. gentleman had no right to insist that argument on the House. The hon. gentleman was a responsible Minister; responsible for the course he had taken; and they held the hon. gentleman and the Government responsible for what had been done. It was futile and unconstitutional and improper for any Minister to try and divide that responsibility or shelter himself behind agents, however respectable they might be. Responsible Ministers ought to take advice and information from all proper sources, but when they had taken any course, political, financial or commercial, or otherwise, they must make the advice on which they acted their own, and hold themselves responsible for it. They could not, and ought not, to quote the advice of others. The proposition of the hon. member for South Ontario was twofold. In the first place, it was stated that the course of fixing the price of the loan was in itself inexpedient; and in the second place, that this had caused a large financial loss. Both were true. The first was true as a general rule; and the second was positively a matter of fact. The hon. gentleman (Mr. Cartwright) had stated—and the hon. member for Bothwell, who usually did not so servilely imitate—had only repeated, though much less fluently than the Minister of Finance, that the majority of other countries were in the habit of going into the English market, and offering loans at a fixed price. But what was the reason of this? Every one knew that the credit of these countries was not good, and that they must borrow money. They were afraid to throw their loans on the open market and do as Canada ought to have, and as Australia had done. These countries must have the money and they had to pay the price. If Turkey wanted money she would give 12, 14 or 20 per cent. The Khedive of Egypt must do the same thing. Russia was nowadays at the mercy of the lender, and must see if she got money at all, that the price was fixed at such a low rate as

would induce speculators to deal in what was, to a certain degree, discredited stock. The only ground on which the rate was fixed, preventing the country from securing the highest price in the market by open competition, was the fear of failure. Why, when Turkey went into the market the dread was great that the loan would be discredited altogether, and that they would not get a sixpence. Spain was in the same position. He was happy to see that Italy promised to have next year, for the first time in her existence, a surplus; but she had had continual deficits. Italy was a discredited country, and she was obliged to go into the market, and offer such terms as would induce, by a higher rate of interest, investors to come forward. This was only done where danger of failure was feared. The hon. gentleman had admitted as much. The only argument the hon. gentleman used was that he had accepted the advice of Messrs. Glyn and Baring in favour of a fixed rate. There was evidently fear of total failure. He did not wish to speak with any disrespect of the hon. gentleman, but he believed that what had led to this state of things more than anything else was the fact that the hon. gentleman had not mastered either the position of Finance Minister, nor had he mastered, nor did he understand, the credit of Canada in England and the markets of the world. There should have been no fear of failure. There was no reason for it. The very fact that investors rushed for the loan when put on the market at that price showed that the credit of Canada stood so high that there was not the slightest fear of failure. South Australia did not have such a Finance Minister as Canada. She had a man in office who knew the value of his own country's resources, and how she stood in the English market—as they believed and knew, despite the Finance Minister, Canada stood in that market—and they found that South Australia floated a loan of £500,000 sterling at four per cent., the lowest bid being 96½ per cent. and the highest being 100, par. This was what was done when there were no Barings and Glyn's to stand in the way with their advice. The whole of

this loan was taken up at an average, as he understood, of 97½ per cent. while the Canadian loan was put down to 90.

Mr. MILLS: Why did the late Administration have an agent and pay him one per cent. commission, when we do not need agents at all?

Sir JOHN A. MACDONALD said, the hon. gentleman must know every one of the Australian Colonies had an agent, and these agents were more important in England than were the Barings and the Glyn's. They held a diplomatic position as *quasi* Ambassadors, and were so received in England. The Messrs. Barings and Glyn were merely financial men who managed the financial affairs of Canada in England, but they had no agents in the sense the Australian Colonies had agents. Whether it was an Australian loan or a Canadian loan, the agency or commission had to be equally paid. The hon. gentleman (Mr. Mills) shook his head, but he evidently knew nothing about it. The hon. gentleman did not know that there was such a person as an Australian agent.

Mr. MILLS: If the hon. gentleman's position is a sound one, we should negotiate loans universally in the way he proposes, and no agents are required. I asked the question why, under these circumstances, the late Government always paid a commission of one per cent. to those gentlemen?

Sir JOHN A. MACDONALD said they paid for the arrangements made with regard to the carrying out of transactions relating to Canada. So it was with Australia and the Dominion. The question of commission had, however, nothing to do with the price of the loan as placed on the market. This was £89 8s. 6d. He thought that after a very careful calculation, the hon. gentleman would find that the value per £100 was £89 8s. 6d., and the commission was paid aside, while South Australia obtained per £100, £97 10s., and paid her agents besides. No doubt this was the difference between going into the open market and tying their hands, owing to a distrust of their own credit. This was the consequence of the course taken by the hon. gentle-

Mr. MILLS.

man, who had no excuse for limiting Canada's credit in this manner, and for not giving a chance for competition, unless he had certainly reason for fearing a failure. Now, the evidence was all the other way. The rush to take up the loan at 91 showed clearly that if it had been left open to competition a higher and a better price would have been obtained. An enormous loss had consequently been sustained by the country. The hon. gentleman laughed, but the Premier had become so accustomed to large figures lately, in the Estimates, that he thought nothing of the loss of £200,000 stg. This was a mere bagatelle; as much might be given away on a railway contract in a month; but, nevertheless, was a considerable sum of money for the people who made their calculations, and who thought there was some correspondence and relation between the quotations in the financial columns of the *Times* and the truth; and they would see that instead of £200,000 they had lost very nearly twice that amount in reality. This had resulted not only in a loss, but also in creating such feeling of discontent in the country that he ventured to say, the country would never suffer such a loss again. The hon. gentleman said that they were charging Messrs. Barings & Glyn with dishonourable dealing; but these houses were either trustees, or they were not trustees. If they were not such, they ought not to have floated the loan, or given advice; and if they were, they ought, at least, not to have taken any of the bonds. They should not have put themselves in a suspicious position. His hon. friend had showed this in his reference to the prospectus regarding the previous loan, in which it was stated that the Canadian agents in England would not have anything to do with it, or enter into competition for it. The whole world was let know that, for this loan, there should be open competition, and no preferences given. The hon. gentleman must know that the country had suffered great loss in connection with this last loan.

Mr. MACKENZIE: Not a single dollar has been lost.

Sir JOHN A. MACDONALD said

that the loss was only £250,000 at the very least. They could hear from England as well as hon. gentlemen opposite; and it was known, and a matter for laughter on Lombard street, that the Finance Minister of Canada had been bubbled in this regard. It was said that others had made the profits; and what gentlemen other than the Messrs. Baring and Glyn were let in on the ground floor? What other individuals and titled individuals were allowed on the ground floor? He would like to know it. It was recognized in commercial circles that the loan was put on the market at so low a price that Canada had lost a great sum of money; and this country would believe it. The hon. gentlemen had said this was all very well; but it showed that the hon. gentlemen opposite did not understand the position of a great country like this. The hon. gentleman said that the Opposition alluded to the plan used by village municipalities in Canada in placing loans on the market; but these municipalities in the management of their small financial matters ought to be governed by the principles of common sense, and so ought the Minister of Finance. He thought that if the hon. gentleman (Mr. Cartwright) had a little of the practical shrewdness of some of the county reeves and county treasurers; and if he had, he never would have made this wonderful mistake in running down the credit of our own debentures and of selling them at a price below their value. With the credit Canada possessed it was more than absurd to imagine that there was any danger of these debentures being thrown back on their hands unsold. As his hon. friend had said, there was a plethora of money in England at that time, and there were two causes for this; in the first place there was want of confidence in business relations, and a check and depression in business, and the banks were overrun with deposits; and, in the second place, there had been a failure among all the great countries and borrowers of Europe. Russia's credit had fallen, and she could not get a pound in England or Holland. Egypt was gone, Turkey was gone, and Spain was gone, and Italy had run its loans up to the very highest point.

The credit of the Continent of Europe was exhausted, and there were no borrowers as there were five years ago. Money-lenders were looking now to the United States and Canada, and they saw how there was a rush for United States bonds at the present time, in consequence of there being no means of investing in the shares or in the stock of European nations. Therefore, from those two facts, from the stagnation of business, and that the banks were overrun with money for which there was no legitimate investment, the two propositions of the resolution were established. He could not understand how any hon. gentleman, looking at the facts in the case, could say that those propositions were not well founded, well based, and could not be controverted.

Mr. MACKENZIE said he did not propose to pay any attention to the hon. gentleman's financial criticisms. The hon. gentleman was good enough to say that his hon. friend (Mr. Cartwright) was utterly ignorant of figures. It was quite true that his hon. friend was ignorant of certain manipulations of figures, and long may he remain in ignorance of such manipulation of figures. His hon. friend opposite (Sir John A. Macdonald) said it was very wrong in the hon. the Minister of Finance to trust to the advice of subordinates, to get the views of those subordinates, or to shelter himself behind those subordinates; and, in this respect, he classed the highest financial authorities of England, who acted as the agents of Canada, as subordinates.

Sir JOHN A. MACDONALD: An agent is always subordinate to a principal.

Mr. MACKENZIE said those gentlemen who acted as agents were in no sense subordinates, or under the control of the Government of Canada; they occupied a position independent either of Canada or any other country for which they acted, and their advice was asked simply because of the high position they occupied in the money markets of the world. They found, however, a few days ago, a very distinguished gentleman sheltering himself behind the advice and authority of the Chief Clerk of one of the Departments of Canada.

The hon. member for Cumberland declared that it was ample authority to take away money out of the bank without an Order in Council or any authority whatever, but simply because the Chief Clerk of the Finance Department said so. And those were the men who told the Government that they were not to consult their financial agents in England because they were subordinates. During the term that he held office, the hon. member for Kingston (Sir John A. Macdonald) sent two Finance Ministers to England, and, in both instances, those gentlemen took and acted upon the advice of those "subordinates."

Sir JOHN A. MACDONALD: That is a mistake. It happens to be the reverse of that.

Mr. MACKENZIE: It is nothing of the sort; you will find that it is no mistake.

Sir JOHN A. MACDONALD: How does the hon. gentleman know? He cannot prove it.

Mr. MACKENZIE said there was another phase to this matter. The hon. the Finance Minister had succeeded in effecting the most successful loan that ever was made by Canada, and the only thanks that he got for it now was to be abused and rated by hon. gentlemen opposite because he did not do better. The rate of interest now was very much lower for the entire debt than it was when his hon. friend (Mr. Cartwright) assumed the direction of the financial affairs of the country, and that was owing to wise management and excellent manipulation of the loans effected in England. But the hon. gentleman opposite (Sir John A. Macdonald), with that reckless manner which he adopted in trying to make a point, said that the hon. the Finance Minister and his loan were now the laughing stock of Lombard Street. Let the hon. gentleman state what authority he had for making that statement. Did he mean that they were to take his word for what was prevalent in Lombard Street, or that Lombard Street was supposed to delegate to him its opinion on this or any other loan. He (Mr. Mackenzie) had been a diligent

**Mr. MACKENZIE.**

reader of the financial articles of the great English journals, and he had failed to observe anything to indicate such a state of affairs. But the hon. gentleman claimed to have special knowledge of financial matters, and enlarged for fifteen minutes on the fact that at the time the loan was made there was a plethora of money in the banks; in fact, that every place was overflowing with money, and that the hon. the Finance Minister had merely to lay his hands on it—to put salt on the tails of the money-changers, and he would have got all he wanted. If the hon. gentleman had an intimate knowledge of the money market, the manner in which it was affected, and the cause of money and commercial panics, he would know—and he (Mr. Mackenzie) appealed to the hon. member for South Ontario (Mr. Gibbs) if it was not the case—that it was precisely at times when there was a plethora of money that it was most difficult to obtain a loan.

Mr. GIBBS (South Ontario); Everything depends upon the security.

Mr. MACKENZIE: Exactly; and there was such a particular determination on the part of the money-lenders to have the best securities that they were suspicious of all securities, and wherever there was a suspicion of securities it was a peculiarly difficult time to effect a loan. A high financial authority in London, in a private letter to him (Mr. Mackenzie), said the hon. the Finance Minister could not have effected a loan a week before or a week after he did. This was the real truth in regard to the plethora of money; and if the hon. gentleman (Sir John A. Macdonald) had been as well up in financial matters as he pretended to be—although he was bound to say the hon. gentleman had had considerable latitude in those matters and avoided coming to close quarters—he would not have been so extravagant in his language on this occasion. The hon. gentleman said Canada had lost £200,000 through this transaction.

Sir JOHN A. MACDONALD: No.

Mr. MACKENZIE said he was surprised the hon. gentleman did not make the sum three times as large;

he had only to name a larger sum to make us poorer. The hon. gentleman had only to stretch his imagination a little to make us as poor or as rich as he pleased. Australia received more favourable terms than Canada, simply because of the peculiarities of the country. It was remote from all danger of invasion. It was not a country that could be well attacked in time of war; indeed, there was not a nation on the face of the earth that could, by any possibility, send a force to attack Australia. Neighbours, as we were, to a great and powerful Republic, although there was no immediate danger of war, no hostilities likely to arise, the country was subject to a great many conditions which might arise in the United States, and which might affect more or less our commercial prosperity, and, consequently, our power and ability to pay. This undoubtedly exercised a prejudicial effect on our securities, and, with that extreme sensitiveness always felt in the money market, it affected us much more than circumstances warranted or justified. But he only rose to call attention to one or two points which the hon. gentleman (Sir John A. Macdonald) brought out, and to sum up the debate in this way: that at the present moment the credit of Canada stood higher than it ever stood; that the last loan was the best ever effected; and that his hon. friend (Mr. Cartwright) had succeeded in reducing the average interest upon the public debt to a lower point than it ever reached before.

Mr. SMITH (Selkirk) said he believed the hon. Minister of Finance had made a mistake in this matter; but his hon. friend for Kingston (Sir John A. Macdonald) and himself differed as to the nature of that mistake. The great mistake the hon. gentleman (Mr. Cartwright) had made was in excusing that which really required no excuse. He believed that the loan was one of the best ever effected. In 1875 the Australian colonies put a loan on the market by tender, giving a minimum; but they were unable to get it taken up; and the only way they could possibly get it floated was by the formation of a syndicate and paying a handsome sum. It was almost invari-

ably the case that if a loan was placed on the market it did not come up to the price of preceding loans, and he could see nothing extraordinary in the method in which this loan was operated. One of the Russian loans fell 4 per cent. below a previous loan of the same nation. He had heard it mentioned by many gentlemen of high financial standing, that the loan, instead of being a failure, was a very great success. No doubt the Finance Minister made enquiries of others besides these agents.

Question put, and amendment (Mr. Gibbs, South Ontario) negatived, on the following division:—

## YEAS :

## Messieurs

Baby	McDougall (Three Riv.)
Benoit	McKay (Colchester)
Blanchet	Macmillan
Bolduc	McCallum
Bowell	McQuade
Brooks	Masson
Caron	Mitchell
Cimon	Moffat
Colby	Monteith
Costigan	Montplaisir
Outhbert	Mousseau
Daoust	Orton
Desjardins	Ouimet
Dewdney	Pinsonneault
Domville	Platt
Farrow	Plumb
Flesher	Pope (Compton)
Fraser	Robinson
Gaudet	Robitaille
Gibbs (North Ontario)	Rochester
Gibbs (South Ontario)	Rouleau
Gill	Roy
Harwood	Stephenson
Hurteau	Thompson (Cariboo)
Jones (South Leeds)	Tupper
Kirkpatrick	Wallace (South Norfolk)
Langevin	White (East Hastings)
Lanthier	White (North Renfrew)
Little	Wright (Ottawa County).—60.
Macdonald (Kingston)	
McDonald (Cape Breton)	

## NAYS :

## Messieurs

Appleby	Holton
Archibald	Horton
Aylmer	Irving
Bain	Jette
Bannatyne	Killam
Barthe	Kirk
Béchar	Lafamme
Bernier	Lajoie
Bertram	Landerkin
Biggar	Langlois
Blackburn	Laurier
Blain	Macdonald (Cornwall)
Blake	Macdonald (Centre Toronto)
Borden	McDougall (S. Renfrew)
Borron	MacKay (Cape Breton)
Bourassa	Mackenzie
owman	

.Boyer	McCraney
.Brouse	McIntyre
.Brown	McIsaac
.Buell	McLeod
.Burk	Metcalfe
.Burpee (St. John)	Mills
.Burpee (Sunbury)	Oliver
.Carmichael	Paterson
.Cartwright	Perry
.Casey	Pettes
.Cauchon	Pickard
.Charlton	Pouliot
.Cheval	Power
.Church	Ray
.Cockburn	Richard
.Coffin	Robillard
.Cook	Ross (East Durham)
.Coupal	Ross (W. Middlesex)
.Cunningham	Ross (Prince Edward)
.DeCosmos	Ryan
.Delorme	Rymal
.De St. Georges	Scatcherd
.DeVeber	Schultz
.Dymond	Shibley
.Ferris	Sinclair
.Fiset	Smith (Peel)
.Fleming	Smith (Selkirk)
.Flynn	Smith (Westmoreland)
.Forbes	Snider
.Fréchette	St. Jean
.Galbraith	Taschereau
.Geoffrion	Thompson (Haldimand)
.Gibson	Thomson (Welland)
.Gillies	Trow
.Gillmor	Vail
.Greenway	Wallace (Albert)
.Hagar	Wood
.Hall	Workman
.Higinbotham	Young.—111.

## SUPPLY.

XII. PUBLIC WORKS AND BUILDINGS  
CHARGEABLE TO CAPITAL.

House again *resolved* itself into Committee of Supply.

(In the Committee.)

75. Intercolonial Railway completion..... \$75,000 00

Mr. TUPPER said it would be of interest if the Minister of Public Works would state what the total cost of the work was.

Mr. MACKENZIE said for all purposes, up to the present time, it had cost \$22,112,083, to which there had to be added \$675,000. For grading alone there was \$11,266,560. But the amount paid for the Eastern extension, that was made part of the Intercolonial Railway, east of Moncton, was not embraced in that. That extension cost \$944,923; but that particular item was not divided so as to show the exact cost of grading etc. The details of the expenditure on the Intercolonial Railway were as follows:—

Mr. SMITH.

Grading and snow-sheds.....	\$11,581,653
Rails and fastenings.....	2,905,729
Tracklaying and ballasting....	1,445,369
Sleepers.....	363,884
Iron bridging.....	789,723
Rolling stock.....	1,988,657
Engineering.....	1,285,780
Management.....	187,651
Buildings and water supply....	762,564
Right of way and land damages.	360,762
Eastern Extension Railway....	944,923
Telegraph lines.....	16,830
Deep water connection, Baie des Chaleurs.....	1,497
Rimouski branch and pier....	27,625
do Mail tender.....	19,169
Stewiacke branch.....	9,400
Paymasters.....	37,267

Total estimated cost up to 30th June, 1878..... \$22,732,083

## EXTENSION TO DEEP WATER AT ST. JOHN.

Expended up to 31st December, 1876.....	\$141,265
Wharf.....	175,000
Engineering.....	10,000
Dredging.....	20,000
City of St. John, for land.....	40,000
Freight shed, grading, rails, coal-drops and cranes.....	23,000

Total estimated cost.. \$409,265

## HALIFAX EXTENSION.

Deep water wharf.....	\$150,068 75
Grading, tracklaying, etc.....	206,670 84
Brick freight house.....	29,576 96
Brick passenger station.....	85,440 74
Land and damages.....	192,124 00
Car shed.....	5,194 39
Temporary passenger station..	644 29

Total cost to 31st Dec., 1876. 669,719 97

Balance available on 1st Jan., 1877, and required to 30th June, 1877.....	18,429 80
Supplementary Estimates, 1876-77. (Contribution to Powder Magazine).....	20,000 00
Vote, 1877-78, for completion..	75,000 00

Total estimated cost..... \$783,149 77

He would say that they would be required to ask a considerable sum in the Supplementary Estimates, the purpose for which he would explain when they were brought down. It was found that the through traffic had increased so much last Fall beyond what was expected, that they were obliged to hire a large number of cars from the Grand Trunk Railway, for which they paid a certain sum per month.

Mr. MITCHELL: How much?

Mr. MACKENZIE said he thought it was between \$1,000 and \$2,000 per month; at any rate it was the ordinary rate paid by companies for using cars of other companies. At times, the Grand Trunk used some of their cars, for which payment of course was made; but the balance was always largely against the Intercolonial. It had been decided to build 700 more freight cars, the cost of which would be somewhere about \$370,000. Of the vote now asked, \$71,000 was for finishing the grading and wood sheds, and \$4,000 for finishing the Rimouski pier to accommodate mail steamers.

Sir JOHN A. MACDONALD: That will complete the road, except the amount represented by the Supplementary Estimates.

Mr. MACKENZIE: Yes. The deep water terminus at St. John had been commenced. The tender which was accepted was at about \$174,000. Hon. gentlemen would observe that only a vote of \$100,000 was asked for this work. A considerable portion would be used for bridging and making approaches. This work would take two years to complete, but only \$100,000 was expected to be used this year.

Mr. TUPPER said he did not intend to detain the Committee at this stage of the proceedings, but he would venture to congratulate the Government and the House upon the fact that this road had approached the near completion which the proposed vote would represent. He was quite satisfied that the statement the First Minister had just made, that the enormous amount of traffic that had presented itself for the road required the Government to make provision for some 700 additional freight cars, was an evidence that they might fairly expect a very large amount of business over the road. He was quite sure that those who had paid any attention to the question would come to the conclusion that this road was one of the best and most substantial that had been constructed in America, and he believed, notwithstanding the large amount it had cost the country, it had been as cheaply constructed, all things con-

sidered. He was very glad to know that the Government upon the completion of the road had contracted to bring the mail by that route instead of as heretofore, by way of Portland. He knew enough upon this subject to state that the result of the experiment had been most satisfactory, so far as tried. He had had an opportunity of conversing with the Post Office Inspector as to the comparison between the voyages made to Halifax and Portland, and he stated that by the former route mails could be delivered at Montreal from Liverpool 22½ hours, or practically, a day sooner than by way of Portland. The average time saved would be even greater than this in the future. So far as they had had the means of judging, the road was a great success, and there was every reason to believe that a large and important saving would be made in the mails between the mother country and Canada. He was quite sure the House would be very glad to vote the \$75,000 additional, or anything that it would be necessary to ask in the Supplementary Estimates.

Mr. JONES (Halifax) said he must join his congratulations with those of the hon. member for Cumberland, upon the success which had attended the experiment of landing the mails at Halifax. The people of Canada would rejoice that they at least had the means of reaching the Atlantic coast by rail through their own territory; at least, they had the means of making themselves independent of a foreign country in this respect. He thought the Government deserved great credit for the efforts they had made. As had been already stated, the mails had been landed at Halifax and carried over the Intercolonial very satisfactorily; but it was to be hoped and expected that, looking to the future, and the proximity of the port of Halifax to England, some efforts would be made to make that port one of the great connecting points between the old and new world. He would like to ask the First Minister whether the attention of the Government had been directed thereto, and whether the intimation, given some time ago, that several steamship companies had been looking to Halifax as a terminal point on this side of the

Atlantic, for landing the mails for Australia and the Continent, had been under the consideration of the Government. This was a very important question, and, if carried out, would add much to the prestige of Canada and to the usefulness of the road, if any such arrangement could be made without sacrifice to the public interest. He believed it was within the range of possibility that such an arrangement might be arrived at, if a proper understanding were come to between the steamship companies and the Imperial authorities. He was sure the House would be obliged for any information the Government could give in this matter.

Mr. KIRKPATRICK called attention to a line that was still a part of the route, the Truro and Pictou Branch, the Bill for the transfer of which had passed the House but a short time ago. The attention of the House was called by the Government to the promise that was made two years ago as to the transfer, but no mention was made of the fact that a large sum of money had been spent upon the road during the interval. It appeared from the report of the Superintendent of Railways that the sum of \$60,000 was spent during the last financial year upon that branch, and also that it was relaid with steel rails for 40 miles. It was extraordinary that the House should be asked to give away this branch, when, during the last two years, it had cost something over \$300,000.

Mr. MACKENZIE said he really was not aware how much had been relaid with steel rails. The renewal had been going on steadily every year all over the route, about the same quantity of rails being relaid every year for the last three years. When the House came to the vote for the working of railways, he would bring down an exact statement. Wherever the rails were defective they were relaid with steel rails, whether on the Pictou Branch or any other branch.

Mr. KIRKPATRICK: How about the cash expended on the road?

Mr. MACKENZIE said the Government were bound to keep the road in running order, the same as if they had intended to retain it for all time. With

Mr. TUPPER.

regard to the suggestion of the hon. member for Halifax, he had merely to say that projects had, at various times, been brought forward by gentlemen interested in steamship companies. A year ago last June a gentleman came to Ottawa, representing New York and English capitalists, and wished to make arrangements with the Government, whereby it was proposed that steamers should sail weekly or tri-weekly, and in five years they would be prepared to run every day, between Canada and Great Britain and Ireland, for certain subsidies by the United States, British and Canadian Governments. The Government were willing to discuss the project, but they were not prepared to take any action until some definite propositions were put forward by the English and United States Governments. Some schemes had been published in the newspapers since then, and the discussion of the question had simply shown that, if connection was made at St. John, passengers and mail matter landing at Halifax, from 20 to 24 hours would probably be gained in reaching New York. He had no doubt that this would come before many years had elapsed, but at present they could see no immediate prospect of this result. They were, however, in correspondence with the Post Office Department of Great Britain, with the view of landing all United States mails at Halifax, and they had made an offer to convey them to our borders within a specified time, and also to convey the Australian mails to the west end of the Province within a specified time; and in both cases they could make an objective point, say New York or Detroit, much more quickly than it could be made through the United States. He could not, with propriety, say any more at present, except that the Government were anxious to accomplish the desired result.

Mr. KIRKPATRICK said he did not think a very satisfactory explanation had been given by the First Minister as to the Truro and Pictou Branch. The money spent upon that Branch would have covered the additional taxation upon tea and malt. He would like to know what the Government were going to do with the mail tender

at Rimouski, for which \$19,000 was given. He would like to know whether it was going to be replaced by a new one, or whether the old one would continue to be used.

Mr. MACKENZIE: We intend to use it.

Mr. MITCHELL said he had always objected to the transfer of the Truro and Pictou Branch *in toto*. He thought it one of the greatest mistakes the Government had ever made. The House had no idea when it sanctioned the giving away of the road, that special improvements had been made upon it. It looked very much as if it was the price paid for Nova Scotia's support.

Mr. JONES (Halifax) said, if his hon. friend had listened to the discussion the other night he would have gathered that the Government had been in correspondence, or had been in communication with the Local Government, and with the contractors, with the view of the extension of the road from New Glasgow to the Gut of Canso. He thought his hon. friend would admit that it was of the highest importance that railway communication should be opened through that section of the country. As there was no possibility of the House being induced to vote money for the purpose of extending the Intercolonial Railway from New Glasgow to the Strait of Canso, it was a wise policy on the part of the Government of which his hon. friend was a member, and also of the Government of the present day, to encourage the project by all means within their power without any sacrifice of the public interests. The giving away of the Truro and Pictou Branch was an aid thus far to the project, which would be a great advantage to the country, and contribute materially to the income of the Intercolonial Railway. The Government were compelled to keep up the line in proper working order and to change the gauge, and the expenditure on this score was entirely in the public interest.

Mr. MITCHELL entered his protest against the transfer of the Truro and Pictou Branch. He objected to it, especially as it had been done just

after the iron rails had been taken up and the line relaid with steel rails at an expense of \$300,000.

Mr. JONES (Halifax) enquired whether it was not the policy of the late Government to dispose of this road.

Mr. MITCHELL denied that such was the case. He would never have consented to it.

Mr. McISAAC said that, after what had occurred in the Senate a few evenings ago in connection with the transfer of the Truro and Pictou Branch, he was surprised to hear the hon. member (Mr. Mitchell) renew the attack on the Government. When the Bill authorizing the transfer was before the House, every member of the late Government in the House, except the hon. member for Cumberland, voted against it, and some of them, especially the hon. member for Northumberland, spoke fiercely against it. On that occasion only two of the avowed supporters of that Administration voted in favour of the Bill, viz., the member for Cumberland and the member for Cape Breton. In the face of that fact, when the Bill was passing through the Senate, a prominent member of that House, among other arguments used by him in support of the measure, declared it was the policy of the late Government not only to give the road itself, but the rolling stock as well, to aid the Eastern Extension. He (Mr. McIsaac) wished to ascertain beyond a doubt which House correctly announced the policy of the Opposition, when in power, on this matter. There was no subject of greater interest and moment to eastern Nova Scotia than the Eastern Extension, and the people of that highly important portion of the Dominion had a right to know, and desired to know, who were the real friends of the scheme, because the best friends of that scheme were their best friends. He called on the Opposition if it was their policy to subsidize the Eastern Extension by means of the Truro and Pictou Branch or otherwise, to say so distinctly, and not a man among them answered affirmatively. Even the hon. member for Cumberland himself declared that he was in favour of the transfer now, and that,

in a qualified manner, by adding new stipulations at this time of day, when the work was under contract and construction, which if passed would result in further delay, if not in entire defeat of the project. He had heard no one say it was their intention to build the road either to the Strait of Canso or to the Atlantic entirely at the expense of the Dominion. If that intention had been entertained, the seven years of plenty, during which they held power, and their large majority in the House, would have rendered it easy to carry it out. When they felt they had means and strength enough to build a road through the wilds of the North-West and the Rocky Mountains to the Pacific, it would not be difficult to believe that they could and should extend the line from New Glasgow to the Atlantic through the finest and richest portion of the Dominion. He did not speak from any party spirit, he was actuated by no motive but a desire to see the work completed as speedily and as successfully as possible, and to let the people of eastern Nova Scotia understand whom they should thank for the great facilities so long denied them. On taking his seat in the House, he felt it his duty to his constituents and his Province to support the party he considered willing and able to secure the boon so much desired by that section of the Dominion.

Mr. LANGEVIN corroborated the statement of the member for Northumberland (Mr. Mitchell.) It was not the policy of the late Government to part with the branch and the feeders of the Intercolonial. He was favourable to the proposed extension to the Gut of Canso, but at that date, 1871, he considered that the time had not come for the Government to take up the matter. He was sure that, had hon. members known that the road was to be transferred during the present year to another company, hon. members would have objected to it, and he would have opposed it. The company could not have expected steel rails to have been laid down on the road.

Mr. MACKENZIE said it was impossible to lay steel rails here and there. Rails of such a pattern as the

old ones would have to be used for such a purpose, and they had no new iron rails. If this had not been done damage to life and property would have probably been done to three or four times the amount which would have been saved, had the Government not adopted the course they did. They were obliged to keep up the road and they could not foresee how it was to be utilized.

Mr. LANGEVIN said that old iron could have been used to repair the road, The Opposition had voted against the Bill in question. He was, as he had always been, favourable to a road being built to the Gulf of Canso and extended to Louisburg. This branch was worth about two millions of dollars, and the improvements made, nearly \$300,000. It was one of the best roads in the country. The Government should not refuse to the Province of Quebec everything they asked for. They had asked for aid to the St. John Railway, but they had not obtained it. There was also the Quebec and Woodstock Railway, only a portion of which had been built owing to the want of means; and it should also have assistance. They desired only fair play for the Province of Quebec.

Mr. MACKAY (Cape Breton) said that application was made to the late Administration for the transfer of this branch between Pictou and Truro, and that it was then stated that the policy of the Government was to hand it over and build a line between New Glasgow and the Strait of Canso.

Mr. MITCHELL: I will state distinctly that was not our policy.

Mr. MACKAY said many hon. members would recollect the circumstance. Further, the late Government was disposed to build a road to Louisburg. That, he took it, was within the memory of the members of the late Administration. It was certainly brought to their notice, and it was their policy. The member for Charlevoix (Mr. Langevin) had said he regretted that the road had been transferred. Why did he regret it? He (Mr. MacKay) was convinced, and he thought it could be proved, that while that hon. gentleman was a member of the late Administration, he was

perfectly satisfied that it should be transferred for the purpose of building to the Strait, and the only reason why it was not done was, that some members from Nova Scotia wanted the road built all the way to Louisburg, and to extend it to the Strait of Canso. The present Government were only carrying out the policy which was adopted before. The member for Northumberland (Mr. Mitchell) had said he believed the transfer had been made in order that the members from Nova Scotia should be kept together to support the Government. He was surprised to hear the hon. gentleman make such a statement. The members from Nova Scotia were not much interested in the transfer of this road. The members from Cape Breton had been opposed to the present Government transferring the line, because they thought they ought to build it to the port of Louisburg as a public work. The object of hon. gentlemen on the other side was to make political capital out of the transfer, so as to say, "This has been handed over to the Province of Nova Scotia; see the concession made to Nova Scotia, and, in consideration of that, the Government are receiving a certain amount of support." All this existed only in the fertile imagination of the hon. member for Northumberland.

Mr. MITCHELL said he had already stated that no such policy as the transfer of this road had been determined upon by the late Government, and his hon. friend from Charlevoix had confirmed his statement. The hon. member had not the slightest foundation in fact for the statement he had made in this House. No such subject was ever considered by the late Administration, much less determined upon, and the hon. gentleman had not a tittle of foundation for his statements. He (Mr. Mitchell) believed it was a false policy to give away that road—one fraught with great danger, because the next application would be from New Brunswick for the Saint John and Shediac road, which they would not be able to resist. He (Mr. Mitchell) had always been favourable to the extension of the road to Louisburg, but there was nothing incumbent on this Government to build that road, while it might be,

and was desirable, in the interest of Nova Scotia. He found his hon. friend from Cape Breton (Mr. McDonald) who voted with the Opposition as a rule, got up to oppose him, and his hon. friend and colleague in the late Government, the member for Cumberland (Mr. Tupper) opposed him. The hon. gentleman from Inverness (Mr. MacDonnell) had the other day attacked him personally in relation to that road, and the hon. member for Halifax (Mr. Jones) and the others, every one of them, would speak in favor of the transfer of the two millions of property in favour of Nova Scotia purposes. It was ridiculous to speak of this as not being in favour of Nova Scotia. Why was it asked for?

Mr. MACKAY (Cape Breton) said, a resolution was passed by the members from Nova Scotia and was presented to the late Government. If he recollected rightly he was one of the delegates, and Mr. Stewart Campbell was another, and the members of that delegation were given to understand that the matter would be favourably received, and that the transfer would be made in due course.

Mr. MITCHELL asked if the hon. gentleman's statement was any proof. He had never denied that the member for Cumberland's measure gave the road over to extend the road in Nova Scotia. He (Mr. Tupper) had very liberal views as to Nova Scotia, but that was no proof that it was the established policy of the late Administration, because a delegate had waited on some members of it. He (Mr. Mitchell) had never heard of any such delegation.

Mr. BOWELL said it seemed to him that the hon. member for Halifax (Mr. Jones) and the hon. member for Richmond (Mr. Flynn) were more desirous to make a little capital out of this than anyone else who had spoken. The object of the member for Halifax clearly was to show that the late Government were the enemies of Nova Scotia, and that its true friends were those who now occupied the Treasury Benches. It would appear that this was the method adopted by the Government to subsidize Nova Scotia. He did not see why our property should be given

away to one particular province, or why the Government should show partiality in this matter. The whole principle was wrong, and he protested against the transfer.

Mr. DOMVILLE said he considered this giving away of rails and the transfer of this road a gross imposition on the public. They ought to have particulars as to how the money on the Intercolonial Railway had been expended. A contract for turn-tables was given to the highest tender, and when they were supplied it appeared that they were of the manufacture of the lowest tenderer.

Mr. MACKENZIE said he could not take the statements of the hon. gentleman as facts. If he wished any information on any point he would be glad to give it.

Mr. DOMVILLE said he had asked for a great deal of information, but had never got the details he wanted, and he was, consequently, obliged to take what information he could get outside.

Mr. McLEOD said if there was anything the Government deserved credit for it was the economy they had exercised in the management of the Intercolonial Railroad.

Mr. ROBITAILLE said he was glad to see that enterprises in New Brunswick and Nova Scotia were to receive assistance from the Government. The member for Halifax intimated that Quebec had no branch lines of the Intercolonial; but the line between Metapediac and Passepiac, in the Province of Quebec, might be called a branch or feeder of the Intercolonial. It had already received a subsidy from the Local Legislature, and the preliminary surveys and location had been calculated. He did not begrudge what was given to other roads, but he hoped that a line of this importance would also be aided. The trade of the district was very considerable. He would like to know whether the wharf at Rimouski was completed.

Mr. MACKENZIE said that this pier would be finished in accordance with the plans of Mr. Schreiber, the Chief Engineer of the railway. He was not an autocrat, and he could not give or withhold assistance from the

railway in question. The subject had never been discussed by the Government.

Vote agreed to.

76. Intercolonial Railway Extension into Halifax...	\$75,000
77. Intercolonial Railway to deep water at St. John, N. B.....	100,000
80. Lachine Canal.....	1,000,000

In reply to Mr. LANGEVIN,

Mr. MACKENZIE said the works were all under contract, with the exception of the second basin, which the Government did not intend to place under contract at present. The work under contract would amount to \$4,470,999, and the total expenditure up to 31st Dec., 1876, was \$1,604,999. He might say the Government would require a supplementary estimate for the current year. They had now spent the entire amount of last year's vote, or nearly so. They had continued the works on a supplementary vote, which he would explain when they came to it, in order to carry out the contract for the current year.

Mr. LANGEVIN: Will the hon. gentleman explain the position of the Government in reference to the western end of the canal?

Mr. MACKENZIE said, it was proposed at one time to make a new entrance above Lachine; that was given up, and the contract was for an entrance near the old basin.

Mr. MASSON asked what quantity of land had been purchased from the proprietors of the Saint Gabriel Locks, for the purpose of enlarging the canal, and what price had been paid for that land?

Mr. MACKENZIE: Various prices.

Mr. MASSON said he meant the land to which he had referred the last year, when the Premier stated that only about thirty feet would be taken on one side or the other. He asked if, notwithstanding that statement, the Government had not purchased a large quantity of land near Saint Henri, Tanneries West, from the same proprietors?

Mr. MACKENZIE said they had not. They simply bought enough to

make the canal the width they decided to make it up to Coté Saint Paul. What he stated last year was that there would, in some places, be very little to purchase, while, in others there would be from twenty to seventy feet width, because the boundary was unequal. Early last summer the member for the district and other delegations were anxious to make the canal twenty-five feet wider.

Mr. MITCHELL: What is the depth?

Mr. MACKENZIE: Fourteen feet for the permanent structure, but now twelve feet. Land was valued by the valutors, I think, at twelve cents per foot.

Mr. MASSON: What was the price asked?

Mr. MACKENZIE said they never had a price asked and they never asked the price, or had any offered them. They directed the valutors to make a valuation.

Mr. MASSON: Do I understand that there was no offer made of the land at the price to which the land had risen at the auction which occurred in Montreal?

Mr. MACKENZIE: I think not; I have no recollection of seeing any offer.

Mr. MASSON: Do I understand that there never was any portion of the land purchased or offered to the Government at the price at which it was sold by auction—that is, at the maximum, about thirty-five cents per foot?

Mr. MACKENZIE: I have no recollection of such an offer.

Mr. ROBITAILLE: There is no doubt such offers were made to some of the officials living in Montreal; whether they reached the Department or not I cannot say.

Mr. MACKENZIE: The entire amount paid for land was \$331,874.

Mr. MITCHELL: It was suggested last year that the canal should be deepened to sixteen feet.

Mr. MACKENZIE: Nineteen feet.

Mr. MITCHELL. Yes; to enable

sea going vessels to go up the Saint Gabriel locks.

Mr. MACKENZIE said the Government could see no reason for taking that depth beyond the railroad crossing. It would be easy, perhaps, to make it fourteen feet, but to extend it to nineteen feet would be to extend the harbour for the city of Montreal.

Vote agreed to.

81. Cornwall Canal..... \$100,000

Mr. MACKENZIE said this was merely the revote of the money unexpended last year.

Mr. MITCHELL remarked that there was no vote for the St. Lawrence Canals.

Mr. MACKENZIE said it was not proposed to ask a vote, except for the Cornwall Canals.

Vote agreed to.

82. Welland Canal..... \$2,000,000

Mr. MACKENZIE said the entire cost of the canal so far, together with the works now under contract, was \$6,961,851.

Mr. LANGEVIN: How much has been paid out?

Mr. MACKENZIE: The total expenditure up to the 31st December was \$5,025,452. In January there was a balance of \$326,000 available, which is now more than spent. We will probably have to get a supplementary estimate of \$250,000 to carry us on.

Mr. LANGEVIN: Besides the contracts in hand, at what do you estimate the cost of the remaining works?

Mr. MACKENZIE: It is estimated that the canal will cost \$9,225,000 to obtain a depth of twelve feet, and \$12,250,000 to get fourteen feet.

Mr. McCALLUM asked if the Government intended to sink the culverts in the feeder; \$150,000 had been expended on the feeder, and it would only require a small sum to sink the culverts.

Mr. MACKENZIE: That is under consideration.

Mr. McCALLUM said it had been under consideration for a long time. It would be in the interest of the country to sink those culverts.

Mr. MACKENZIE said he would

probably be able to say something further on this point at a future time.

Mr. McCALLUM said that as the expenditure of \$20,000 would give two feet more of water for twenty-one miles, he thought such expenditure would be in the interest of the country. In order to secure the trade of the west, the Welland Canal should at once be deepened to fifteen feet.

Mr. MACKENZIE : That would take too large a sum of money.

Vote agreed to.

83. St. Anne's Lock.....\$40,000

Mr. MACKENZIE said they had come to the conclusion that they must have a new entrance and a new lock altogether, but they thought they could get on at present with some slight repairs to the old pier. The expenditure of \$40,000 would finish the work in the immediate vicinity.

Mr. LANGEVIN : This is for the new channel ?

Mr. MACKENZIE : Yes.

Mr. McCALLUM asked when the Welland Canal would be deepened to twelve feet ?

Mr. MACKENZIE : It will not be completed until the spring of 1879.

Mr. LANGEVIN asked with regard to the vote of \$160,000 last year for St. Anne's lock, whether a contract had been given out ?

Mr. MACKENZIE : Not for the lock.

Mr. LANGEVIN : How much money was expended ?

Mr. MACKENZIE : Only 29,000 up to the 1st of January last.

Mr. LANGEVIN : For deepening the channel ?

Mr. MACKENZIE : No.

Vote agreed to.

84. Carillon and Chute à Blondeau..... \$120,000

Mr. MACKENZIE said the probability was that the Government would very soon be obliged to take this work out of the hands of the contractors, Jones and Cook, who had failed to come to time with regard to any part of it. No difficulties had been met with that could not have been foreseen. The

Mr. MACKENZIE.

character of the bed of the river was very easily to be ascertained. The entrance to the lock was pretty well advanced ; but little had been done on the dam. Lumbermen were complaining of it very much as an obstruction. The old slide had been damaged considerably last season. It had become necessary to take decisive action.

Mr. LANGEVIN : What is the amount of contract ?

Mr. MACKENZIE : \$570,000.

Mr. LANGEVIN : How much has been spent ?

Mr. MACKENZIE : \$304,900.

Mr. LANGEVIN : How much of last year's vote is unexpended ?

Mr. MACKENZIE : On January 1st there remained \$267,000. The sum of \$120,000 was as much as could be spent on the work this year. A large amount of timber was on hand, and, as it would soon decay, the work must be proceeded with.

Mr. WHITE (North Renfrew) said he hoped the work would be pressed forward as rapidly as possible.

Vote agreed to.

85. Improving approach to Culbute Canal..... \$40,000

Mr. WHITE (North Renfrew) said experience had proved that his declaration in 1876, that the work should be located in the south instead of the north channel was correct.

Mr. MACKENZIE said the precise mode of expenditure would be subject to examinations made by engineers.

Vote agreed to.

86. St. Peter's Canal..... \$80,000

Mr. MACKENZIE said the work had been under contract for a year and was progressing. The estimate for last year was \$50,000, which had been expended. The work was being cheaply constructed. There was fourteen feet water on the mitre sill.

Vote agreed to.

87. Miscellaneous work on Canals..... \$10,000

88. Public Building, Ottawa, grounds..... 35,000

Retaining walls, gates, footpaths, painting, &c. 2,600

Extension, West Block... 135,500

In answer to Mr. PLUMB,

Mr. MACKENZIE said they had been endeavouring to find a fountain to agree with the general style of the buildings.

In answer to Mr. CAMERON,

Mr. MACKENZIE said it was their intention, after consulting authorities, upon such grounds as these, not to plant any trees in the grounds, though they intended to fill up the spaces between the blocks with trees.

Mr. MASSON: Is this the last estimate for the Western Block, and what is the total amount? It was understood it was to be \$500,000, and it seem to have far exceeded that.

Mr. MACKENZIE: The amount submitted in the Estimates last year was \$296,000. I do not remember the amount before that, but my impression is it was \$48,000 or \$49,000.

Mr. MASSON: \$90,000, I think.

Mr. MACKENZIE: Yes; there was the excavation. I think it will come within the original estimate.

Vote agreed to.

XII. PUBLIC WORKS AND BUILDINGS—  
CHARGEABLE TO INCOME.

Ontario.

90 {	Guelph Custom House, Excise and Post Offices.	\$2,000
	Kingston Military Col- lege, repairing fortifi- cations.....	40,000
	London Military Grounds, fencing and wood-shed.	3,500
	To pay for site of Ottawa Post Office, Custom House and Inland Rev- enue Office.....	7,000

Mr. MITCHELL enquired whether the expenditure for repairing the Kingston fortifications could not be dispensed with altogether.

Mr. MACKENZIE said there were very extensive military works there, and all the military authorities of the country considered it necessary to maintain them. They were built by the Imperial authorities, having cost millions, and it would look very bad if the Canadian Government did not keep them in repair. It was necessary to

expend a large amount for the fortifications at Kingston and also at Quebec. This year \$70,000 had been received from the sale of lands that were given with the works.

Mr. MITCHELL said the military schools were part of a system which, sooner or later, would have to be reconsidered and probably abandoned. He might be in advance of some hon. gentlemen in entertaining this opinion, but he would bide his time until public opinion changed.

Mr. MASSON asked how much it would require to finish the schools.

Mr. MACKENZIE: Probably \$12,000 or \$15,000 more.

Mr. MASSON said the hon. gentleman gave \$100,000 as the cost last year. This showed the importance of having an estimate of the total cost of a work before giving a vote for it. The moment the first vote was given they were committed to the completion of the work.

Mr. MACKENZIE said he quite agreed with this principle. There were certain difficulties in the way of estimating the final cost of this work.

Mr. LANGEVIN said he agreed fully with the remarks of the hon. member for Terrebonne (Mr. Masson). When the hon. the Minister of Public Works was in Opposition he always insisted upon such information, and he (Mr. Langevin) always endeavoured to give it.

Mr. STEPHENSON said it was understood two or three years ago that the Government would put a sum in the Estimates for the construction of post offices in towns of certain size, such as Chatham, St. Catherines, Brantford, Windsor and Belleville, all of which returned a large revenue to the Department, and were important centres of trade. Besides, they were localities where were stationed Customs and Inland Revenue officers, who collected very considerable sums of money, and, in the event of Government buildings being erected at these points, accommodation could be provided for all the Government officials located there, which would not only serve the public, but facilitate the labours of the officials themselves. He

would, therefore, ask if any provision was made for such works in the Supplementary Estimates?

Mr. MACKENZIE said the Government had not given up the idea he had mentioned, but they only erected public buildings for their own convenience, and not for the sake of any particular locality. The places which seemed most in need of them, having the largest number of officers and the largest revenue, were Windsor and Brantford. The matter was under consideration. The Government was obliged to be as economical as possible. The principal places for revenue and business were Windsor, Brantford, St. Catharines and Belleville; they did a much larger business than Chatham.

Mr. STEPHENSON: I think not.

Vote agreed to.

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at

Twenty minutes before

Three o'clock.

## HOUSE OF COMMONS.

*Saturday, 14th April, 1877.*

The Speaker took the Chair at Three o'clock.

### THE QUEEN VS. WILKINSON.

MOTION TO GRANT LEAVE OF ABSENCE.

Mr. BOWELL moved:

"That the petition of J. A. Wilkinson, Publisher, of Bowmanville, for leave of absence to be granted to the Hon. R. J. Cartwright, Minister of Finance, to attend on Tuesday next, the Assizes at Cobourg, to give evidence in the case of the Queen vs. J. A. Wilkinson, be received."

Mr. CARTWRIGHT: I object.

Mr. BOWELL: Do I understand that the hon. gentleman objects?

Mr. CARTWRIGHT: Yes.

Mr. BOWELL said he had followed, as nearly as possible, the English practice in these matters.

Mr. HOLTON said he thought they had something to say in the matter. It would be manifestly inconvenient in the public interests to permit the

Mr. STEPHENSON.

Finance Minister to absent himself at the present time.

Mr. BOWELL gave notice that he would make the motion on Monday.

### MR. CURRIER'S SEAT FOR OTTAWA.

MOTION TO REFER.

Mr. LAURIER said he begged to make the following statement.—

"That it appears from the Public Accounts laid before this House in the Session of 1875, that, some time in the year 1874, the sum of \$4,417.18 was paid to the firm of T. W. Currier & Co. out of the public moneys, for lumber supplied to the St. Vincent de Paul Penitentiary. Whereas it also appears that divers sums of money were also paid during the same year, out of public moneys, to the firm of Batson & Currier, for lumber supplied to the Department of Public Works; and that he is credibly informed and believes that he can establish that the moneys paid to the said firm of T. W. Currier & Co. were so paid under contracts and agreements between the said firm and public officers, to wit: the Board of Directors of Penitentiaries; that the moneys paid to the said firm of Batson & Currier were so paid under contracts and agreements between the said firm and the Department of Public Works; and that Joseph Merrill Currier, Esq., a member of this House, was, at the time when the said contracts and agreements were entered into, and the said payments made, a member of each of the said firms, and also a member of this House for the Electoral Division of the city of Ottawa."

Upon this statement he begged to make the following motion:—

"That it appears from the Public Accounts laid before this House in the Session of 1875, that, some time in the year 1874, the sum of \$4,717.18 was paid to the firm of T. W. Currier & Co., out of the public moneys, for lumber supplied to the St. Vincent de Paul Penitentiary; it also appears that divers sums of money were also paid during the same year, out of public moneys, to the firm of Batson & Currier, for lumber supplied to the Department of Public Works; and that Mr. Laurier, a member of this House, has stated in his place in the House that he is credibly informed and believes that he can establish that the monies paid to the said firm of Batson & Currier, were so paid under contracts and agreements between the said firm and the Department of Public Works, and that Joseph Merrill Currier, Esq., a Member of this House, was, at the time when the said contracts and agreements were entered into and the said payments made, a member of each of the said firms, and also a Member of this House for the Electoral Division of the City of Ottawa; it be

Ordered, That the matter herein stated, be referred to the Select Standing Committee on Privileges and Elections, and they be directed to enquire into the facts, to search for precedents, and to report the result of their enquiries; and whether the said Joseph Merrill Currier has vacated his seat ”

In making this motion, he believed it would be proper to abstain from making any comments. He had informed the hon. member that he would then move in the matter.

Motion agreed to.

THE SEAT FOR LINCOLN.

MOTION FOR NEW WRIT—REFERRED.

Sir JOHN A. MACDONALD said the other day he gave notice of the following motion of privilege:—

“That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Chancery to make out a new Writ for the electing of a member to serve in this present Parliament for the Electoral District of the County of Lincoln, in the place of James Norris, who, since his election for the said Electoral District, has entered into a contract for the public service.”

As far as he could judge from the papers, there was no doubt that this gentleman's seat was vacated. He presumed that the return of contracts connected with the Pacific Railway, which was made on the 26th March, was accurate. It appeared from this return that several parties, of whom James Norris was one, formed the Lake and River Steamship Company, which entered into a contract with the Government. Messrs. Cooper, Fairman & Co. were the attorneys of the Company, and their power of attorney read as follows:—

- “These presents witness that:
  - 1st. The Lake and River Steamship Company, a body politic and corporate, having its chief office and place of business in the City of Hamilton, and Province of Ontario, proprietors of propellers ‘Lake Ontario’ and ‘Lake Erie,’ herein acting and represented by Adam Hope, Esq., President of said Company, and J. C. Harvey, Secretary of the same;
  - 2nd. John C. Graham, of St. Catharines, in said Province, principal owner of and Manager for the propeller ‘Argyle’ and consort ‘Maggie McRae’;
  - 3rd. Sylvester Neelon, of St. Catharines, aforesaid, owner of the propellers ‘Europe’, ‘Ocean’ and ‘Dominion’;
  - 4th. James Norris, of St. Catharines, aforesaid, owner of the propellers ‘Scotia’, ‘Clinton’ and consort ‘Grimsby’;

“5th. And D. Butters & Company, of Montreal, owners of the propellers ‘California’, ‘Columbia’ and ‘Canada’.

The constituents herein have constituted and appointed, and do, and each of them doth hereby constitute and appoint, Messrs. Cooper, Fairman & Co., of Montreal, carrying on business there in co-partnership, their true and lawful Agents and Attorneys; and the Agents and Attorneys of each of them, to enter into, sign, and execute for them and each of them, the contract with Her Majesty Queen Victoria, represented by the Minister of Public Works of Canada, draft whereof marked “A” is hereunto annexed; or any other contract of like import and effect, for the conveyance by the respective vessels aforesaid, of said constituents, of railroad iron and material as mentioned in said draft, and on terms and conditions therein stated, or equivalent thereto, and the said constituents and each of them, do hereby authorize and empower the said firm of Cooper, Fairman & Company, but no other person, to accept and receive payments of any and all sums of money which may be or become due and payable to them, respectively, under such contract aforesaid, or for the hire or services of their said respective vessels, and to grant good, sufficient, final, and complete acquittance and discharge therefor, the whole, as fully and as effectually as they, the said constituents, could do if personally present; the said constituents each for himself, and not the one for the other or others, hereby ratifying and confirming, and agreeing to ratify and confirm, all that their said Attorneys may lawfully do in virtue hereof, relative to their said respective vessels and the lease and hire thereof, for the purpose aforesaid.

“In witness the said constituents have hereunto set their respective hands and seals.

- “Signed, sealed, and executed and delivered by the aforesaid Lake and River Steamship Company at Hamilton, on the twenty-third day of July, A.D. 1875, in presence of J. Harvey, Sec. Treas. L. R. S. S. Co. Adam Hope, Pres. Lake & R.S.S Co.
- “Signed, sealed, executed, and delivered by the aforesaid John C. Graham, Sylvester Neelon, and James C. Norris at St. Catharines aforesaid, on the 23rd day of July, 1875, in presence of F. S. John, R. Currie. John C. Graham, Sylves. Neelon, Jas. Norris.
- “Signed, sealed, executed, and delivered by the aforesaid D. Butters & Co., at Montreal, the twenty-seventh day of July, A.D. 1875, in presence of C. Cushing. D. Butters & Co.

“I, ROBERT CURRIE, of the Town of St. Catharines aforesaid, gentleman, being duly sworn, depose and say that I was present and did see John C.

Graham, Sylvester Neelon, and James Norris, constituents herein named, sign, seal, and deliver the foregoing power of Attorney at the time, place and manner hereinbefore indicated.

"And I have signed,

"R. CURRIE.

"Sworn and acknowledged before me at St. Catharines, the 23rd day of July, A.D., 1875.

"JAMES DOUGLAS,  
"Mayor of the Town of  
St. Catharines."

Here was a contract, executed in the most formal manner, between the Crown, on the one part, and a co-partnership of individuals, of whom the hon. member for Lincoln was one. It seemed it was not a matter of doubt at all, and that this motion was a proper one for him to make. If there were any doubt that the James Norris mentioned in the papers was the hon. member for Lincoln, it was a matter which might fairly go to the Committee on Privileges and Elections, but if there was no such doubt it appeared to him the motion was a strictly proper one. Under those circumstances he moved the motion of which he had given notice.

Mr. MACKENZIE said the hon. gentleman had chosen to make a motion different from that which was made a moment ago in the case of another hon. member, who, it was alleged, was also a contractor with the Crown. He thought it would have been better had the hon. gentleman followed the example set by the hon. member for Arthabaska (Mr. Laurier), and sent this where the other case was sent. The hon. gentleman did not allege that he knew personally that this was the same James Norris. The hon. gentleman had not named a distinct allegation, nor had he even said that he was prepared to prove the case which he believed to exist; he had only produced certain papers which *primâ facie* perhaps bore out to some extent the conclusions he had arrived at. He thought it better that a motion should be made to send this case to the Committee on Privileges and Elections, and he would, therefore, move:

"That all the words after 'that' in the said motion be expunged, and the following words substituted therefor:—The attention of the House having been directed to a state-

ment, that James Norris, member for the Electoral District of Lincoln has entered into a contract for the public service, the Select Standing Committee on Privileges and Elections be directed to enquire into the said allegation, report the result of such enquiries, and whether the said James Norris has vacated his seat."

Amendment agreed to, on a division.

## THE SECRET SERVICE MONEY.

### MOTION TO ADOPT REPORT.

Mr. YOUNG moved the adoption of the third report of the Select Standing Committee on Public Accounts.

Sir JOHN A. MACDONALD said when this subject was before the House previously, he had occasion to explain everything that he considered affected himself. The statement he made then had since been extended into evidence before the Public Accounts Committee. He had nothing to add to what he had said before the Committee. He considered that the report did a great injustice to the late Government and a still greater injustice to himself and an hon. gentleman who was in another branch of this Legislature. But he left the matter altogether to the House and afterwards to the country.

Mr. CHARLTON said he was sorry that the right hon. member for Kingston entertained the opinion that the report just presented to the House was unjust to himself or to any other person. The object in drawing the report was to arrive at a conclusion which the country would accept as a conclusion arrived at free from partizan bias or partizan prejudice, and a conclusion that was borne out by the facts. So far from the report doing an injustice to the hon. member for Kingston, or any other member, it seemed to him that it erred, if it erred at all, in not having characterized certain transactions as they should have been characterized. The report alleged that certain irregularities had existed in the management of the Secret Service Fund. He proposed to call the attention of the House to some of the irregularities that had been disclosed in this investigation. The first was as to the fact that entries made in the Public Accounts, ostensibly represent-

Mr. LAURIER.

ing sums of money expended on Secret Service, were, not on one or two occasions, but on every occasion, incorrect, and calculated to mislead the country. As a specimen of the general incorrectness he would instance the first entry, which represented that an expenditure of \$15,086 had been made for the fiscal year ending June 30th, 1868, but the bank account showed that there had been an actual expenditure of \$21,991 during that period. And the irregularity was, that \$8,398 of monies belonging to the late Province of Canada, was appropriated to the Secret Service Fund without the authority of Parliament, without even the authority of an Order in Council to do so. Another irregularity was an utter disregard of the provisions of the Orders in Council with regard to the expenditure of this money. The terms of the provision in this respect would be shown by the language of the first Order in Council, directing the deposit of Secret Service money to the credit of the Sub-Committee of Council, which was identical in its provisions with all subsequent Orders in Council, and which directed as follows :—

“The Committee of Council respectfully recommend that the sum of fifty thousand dollars be appropriated of the vote for Secret and Detective service for 1868, and that a warrant do issue in favour of the Receiver General, with directions to place the same on special account with the Bank of Montreal, in the names of the Minister of Justice, the Minister of Militia, the Minister of Finance, and the Minister of Internal Revenue, whose certificate that the same or any part thereof has been disbursed for the service of the country shall be a sufficient discharge and voucher for the payment of the same.”

But in not one instance was the expenditure of money certified by vouchers of the Sub-Committee of Council. And the irregularity was the fact that \$15,584, belonging to the Secret Service Fund, was diverted from the fund and applied to purposes not warranted as expenditure for Secret Service purposes. Another irregularity was the fact that in no case were unexpended balances at the end of the fiscal year returned to the Treasury. At the end of 1868 there was an unexpended balance of \$28,900; in 1869, \$3,379; in 1871, \$50,754; and in 1872, \$47,000. These

unexpended balances should have been treated as lapsed balances. The Sub-Committee had no authority under the law to expend them without a revote of Parliament. Another irregularity was, that in the first years the sum had been placed at the disposal of the Sub-Committee for Secret Service, the Government professed to give in the Public Accounts the expenditure annually made of this fund and the balance remaining unexpended; but they departed from that course in 1871. Another irregularity was, that while the Public Accounts Committee in May, 1872, passed a resolution requiring that thereafter there should be a confidential audit of the items, yet the Sub-Committee of Council neglected to provide for such audit and actually destroyed the vouchers relating to all the expenditures made subsequent to the date of that resolution of the Committee on Public Accounts. Another irregularity was, that when the late Government went out of power they neglected to pass over to their successors in office the balance of the Secret Service money then in their hands. The law in relation to this was :—

“If any officer or person has received public money for the purpose of applying it to any specific purpose, and has not so applied it within the time or in the manner provided by law, or if any person having held any public office and having ceased to hold the same, has in his hands any public money, received by him as such officer, for the purpose of being applied to any specific purpose to which he has not so applied it, such officer or person shall be deemed to have received such money for the Crown, for the public uses of the Dominion, and may be notified by the Minister of Finance to pay such sum back to the Receiver-General, and the same may be recovered from him as a debt to the Crown in any manner in which debts to the Crown may be recovered, and an equal sum may, in the meantime, be applied to the purpose to which such sum ought to have been applied.”

This law was violated by the fact that the money was not passed over to their successors in office, but remained on deposit subject nominally to the control of the Sub-Committee of Council. The most serious irregularity was the fact that after Sir John A. Macdonald had ceased to be a member of the Sub-Committee of the Council, after he had ceased to be a Minister of

the Crown, he assumed the authority of withdrawing \$6,600 for the purpose, as alleged, of paying certain outstanding claims. Another irregularity was the recklessness of the treatment of vouchers. The right hon. gentleman said it was necessary to confide in the fewest possible number of persons, because lives might be involved in the publication of that knowledge. And yet he informed them that on two occasions these vouchers which might implicate persons, and perhaps involve them in disaster or lead to their death, were sent for by some persons, who it was not remembered. The vouchers were taken to the office of the Minister of Justice. What was done with them could not be remembered; who took charge of them could not be remembered; and he was unable to tell whether or not they were destroyed. If it was necessary to conceal these vouchers it was highly improper that they should be treated in such a careless manner. The report stated that the English law and practice applicable to Secret Service moneys, was :

“When money is issued from the pay office to the Secretary of State as Secret Service money, the Secretary of State gives a receipt under his own hand for the money which is issued to him.”

It also recited that :

“(2.) By 22 Geo. III., c. 82, it is provided by section 24, as follows:—And from preventing as much as may be all abuses in the disposal of moneys issued under the head of Secret Service money, or money for special service, be it enacted by the authority aforesaid, that it shall not be lawful to issue or imprint from the Exchequer, or order to be paid by a Treasury Warrant, or under sign manual or otherwise, to any Secretary or Secretaries of the Treasury, or to any other person or persons whatsoever, from the Civil List Revenues, for the purpose of Secret Service within this Kingdom, any sum or sums of money which, in the whole, shall exceed the sum of ten thousand pounds in any one year. And it is also provided that when the Treasury issues or directs the payment of money from the Civil List revenues for foreign Secret Service, the same is issued and paid to one of His Majesty’s principal Secretaries of State, or to the First Commissioner of the Admiralty, who shall, for his discharge at the Exchequer, within three years from the issue, produce the receipt of His Majesty’s Minister, Commissioner, or Consul in foreign parts, or of any Commander-in-Chief other commander of His Majesty’s Navy or land forces to whom the said money shall have been sent or given; that

the same hath been received for the purpose for which the same hath been issued; which said receipt shall be filed in the Exchequer in order to charge the said Foreign Minister or other officer with the same, and the said receipt shall be sufficient to acquit or discharge the said Secretary or Secretaries, or First Commissioner of the Admiralty in the said account at the Exchequer. And any Foreign Minister or other officer who shall stand charged at the Exchequer for or by reason of any Secret Service money by him received, shall stand discharged and acquitted thereof, if, within one year after his arrival in Great Britain, he shall either return the said money into the Exchequer or make oath before the Barons of the Exchequer, or one of them. And also, whenever it shall be necessary for the principal Secretary of State, or First Commissioner of the Admiralty to make payment of any money issued for foreign Secret Service, or for Secret Service in detecting, preventing, or defeating treasonable conspiracies against the State in any place within the Kingdom, then it shall be sufficient to acquit and discharge the said Secretary or other Minister for him or the Under Secretary of State in the office in which such Secret Service money hath been paid, or the Secretary of the Admiralty, to make out before the Barons of the Exchequer, or one of them, or before the Cursitory Baron.”

The report also recited that :

“Under the Canadian law and Orders in Council and the resolution of the Public Accounts Committee of May 29th, 1872, the practice should have been as follows:—

“(1.) The Ministers in whose names the fund was placed, should have certified that the money paid therefrom had been disbursed for the service of the country.

“(2.) The amount disbursed during the fiscal year should have been entered in the Public Accounts for the year, as expended for Secret Service.

“(3.) The amount unexpended at the end of the fiscal year, remaining at the credit of the special account of the Sub-Committee of Council on Secret Service, should have been treated as a lapsed balance, under the Act 31 Vic., cap. 5, sect. 28, which, without making any exception whatever, provided that: ‘All balances of appropriations which remain unexpended at the end of the financial year, shall lapse and be written off.’

“(4.) Any moneys standing to the credit of any Sub-Committee of Council on Secret Service, should have been treated as remaining at the credit of the Sub-Committee, notwithstanding any change in the persons of the Ministers composing the Sub-Committee, and thus, in case any such persons ceased to hold office, his interest in or control over the moneys would thereon end, and his successor in office would succeed in his rights and responsibilities in this as in other respects. The same rule would, of course, apply in the

Mr. CHARLTON.

case of the resignation of all the members of the Sub-Committee.

“(5.) If, however, it were supposed that owing to the form of the deposit or otherwise, any member of the Sub-Committee retained after his resignation control over the fund, or in case any portion of the fund had been before his resignation placed in the individual control of any member of the Sub-Committee for expenditure, but had not been actually disbursed, such individual could not, after his resignation, have any right to disburse the fund, but would be bound to hand it over to those who had succeeded to his responsibilities.”

By the testimony of Sir William Dunbar before the Public Accounts Committee of the Imperial Parliament, in 1870, it was shown that the mode of discharge provided under Act 22, Geo. III, c. 82, for Secret Service moneys charged upon Civil List Revenue, was taken to apply to the annual votes of Parliament, and had been the course taken for the last 70 or 80 years. By the testimony of Right Hon. Edward Hammond, Under Secretary of State, taken before the same Committee, it was shown that the English practice was “that the (Secret Service money) account of an outgoing Secretary of State is rendered immediately, and then the new Secretary starts with a fresh account, carrying on, as the first item on the debit side, the money which has been transmitted to him by the previous Secretary of State.” (Report of 1870, vol. 10, p 50.) By the Imperial Accounts it was shown that the amount expended for Secret Service was entered in the Public Accounts for the current fiscal year. With regard to the mode of treatment of Secret Service Accounts, he (Mr. Chariton) would refer briefly to British practice. From 1700 to 1782, Secret Service moneys were issued without account. In 1782 the Civil List Act of Geo. III was passed. Afterwards powers were conferred upon Commissioners of Audit to call all public accountants to account. The provisions of the Civil List Act of Geo. III, 1782, regarding discharge, were fully enforced in 1797, when it was discovered that £1,740,000 had been issued and remained unaccounted for. It might be unnecessary to refer at length to the correspondence between the Treasury and the Auditor-General's office, which had resulted in the present satisfactory mode of audit of Secret

Service accounts. Regarding unexpended balances, Sir William Dunbar, in his evidence before the Public Accounts Committee in 1870, held that they might and should be surrendered, and the Committee reported in favour of such annual surrender. (Report vol. 10, 1870, p 4.) In July, 1870, during a debate upon Secret Service matters, Mr. Gladstone stated that in future, unexpended balances of Secret Service money should be surrendered to the Treasury at the end of the fiscal year (*Hansard*, vol. 203, p. 691), and such balances had since that date been surrendered. He had pointed out that, in accordance with Canadian Law, they should have surrendered to their successors in office the unexpended balance of Secret Service money in their hands at the time they resigned. He pointed out that, according to British usage, they should have taken that course. The first finding of the Committee, as shown in the report presented to the House, was as follows:—

“(1.) That the course pursued, and hereinafter specified with regard to the Secret Service moneys, was highly irregular and a breach of the duty of those concerned therein.”

Was that false? Did that do any person gross injustice? In the first place, it could not be denied that the course pursued was highly irregular. It was irregular in not accounting for the money as requested by the Order in Council, upon the authority of which the money was paid. It was irregular inasmuch as the entries made in the Public Accounts were delusive and incorrect. It was irregular because money was drawn from the fund for purposes that were not authorised by the Order in Council placing that money on deposit in the bank. It was a breach of duty, because \$8,398 belonging to the late Province of Canada was illegally taken, without the authority of Parliament, without the authority of the statute, without any authority whatever. It was a breach of duty, because the expended balances were not surrendered, were not treated as lapsed balances in accordance with Canadian law. It was a breach of duty as well as an irregularity, because the prescribed form of certificate of expenditure was in no

case given. It was a breach of duty, because the account was not closed and the balance of Secret Service money in the hands of the late Government handed over to their successors in office when they resigned. It was a breach of duty, because Sir John A. Macdonald, the member for Kingston, in the ultimate disposal of that fund, usurped the functions of a Minister of the Crown and member of the Sub-Committee of Council on Secret Service matters, in that he assumed to deal with money over which he had no more control than any other private member of the House. The excuse given for the course taken was not a valid one. The right hon. gentleman had no right to assume to carry out contracts which he had made as a Minister of the Crown; whenever he ceased to be a Minister the obligations incurred, whatever those obligations were, passed to his successors. He (Mr. Charlton) held that the first finding of the Committee was not too strong, but was moderate and just; that the Committee was warranted in affirming that the transactions were highly irregular, and that they were a breach of duty. The second finding of the Committee was as follows:

"(2.) That steps should be taken for the recovery into the public chest of the said sum of \$6,600."

If, by Canadian law, and by English precedent as well, that money should have been dealt with only by Ministers of the Crown—then the money was illegally withdrawn. If the money was illegally withdrawn, then it should be refunded. It had been shown that the money was illegally withdrawn, and it followed, as a natural conclusion, that the verdict of the House should be that it should require the money to be handed over by those who withdrew it illegally. The third finding of the Committee was:—

"(3.) That no accounts having been kept, and the cheques or papers having been lost or destroyed, a satisfactory audit of the Secret Service expenditure has been rendered impossible."

It had been held that an audit could not be reliable and satisfactory without the proper papers and vouchers, and that it would be useless to attempt to make such an audit. In regard to the

fourth finding, with respect to the Auditor-General, the conclusion stated was arrived at by the Committee with great reluctance; but it was felt that the facts of the case rendered it necessary to make some allusion to the Auditor-General, and the allusion had been made strictly in accordance with facts, and the Auditor-General was left to the Government to deal with. With regard to the fifth finding, he apprehended that no question could arise as to the propriety of providing statutory safeguards, in case at any future time it should be held necessary to place in the hands of any Government sums of money to be expended for Secret Service purposes. The Secret Service transactions themselves formed, in themselves, a sufficient argument to prove that some such safeguards would be necessary in the future. With regard to a Secret Service Fund, it might well be doubted whether, under ordinary circumstances, such a fund was necessary in this country. England, with her vast complications of foreign relations, with Ministers at every Court, and Consuls at every commercial city, found it necessary to expend only £20,000 or £30,000 per annum on Secret Service, and it was surely necessary that Canada should expend in that direction a very small sum indeed, if indeed such expenditure was required. He would say, in conclusion, that so far as requiring the amount of \$6,600 to be refunded to the public chest was concerned, it would work no hardship to any one if that money had been paid in the service of the country in a proper way. The inference the country would draw from the mode in which the \$6,600 was taken from the Secret Service Fund would naturally be, that the right hon. member for Kingston did not care to entrust to his successors the secret of the expenditure of that sum, and that the expenditure was an improper one. Had it been a proper expenditure, why should the right hon. gentleman have hesitated to confide to his successors in office the nature of that obligation against the Secret Service Fund? And if the payment was a proper payment, all the hardships that would be incurred by carrying out the recommendation of the Committee,

would be that the amount would be temporarily withdrawn from the hands of those who now possessed it and afterwards paid back to them. If it was an improper payment, whoever committed the impropriety had robbed the State, and to oblige him to refund the money was simply to compel him to disgorge his spoil. He (Mr. Charlton) held, therefore, that the report worked no injustice to any one and that it was, in view of the facts disclosed, absurd to characterize it as either cruel or unjust; that every finding was warranted by the facts disclosed during the investigation by the Committee, and that the House was dealing with a question which required it to place upon record a salutary and truthful verdict, which required it to set the stamp of disapproval on the act of any ex-Minister of the Crown who assumed the right to control public money and to pay out public money, and to carry out contracts which he could only deal with as a Minister of the Crown.

Mr. MACDONALD (Centre Toronto) said he had followed the remarks of the hon. member for North Norfolk (Mr. Charlton), in which he had stated, among other things, that the report erred in being too mild; that the entries in the bank account were incorrect, that the unexpended balances were not surrendered; that unexpended balances should be treated as lapsed balances. He had referred to the resolution of 1872 as to a confidential audit. He had spoken of vouchers being destroyed, of the right hon. member for Kingston having chequed out \$6,600 after he ceased to be a Minister of the Crown. The hon. gentleman had read extracts from the report of the Committee on Public Accounts for 1870, vol. 10, page 47; but he had read such portions as told against the right hon. gentleman, and he had not referred to those which told in his favour. He had read extracts from the evidence of Sir Wm. Dunbar, and another important point in the evidence of the Right Hon. Edmund Hammond, for forty years Under Secretary of State. Nor had he referred to the opinion of the Law Officers of the Crown. They found the following from the report of the

Auditor-General, vol. 48, accounts and papers, page 669:—

“On account of the vote for this service, the first which has been rendered in the form of an appropriation account has been transmitted to this Department by the Treasury for the financial year 1868-9. But I find myself unable to certify to its correctness for the following reasons:—

“1st. Because the account is unaccompanied by any voucher or other documents in support of the expenditure stated to have been incurred.

“2nd. Because the sum entered under the heading expenditure would appear to represent merely “*Issues or Advances*,” and not actual payments within the financial year in accordance with the requirements of the Appropriation and Exchequer and Audit Department Acts.”

Then followed a lengthy correspondence on the matter, in which it was claimed by the Earl of Clarendon that the position claimed by the Board of Treasury was inconsistent with the provisions of the Civil List Act, was not practicable in execution, and would be contrary to public policy and tend to contradict the principle on which a certain sum of money was placed at the disposal of the Secretary of State for Foreign Affairs for secret services, and, in regard to the application of which, subject always to eventual accountability to the comptroller, and auditor of the exchequer, it was essential that the greatest reserve should exist so as to avoid any clue being afforded as to the particular objects to which that money was applied. It was, doubtless, for this reason that the provision was introduced into the Civil List Act of George III, under which the Secretary of State was not required to account for money paid to him on account of Secret Service within a shorter period than three years after the issue, and that Her Majesty's Ministers abroad were not required to account earlier than within one year after their return to England. Then followed a proposal to separate the Home Secret Service from the Foreign Secret Service, and undertaking that the utmost secrecy would be observed. Then followed this reply from the Treasury:—

“NOVEMBER, 1869.

“I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you, with reference to your report of 31st

March last, and previous correspondence, that their Lordships have had under their careful consideration the subject of the Appropriation account of the vote for Foreign Secret Service, and have come to the conclusion that in voting money for Foreign Secret Service, it was not the intention of Parliament that the disposal of money of this nature should be made the subject of Appropriation Audit. And they are of opinion that the issue of such money by the Treasury to the High Officers of State, to whom its disposal is confided, must be regarded as payment within the 24th sec., 29th and 30th Vic., cap. 39.

"I am to state, further, that the Law Officers of the Crown who have had the matter fully submitted to them for their opinion, have arrived at the same conclusion.

"The accounts of the late Secretaries of State for Home and Foreign Affairs, and of the late First Lord of the Admiralty, transmitted by you to the Department, are returned forthwith.

"JAMES STANSFELD.

"The AUDITOR-GENERAL."

It might appear very strange that he should stand in his place as he did, and address the House on this subject. It might have been supposed that the hon. gentlemen of the Opposition would have risen to address the House on it, but they had not seen fit to do so. He had been returned to the House as an Independent member, and yet he had given every vote he had cast this Session to the Government of the day—not as party votes, but as votes which he gave (however he might differ with others on this point) endorsing the policy of the Government. It might seem somewhat strange that he should occupy the position he did, and yet he felt that beneath this action there were hidden matters that were of the deepest interest to the country. He was present in the House as a member when the first vote was given in the House for Secret Service money, when \$50,000 were asked for. He was speaking only from memory, but his memory led him to believe that this was voted with the utmost readiness. The country was in danger when the request was made that \$50,000 should be placed at the disposal of the Administration of the day for Secret Service purposes. What did the Act say with reference to this fund? And for what was the money granted? For the detection, prevention and defeating of conspiracies; and he asked if there was a member of the

Mr. McDONALD.

House bold enough to say that conspiracies might not have been detected and prevented and defeated. When they considered the whole amount of Secret Service money that had been spent, was it not within the range of possibility that the detection and the prevention of one such treasonable act might have saved many, many millions, and perhaps the loss of many thousands of lives to the country. He regretted very much the fact that this measure had then come up so unexpectedly, the amount of preparation he had before him, and which was placed in this way, referred him to questions and books, without which he could not lucidly put the matter before the House. He had intended to have read questions 866, 899 and 939, and would plainly say that these questions and answers were in direct conflict with the statements made by the hon. member for Norfolk. The explanation was obvious: the information was taken before the Committee of Public Accounts, and the testimony of the Right Hon. Edmund Hammond was in direct conflict with the testimony of Sir Wm. Dunbar, whose evidence was chiefly read. He had pointed out distinctly to the hon. member for Norfolk the discrepancies in conversation. They were quite obvious to his own mind. Both gentlemen were possessed of strong minds and were fond of their own opinions, and, as these answers indicated, each anxious to maintain his own idea. The Right Hon. Edmund Hammond's evidence was in direct conflict with the statements made by Sir William Dunbar; he spoke of the Secret Service account never being surrendered; and for this reason "inasmuch as that money has been granted for Secret Service purposes." They had taken an oath to expend that money for Secret Service purposes; their oath bound them to spend it for the object for which it was received, and it could not therefore be surrendered. This was one other statement he would have been enabled to show from this particular statement. He did not feel called upon to stand up and defend the right hon. member for Kingston; he was not prepared to blacken a man when he was down. He was not called upon to associate this; investigation

with the Pacific Scandal, or with the corruption of constituencies throughout the country, or to question the hon. gentleman's veracity, or to associate this matter with the many black deeds the hon. gentleman was charged with having committed; nothing at all of the kind. There was a certain amount of evidence submitted before the House. It had been charged that day, broadly, and in the plainest possible terms, that the hon. gentleman had misappropriated this money; but he asked any man acquainted with the English language to find proof of it in the evidence submitted to the House. The hon. gentleman said this: that he hoped that in this country there would be no need of Secret Service money. He hoped there might not be such need; but did the hon. gentleman forget that, during the last ten years, this country had passed through a crisis when threatened with the Fenian invasion. Did the hon. gentleman forget that, during all this period of ten years, they had a rebellion in the North-West; did the hon. gentleman forget that, during periods of such excitement and such fear and such trouble, the most delicate negotiations were rendered necessary; and did the hon. gentleman forget that information which might have tended to save the country, would not be given under such circumstances unless received under the pledge of closest secrecy? He desired to dissociate from this matter the right hon. member for Kingston altogether, and the hon. gentleman who to-day filled the office of Prime Minister, fairly and honestly, and with the confidence of the country, as he believed, however much those who sat on that side of the House differed with him in this view; he stated he said nothing but what he firmly believed. He wished only to think of the office of the First Minister itself, and he asked whether they were tending to promote public morality and the public good when they assumed that the hon. gentleman (Sir John A. Macdonald), who was deemed fit by the representative of their Sovereign to form an Administration and carry on the affairs of this country, must be so corrupt that the money invested in, given in, and committed to his charge for the most sacred purposes, he was prepared to

pilfer. There was one point upon which he must, as he had stated on another occasion, and in another place, speak plainly. His own opinion was, and yet, perhaps, there were matters in this intricate subject which would seem to throw doubt on this fact, that it would be possibly within the range of possibility that an out-going Minister might not have to account for the funds entrusted to him for three years, and yet, in another place, it was distinctly and plainly asserted that an out-going Minister should hand over—and the word “immediately” was used—the money which he might have received, so that the first entry which might appear with the new Minister might be the money received from his predecessor. He wished to put himself perfectly right, and to meet all the conflicting views that appeared on the subject, and take the one that was most against the ex-Minister whose case was under consideration; and, taking that view, he could not but disapprove of the course the hon. gentleman had adopted in not immediately consulting with his successor in office; and in not immediately making him acquainted with the peculiar nature of the fund, and in not immediately asking him that the obligation which had been incurred, should, through him, be discharged. If he were to fail in doing this, he should be doing the House and himself an injustice. And what did the report say? True, it cited some portions of British precedents that told most against the retiring Minister, but it did not set forth the principles of British precedent and practice which told most in favour of that ex-Minister. It did not give the opinion of the Law Officers of the Crown in England, who held that what related to these matters should not be revealed; and it did not give those views, all of which, he maintained, would tell in favour of the hon. gentleman; and finally, having cited British precedent, which it claimed the hon. gentleman had broken, it closed by saying that it was necessary to have some legislation for the guidance and direction of those who might be entrusted with Secret Service money. Had the considerations of the Committee been confined to the matter of the

\$6,600, the report would have been less objectionable. If an ex-Minister of the Crown who had been entrusted, as he had before stated, with the most delicate functions, was to be told, after the lapse of ten years, that all these matters were to be brought up and made public before the Public Accounts Committee, this would defeat the very object for which the Secret Service Fund was voted. He had placed his views, though very imperfectly, before the House, and owing to the peculiar circumstances of the case, the labour he had bestowed upon it had been, to a certain extent, thrown away. These circumstances had placed him at a serious disadvantage; but if it should ever happen that this country was involved in trouble, and if it ever came about that the high officer leading the Government of that day, whoever that officer might be, should find it necessary to come and ask the country to put at his disposal a sum for Secret Service to secure the safety of the country, for the prevention, for the detection, and for the defeating of conspiracies, then he should be glad that in this Legislature he had raised his voice, holding that the integrity, and the honesty, and the purity, and the patriotism of such a Minister ought to be a guarantee for his right and faithful discharge of that sacred duty.

Mr. YOUNG said he had had no intention of saying a single word with regard to the report of the Public Accounts Committee submitted to the House, had it not been for the way in which the hon. member for Kingston had characterized it as cruel and unjust to him. The hon. gentleman did not raise such strong objections when before the Committee, and instead of the report being open to such criticism he did not believe that there was any hon. member who was present and heard all the evidence who did not believe it was one of the mildest reports, considering the facts, that had ever been submitted. When the hon. member for Niagara (Mr. Plumb) himself submitted a report to the Committee, in which it was admitted that the conduct of the right hon. gentleman was illegal and irregular, he thought hon. members opposite

Mr. MACDONALD.

were debarred from claiming that the statements in the report were unfair or overstretched. The investigation was carried on in a very different spirit to what leaders of the Opposition had shown in their attacks on the Government in this House. They had drawn upon their imagination more than upon facts and made charges which were largely unfounded; but the large majority of the House had firm faith in the honesty and ability of the hon. gentleman who controlled the affairs of this country. A very different spirit was manifested by the majority of the Public Accounts Committee. They calmly considered every point, and had brought in a report so true to the facts that not a material point was challenged. That was the very best evidence that the report was drawn in a fair and judicial spirit. There was very little difference of opinion between himself and the hon. member for Centre Toronto (Mr. Macdonald) on several points which he had brought forward. The hon. gentleman told the House that in England the granting of the Secret Service money was considered as a payment of it, and that the money in this instance might have been used to prevent conspiracies. No one denied that. It was really not pertinent or material to the point at present under consideration. The hon. gentleman said it had been charged against the hon. member for Kingston that the money had been misappropriated—the hon. gentleman even used the word pilfered. He (Mr. Young) was not aware that any one had made such a statement as that; but he did not think that the hon. member for Centre Toronto would deny that when this money was chequed out of the Bank of Montreal by a gentleman who had ceased to be a Minister of the Crown, and had no more control over it than any person walking the streets of Ottawa, the constitutional practice was broken by the act. The hon. gentleman would not deny that this was a great breach of duty. He (Mr. Young) could imagine no greater offence than a private individual, who had ceased to be a Minister of the Crown, to undertake to cheque that money out of the bank. What were the facts in the case?

Mr. McCALLUM asked if the hon. member was in order, having lost his right to speak in not doing so when he made his motion.

Mr. SPEAKER said, on looking over the authorities, he was satisfied the hon. gentleman was out of order. When the mover of a motion of this kind did not choose to speak at the time he made the motion he (Mr. Speaker) thought he had lost the right to address the House.

Mr. YOUNG said he felt bound to submit to Mr. Speaker's ruling, and he thanked hon. gentlemen opposite for the generosity they had shown at the very beginning of his remarks. No doubt they were glad of the opportunity of doing so.

Mr. WORKMAN said this question was one which ought to be treated with a great deal of coolness by the House on account of the high position which the hon. gentleman concerned had for a long time occupied. To him it was a very simple question indeed, and he would like as much as possible to divest it of the complication which had been attempted to throw around it by hon. gentlemen who had spoken in this House and before the Committee. A great many English authorities had been quoted on this subject, but to his mind it was quite unnecessary to go to those authorities at all. He had the honour of occupying a seat in this House when certain sums were voted for Secret Service, and the audit of this money came up before the Committee on Public Accounts, and formed a very important question of discussion for one or two years. After a great deal of discussion and debate, on the 23th May, 1872, the following resolution was unanimously passed by the Committee, and presented to the House the same afternoon:—

“That inasmuch as such large sums as \$75,000 have been voted for Secret Service money, of which there is no audit as in the case of other expenditure, this Committee is of opinion that an account of all sums hereafter spent for Secret Service should be kept, as in England, in a book specially prepared for the purpose, and that this book should annually be inspected by a confidential Committee, of whom two shall be members of the Opposition of the day.”

That resolution was passed and

agreed to by the Ministry of the day, and it ought to form the basis on which this transaction should be viewed. But what was the case? The late Government remained in power for eighteen months after the passage of this resolution, but so far as he was aware, there was no audit of this fund. About a year afterwards the Government resigned, and left office with a considerable balance of Secret Service money in the Bank of Montreal, unknown to their successors. What was the straightforward, honest course of the hon. gentleman (Sir John A. Macdonald) under the circumstances? Looking at the matter in a business way, it was his duty to have gone to his successor and stated to him candidly and openly: “There are \$35,000 Secret Service money in the Bank of Montreal. It is true there are certain amounts that I believe are pledged for certain settlements, and I wish to get your advice and consent to the settlement of those accounts, as the rightful legal custodian of the money.” That would have been the honest, straightforward and correct way in which to have acted. But what was the fact? This large sum of money was allowed to remain in the bank, and negotiations were carried on with the Auditor-General without the consent or knowledge of the responsible Ministers of the day, and after a certain amount of negotiations—he scarcely knew an appropriate word in the English language by which to characterize them, but in the United States they would use the word “dodging”—by some arrangement, the Auditor-General was induced to write a letter to the manager of the Bank of Montreal, by which the hon. member for Kingston was enabled to draw \$6,600 from the bank unjustly, illegally, and entirely unconstitutionally. He thought that was a position which would not be defended for a moment; to his mind the whole transaction was illegal and unjust. He thought the report was at fault, inasmuch as it did not deal strongly enough with this transaction. It could not be said that the right hon. gentleman was ignorant of the usages of the law and the constitution; no man was better acquainted with the laws and usages that ought to govern retire-

ing Ministers, and no man, therefore, could escape less from the blame than the right hon. gentleman under these circumstances. It appeared to him that when the hon. member for Kingston said the report was a cruel injustice to him, he was a little ironical. He (Mr. Workman) thought the hon. gentleman had perpetrated a cruel wrong on his country. When he looked over the account, he found that, from 1866 to 1871, about \$115,000 were spent for Secret Service purposes; the whole amount voted was \$140,564. Now, they did not ask for an audit of that amount; they did not ask for particulars; but they claimed that the money had no right to be withdrawn from the bank by the hon. gentleman, as his legal authority over the fund had expired. He, therefore, thought this report would receive not only the approval of this House, but the approval of a very large majority of the people. He hoped that one result of the investigation would be the arrangement of some satisfactory and proper audit of all Secret Service moneys hereafter granted. He hoped, however, it would never be necessary to make any grant, as he believed a great deal of the money that had been paid was paid to improper parties. Not that he wished to say the Government of the day had improperly paid it, but a great many people got up reports about Fenian invasions and other troubles in order to extort money from the Government.

Mr. ROCHESTER: The hon. gentleman, I think, is drawing on his imagination for that statement.

Mr. WORKMAN: No, sir, I am not; I know it to be the case. If there had been any complications in the nature of conspiracies when the late Government retired, it was their duty to communicate them to their successors. The Queen thought the present Ministry competent to succeed the former, and they were, therefore, competent to be the executors of their business, and the custodians of the public money, public confidence and the secrets of the Administration. It was, therefore, entirely wrong that this money should be withdrawn without the consent of

the Ministry of the day. The hon. member for Centre Toronto (Mr. Macdonald) said he did not wish to blacken the character of the hon. member for Kingston. He hoped that no hon. gentleman wished to blacken the character of that hon. member; but in doing so they would not follow the example the hon. gentleman (Sir John A. Macdonald) set in his crusade through the country last summer. What was the hon. gentleman's course during the whole of that crusade? It was one systematic attack of the grossest, of the most irregular nature on the character of the Administration and members of this House—most unjustifiable and disgraceful attacks on gentlemen who were not present to defend themselves. In proof of that he would read from the *Toronto Mail* what the right hon. gentleman said of him (Mr. Workman) at South Simcoe on the 27th June:

"In the House, Mr. Workman moved his resolution with regard to the tariff; and Mr. Mackenzie and all his Government voted against it, and Mr. Workman had to sit down, having been elected under false pretences; and there he would still sit voting for the Government, and eating humble pie, and pointed at by every man in Montreal who voted for him as a cheat and a swindler."

That was the language which the right hon. gentleman used in reference to him behind his back. A copy of the newspaper was sent to his wife in order that this might be seen. He immediately wrote to the right hon. gentleman asking him if this was a correct report of what he had said, and requesting an immediate answer; but the right hon. gentleman never answered the letter. He could go on a public platform and denounce a man who was not present as a cheat and a swindler, and yet he would refuse to answer his letter. What was the natural result of such conduct? Why, at the first place he met the right hon. gentleman, it would have served him right to knock him down. That would treat him as he deserved to be treated, and would be the natural result of such conduct. He could tell the right hon. gentleman that, instead of being pointed at as a cheat and swindler, he had received the thanks of gentlemen who voted against

Mr. WORKMAN.

him for the straightforward, manly course he had pursued during that very Session; and he had letters from half a dozen gentlemen of as high position as the hon. member for Kingston, commending his action. As the right hon. gentleman has refused to give any explanation, he thought it right to mention the matter now and place himself right before the House. He could tell the hon. gentleman that if such language was to be used by a gentleman occupying such a high position, the result might soon be disastrous to the peace and welfare of the country; it would bring us back to the state of society which existed in the Southern States, and at Washington, when one member went up and struck another on the floor of Congress, and injured him to such an extent that his life was despaired of, and the offence was not so bad as that of which he complained. If hon. gentlemen opposite indulged in pic-nics, they should bridle their tongues so that they might use the language of gentlemen, and not that which characterized low and disreputable dens of infamy.

Mr. SPEAKER said when he decided the point of order against the hon. member for Waterloo, he did not understand that the hon. gentleman was exercising his right to reply. The rules of the House gave the hon. gentleman the right to reply. This was one of the cases in which the hon. gentleman would have the right to reply. He had thought the hon. member was continuing his original speech.

Mr. YOUNG said when he had been called to order he was noticing some remarks which had fallen from the hon. member from Centre Toronto (Mr. Macdonald). He must say, whilst no one had a greater respect than he had for that hon. gentleman, he could not share his judgment in the manner in which he had spoken of the report. A gentleman to whom the House looked as the very highest authority as to constitutional matters, and with regard to the practice in England,—the Librarian, had stated that in every essential particular this report was in accord with English practice. It had been drawn with the

greatest possible care, and could not be charged with unfairness from a constitutional or Parliamentary point of view. In 1872 he (Mr. Young) was struck with the large amounts taken for Secret Service by the Government of the day. There might have been, and no doubt was, some necessity for a Secret Service Fund. But the amount was large. On looking at the Public Accounts he saw that \$175,000 in all were taken out of the public chest, of which \$149,420.96 were actually spent. It was a remarkable fact that not a single precaution was taken by the late Government to accord with English practice, or to keep any record of the money whatsoever, or to leave any trace as to how the money was expended. He did not refer to the production of receipts of persons who had received money, but to the fact that there was no system of auditing whatever. It could not be denied that hon. gentlemen opposite were fully acquainted with English practice, yet there had not been one single safeguard adopted in the disbursement of the money. In England, as was well known, a record was kept of all moneys that were expended; and he would ask why the right hon. gentleman had departed from the practice in that respect? Then the right hon. gentleman at a time of great political commotion, during the crisis of 1873, went to the Bank of Montreal and got complete control of all the vouchers that had been given in connection with the expenditure, and afterwards they were either destroyed or placed where they were not forthcoming. It was therefore out of the question to characterize this report as being extreme. In England there were two Departments which controlled the matter of expenditure, the Exchequer Department and the Treasury Department. When a Secretary of State required a portion of the grant he sent an order to the Treasury, which made an order upon the Exchequer Department, and the money was then paid to the Secretary of State. He gave his receipt or voucher for that amount to the Treasury Department. This money, as a rule, went to Ministers in foreign countries, who, when they returned to

England, were required within one year to make oath before a Baron of the Exchequer that they had expended the money in the way it was intended, for the interest and benefit of the country. Such a course ought to have been pursued in this country. Instead of that, however, no record whatever was kept. Furthermore, it was found that the late Government took the whole grants in some cases out of the hands of the Auditor-General at one time, instead of taking them by sums as they were required. In 1871, when the vote of \$75,000 was taken, it was all taken out of the hands of the Auditor or the Receiver-General, and it was written off in the Public Accounts as if the whole amount had been expended. When this matter was brought before the Public Accounts Committee by him (Mr. Young) in 1872, it was unanimously agreed that for the future no amounts should be paid out that were not audited by a Confidential Committee, on which should be two members of the Opposition. So that all money paid after 1873 should have been audited, but they had not. He could not admit it was possible to get rid of this duty, which had been unanimously approved by Parliament, by saying that the obligations had been contracted before 1872. Assuming, for the sake of argument, that this fund had not been abused, that it had not been used for political or any other improper purpose, he must say the hon. member for Kingston had not acted with his usual astuteness. He was unable to understand the course which the hon. gentleman had pursued, if those were the fact. No other reason whatsoever could be imagined why, when the change of Government took place, the hon. member for Kingston should not have transferred the \$32,000 to the incoming Government, and have left them to settle with parties who had claims. And it could not be overlooked that \$6,000 had actually been paid since the change of Government took place. The House was also informed that \$600 were yet to be paid by the hon. member for Kingston to the hon. member for Compton. They knew what that service was, and, with all desire to be charitable, could not but look upon it as a suspicious cir-

Mr. YOUNG.

cumstance, that while a statement was made as to this claim, nothing could be elicited in regard to the \$6,000 paid to Senator Campbell. He did not wish to be understood to say that this \$6,000 was spent for improper purposes, but in the light of recent developments respecting the Northern Railway, if such were not the case, there should be a full statement as to the purpose for which this money was paid. The most important point was the violation of the constitution, which had been of the gravest character, in that money belonging to the Crown had not been chequed out by the Government of the day, the responsible advisers of Her Majesty, but by a private individual, who had ceased to be a Minister of the Crown. It was impossible to acquit the hon. member for Kingston of a knowledge of the gravity of the act he performed when he signed that cheque. As was known, Mr. Drummond had told the Committee that he raised objections to paying this money on the ground, that the sanction of the Government of the day ought to have been obtained in some way. No attempt was made by the hon. member for Kingston to get that sanction. Such were the facts brought out before the Committee on Public Accounts, that it was absolutely necessary to assert the true constitutional doctrine—that no money belonging to the people of Canada should be expended unless with the approval of the sworn advisers of Her Majesty. When they knew that a wrong had been done it was their duty to set it right, and it could not be set right without the \$6,600 unlawfully chequed out, were returned to the Public Exchequer. After that was done, the Government would, no doubt, be prepared to settle all proper claims. He had no desire to say anything that was unkind or uncharitable. When he moved the adoption of the report he did not intend to say one single word; but he could not sit silent and hear an hon. gentleman characterize the report as cruel and unjust, when he (Mr. Young) felt sure the public would consider that it did not characterize with sufficient severity the irregular and illegal proceedings referred to.

Question put, and report concurred in, on the following division:—

YEAS :

Messieurs

Appleby	Higinbotham
Archibald	Holton
Aylmer	Horton
Bain	Irving
Bannatyne	Jones (Halifax)
Bécharé	Killam
Bernier	Kirk
Bertram	Lafamme
Blackburn	Lajoie
Blain	Landerkin
Blake	MacKay (Cape Breton)
Bolduc	Macenzie
Borden	McCraney
Borron	McLeod
Bourassa	Mc'calfe
Bowman	Mills
Boyer	Oliver
Burk	Paterson
Burpee (St. John)	Perry
Burpee (Sunbury)	Pettes
Carmichael	Pickard
Cartwright	Power
Cauchon	Ray
Charlton	Richard
Cheval	Ross (East Durham)
Church	Ross (West Middlesex)
Cockburn	Ross (Prince Edward)
Coffin	Ryan
Cook	Rymal
Coupal	Scatcherd
Delorme	Shibley
De St. Georges	Sinclair
DeVeber	Snider
Dymond	Taschereau
Ferris	Thompson (Haldimand)
Fiset	Trow
Fleming	Vail
Gibson	Wallace (Albert)
Gillies	Wood
Gillmor	Workman
Goudge	Young.—82.

NAYS :

Messieurs

Baby	McDonald (Cape Breton)
Barthe	McDougall (Three Riv.)
Benoit	Macmillan
Bowell	McCallum
Brooks	McQuade
Bunster	Masson
Cameron	Mitchell
Campbell	Moffatt
Cimon	Monteith
Colby	Montplaisir
Costigan	Mousseau
Cuthbert	Orton
Daoust	Onimet
Desjardins	Platt
Dewdney	Plumb
Domville	Pope (Compton)
Farrow	Robinson
Ferguson	Robitaille
Fleisher	Rochester
Fraser	Rouleau
Gaudet	Roy
Gibbs (North Ontario)	Short
Gibbs (South Ontario)	Stephenson
Haggart	Thompson (Cariboo)
Harwood	Tupper
Hurtzau	Wallace (South Nor-
Kirkpatrick	folk)

Langevin  
Lanthier  
Little  
Macdonald (Centre  
Toronto)

White (East Hastings)  
White (North Renfrew)  
Wright (Ottawa Coun-  
ty.)—80.

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

After Recess.

PRIVILEGES AND ELECTIONS COMMITTEE.

MOTIONS TO EXAMINE ON OATH.

Mr. IRVING moved :

“That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections to whom it has been referred to enquire into, and report upon the facts in the Reports, Returns, and vouchers laid upon the Table, touching the payment of public monies to the Hon. T. W. Anglin, Member for the Electoral District of Gloucester, for printing and stationery for the Post Office Department, should be examined on oath.”

Motion agreed to.

Mr. IRVING moved :

“That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into, and report upon the allegation that James Norris, Member for the Electoral District of Lincoln, has entered into a contract for the public service; and whether the said James Norris has vacated his seat, should be examined on oath.”

Sir JOHN A. MACDONALD: Does the hon. gentleman move that as Chairman of the Committee?

Mr. IRVING: No; as an individual member.

Sir JOHN A. MACDONALD: I think it would have been more proper for him to have the consent of the Committee.

Mr. BLAKE said a similar motion had been made before. The question was whether it were the the sense of the House that the examination should be under oath.

Sir JOHN A. MACDONALD said the hon. gentleman had a right to make the motion, but he thought it was an extraordinary thing that the Chairman of that Committee should make the motion without consulting it.

Mr. BLAKE said the law under which they were acting was passed

last Session; it was a new law, and there was no practice under it. He saw no convenience, however, in compelling the Committee to meet and report before a motion of this kind could be made.

*Motion agreed to.*

Mr. IRVING moved :

"That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into and report upon the allegations of Mr. Laurier, a Member of this House, in his place, this day made, that Joseph Merrill Currier, a Member of this House for the Electoral Division of the City of Ottawa, was, at the time of a certain contract, entered into between the firm of T. W. Currier & Co. and the Board of Directors of Penitentiaries; and at the time of a certain other contract entered into between the firm of Batson & Currier and the Department of Public Works, and in respect of which contracts public monies were paid to the said firms for lumber supplied, he, the said Joseph Merrill Currier, at the time of the making of the said contracts and the said payments was a member of each of the said firms, and of this House; and to report whether the said Joseph Merrill Currier had vacated his seat, should be examined on oath."

*Motion agreed to.*

## BRITISH COLUMBIA JUDGES TRAVELLING ALLOWANCES

BILL.—[BILT. No. 113.]

(*Mr. Blake.*)

THIRD READING.

*Bill read the second time; considered in Committee of the Whole; reported; read the third time and passed.*

## SUPPLY.

### XII. PUBLIC WORKS AND BUILDINGS— CHARGEABLE TO INCOME.

House again *resolved* itself into Committee of Supply.

89. Improvement of navigable rivers ..... \$34,500

In answer to Mr. MASSON,

Mr. MACKENZIE said the sale of chains had been advertized, but there seemed to be a difficulty in getting a price. It had been in contemplation to remove them to some other part of the country, in order to get a sale.

Mr. BLAKE.

In answer to Mr. LANGEVIN,

Mr. MACKENZIE said he did not think they would want all this money, but they had to take the vote in case they should require it. They had the power to sell chains and anchors under the Act of 1874. The Harbour Commissioners had them in charge to realize the most that could be realized; but, even if nothing were realized, it would be absolutely necessary to take them out of the harbour of Quebec. They hoped, in about a year, to clear out the greater portion of the obstructions. The expenditure last year for this purpose was a little over \$1,200; it might, or might not, reach the same amount this year; but they intended to clear the river while they were at it.

Mr. SCHULTZ asked if it were intended to devote any money to the improvement of the Saint Andrew's Rapids, in the Red River.

Mr. MACKENZIE said it was impossible to answer the question, because they had no precise information as to those rapids. Instructions had been given to have that place surveyed, in order to ascertain what it required to make the necessary improvement.

Mr. CIMON asked for what the first item, \$10,000, was intended.

Mr. MACKENZIE said he had no details to give. It was designed to meet cases which might occur, but which were not at present expected.

Mr. CIMON said he would be glad if the First Minister would pay some attention to the constituency of Chicoutimi, which he represented. Petition after petition had been sent from it seeking for improvements which were desired on the River Saguenay. He had called the First Minister's attention to the fact that dredging in the river was necessary, but no attention was paid to the request. The trade of the port in question was very large and it was yearly increasing, and it suffered severely owing to the fact that these improvements, which would cost very little, had not been made. He believed that his constituency was neglected because he opposed the general policy of the Government.

Mr. MACKENZIE said the hon. gentleman ought not to say so. He

(Mr. Cimon) would find, if he looked at the votes, that the largest votes were expended in constituencies which always were represented by Conservatives. They were obliged, owing to financial circumstances, to avoid all expenditure which was not absolutely necessary. Petitions were frequently received for improvements, but they were not always complied with, of course. For instance, such a petition had come from his own county, but no vote was, on that account, granted. He asked for the forbearance and indulgence of constituencies represented by hon. gentlemen sitting on both sides of the House, as they had a good deal of difficulty in making the revenue and expenditure meet.

Mr. MASSON said the Premier was always open to conviction. For instance, a couple of years ago, a vote of \$27,000 had been made for the County of Charlevoix, in answer to an appeal from Mr. Tremblay, then its representative. A great future was before the Saguenay region, which was possessed of a fine climate and excellent facilities for settlement. He was not sectional, but he hoped that the First Minister would decide upon improving the navigation of the River Saguenay.

Mr. BERTRAM said that sometime last Fall, a steamboat had stuck fast for two or three weeks on a boulder in the river near his constituency. He was not inclined to be sectional, but it seemed to him that constituencies of Western Ontario hardly received fair treatment in the expenditure of the public money. The steamboat proprietors had spent a considerable sum of money in improving the navigation of the river in question, and, though he had asked for aid in removing these boulders from the Government and was refused, he would now again ask the Government to take this matter into consideration.

Mr. TROW said that glowing accounts had been received before the Committee on Immigration and Colonization concerning the Saguenay section. He had been surprised to learn that a large tract in that region was suitable for settlement and that its climate was preferable to that prevailing around

Quebec. The only difficulty in the way of settlement, was the want of communication, and a little encouragement in this direction from the Dominion Government would be of great advantage. The land about the Saguenay was arable and fertile, and he hoped that the Government would aid any enterprise which would benefit the section in question.

Mr. BABY said the climate of the Saguenay was very fine, and there was a great future before that part of the country. Its trade was increasing year after year, and he hoped that money would be expended in improving the navigation of the river.

Mr. BURPEE (Sunbury) said he again begged to remind the House that improvements were urgently required in the River St. John, which was the principal river in the Province of New Brunswick, and the second, he believed, in the Dominion. It ran for over three hundred miles through British territory, and it branched into the State of Maine. Fredericton was situated about eighty miles from its mouth, and this was the head of the deep water navigation. The trade done on the river was increasing annually, and vessels sailed from it to the United States, and to the West Indies. Last year 59 large and 640 or 650 small vessels were discharged at, and distributed from, St. John, and he hoped that the Government would find it in their power to do something for this particular river during the present Session. The Local Government, prior to Confederation, had employed a dredge in it, but this dredge had since been handed over to the Dominion. The expenditure of only a moderate sum was required to keep it navigable for vessels of from 8 to 12 feet draft. This was an extremely important matter. He would be perfectly satisfied if the Government would do what they could in this matter.

Mr. DESJARDINS said he must thank the hon. member for Perth for taking the broad ground that he had in regard to the River Saguenay. If the river was improved as suggested, it would lead to considerable settlements in that section and give it the impor-

tance it ought to possess on account of the quality of its soil and resources.

Mr. **LANGEVIN** said he concurred in the views expressed in regard to the desirability of improving this river. It would not require a large amount of money to make the river better for purposes of navigation. There was another point to which he desired to call attention. A steamer grounded last season five miles above Father Point, and he suggested the propriety of sending a dredge there to deepen the channel.

Mr. **MACKENZIE** said the vessel alluded to grounded during either a snow storm or fog through having got out of the channel. There was no difficulty at all on account of the water.

Mr. **SMITH** (Selkirk) said he believed that some little improvement in the upper portion of the Saguenay would undoubtedly lead to a large settlement in that section.

Mr. **MACKENZIE**, said of course, nothing would give him greater pleasure than to be able to spend money on the various districts which hon. gentlemen had mentioned; but it would be seen from what he would read that such expenditures had increased, and that there must be restrictions placed somewhere. In 1868, 1869, and 1870 hon. gentlemen opposite, who were then in power, did not spend a dollar on the improvement of rivers. In 1871, there were spent \$4,983; in 1872, \$2,985; 1873, \$20,180; 1874, \$49,432; 1875, \$100,916; 1876, \$49,098. On harbours and rivers there were spent, in 1868, \$8,627; 1869, \$4,142; 1870, \$2,796; 1871, \$21,351; 1872, \$178,312; 1873, \$351,699; 1874, \$351,606; 1875, \$436,955; and 1876, \$605,700. This showed a progressive increase to an alarming extent in the expenditure for public works, many of which were formerly wholly maintained by local efforts. It was quite evident that they must, to a considerable extent, restrict this expenditure as far as possibly could be done, consistently with that regard to life and property which the creation of and protection of harbours might fairly represent. His hon. friend behind him spoke of the River St. John. It was important, no doubt,

Mr. **DREJARDINS**,

to the trade of the interior of New Brunswick that a greater depth should be got in the river, but at the same time there was no danger to life and property from the water being shallower than it was desirable to have it. The dredge, however, had been kept down there doing nothing else but clearing the river. The only way of keeping down the expenditure was by refusing votes, except in cases where great harbours which were essential to the trade of the country were to be protected. Thus, for instance, for the last two years there had been building a breakwater at St. John at a cost of \$224,000; but that harbour was pretty much the only important one in New Brunswick. If he saw any absolute necessity or possibility of meeting the wishes of the hon. gentlemen, the Government would take the matter into consideration. It seemed impossible at present to meet all the demands for dredging rivers when only local benefit was proposed.

In reply to Mr. **PLUMB**,

Mr. **MACKENZIE** said the United States authorities had voted over \$1,000,000 for the improvement of navigation on Lake Huron, within their territory. That Government had made a proposition for joint improvements to be undertaken, and the Canadian Government had replied that they would pay for the improvements proportionate to the marine of Canada frequenting the waters. No arrangement had been come to, however. There was not much to do at the Neebish Rapids, and it was thought the vote of \$15,000 now asked for, would be sufficient to complete the improvements in the channel traversed in common by the vessels of both nations.

Mr. **DEWDNEY** remarked that the Cowichan River, B.C., for which \$1,500 was asked for the removal of obstructions as a navigable river, was not a navigable river. He remembered signing a petition to the Ottawa Government to remove some obstructions, so that logs could be floated down.

Mr. **MACKENZIE** said he understood, from the report of the Engineer that the Cowichan was navigable.

Mr. **MITCHELL** said he noticed that there was no appropriation

for the Miramichi River, N.B., for which he would like to know the reason. He did not think it fair that the improvements on the St. John River should monopolise all the money for the navigable rivers in New Brunswick. There were six dredges in the Dominion, and three of them were placed at the St. John River. For ten years he had been endeavouring to get the harbour at the mouth of the Miramichi dredged and made safe for vessels. Last year a dredge was sent there at the end of July, but it was taken away at the beginning of October. If the river were dredged for two seasons, vessels drawing 21 and 22 feet of water could go up. Last year there was a grant of \$3,000, and, paltry as this was, he hoped it would be renewed. He entirely approved of the vote of \$15,000 for the removal of chains and anchors. The hon. the First Minister had stated that the Government could not sell those that had been raised on account of dealers having combined for the purpose of securing them at a low rate. But this was not the reason. In Great Britain no vessel could leave port without having her anchors and chains tested, for which a certificate was given; and as the Government did not certify to the anchors and chains which they removed out of the St. Lawrence, dealers would not buy them. He would suggest that they be sent to Liverpool or London and tested, or else means should be provided for testing them at Quebec. If this were done, and certificates were issued, he had no doubt the anchors and chains could be sold.

Mr. MACKENZIE said it was not necessary that anchors and chains used on the lake steamers should have certificates attached.

Mr. MITCHELL said those raised from the St. Lawrence were not suitable for lake steamers.

Mr. McLEOD said as far as his judgment went there was no necessity for the appropriation asked for by the hon. member for Northumberland. There was little necessity for dredging Miramichi River bar compared with the need for the works in different parts of New Brunswick. That bar was covered by about 20 feet

of water, and the vessels frequenting the river were about 500 tons burthen, drawing 16 or 17 feet, and, therefore, there was no immediate necessity for dredging operations being prosecuted there. He remembered endeavouring to obtain from the late Government an appropriation for the improvement of Richibucto Harbour. The then hon. the Minister of Marine said such could only be done on imposing an extra tonnage tax on vessels frequenting the port, and an additional tax of ten cents per ton was afterwards imposed. A similar appropriation was afterwards given to Miramichi, but the tonnage dues were allowed to remain at two cents per ton. That was a sample of the partiality shown by the hon. member for Northumberland. He hoped the hon. the Premier would send a dredge to a place where there was more necessity for it than at Miramichi River.

Mr. MITCHELL said that the Miramichi had been blocked with logs last year for the first time during the memory of the inhabitants.

Mr. DEWDNEY said there was a dredge lying useless in British Columbia which might be transferred to the Maritime Provinces.

Mr. COSTIGAN advocated the claims of St. John River, and said it was entitled to receive full and fair consideration at the hands of the Government. He considered the upper portion of the river should be improved. This was the only claim they had on the Dominion Government, who had assumed the responsibility of improving river navigation. It had been overlooked, however, and they had been left entirely out in the cold. Not one dollar, to his knowledge, had been spent on the upper portion of the river since the accession of the present Government to power, though it was better entitled to such expenditure than the lower part of the river, where large sums had been spent. He did not think any difference existed among hon. gentlemen from New Brunswick on this point. Every other county in the Province had railway communication, and they had been obliged to contribute to the building of those railways; but their

only means of communication had nevertheless been neglected. He hoped that a moderate sum for the improvement of the upper section of St. John River would be placed in the Supplementary Estimates.

Mr. FERRIS said he did not think that St. John River had had its fair share of public money. The expenditure of \$20,000 or \$30,000 a year on it yearly for a few years, would, no doubt, enable large vessels to reach Fredericton. It should have some little consideration. The inland counties received a very small share of public money.

Mr. DELORME enquired whether the improvement and dredging of the Richelieu River towards Lake Champlain was to be continued during the present year.

Mr. MACKENZIE said they had to remove some boulders a little above the dam, and maintain the ordinary depth of water. Dredges would be sent there very early in the season.

*Vote agreed to.*

90. Public Buildings, Ontario \$52,500  
91. Public Buildings, Quebec.. 40,000

Mr. SCHULTZ said an item under the heading of Roads and Bridges, Lake Superior and Red River route, had been dropped. The sum of \$25,000 was asked under it last year, and he desired to learn whether this or an increased amount would be brought down in the Supplementary Estimates.

Mr. MACKENZIE: We are not keeping up the road at all.

Mr. SCHULTZ said he understood, when the vote was asked for last year, that it was required in part for a traffic bridge, to afford facilities for a depot on the Pembina Branch of the Canada Pacific Railway. He thought that the Premier had then denied that it had any connection at all with the Lake Superior and Red River route. The late Government had on two occasions voted under this head, \$50,000, and the present Administration, during the first year of its existence, voted the same sum, though it was reduced to \$25,000 the year following. A bridge of some sort was very necessary; and if a railway bridge could not be had at Winnipeg, a traffic bridge at least should be built.

Mr. COSTIGAN.

Mr. DESJARDINS asked what had been done regarding the excavations for the Examining Warehouse at Montreal.

Mr. MACKENZIE said he would enquire and give information on this point on Monday or Tuesday next.

Mr. LANGEVIN: Is this Examining Warehouse occupied?

Mr. MACKENZIE: It is not.

Mr. LANGEVIN; How far has the work progressed?

Mr. MACKENZIE said about \$20,200 was required; but, as there was a small balance on hand, he thought that \$17,000 would be sufficient for the purpose. The balance due on the contract on the 1st of January was \$32,140, and \$35,600 would be required for fittings, heating and machinery. The architect's commission was \$4,000, and other items rendered necessary the expenditure of \$11,500; total needed, to date, \$82,600. It was estimated, however, that \$17,000, the new vote, would be sufficient to cover the entire expenditure.

Mr. LANGEVIN: What was done with the \$110,000 voted last year?

Mr. MACKENZIE: It will all be expended on the 30th of June.

Mr. LANGEVIN: What is the \$20,000 set down for fortifications at Quebec required for?

Mr. MACKENZIE said it was difficult to state precisely what was to be done, but walls and casemates were to be repaired in Quebec and Point Lévis. At the latter point, the buildings, which were unfinished, had not been built suitable for our climate. The sum of \$20,000 would be necessary for this purpose.

Mr. LANGEVIN said he had mentioned last year that the vote of \$5,000 in this connection was wholly insufficient. Instead of \$20,000, \$30,000 or \$40,000 were now likely to be required. Prompt expenditure would save money, as the longer decaying buildings were neglected, the greater were the damages which were sustained.

Mr. MACKENZIE said the repairs needed were general in their character. The \$3,000 set down for Grosse Isle

would, in part, be used to build a large shed that had been blown down some time ago. He had examined the fortifications in question, and he was satisfied that no more than \$20,000 would be necessary for these repairs.

*Vote agreed to.*

92. Public Buildings, North-West Territories..... \$30,000

Mr. TUPPER asked if this expenditure was at Battle River.

Mr. MACKENZIE said it was.

Mr. TUPPER said he thought the expenditure made at Fort Pelly would be to a large extent thrown away.

Mr. MACKENZIE said he did not think so. They did not intend to keep a large force at the seat of Government, because it would be flanked on the north-east by Fort Pelly and the main body would be at Fort McLeod generally.

Mr. MASSON asked how many Mounted Police were at Fort Pelly.

Mr. MACKENZIE: Somewhere about 70 men.

Mr. SCHULTZ asked whether it was the intention of the Government to expend this amount by asking for tenders for the work or to do the work themselves.

Mr. MACKENZIE said they could not do it any other way than it had been done.

Mr. SCHULTZ said that he thought the Premier was committing a very grave error in not doing the work in the ordinary way by contract. The evil of the present system was shown in the case of the Fort Pelly Barracks, where the buildings had been built hastily, badly, and out of green, unserviceable lumber, and the consequence was that they were now utterly unfit for the purposes for which they were intended. The site was badly selected in the first place; selected without a knowledge of the locality, and placed in a position most unfit to be the centre of Government of the Territory, and equally unfit for the location of any portion of the Mounted Police Force. Notwithstanding these facts, no less a sum than \$33,966.94 was to be found in the Public Accounts in connection with this utterly useless

public work; and while it was true that the Lieutenant-Governor has passed the winter in one of the buildings, yet it was perhaps due to the exceptionally mild character of the winter that they had not heard of a frozen official in that region. Now, it appeared that they were asked to spend a large amount for buildings at Battleford, and it would seem they would likely have similar results. The site had been hastily chosen—chosen without any knowledge of the physical surroundings of the place; and it may be, when the country is better known, that its locality has been chosen as badly as was the site of the Fort Pelly Barracks. However, this was not the point that he wished specially to arrive at. The point was whether it was better, in the interest of the country, to spend these amounts in the North-West without the safeguard of proper tender and contract. It would be found that the effort to build up this place by a Government agent had already been a partial failure. The Premier having faith in his brilliant schemes of utilizing the magnificent water stretches of the North-West, and believing the representations of the hon. member for Selkirk that the Saskatchewan was a navigable stream, ordered, or at least permitted, the transportation at very great expense of one of the boats of the Dawson Route from Lake of the Woods to the Red River. There the machinery was put in, and the boat steamed through Lake Winnipeg to ascend the Saskatchewan and be employed upon its upper waters in connection with the lumber supply of Battleford. What was the result? This magnificent water stretch of the Premier's, this navigable river of the member for Selkirk, could only float the twenty ton boat in question about sixty miles above St. Andrew's Lake, and there she stuck and had to be left. He thought that while it cost much to do it, yet, perhaps, this expenditure was repaid in demonstrating the utter fallacy of the so-called magnificent water stretches of the North-West, and save thousands in absurd and futile attempts to economize them, when to do so delays the building of the railroad, and keeps out the colonization

which must take place if there was a way of getting into the country. He (Mr. Schultz) could not allow the item to pass without entering a protest against the proposed manner of expending it, and trusted that this reckless expenditure of public money in the North-West would cease, and these public improvements made in the usual and only safe form of public tender and contract.

Mr. MACKENZIE said he did not admit the impropriety or bungling the hon. gentleman referred to.

Vote agreed to.

93. Public buildings, British Columbia .....	\$6,000
94. Public buildings generally	20,000

*Penitentiaries.*

95. {	General Penitentiary for the Maritime Provinces	117,000
	St. Vincent de Paul.....	16,000
	British Columbia Penitentiary .....	7,000
		<hr/> \$140,000

Mr. MACKENZIE said the Penitentiary for the Maritime Provinces was built in the vicinity of Dorchester; the land, about 600 acres, and the buildings on it, costing about \$14,000. The contract was originally let at about \$120,000. There had been expended, or would be at the end of the financial year, about \$82,000. The amount now asked would about finish the work.

Mr. LANGEVIN: How much will the whole work cost?

Mr. MACKENZIE: About \$150,000, besides the account of the Architect. The amount for St. Vincent de Paul was altogether a re-vote. A wing had to be built, and a part of the building used as a chapel had to be adopted for the purpose of confining prisoners. Last year \$20,000 was asked for, of which \$4,000 was expended, leaving the \$16,000 to be revoted. The vote for the British Columbia Penitentiary was simply required for its completion.

Mr. LANGEVIN asked whether the building was erected where it was intended, at New Westminster.

Mr. MACKENZIE: Yes.

Mr. SCHULTZ.

Mr. LANGEVIN: Will it be occupied at the end of the year?

Mr. MACKENZIE: Yes. It is proposed in the future that the votes for the several Penitentiaries should be taken separately.

Mr. DESJARDINS remarked that the warden had recommended that the cells be increased to 300, and that there be provisions for the classification of the convicts.

Mr. MACKENZIE said these recommendations had been met. Most of the work on the Penitentiaries was preformed by the convicts, where practicable and safe.

Vote agreed to.

*Rents, Repairs, &c.*

96. {	Rents, repairs, furniture, heating, &c.....	\$170,000
	Heating, and Public Buildings.....	40,000
	Removal of snow, Public Buildings, Ottawa.....	1,800
	Gas, Public Buildings, Ottawa.....	16,000
	Allowance for fuel and light, Rideau Hall.....	5,000
		<hr/> Total.....

Mr. MACKENZIE remarked that the price of gas was higher in Ottawa than in any other city in Canada.

Mr. MITCHELL pointed out the large expenditure in respect to Rideau Hall, as shown in the Public Accounts, viz.: \$36,506.92, besides the \$5,000 for fuel and light. He thought we should go back to first principles, and that the Executive should not be so extravagant in such a young country.

Mr. CARTWRIGHT said he agreed to a very considerable degree that it was very desirable that the expenditure should be sharply looked after, but much asked for this year was for the maintenance of the grounds. When the present Government came into power the expenses in this Department were \$60,000, so that there was now a considerable decrease.

Mr. MITCHELL: My hon. friend is surely wrong in saying that the late Government paid \$60,000.

Mr. CARTWRIGHT said he could

prove his statements by the Public Accounts. Much of the amount asked for now was for permanent improvements.

Mr. MITCHELL said there was another item somewhere else of \$10,000 for gas and fuel. In his opinion, though he was not able to substantiate the statement, the cost, including salary and expenses, must be something like \$130,000 a year.

Mr. MACKENZIE said this vote was asked for taking water-pipes from the city across the river, and up to the buildings, and they would save a good deal of money upon that, though the original outlay was heavy.

Mr. MASSON asked what part of the furniture and heating was for Rideau Hall.

Mr. MACKENZIE said the expenditure was all over; there was none at Rideau Hall out of that. Last year they had taken \$10,000 for Rideau Hall for the specific purpose of erecting some buildings, and making some repairs. This year they did not intend to spend any money there, except on some ordinary repairs in the house, which they took out of the general vote. So there was a reduction, not of \$12,000, but of \$22,000.

Mr. MASSON said he hoped the Premier did not think he objected to making that building worthy of the country. The Government should do everything they could to keep up the establishment in a manner worthy of the country; and of the high personage the Crown sent to this country.

Mr. MACKENZIE said if those amounts seemed somewhat extravagant, there was a great deal of what might be called, not extravagance, but munificence, in the way in which the house was maintained inside.

Mr. MITCHELL said this was all very fine talk. His hon. friend from Terrebonne (Mr. Masson) talked about the maintenance in a proper manner of the house of the representative of Her Majesty, and the Premier talked about the munificence which characterized the establishment. He acknowledged the advantage of finding a generous

man at the head of that establishment; but when they found \$3,000 in one item alone, and \$2,000 for gas, and \$5,000 for fuel and light, \$525 for shovelling snow, scattered through the Public Accounts, it was difficult to find out what the establishment really cost. The building alone did not cost less than \$50,000 or \$60,000 a year. It was all very well to talk about munificence, but the country wanted a more economical administration of affairs. It was the duty of this House to endeavour to lessen the expenses when the country was suffering, as few countries have suffered, from depression. It would be better if the premises were torn down, and a house far more economically built here or on Major's Hill, which would cost much less. He was glad to hear that nothing was to be done in the way of permanent improvements this year. Everything that had been done disfigured the building. If \$70,000 or \$80,000 would pay for the whole thing he would be satisfied with it, and would think we got off cheap, but he did not think \$150,000 would do it.

Mr. CARTWRIGHT: I think my hon. friend is astray.

Mr. MITCHELL: Will you give us the information in the Public Accounts?

Mr. MASSON said he thought the cause of the great expenditure on Rideau Hall was owing not so much to the inhabitants, as to the bad disposition of the building.

Mr. MACKENZIE: Hear, hear.

Mr. MASSON said it was never meant to be a Vice-Regal residence. He had travelled a good deal, and had seen our establishment at Rideau Hall, and his idea of it was that it was badly built, difficult to keep, and, looking at the interior fittings, he thought there was nothing more than was required. It would have been far more advantageous for us if we had had a better building.

Mr. MITCHELL asked the Minister of Finance to compile the expenses of Rideau Hall.

Mr. CARTWRIGHT said the bulk of the information was in the Public

Accounts, and there had been considerable reduction. In 1873-4, \$50,000 was expended for a similar purpose for which \$36,000 was now asked.

Mr. MITCHELL: What was it in 1874-5?

Mr. CARTWRIGHT: I cannot say.

Mr. LANGEVIN said the Minister of Finance, in comparing this expenditure with the year 1873-4, should remember that at that time the Government were building a reception room, a new building altogether. The expenditure was large, as it was a large and good building. He agreed to a very great extent with his hon. friend from Terrebonne (Mr. Masson) in reference to this item. They were bound in honour to pay the salary fixed by Parliament to the Governor General, but they must give him also a proper residence, in accordance with his high position, and that must be properly furnished. As new buildings had been added to that building they had to be furnished and kept up, and therefore the expenditure was increased under that head. This sum of \$5,000 for fuel and light was put in the Estimates for the first time in 1872, because they found that the expenditure was such that it was out of the question to expect the occupant of that residence to pay it out of his salary. If that residence were only for the use of the high personage who inhabited it, it would be a different thing; it was not only so, but to receive the distinguished men who visited the capital, and Parliament assented unanimously to the placing of that item in the Estimates. It was necessary to place the grounds in order in winter as well as in summer. These expenditures were absolutely necessary, and he did not think that any body could find fault with them. It was true, it was a large sum of money, but we could not have a Governor-General without paying for his residence, and his salary, and his fuel and gas, and he believed they also paid for the water. He did not know how the water was now furnished.

Mr. CARTWRIGHT said this particular item of \$5,000 was simply for the purpose of introducing water from the waterworks.

Mr. CARTWRIGHT.

Mr. MACKENZIE said it was for laying the pipes. The Water Works Commissioners paid a proportion of the five-inch pipe to enable them to take water to the village of New Edinburgh if they desired to do it. The Government had made an arrangement for the supply of water, whereby the Commissioners supplied Rideau Hall and grounds, and the Post Office, etc., for the sum of \$9,000 a year. There was a contract which had been laid on the table in due form for that, and they were able now to dispense with the engine. The water seemed to have cost a good deal for all the buildings, but they found the exact cost for these buildings alone to be something like \$5,000, and the supply was very difficult to obtain. They felt that it cost them probably in the neighbourhood of \$7,000 on the average at the very least, without counting the price of a new boiler which they would have had to get next year, the old engine being inadequate. The Commissioners demanded, in the first place, \$10,000 for the buildings on the Hill alone, and adhered to that demand. He (Mr. Mackenzie) broke off the negotiations and determined to make arrangements for new waterworks of their own, and, at last, the Commissioners proposed to furnish Rideau Hall and these buildings for \$9,000 a year, which the Government decided to accede to.

Mr. LANGEVIN said it was a large sum, but he thought, under the circumstances it was a reasonable sum. Though they might pay extra, it was worth it, for the officers and Ministers themselves should have good pure water. The water before was very bad, and a number of officers and members of Parliament had contracted diseases by using it. Last Session members of Parliament contracted diseases which brought them to their graves from the foul air, bad water, and, perhaps, late sittings contributed to that result. The sum of \$9,000 was a very reasonable one, especially when water was not only to be furnished to these buildings but to the East and West Blocks, and also to the Post Office and Rideau Hall.

Mr. MACKENZIE said this was for the workshops and every building

they had or might have on their own ground in the City of Ottawa. Although the amount seemed large, it was smaller than what was charged in almost every other part of the Dominion. They had to pay for a building in Halifax, \$600 a year; and if they applied this figure to the size of these building and Rideau Hall, they would find that it was, at least, one-half dearer than the charges here. The waterworks in this city had cost an immense sum of money, and water was necessarily dearer than in other more favourably situated cities. All private citizens paid a larger amount in proportion than the public, compared with the value and size of their buildings.

Mr. TUPPER wished to call attention to an error in the Public Accounts, which was calculated to mislead. On page 24, under the head of Rideau Hall, entries for rent, repairs and furniture incorrectly appeared. The items with reference to Rideau Hall, began on page 262.

Mr. MITCHELL said that the expenses in this relation had amounted to \$120,000 per annum, and this was more than the country could afford and more than had been intended in 1867. Hon. gentlemen opposite had then urged that the \$50,000 for salary should cover everything except \$5,000 for fuel.

*Vote agree i to.*

97. Harbours and Breakwaters,  
Ontario ..... \$28,500

Mr. BROWN said he hoped that the Government would see the necessity of expending something on the channel opposite the harbour of Trenton. The municipality of Belleville had expended all they felt able to give, he did not doubt, on this object—\$36,000. Six boats daily and other boats called there.

Mr. GREENWAY said the municipality in which the harbour of Bayfield was situated had expended large sums on it. Further expenditure was now required, and it was represented to him that \$2,000 would be sufficient to protect the work already performed.

Mr. LANGEVIN asked for explanations regarding three new items.

Mr. MACKENZIE said, as to the \$12,000 for Kincardine, a heavy storm had last year torn away the whole north-west side of the pier. The local authorities had exhausted their powers of taxation, but a Bill had been passed this Session to enable them to levy additional rates, tonnage dues, which it was thought would enable them to maintain the harbour in future. They had already expended about \$50,000, and the Government \$35,947 on it. Mr. Kingsford estimated that the repairs now required would cost from \$16,000 to \$18,000. The local authorities would find the balance. He did not know much about Trenton, including Nigger Island, but it was at the head of the Bay of Quinte. The work here, he believed, was entirely dredging. The vote was \$4,000. The village of Newcastle had spent on its harbour \$46,000, and had never received any public money, and the pier was now somewhat dilapidated. The village was utterly unable to afford any more taxation for this purpose, and the vote proposed was \$5,000. In cases where people had taxed themselves so very severely it was fair to ask for a small sum, not to create any new works, but simply to aid in maintaining existing works. The revenue of this harbour was about \$2,500. A vote of \$2,500 was asked for Morpeth on Lake Eric, solely on condition that the Municipal Council of the place should give as much more for the purpose. He was informed that about \$10,000, received in the distribution of the Ontario Municipal Loan Fund, had been placed at the disposal of the Council to this end. The Local Council had, many years ago, spent \$12,000 or \$14,000 on Bayfield Harbour; and in 1874, to put it in complete repair, Parliament voted, he believed, \$33,000, on condition that the village would give another \$10,000 in cash. The Government had spent nearly the whole sum and obtained the \$10,000. Further improvements were required; and having had a conference with the municipal authorities about them, it was agreed to assist them in doing a certain amount of work. This village was taxed very heavily indeed, having expended not far from \$30,000 on the harbour. He was informed by the

Chief Engineer that the outlay of a comparatively small sum, to fill up a breach at the end of the pier, a distance of sixty yards, would effectually secure the harbour. He thought this could be done out of the vote for general repairs.

Mr. BOWELL asked whether Newcastle Harbour was in the hands of a private company.

Mr. MACKENZIE: I think that the Municipal Council owns it.

Mr. BOWELL: I was under the impression that it was owned by a company.

Mr. MACKENZIE: Perhaps; I will not be absolutely certain on the point.

Mr. BOWELL said unless the principle of granting subsidies was adopted, it would be well to strike out all such votes. Two or three years ago a very large amount was granted to the private company which owned Oshawa Harbour, when, he had good reason to know that the property was paying a very large dividend. It might be for good and sufficient reasons, but it did seem strange that when the representative of the constituency changed, the sums in the Public Accounts appeared to change. After the defeat of the late Mr. Cameron in South Ontario, a sum was put in to assist in improving and extending the breakwater, &c., in the Oshawa Harbour, when it was paying to the stockholders no less than 16 per cent. annually. He stated this on the best authority. He did not think that money could be more properly expended than in improving inland navigation, but it was not right to expend public money on private property, which was paying a very large dividend.

Mr. MACKENZIE said he quite admitted that; but he had heard, for the first time, that the harbour was paying a dividend.

Mr. BOWELL: I said so at the time this grant was made.

Mr. MACKENZIE said it was represented to him very differently. When private companies were interested in this way they often relieved the Government from expending money for improvements or maintenance. He

Mr. MACKENZIE.

could only say that no part of this vote would be expended until they were perfectly satisfied on the point raised.

Mr. ROSS (Prince Edward) said he thought the Government ought to take the Belleville, Napanee and Picton harbours into favourable consideration. He noticed there was nothing provided for them in the Estimates.

Mr. HORTON asked the hon. the Minister of Public Works if he intended to put a sum in the Supplementary Estimates to complete the improvements on the Goderich Harbour, which, in its present condition, was unsafe.

Mr. MACKENZIE said there was quite sufficient shelter at present in Goderich Harbour for vessels going in. No doubt a great deal of dredging could be done to advantage, but he must point out that their duty was simply to afford shelter and not water-ge, and the Government thought Goderich Harbour could stand without an additional estimate this year.

Mr. FARROW said if the hon. the Minister of Public Works could see his way clear to extend the present pier at Port Albert a little, it would accomplish all the inhabitants desired.

Mr. MACKENZIE said at Belleville the water was very shallow, and it was very difficult to maintain the depth. What was wanted was a little dredging, which they hoped to accomplish to some extent. Considering the efforts the people had made themselves, it was nothing but fair the Government should render them a little assistance.

Mr. MITCHELL said it looked very suspicious that the constituencies of the supporters of the Government monopolized the grants in his Province. He hoped to do away with this anomaly if the Government would consent to give something to Miramichi Harbour.

Mr. MACKENZIE said this could not be done, as the work was not necessary.

Mr. STEPHENSON said before this item passed, he begged to call the attention of the Minister of Marine to the fact that there was no life-boat, or, indeed, any Government boat, supplied to the lighthouse-keeper at the Rond

Eau Harbour of Refuge. Such a boat was very much required there, not only for the accommodation of the light-house-keeper, but was absolutely required in the public service, for it was well known that every season, more or less, vessels were stranded on the Point, and frequently lives were lost and valuable property sacrificed, which, in the future, might possibly be avoided, were the proper appliances given to the Government official there, to meet any such distress as might arise.

Mr. SMITH (Westmoreland) said he was pleased to have this matter brought up, and promised that this case should be looked into, and a life-boat supplied as soon as possible.

Vote agreed to.

Resolution ordered to be reported.

House resumed.

Resolution reported.

House adjourned at

Twenty minutes before

Twelve o'clock.

## HOUSE OF COMMONS.

*Monday, 16th April, 1877.*

The Speaker took the Chair at Three o'clock.

### IMPROPER USE OF FIRE-ARMS BILL.

#### SENATE AMENDMENT CONSIDERED.

Mr. BLAKE moved the first reading of the amendment made by the Senate to the Bill relating to the improper use of fire-arms. He said that the additional clause entered by the Senate, provided that nothing in the Bill should affect any soldier, sailor or volunteer in Her Majesty's service, or constable or policeman carrying loaded pistols in the discharge of his duty.

Amendment read the first time.

Mr. BLAKE moved that the amendment be amended by inserting the word "or" after the word "sailor."

Motion agreed to.

Amendment read the first time and the second time, and concurred in.

### THE QUEEN VS. WILKINSON.

#### MOTION TO GRANT LEAVE OF ABSENCE.

Mr. BOWELL said that, as a matter of privilege, he took the present opportunity to move the motion of which he had given notice on Saturday last, for leave of absence to the Hon. R. J. Cartwright, to attend the trial of the Queen *versus* Wilkinson.

Mr. SPEAKER: How does the hon. member make this a question of privilege?

Mr. BOWELL: As a matter affecting, not the seat, but the right of a member of the House to attend on a subpoena served upon him.

Mr. SPEAKER: I have not given the matter any consideration; but I cannot, at present, look upon it as a question of privilege.

Mr. BOWELL: It must be patent to the House that, if it is not moved now, it cannot be made at all so as to be of any use, as the trial is set down for to-morrow, the 17th inst.; and as it is not probable that I can reach it in the regular order until next Monday, if it is not a question of privilege—as I claim it to be—I think it is a question, as affecting a member, which should be raised in the House. Of course, I bow to your decision.

Mr. SPEAKER: I am quite satisfied, at this moment, that it is not a question of privilege. I will think it over, however.

Mr. BOWELL: I will let the matter stand until to-morrow or this evening.

Mr. SPEAKER: If the hon. gentleman will look up authorities, showing how it is to be regarded as a question of privilege, I will be obliged to him.

Mr. BOWELL: I have looked up *May*, as to the right of giving leave of absence to a member of the House, but I cannot say that I have referred to the particular point you have called attention to. I did not suppose that there would be any particular objection to the motion.

### NEWSPAPER POSTAGE.

#### QUESTION.

Mr. TROW asked whether it was

the intention of the Government to abolish the collection of postage from the publishers of newspapers in the city, town, and county of publication.

Mr. HUNTINGTON: The Government has no such present intention.

#### THE ENGLISH MAIL TRAIN.

##### QUESTION.

Mr. MITCHELL asked why it was that the mail train which left Halifax on the arrival of the British steamer did not carry and deliver an English mail for Miramichi and other important centres of trade and commerce along said line.

Mr. HUNTINGTON: In answer to my hon. friend, I will say that if the postal points indicated by him, or any other points of importance, have not been served by this train, the reason probably is because the system is a new one; and if it should be found that any accommodation such as has been hinted at in my hon. friend's question can be given next year, it will be looked into. The only reason for its not having been done probably is, that the way mails have not been given so much attention to at first as other mails.

#### QUEBEC JUDGES' SALARIES.

##### QUESTION.

Mr. BROOKS asked whether it was the intention of the Government to take any steps during the present Session to increase the salaries of the Judges of the Court of Queen's Bench and of the Superior Court for the Province of Quebec, and particularly those residing in the larger districts or any of them, so as to make them equal to the income of the Judges of the Superior Courts in the Province of Ontario from whatever source obtained; or to bring in any measure increasing or altering the salaries of such Judges.

Mr. BLAKE: The Government has no such intention.

#### MAIL SERVICE IN THE COUNTY OF BRUCE..

##### QUESTION.

Mr. GILLIES asked whether it was the intention of the Government to

Mr. Trow.

extend the mail service twice a day to Paisley, Port Elgin and Southampton, as at present enjoyed by Walkerton; and if not, why not.

Mr. HUNTINGTON: In answer to that question, I may say that it is not the present intention of the Government, and the reason is, because it would cost a great deal of money.

#### SLIDE-MASTERSHIP OF BLACK RIVER.

##### QUESTION.

Mr. FARROW, in the absence of Mr. Wright (Pontiac), asked whether it was proposed to make any alteration in the Slide-mastership of the Black River, County of Pontiac; and if so, for what reason.

Mr. MACKENZIE; I am not aware of any change that is to be made. There is a complaint, however, that the present Slidemaster, Mr. John Anglin, has absented himself last summer from his work; and if that is true, there will be a change.

Mr. TUPPER: Unless he shows good reasons.

Mr. MACKENZIE. Of course.

#### LOGAN'S FARM AT MONTREAL.

##### QUESTION.

Mr. DESJARDINS asked whether it was the intention of the Government to transfer any portion of Logan's Farm, at Montreal, for the benefit of the educational institutions there and if so, to what corporation, what portion, and what extent of the said farm, and on what conditions.

Mr. MACKENZIE: I presume the hon. gentleman is aware that the Government sold to the Government of Quebec a quantity of land for the purpose of building a Normal School, but I am not aware of any other application except that; and it was settled some months ago.

#### CANADIAN PACIFIC RAILWAY SURVEYING STAFF.

##### QUESTION.

Mr. BUNSTER asked whether it was the intention of the Government to cause instructions to be given to the Engineer-in-Chief of the Canadian Pa-

cific Railway Survey to have the surveying staff about to be sent to British Columbia during the present season, retained in the Province until such time as all work on which they may be engaged shall have been completed.

Mr. MACKENZIE: No instructions as yet have been given for the season, but we only expect work to continue during this season. We expect the work to be completed, the Fraser River and other routes being practically settled and completely surveyed already.

### IMMIGRATION TO BRITISH COLUMBIA.

#### QUESTION.

Mr. BUNSTER asked whether it was the intention of the Government to include in the Supplementary Estimates about to be submitted, an appropriation proportionate to that made in favour of other Provinces, in favour of encouraging immigration to the Province of British Columbia.

Mr. MACKENZIE: There are no appropriations for any of the Provinces. The appropriation is a general one.

### HOMESTEAD SETTLEMENT—RAILWAY RESERVE.

#### QUESTION.

Mr. SCHULTZ asked whether it was the intention of the Government by Act of Parliament or Order in Council to allow of homestead settlement in what is known as the Railway Reserve in the Province of Manitoba.

Mr. MACKENZIE: I am sorry that the Minister of the Interior is not in his place, but I may say that it is not the intention of the Government to have any Act passed during this Session for regular settlement on these reserves; but as to the precise mode of permitting settlement in the reserves the Government have certain powers. The matter has been under their consideration, and it will continue to receive the attention it deserves.

### TRANSPORTATION OF MOUNTED POLICE, EMIGRANTS, ETC.

#### MOTION FOR ORDERS IN COUNCIL.

Mr. MCCARTHY moved for all orders and instructions made or issued from the Departments of Justice and Immigration directing or referring to the route of travel to be followed by the Mounted Police and Emigrants for Manitoba and the North-West during the years 1874-75 and '76; and for a statement shewing the amount paid for the fares of the Engineering Staff and other employees on the Pacific Railway Survey, for the Mounted Police, for Emigrants and any other persons whose fares were paid by the Government per Lake Superior Line and the Beatty Line respectively during the years 1874-75 and '76; also for freightage for the carriage of goods and supplies by said lines respectively during the same period, and statement shewing separately the amount paid for any of the above persons who, although carried from or in the neighbourhood of Collingwood, were sent over the Beatty Line *via* Sarnia. He said he had intended to propose this as an amendment to the motion made by the member for North Simcoe on Easter Monday, but, unfortunately, he was not present. He understood that on that occasion the hon. the Minister of Public Works said no instructions were issued as to the route to be taken by employes. It had been the subject of great complaint in the town of Collingwood, that since the hon. the Premier assumed the direction of public affairs, that the Mounted Police, emigrants and employes of the public service had almost invariably been sent to the North-West by the Sarnia line of steamships, instead of a fair proportion by the Collingwood line. If there were no instructions issued, he did not understand how it was that one line got so much more of the Government trade than the other. He found from the Public Accounts that last year the Sarnia line received \$3,348.52 for this service, while the Lake Superior line only received \$1,228.20. From the same Accounts for 1875-6, he found that the Beatty line were paid \$6,452

for the carriage of emigrants to the North-West, while the Collingwood line received nothing whatever. He maintained that, as far as the distance was concerned, the advantage was considerably in favour of the route per Collingwood, and there was no reason why the Sarnia line should be favoured to the exclusion of the other. It was extremely important in the interests of the country that both lines should be retained, and that the Government patronage should be fairly distributed between them. But the Collingwood people complained of more than this. They complained that on two different occasions, when engineers were in that town waiting to go by the Collingwood line of steamers, they were ordered to go by the Sarnia line of steamers. He found also that on the 29th June the following letter was written to an employé of the Public Works Department, who was in charge of a party going to the North-West:—

“ On the other side you will find a list of the firms from which supplies for the parties employed by you this summer are to be purchased, and you will be careful to see that nothing they can supply is purchased elsewhere, the prices of course being reasonable; and you will also have the kindness to send the parties to Thunder Bay by the Sarnia line of steamers.

“ Yours truly,

“ JAS. H. ROWAN.”

They were obliged to accept the statement of the hon. the Premier, but it appeared from this that such instructions were given and closely followed out, and that the Collingwood line had in consequence been virtually starved.

Mr. MACKENZIE said the great body of the police, including horses and equipments, were sent out by rail, and took no boats at all. He reiterated what he had said before. He had not given instructions in favour of the Sarnia line, nor was he aware that any such instructions had been given. A good deal of the extra traffic of the Sarnia line ought to be accounted for parties going direct on the Grand Trunk Railway wharf at Port Edward. So far as he was aware, the Collingwood line got a larger amount of work from the Government during the last few years than the other; but whether or not, it was a matter not controlled by

Mr. McCARTHY,

himself, and no instructions had ever been given by him in favour of the Sarnia line.

Sir JOHN A. MACDONALD said it would be interesting to know what kind of management there was in the Departments of Justice and Public Works when such a letter could be issued without the knowledge of the chiefs. Mr. Rowan was a high and most respectable officer who stood well in the confidence of his Department and the Government. He was a man of caution and prudence, and would not give an order of this kind without instructions from somebody. Among the men from whom supplies were purchased, were Adam Hope & Co., Chas. Cameron & Co., Simpson, Stewart & Co., Angus Sutherland, John J. Mackenzie. He had no doubt that every one of those men were strongly opposed to the election of the two hon. members for Hamilton. The issuance of such instructions was an act of disinterestedness that he had never seen equalled by any Government, and it would be interesting to know who was responsible for the order. It was ordinarily supposed that the best way to get supplies at reasonable time was by tender, but here were instructions to purchase directly from certain parties. This might form the subject of a little inquiry by the Committee on Public Accounts.

Mr. MACKENZIE said the hon. member for Kingston might wish to obtain information as to who furnished supplies in 1872 and 1873. He took the responsibility for 1874, 1875 and 1876, but who was responsible for the orders given in those former years? The supplies then were, of course, given out by contract. The present Government had made a practice of receiving quantities of staple supplies by tender.

Mr. WHITE (East Hastings) said when the hon. leader of the Government was elected he promised to raise the standard of public morality; he pledged himself to the public tender system. But the hon. gentleman now wished to shield himself by saying he had simply done what his predecessors did. That was not reform, or if it was it must be called dishonest reform, and he thought the country was pretty well

sick of such reform. The hon. the First Minister should be consistent and not try to defend his acts by saying other people had done likewise; he should stand up like a mechanic, like a man, and defend himself, instead of saying "I only did what you did."

Mr. DOMVILLE said he had been for weeks trying to get information with regard to the Intercolonial, but could not. Money had been spent of which no trace could be found, and contracts had been given without tender. He knew of a firm in St. John which had supplied 100 tons of spikes without any tender, which were not required, they being kept in store for a long time.

Mr. SPEAKER called the hon. gentleman to order.

Mr. DOMVILLE said he hoped when the papers came down it would be found that the hon. the Minister of Customs had nothing to do with a Government contract.

Mr. BURPEE (St. John) rose to a point of order. He distinctly denied that he had a contract with the Government.

Mr. PLUMB said it was surprising and very significant that when the Government were attacked, they always replied by pointing to transactions of the previous Government. This was a sign that the Government were sensitive upon the matter. When the papers came down, he hoped it would be shown how far the present Government had carried out their programme of reform and economy.

Mr. TROW said the discussion seemed very refreshing. It boded the close of the Session when hon. gentlemen opposite had so exhausted their plans of attack, that they had to give their attention to a few pounds of tea and pork supplied to the West. He was surprised at the statement of the hon. member for Cardwell, with reference to emigrants. Most of them went by Collingwood although Sarnia had nearly twice as many boats. He thought the hon. gentleman would discover that Collingwood, boats had a larger proportion of the trade than they were entitled to.

Motion agreed to.

## RESIGNATION OF MR. CURRIER.

Mr. CURRIER rose to a question of privilege and read the following, addressed to Mr. Speaker:

"OTTAWA, 16th April, 1877.

"The Honorable the Speaker of the House of Commons, Ottawa:

"SIR,—I have the honour to state to you that on the 12th instant I received notice from Mr. Laurier, a Member of the House, that he intended to make a statement on the floor of the House to the effect that firms of which I was a member had entered into contracts or agreements with the Government or Officers thereof for supplying lumber, which statement the honorable member made in the House on the 14th instant, and thereupon the said matter was referred to the Committee on Privileges and Elections.

"Until the receipt of that communication I was not aware that the business transactions therein referred to had taken place, and I never personally took any part whatever in reference to them or any of them.

"I have, however, now ascertained, on enquiry into the circumstances, that the firm of T. W. Currier & Co. (of which I was at that time a partner, though not an active one) on 21st May, 1874, received an order from the Director of Penitentiaries for goods for the St. Vincent de Paul Penitentiary amounting to \$4,777.10, which were supplied in June, 1874, and paid for in July, 1874. I also find that the firm of Batson & Currier, of which I am a member, fulfilled several small orders for lumber for the Library of Parliament between January, 1874, and 1875, amounting in all to \$357, but in each case without my personal cognizance.

"Being advised that I may have by these transactions unwittingly vacated my seat in the House of Commons under the provisions of the Independence of Parliament Act, I feel it my duty to notify you of the facts for the information of the House, and to place my resignation in your hands.

"I have the honour to be, Sir,

"Your obedient servant,

(Signed) "J. M. CURRIER."

"TO THE SPEAKER OF THE HOUSE OF COMMONS  
FOR THE DOMINION OF CANADA.

"I, Joseph Merrill Currier, of the City of Ottawa, in the Province of Ontario, Lumber Merchant, who was duly elected a Member of the said the House of Commons for the Electoral Division of the City of Ottawa, do hereby declare my intention to resign my seat in the said House of Commons, and do hereby resign the same.

"As witness my hand and seal this 16th day of April, 1877.

(Signed) "J. M. CURRIER. (L.S.)

"Witnesses,

(Signed), "HECTOR CAMERON,  
"ALONZO WRIGHT."

He said he felt it due to himself to state in his place in the House that until he received the communication from the hon. member for Arthabaska, he had no knowledge of these transactions. After receiving the notice, he enquired into the facts, and found, as he had written, that the statement made by the hon. member was substantially true; and not wishing to hold his seat while there was a doubt as to his right of doing so, he had arrived at the conclusion to tender his resignation.

(Mr. CURRIER then withdrew.)

Mr. WRIGHT (Ottawa County) said with the permission of the House he would like to say a few words. This was certainly one of the most painful moments of his life. For 13 years the hon. gentleman who had just quitted his seat had sat by his side. Old members of the House would remember the peculiar circumstances which existed at Ottawa at the time of the removal of the seat of Government. The place was a new one and crude in every respect; and the special object of his hon. friend and himself was to try and make things as pleasant to the members as possible. A more kind, amiable and honorable gentleman never existed than the hon. gentleman who had just tendered his resignation. Every one in the House would believe that the hon. gentleman stated what was strictly true when he said he knew nothing of these transactions. Every one who knew him knew that his word was to be implicitly relied upon. He (Mr. Wright) thought it unfair after the Government had purchased this lumber from the hon. gentleman's firm without his knowledge, they should use that fact as a means of unseating him; and it was an especial act of cruelty to give him so little notice. He himself (Mr. Wright) had asked the hon. gentleman who brought in the motion for one day's delay, and the hon. gentleman would have been pleased to do so, but he could not go in opposition to the will of the Government. The Ministry would not allow time to be granted. Considering how fairly and faithfully he and his hon. friend stood by the hon. the Premier at a time of some difficulty and under very trying circumstances, when they might have played a sharp political

Mr. CURRIER.

game had they desired to do so, he did not think the hon. gentleman had been treated properly. He did think that a day's respite might have been given him before the hon. gentleman had been placed in his present awkward position. In adopting the course he did, the hon. gentleman had acted in a fair and gentlemanly manner.

Mr. MACKENZIE said the hon. gentleman had no right to charge the Government with having anything to do with the matter. As a matter of fact, he was not aware of the transactions until some members called his attention to the entries in the Public Accounts. He quite agreed with what the hon. gentleman had said regarding Mr. Currier, and he had given him credit for his good qualities on many occasions. But the hon. gentleman (Mr. Wright) must be aware of the ferocious disposition manifested towards other hon. gentlemen who had been supposed to have violated the Independence of Parliament Act—attacks which were extraordinary, savage and unprecedented. In those cases, hon. members were not to be allowed to have trial. But this was not the case here; the hon. member was not called upon to vacate his seat, but the matter was simply referred to the Committee on Privileges and Elections. There was a motion to unseat the hon. member for Lincoln without bringing the matter up for trial before a jury. When he ventured to move an amendment to put in a few words of sympathy and kindness for that hon. gentleman, he was greeted with shouts of laughter. Gentlemen opposite seemed to enjoy the predicament in which that hon. gentleman was placed. The whole matter, as to both sides, had given him the greatest possible pain. There was nothing he would not do to assuage the difficulty and pain which the hon. gentleman must necessarily feel under these circumstances. He was sure Mr. Currier knew this very well. He could not conceive how the hon. member for Ottawa (Mr. Wright) could make a speech reflecting upon him as he had done.

Mr. WRIGHT said he had the plain permission of the hon. member for

Arthabaska to make the following statement. He asked that hon. gentleman if he could give Mr. Currier until Monday to come to a decision. The hon. gentleman told him that he could not without consulting the Premier. He consulted the Premier, who could not give a decision, but referred him to the Minister of Justice. Immediately after, he (Mr. Wright) got a note from the hon. member, which was very laconic, and evidently showing the tone of the Minister of Justice, it stating, "I will go on"; and he did go on. When he spoke of the Government giving the contracts to Mr. Currier's firm, he did not mean the Premier personally.

Mr. MACKENZIE said neither he nor the Minister of Justice knew anything about the contracts. With regard to the motion itself, Mr. Currier had two days' notice.

Mr. WRIGHT: Only one day.

Mr. MACKENZIE said at all events notice was given, and the motion indicated that the matter should be sent to the same Committee as the other cases had been already sent. It was quite right that all the cases should be sent to the same Committee and treated alike.

Mr. LAURIER said he endorsed with much pleasure the statement of the hon. member for Ottawa county, with respect to Mr. Currier. His personal relations with that gentleman had been of the most pleasant nature, and it was with mortification that he moved in the case and adopted that course which duty pointed out. It was no more pleasure to him to move against Mr. Currier than it had been pleasure to the hon. member for Hastings (Mr. Bowell) to move against Mr. Speaker, or the hon. member for Kingston (Sir John A. Macdonald) to move against Mr. Norris. They acted in accordance with their sense of duty. With regard to the statement of the hon. member for Ottawa County (Mr. Wright), he might state that he first called the attention of the hon. the Premier to the fact that Mr. Currier's name appeared in the Public Accounts as having received money from the Public Treasury. During the recent debate on the motion of the hon. mem-

ber for Hastings (Mr. Bowell) he showed the hon. the Premier the item in the Public Accounts. He (Mr. Laurier) followed up the matter, and having investigated it he sent word to Mr. Currier on Thursday last, informing him that on the following day he (Mr. Laurier) would make the statement which he made subsequently. On the following day he met Mr. Currier, and asked him if he had received his note. He said "Yes," and asked him (Mr. Laurier) to defer the matter until the following day. He said he would do so with great pleasure. On the following day he was asked by the hon. member for Ottawa County again to defer action. He replied that he could not do so without consultation. After having a consultation he came to the conclusion that it would be better to proceed with the matter at once. In justice to the hon. the Premier and the hon. the Minister of Justice, he might state that while he took their advice they left the matter entirely to him, and he was moved to act at once as the Session was rapidly drawing to a close, and the investigation by the Committee might otherwise be prolonged until it might, perhaps, be too late to come to a conclusion during the present Session. He was bound and he was glad to acknowledge the courtesy of the hon. member for Ottawa County (Mr. Wright), who was popular with both sides of the House on that account; but he had gone a little too far in the statement he had made to-day. The hon. member said he would make the statement he had made, and asked for the postponement of Mr. Currier's case another day, to which he (Mr. Laurier) consented. He was not aware that the conversation went any further. The hon. member would agree that he was right in that particular.

Mr. WRIGHT (Ottawa County) said he intended to ask the permission of the hon. member for Arthabaska (Mr. Laurier) to state all the circumstances of the case; otherwise he would not have done it. If he (Mr. Wright) misunderstood the arrangement he regretted it.

Mr. LAURIER said he did not intend to impute intentions to the hon.

member for Ottawa County, but he wished to state the facts. He told the hon. member for Ottawa County, in answer to a request that the matter should be further postponed, that he (Mr. Laurier) must have a consultation on the question. He consulted the hon. the Premier and the hon. the Minister of Justice, who left the subject in his (Mr. Laurier's) hands, and he assumed full responsibility for the action taken.

Mr. CAMERON said the hon. the Premier had contended that the Opposition had acted in a ferocious manner, because they had maintained that the seat of the hon. member for Lincoln should have been proclaimed vacant, and a new writ issued, instead of the case being referred to the Committee on Privileges and Elections, and the hon. gentleman had further contended that all cases should go to that Committee. He demurred altogether to that proposition; it was not in accordance with English usage, nor was it what was right. In England when a gentleman found that his seat in the House of Commons was liable to be impugned, when he found he had even unconsciously committed a violation of the Independence of Parliament Act, he resigned his seat. It was the duty of an hon. member who feared he had committed a violation of the Act to take legal advice, and if his case came within the law, to adopt the course—which was the proper one—adopted by the hon. member for Ottawa (Mr. Currier).

Sir JOHN A. MACDONALD said he must protest against the language of the hon. the First Minister. It was quite uncalled for in reference to the action taken by him (Sir John) in reference to the hon. member for Lincoln. He had placed a notice on the paper that waited for a considerable time, and he had fully followed out the precedent of the Rothschilds' case. He quoted from authorities to show that any member might resign his seat on giving notice in writing of such intention, and that a writ ought to be issued forthwith on such resignation.

Mr. HOLTON said the hon. member had the option of resigning his seat

Mr. LAURIER.

either by a written resignation or an oral statement. He had resigned in the latter mode, and any other resignation would be superfluous.

Mr. IRVING said that if the hon. member for Ottawa City (Mr. Currier) had been guilty of an infraction of the Independence of Parliament Act, then, according to the language of the Statute, the gentleman had no seat to resign. The course to adopt would be to refer the question to the Committee on Privileges and Elections, and ascertain whether Mr. Currier had the power to make such resignation or not.

Sir JOHN A. MACDONALD said the hon. member had undoubtedly a right to resign.

Mr. BLAKE said it was provided in the 9th section of the Act that any member had the power of resignation, but the 9th clause provided that no member could resign while his seat was being lawfully contested. In this case the matter had been referred to the Committee on Privileges and Elections, to ascertain the truth of certain allegations, and until the report of that Committee was had the hon. gentleman had a perfect right to resign his seat, even although it should be subsequently proven that he had no seat to resign, and that he had had not, in fact, any seat to resign for several years past. This fact, however, did not discharge the Committee of their duties in the investigation of the case, and he presumed the Committee would make the same investigation and report to the House as if the resignation had not taken place.

## ROYAL CANADIAN INSURANCE COMPANY.

### MOTION FOR REPORTS.

Mr. BARTHE moved for copies of all the reports which the Royal Canadian Insurance Company may have made, with copies of any order requiring the said Company to make such reports: the whole in conformity with 36 Victoria, Chapter 99, Section 16,—and 31 Victoria, Chapter 42. Also, copies of all reports respecting the business carried on by the said Royal Canadian Insurance Company, in the United States of America; the whole in con-

formity with 31 Victoria, Chapter 48, of the Acts of Parliament of Canada, and the forms B. and C. of the said Acts. He said that a very important amendment of the charter of this Company had been made during the Session, and the shareholders were interested in having the reports published. These reports had not appeared in the newspapers, and he desired that the shareholders should have all possible information on the subject.

Mr. CARTWRIGHT said he had no objection to the motion, but he was not quite certain whether the terms of the Insurance Act required copies to be furnished of the business done by the Company in the United States. If it did, he could give them; but if it did not, he could not.

Mr. BARTHE: The reports are made to the Governor in Council.

Mr. CARTWRIGHT: Some of them are, I know; but, as to the business of the Company in the United States, I am not so clear. The motion will pass with the understanding that, if the law permits, they will be brought down; and if not, not.

Motion agreed to.

#### MONTREAL HARBOUR COMMISSIONERS' PILOTAGE TARIFF BY-LAW.

##### MOTION FOR ORDER IN COUNCIL.

Mr. DE ST. GEORGES moved for copy of an Order in Council of 5th March, 1877, approving of a By-law of the Montreal Harbour Commissioners in reference to the Tariff of Pilotage between Quebec and Montreal.

Motion agreed to.

#### PAYMENT BY STEAMERS AT ST. OURS LOCK.

##### MOTION FOR STATEMENT.

Mr. CHEVAL moved for statement shewing the amounts paid by the steamer *Chambly* and the steamer *Cultivateur*, at the St. Ours Lock on the River Chambly, during the season of 1875.

Motion agreed to.

#### CANADIAN PACIFIC RAILWAY SURVEY.

##### MOTION FOR STATEMENT.

Mr. McCARTHY moved for a statement of the number of miles surveyed and the expenditure for such surveys on the Pacific Railway Survey, as follows:—

"1. The total number of miles surveyed, distinguishing between exploratory or track surveys, preliminary surveys, and location surveys.

"2. How many miles of preliminary surveys, exploratory or track surveys and location surveys have been made on each of the following sections:—

"1st. From the Valley of the Ottawa to where the main line or lines strike that portion of the main line from Thunder Bay to Red River.

"2nd. From Prince Arthur's Landing to Red River.

"3rd. From Red River to Tête Jaune Cache.

"4th. From Tête Jaune Cache to the Pacific Coast.

"5th. All surveys made on Vancouver's Island.

"3. The cost of the above descriptions of surveys between each of the above points."

Mr. MACKENZIE: Of course, as I stated formerly when the subject came up about a similar matter, the exact cost cannot possibly be given, but only an approximate estimate of the cost of the particular classes of the surveys. One survey may be very costly and another very cheap, and as the cost, I presume, is not divided up or an account kept regarding each party, it will be utterly impossible to give more than an approximate statement.

Motion agreed to.

#### NORTHERN RAILWAY COMMISSION.

##### MOTION FOR ACCOUNTANT'S REPORT.

Mr. McCALLUM moved for a copy of the report, memorandum, or minute made by the accountant who assisted at the investigation by the Royal Commissioners into the affairs of the Northern Railway Company of Canada.

Mr. MACKENZIE: I have to ask the hon. gentleman to withdraw his motion. I have already stated, in reply to a question from the hon. member, that there was no formal report

that could be presented to the House, but merely certain letters and memoranda which were for the private information of the Government. I must ask him, therefore, to withdraw his motion.

Mr. McCALLUM said he thought it very desirable that this memorandum should be laid before the House. It had been prepared by a public officer, paid for out of the public money, and it was desirable to have it, as he believed that it would throw considerable light on the question of the settlement with the Government by the Northern Railway Company of Canada. When the Committee to enquire into the Company's affairs was struck, he believed the Minister of Justice said that if he (Mr. Blake) had had information that the Company was as able to pay as had turned out to be the case, they would have made a better settlement; and he understood that this memorandum would show that the Government was in possession of information at that time, which exhibited the exact position of the Company, but had not acted upon it. This was his information. Of course, if it was insisted upon, he might as well withdraw his motion, for, if he did not, it would be voted down.

Mr. BOWELL said he had been led to believe that this report had been made and handed to the Chairman of the Royal Commission appointed to investigate into the affairs of the Company; and also that this professional accountant who was in the employ of the Government, had been sent by the Government to assist and aid in unravelling the mysteries which were supposed to surround the Company's accounts. He understood that the report of this employé had been placed in the hands of the Chairman of the Commission, and by him, he supposed, sent to the Government, upon which, he presumed, they acted, when they decided to carry out the provisions of the law which enabled them to accept the £100,000 stg., in lieu of all the claims of the Government. What he thought the hon. member desired to ascertain, and what he considered the House as well as the country was entitled to, was to know whether there

was anything in this report made by that professional accountant which would justify the Government in refusing to carry out the terms of the law as to the settlement with the railway company. It had, he knew, been the rule in the past, that when the leader of the Government stated that a report was private and confidential, a member of the House should withdraw such a motion. This memorandum, he had good reason to believe, occupied some twenty or thirty pages, and contained a full report of the results at which the accountant had arrived after an investigation into certain papers and documents placed in his hands by the Railway authorities under the instruction of the Commission. Not having seen the report, of course, they could not understand why there should be any objection to its being laid before Parliament. If it contained the information he had been led to believe was the case, he thought that the House would be justified in doing precisely what it did in 1873, and refuse to pass any Bill to aid the railway or give it any further advantages until the indebtedness to the Government had been paid. What was, moreover, of importance was that the original shareholders should be placed in a better position. It was quite clear that the management of the road had been such as to debar the original shareholders from participating in any of the profits whatever, and if Parliament could, by any means, or by any information placed in its power, put these shareholders in a better position than they had heretofore occupied, or if the information contained in this memorandum or report was of such a character as to justify Parliament in compelling the bondholders to give to the shareholders certain rights and privileges which they had not heretofore, so as to receive some return for the money they had invested in the undertaking, then he thought it was not only proper but necessary that this information should be laid before Parliament so that they might be enabled to judge its contents, and act accordingly when they came to legislate on the Bill that was to be submitted.

Mr. MACKENZIE said he had

already told the hon gentleman, or the House at least, that he had been advised by the Department of Justice, that none of the irregularities which had been gradually brought to light during the year would justify the Government in refusing to receive the money prescribed in the Act of 1875, so that no report or memorandum of any person whatever could have any possible effect in this regard. As to the report bringing to light anything else, he was not aware that it did. There were several letters, one very long document and several shorter ones, some of them being communications sent to himself and others to the Commissioners; but there was nothing in them that could, by any possibility, affect the question that the House had had to decide, or rather had previously decided. Some were confidential papers, intended purely for the service and consideration of the Government. His hon. friend (Mr. Cartwright) reminded him that the hon. gentleman had said that this was the result of an investigation into the books of the Company.

Mr. BOWELL: I did not say that. I mentioned such papers as had been placed in the possession of the accountant, who I know had no access to the books.

Mr. MACKENZIE said they had had all these papers in their own possession. The memorandum was merely a compilation of figures about certain matters that had no possible bearing on the question.

Mr. McCARTHY said that this accountant had been examined before the Northern Railway Committee. He supposed that he was not then at liberty to refer to any statement this witness had made, but he rose merely to suggest the adjournment of the debate until the report as to the evidence was submitted to the House, which would then be able to judge whether the statement made before the Committee was such as would warrant the calling for the report or memorandum, or whatever it might be. He moved that the debate be adjourned until the report of the Committee came down.

Mr. BLAKE: It is not in order.

Motion *negatived* on a division.

## INTERCOLONIAL RAILWAY.

### MOTION FOR RETURN.

Mr. BERTRAM moved for a return of—

“All monthly measurements and estimates for the various kinds of work done on Section No. 16, Intercolonial Railway, while under contract to Messrs. King & Gough, and subsequently under contract to J. C. Gough, showing the actual quantities and kinds of work executed and returned, the amounts made out for same at schedule rates for each month by the Divisional Engineer in charge, and the amount for each month respectively certified by the Chief Engineer of the Railway, or paid by the Commissioners of the Railway, and paid to the contractors or contractor or their agents.

“The amounts of all sums of money paid by or through the Government, or its agents on behalf of, or in liquidation of debts due by the firm of King & Gough, or J. C. Gough, on account of contract on Section No. 16, to whom paid, on whose authority the sums were paid, and the nature and extent of the service or work done therefor after the contract had been taken by the Government from J. C. Gough.

“The quantities of work done by the Government or its agents after the contract had been taken from J. C. Gough, showing the monthly estimates for the various kinds of work actually done, and the amounts of money paid for such work and to whom paid.

“The number of structures now built in first and second class masonry, paving, etc., in each, and the extent of the opening or waterway of each structure now on the section, the quantity of rip-rap done on the section, of concrete used, the quantity or length of fencing done, cattle guards built, with the items of cost for each.”

Mr. MACKENZIE said he had no objection to the motion passing, but it was so very particular in its terms that there might be some difficulty in complying literally with it. The work done after the contract was taken away from Messrs. King & Gough was probably not measured. He thought they could only give the measurement of the work done by the contractors and deduct that from the total quantities. The work done by the Government was paid for by day wages, and the men were also paid large arrears due them for actual labour performed. They would make the return as intelligible as possible.

Motion *agreed to*.

## SUNDAY TRAFFIC ON CANALS.

## RESOLUTION PROPOSED.

Mr. BROUSE moved :—

“That it be resolved that for the better observance of the Lord’s Day and in the interests of morality—vessels propelled by steam and carrying passengers, may be detained from proceeding on their voyage through the Canals from the hour of 6 a.m. until the hour of 9 o’clock p.m. on the Sabbath day.”

Mr. MACDONALD (Cornwall) said the motion made by the hon. member for South Grenville, if carried and acted upon, would have the effect of changing the present regulations in force on the Cornwall Canal, and, he thought, not in the interest of morality. Two years ago a prominent gentleman of Cornwall determined to put a stop to the Sunday labour then performed on the Cornwall Canal; but, before taking proceedings, made known to the Superintendent his intention, who communicated with the Commissioner of Public Works, who gave directions that the Canal should be closed from 12 o’clock Saturday night until 12 o’clock on Sunday night, which orders had ever since been strictly adhered to. It had been stated that detention of vessels at the entrance of the Canal during the Sabbath had the effect of demoralizing the boat men. It was, however, not within his knowledge that such was the case; on the contrary, with the best opportunity of observing, he had not known a case of drunkenness or any other immorality. He (Mr. Macdonald) considered it unfair to make the Canal employees return to the old system of infringing upon the Sabbath, and for that reason he hoped the motion of the hon. member for South Grenville would not carry.

Mr. MACKENZIE said this was one of those matters on which he would be very glad to get the opinion of the House. A great many suggestions were continually made to him as to the time when canal traffic should commence and cease.

Sir JOHN A. MACDONALD: What is the practice now?

Mr. MACKENZIE said the Welland Canal was absolutely shut on Sundays.

Mr. MACKENZIE.

On some of the Lower Canadian canals, vessels were allowed to pass through by daylight, and others were kept open all the time. There was great difficulty in regulating this matter. Sometimes a perishable cargo would be brought up, and a special order had to be procured to prevent its detention. It was the desire of the Government, as far as possible, to conform to public opinion where it did not involve a wilful violation of Sunday observance. He thought it would be a calamity to have the canals open during the day, although it had been argued that the present system led to disturbances by the sailors.

Mr. LANGEVIN said when he was at the head of the Department of Public Works, numerous requests were made for the closing of the canals on Sundays. He tried to satisfy that portion of the public who made the demand; and if the canals were not closed altogether, they were used as little as possible. He agreed with the hon. the Minister of Public Works that the subject was a difficult one to deal with. If any rule was adopted, he thought it should be that no vessel should be allowed to enter the canal between certain hours, but that any vessel in the canal at the time should be allowed to go through.

Mr. BROUSE said he had not intended to make any remarks, because he thought the motion would speak for itself. On a former occasion he presented a petition signed by eighty captains of vessels using the Welland Canal, which stated that it would tend to the better observance of the Sabbath, and also in the interests of morality, if they were allowed to have control of their men during the hours of daylight on Sundays. Frequently the men went on shore and indulged in liquor to a large extent, and instead of the vessels proceeding on their voyage at twelve at night they were delayed until twelve o’clock next day. It cost large amounts to run some of the vessels using the canal, and every encouragement should be given to the persons who invested their money in the carrying trade. But he had a higher motive in bringing up this matter, which was to secure the better observance of the Sabbath.

At Williamsburg and Edwardsburg, canal boats proceeded through all day, and the men had no opportunity of attending church. At the Welland Canal, on the contrary, boats were prevented from passing. He had introduced the resolution with the view of making the system uniform.

Sir JOHN A. MACDONALD said he thought this was a matter which ought to be left in the hands of the Government. It was a matter of administration and not of local legislation. There were very many considerations involved. Of course, every one would agree that the sanctity of the Sabbath should be observed as much as possible. Still it was impossible to frame a hard and fast rule. Every vessel might have its own circumstances. The nature of the freight might be such that it would not be safe to detain it. In fact there might be a hundred different considerations which the House could not weigh or know. It was to the high credit of the First Minister that he was known to possess very rigid views on this important matter of the strict observance of the Sabbath. The hon. gentleman would certainly be safe in leaving the matter in the hands of the First Minister, especially as canals came particularly under his jurisdiction.

Mr. HOLTON agreed with the view of the right hon. member for Kingston. He did not think it advisable that the matter should be pressed to a vote.

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

## RAILWAY COMPANIES TRAFFIC RATES BILL.

### FIRST READING.

Mr. IRVING moved :

"That the House do now resolve itself into a Committee of the Whole to consider the following resolution :—

"That it is expedient to make provision for the more effectual securing the observance by railway companies of the law requiring equality of treatment in the management of traffic and imposition of rates and tolls; and more especially the due observance of the requirements of sub-section 2 of section 48, and of section 12 of the Railway Act of 1868; and to vest in the Exchequer Court of Canada the power necessary for enforcing such observance."

He said he desired to call attention to the subject of the collection of tolls by railway companies, and their non-observance of the spirit of the law bearing upon that subject, which was contained in two parts of the Railway Act. In one part of the Act it said that the same toll should be payable at the same time and under the same circumstances upon all goods and by all persons, so that no undue advantage, privilege or monopoly may be afforded to any person or class of persons, by any by-law relating to the tolls. In another place it stated that railway companies must afford each other every facility for the forwarding of traffic, without preference or favour; and shall not give or continue any preference or advantage or any favour to any particular company, or any particular description of traffic, etc. As he understood it, this law was practically disregarded. Notwithstanding the very great injustice to the commercial class, they were unable to bring about any change. During the last 25 years in which railways had been in operation in Ontario, he was not aware of but three cases in which this question had been discussed. It was beyond the reach of individual merchants to bring railway companies to book in reference to the difficulties which they experience, on account of the great expense in comparison with what might only be a small item in itself, but which, in a year, would aggregate to something considerable. So, practically, there was no remedy whatever. In past Sessions, efforts had been made by hon. members to bring this matter before the attention of Parliament and the difficulty that had been met with was, that it was thought that if Parliament made any change in reference to tolls, it would be an interference with the vested rights of the bond-holders and capitalists interested in railways. The same difficulty had presented itself to him; but in recent times legislation in England had successfully got over that difficulty by means of giving to the public a complete remedy whereby complaints could be adjudicated and arranged at a very trifling expense, without undue interference to the railways at the same time. As illustrating the evil, he

would point out that flour was not carried at as cheap rates from Ontario to the Maritime Provinces as it was from Chicago. This discrimination interfered with the progress of Canadian trade while it was also a disregard of the law. Were the law carried out it would be a greater protection to the Canadian miller than an extraduty on each barrel of flour.

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

### After Recess.

Mr. IRVING resumed. He said in another instance, it was declared to be an undue preference where a railway company, with the object of discouraging the construction of a competent line, carried slate for certain quarry owners, who agreed to send all their slate over the railway company's line for a fixed number of years at a less rate than they charged for the same service to the complainant quarry owners, who were offered, but refused, to bind themselves by such an agreement. Another instance, which was the last he should bring to the notice of the House, was where rebates were allowed to brewers at certain rates, and rebates also to timber merchants by the same railway company—a case where Commissioners directed a change in the rebate with regard to assimilating such rebates when amount charged seemed not proportioned to the services rendered. These several restrictions were no more than imposing on the railway company obligations to carry out the existing law; and none of the decisions which had been given interfered with the principle that a railway company might fairly discriminate between those classes of trades which gave so large an amount of business, and those classes of trades which only employed them to a moderate and a very much less extent. In view of the probability of amalgamation which, he need hardly say, almost always followed upon railway extension, the larger railway companies swallowed up the smaller ones, and probably even contemplated amalgamation themselves. it was all the more necessary that the

Mr. IRVING.

country generally should understand the condition of the law, and the remedies to which they were entitled, and which it was the duty of the Legislature to provide. The railway companies, for over twenty-five years, have been struggling with through traffic, at very low rates, to the injury of the local traffic, which was carried at much higher rates; and after twenty-five years' experience in the country, look at the result of the railway policy by which they themselves governed their business. He thought that it was not stating the result too strongly against them by saying that their management had not been by any means successful. Their own proprietors in England were not satisfied with the difference they had made in struggling for through traffic. He might quote a very few words from one of the leading stockholders of the Grand Trunk Railway, at the recent meeting in England, in which he very properly, as he (Mr. Irving) thought, pointed out that a great part of the difficulties and want of success in the Grand Trunk Railway Company was, that they had been struggling and striving to make money on through traffic at prices which were inadequate to pay their working expenses. This prominent proprietor told the shareholders themselves that the reason their management had not succeeded was, that they had been struggling for prices far inadequate to the services they were called upon to perform. The same company which charged 1*l.* per ton per mile, or even less, for through traffic, thought nothing of charging 5*c.* or more for local traffic. The reason was that if the railway companies took the same trouble to develop the local traffic that they took in regard to through traffic, they would, in the long run, have done better for their shareholders. They had pushed this discrimination in respect to large traffic—that was, through traffic, instead of the smaller—that was, local traffic, far beyond and contrary to the laws under which they were chartered; and, inasmuch as the Imperial Parliament had checked and, within legal bounds, modified the exercise of the powers of railway companies in collecting tolls, so ought this

Parliament in the same way erect a tribunal to examine into such cases as were unreasonable and modify them in a like degree. He would propose that it should be—and this was taking up the spirit of the English Act—in the power of the municipality, or corporation, or of ten traders in any locality, or of a Board of Trade, to propose rates that, under the circumstances, would be fair; and if those rates were not acquiesced in, that they should be referred to this tribunal for determination and decision. That was the principle which now governed those questions in England. Where there was a large railway with a large through traffic, and a small railway having local traffic which served a particular neighbourhood, or where there was a railway which touched a particular point at which there was no competing railway, the trades at these competing points were wholly at the mercy of the larger railway company. When the small company proposed to the larger company a reasonable rate, if it were accepted the matter ended; if the larger company did not accept the rate tendered it, it was referred to a tribunal for a decision. He had somewhat modified the English law on the subject, because he had proposed in the Bill, which he hoped might be allowed to pass, founded upon these resolutions, to guard against anything which might be called vexatious as against the railway companies. He proposed that no one should be able to commence a suit without having an order from a Judge of one of the local Courts, that it was a very reasonable case which should be brought before the tribunal. That, he thought, would impose a fair safeguard in favour of the railway companies. To what tribunal would it be fair and convenient to have these matters referred? At the present time some objections, which he had pointed out, were supposed to exist in regard to cases being dealt with by Justices of the Peace summarily. He need hardly say how very inadequate, how very improper, it would be for justices of the peace to enter upon a very difficult and delicate duty such as this, and indeed so far would an order made by them be

beyond their ordinary information, that although this Statute had to some extent been fifteen or twenty years on the Statute-book, he believed it had never been invoked in any instance in this respect. In England, for twenty or twenty-five years, the jurisdiction was confined to one of the Courts of Common Law, but there the Judges admitted that they were not experienced, and had not a knowledge of the subject, and were not capable of dealing with the Act satisfactorily. In 1873 a Railway Commission was created, which had since, apparently, dealt very satisfactorily with this question at large. Now, it would not be convenient or desirable that in this country an expensive tribunal of that kind should be created; but he submitted that at the present, and for some years to come, the Court of Exchequer would have ample time and leisure to dispose of and determine all cases of this kind, which, by experience in England, were not very numerous; because being more or less connected with one principle, so far as this class of cases was arranged to fall within the principle of the laws now on the Statute-book, there would be very little litigation. He, therefore, thought that this was a case of such wide-spread interest, of such important consequences, that it would be satisfactory that the resolution he would now move should be accepted, and that a Bill should be permitted to be introduced upon the basis of this resolution. He need hardly say that, at this late period of the Session, it could not be expected that the Bill could go any further; but it appeared to him to be a very desirable thing that the commercial class should know that such a Bill as this was a matter which was open to argument, and which, at another Session, they might again bring forward, and be able to treat with a more general opinion, in reference to the solution of the difficulty, than could now be supposed to be exercised, when it was brought before the House for the first time. He, therefore, moved that the House go into Committee on the resolution he had read.

Mr. OLIVER said this was a question of very great importance to the people of this country, a subject which

ought to receive every consideration in this House, as it was, to a large extent, receiving the consideration of the people. He had brought this subject before the House on two or three different occasions, but, unfortunately for him, it was left over when it went before the Committee. He did not know what was the reason, but it appeared to him that this was a very convenient way of removing measures which were not agreeable to hon. members,—to have them sent to the Committee and left there. He was much pleased to see that his hon. friend from Hamilton had taken this matter under his consideration, for they were all well aware that no hon. member understood the railway system of Canada better than this hon. gentleman, who had been for many years connected with a leading Canadian railway. He hoped that when the hon. gentleman re-introduced this measure next Session it would be fully discussed and carried into effect. There were various instances in which the people of this country were dealt unfairly with by the railway companies. He found that the greatest justice was done Canadians by a railway built and owned by Americans—the Canada Southern Railway Company. This was one of the very best railways in the Dominion. The Northern Railway charged 6½c. per ton per mile between Richmond Hill and Toronto, a distance of 18½ miles; and from Meaford, a distance of 115 miles, 3½c. per ton per mile. The Midland Railway charged 7½c. per ton per mile for 18 miles, and for 86 miles, 3½c. The Great Western from Windsor to Clifton, 229 miles, charged 1⅞c., and to Hamilton, 189 miles, 2⅞c., and from his own town to Clifton, 90 miles, 3⅞c., and to Hamilton, 50 miles, 4c. per ton. The Grand Trunk from Chicago to Portland, 1,145 miles, charged \$18 per car; from Cincinnati, \$16 per car; from Sarnia, \$25; from Toronto, \$22, and from Montreal to Portland, 297 miles, \$18.60 per car. When he introduced this measure on a previous occasion, it was stated, he thought, by the Minister of Public Works, that railway company had a perfect right to charge a lower rate at a competing

point than at a non-competing point; but he did not think that the railways of Canada should be allowed to do so, for the reason that the country had largely subsidized these railways. They had given to companies certain rights and privileges—the right to pass through the properties of private individuals, to expropriate them, and to take them at a valuation, besides subsidizing them to a very large extent. The Grand Trunk had received \$15,000,000, and the interest paid by the country on the bonds issued amounted to as much more. A debt of 1¼ millions due by the Great Western had been cancelled, and a debt of \$2,000,000 due by the Northern Railway had been cancelled by a settlement recently arranged. Considering that the whole people of Canada were taxed to pay this, he thought it was unfair that these companies should grant privileges to one particular section over another. For instance, shippers and manufacturers at the City of London could send their goods to foreign and Canadian markets very much cheaper than from non-competing sections, as the Grand Trunk and Great Western both ran through that city; and yet the residents of London did not pay more towards these subsidies than other less favoured sections; so he held that a remedy should be applied. It was also stated that railways ought to have the power of reducing their rates when exposed to competition by way of water communication, but the same arrangement held good in this regard. They could all see in the Public Accounts and the Estimates, the enormous sums which they were voting to expend for the improvement of navigation, and these payments were not confined to districts around competing points; so he held that the people who resided at non-competing points should share in the benefits at present enjoyed by competing points. It was said it would be cruel, at the present time, to so deal with railways, that they were not now paying, and that if any legislation took place with regard to rates they would pay still less; but he apprehended that every one in the country knew exactly why this was the case. They knew that the traffic from the Western States was carried

at ruinous rates by Canadian lines, and that the charges from Chicago to the Eastern and our own markets could never pay any company. Another reason for this state of things was the extravagance and mismanagement of the lines. They were aware, from observation, that a great many railway officials, and all such officials who had a controlling influence over the lines, had amassed considerable fortunes. Another revelation had recently been made, and it was apparent that as long as railways were conducted in the present fashion they would never be profitable. They had had an investigation into the Northern Railway, and they saw how the money earned by it had been spent. It had been taken for charitable purposes, to subsidize newspapers, to elect members for various constituencies to this House, and he doubted not to the Local House as well; to provide pleasure steamboats and to build fashionable hotels; and railways so managed could never pay. Canadian railways would pay better if they were properly managed; but so long as they were conducted by Boards in England, 3,000 miles away, where the great bulk of the stock was held, they could never be properly managed. This was not the only way in which the people paid large sums for the promotion of these railways. The enormous charges they had made at non-competing points had induced, and, in fact, compelled, the inhabitants to build railways to equalize the rates. In his section, a cross-road from Port Dover to Lake Huron had been built, and something over \$150,000 had been voted by the county for the purpose. This county had also given a bonus of \$200,000 to the Credit Valley Railway. This was not because they had not already sufficient railway accommodation, but because the railways charged too much for it. They had, in fact, ample railway accommodation, and they had voted this \$350,000 for the purpose of equalizing prices. He held that, as they had given large subsidies to the Great Western and Grand Trunk, this state of things should not be allowed to exist. This was not the worst of it. When they desired to remedy this evil, and build railways in

order to equalize rates, these trunk lines used every influence in their power to defeat this object. The agents of the Great Western and Grand Trunk had both been employed to defeat the bonus by-laws when submitted in his county; and he was told that when the recent by-law was voted upon in Toronto, the people of that city had had to contend with the adverse influence of the Great Western and Grand Trunk Railway Companies. He might state other instances. It was well known that the county of Oxford was one of the largest produce sections of the Dominion; and he knew that the shippers of dairy produce there, in order to get a cheap rate of shipment to Liverpool, had to team it a distance of 20 or 30 miles to the city of London, though Ingersoll and Woodstock were much nearer. In looking over the reports submitted to the stockholders in London (Eng.) a year ago, he found the statement that eight trains a day were run on the road to convey the traffic coming from the Western States, and two trains for the local traffic. The former paid 60 per cent. of the whole earnings, and the latter 40 per cent., so that here was positive proof that the people of Canada paid nearly three times as much for freight as the people of Chicago and the Western States did over Canadian lines. When the Bill, based on his resolution, was before the Committee, the Chairman had suggested that the railways of Canada ought to be placed under a Department and a Minister of the Crown. He cordially approved of this idea. We had some 800 or 900 miles of railway under the control of the Minister of Public Works, belonging to the people of Canada, while about 2,000 miles were under the control of private companies and the supervision of this Minister, and he hoped that at no distant day, a great many miles would be added to the railway system of Canada under the immediate action and supervision of the House, as the property of the country. It was impossible for any one man to manage the vast public works now being carried on, and the railway system, and he did think that there ought to be a Railway Department. There were one or two departments,

in which there was very little to do, and which could be spared very well, or could be very well converted into a railway department without injury to the public service; and he was sure that it would be a boon to the Minister of Public Works if this were done. Any one could see the position in which the Canadian people were placed when a rise in the markets took place in Europe or in the Eastern States. This was illustrated three or four years ago, when all the available railway stock was used for the purpose of conveying the freight of the Western States to the markets of Europe and the Eastern States; when a complete block took place upon the Canadian lines, and when it was impossible for the local produce of the country to be conveyed to its destination. This measure had engaged the attention of the House and of the various combinations which existed in the Dominion. On one or two occasions the Board of Trade had the subject under consideration, and they passed a resolution in favour of the Government taking steps to regulate and equalise the rates from one end of the country to the other. At a manufacturers' meeting in Toronto two years ago, it was stated, by heavy manufacturers—Mr. Hayes, of Toronto, for one—that furniture made in New York could be carried from the factory to any part in Canada at a lower rate than the manufacturer in Canada could deliver his products at the same point. It would be well for the manufacturers to pay a little more attention to this, because if the products of the United States were made to pay an equal railway rate with Canadian products, it would act largely as a protection to our industries. If there was one protection the farmers desired and needed more than another, it was protection in the way of lower rates for carrying their products to the markets of the world. Some time ago the millers had a meeting in Toronto and passed a resolution asking the Government to take steps for the purpose of rectifying this grievance; but, unfortunately for the people, in place of urging this resolution on the Administration they changed their policy and urged protection. If they had urged the reduction

of the rates, and had succeeded in getting a measure to effect this passed through the House, there was no doubt they would have benefitted to a much greater extent than if they had got what they really wanted. In his section they did not feel the hardship much, on account of having three competing railways; but it was, nevertheless, of the deepest importance that this matter should be regulated in the interests of the whole country. They all admitted the great amount of good done by the railway system of Canada, and that the farmers had benefitted largely thereby; but that was no reason why one farmer should have to pay more for the conveyance of his products to the markets of the world than another. For instance, the products delivered in the City of London were carried to the markets of Canada, Europe, and the United States at nearly one-third less than if they were taken from a non-competing point. This was a disadvantage to towns surrounding London, as the farmers would always go where they could get the best prices for their products. It was only necessary for the capitalists of a place like London to have a perfect understanding with the railroad companies in order to get cheap rates; indeed, they could afford to give them a bonus in consideration of low rates. He held that under the present railway system a vast injustice was done to a large majority of the people, and that it was the duty of the Government to step in and grant some relief. He was perfectly well aware that it was impossible this year to bring the resolution to anything like a determination; but if the Bill were printed, it would afford hon. members and the people an opportunity to thoroughly consider the subject before next Session. He hoped that at the earliest possible time his hon. friend would re-introduce the measure, and that before the end of next Session it would come to maturity. He was much pleased the hon. gentleman had taken the measure under his particular charge, and he promised him that if he could do anything in the way of assisting or promoting the measure, that assistance would be cordially given.

Mr. GIBBS (North Ontario) said he was aware that this subject was of vital importance to the mercantile, manufacturing, and farming communities, but there were a great many difficulties in the way of remedying the evils complained of. The Boards of Trade and Millers' and Manufacturers' Associations complained very justly at the low rates at which the products of the United States were brought into Canada. For instance, furniture was carried over the Grand Trunk from Buffalo to Ottawa at a less rate than it could be conveyed here from Toronto. There was the same difference against our people in the carrying of wheat and flour. He had no doubt that the Government might compel the Grand Trunk to carry at relative rates per mile within the Dominion, but they could hardly step in and say, "You must not carry wheat and flour from Chicago and other western points to the seaboard at less relative rates than you convey the same freight from Toronto." That would be almost prohibiting them from doing any foreign business, which it would be inadvisable, considering the fact that the Canadian traffic was not, at present, large enough to keep the line fully employed. The only way of preventing injustice being done to our interests was to place those products in the same position as the products of cattle. But he did not consider that the Grand Trunk charges on Canadian produce were excessive. The trouble was that our roads were compelled, in consequence of the extreme competition of American companies, to carry at a sacrifice from western points.

Mr. STEPHENSON said there was no doubt that many of our manufacturers and farmers were suffering from this discrimination in freights. The United States manufacturers could send their goods to Canadian markets at a less rate than the Canadian manufacturers could land theirs at the same points. If there was any system whereby comparatively even-handed justice could be done, it ought to be adopted.

Mr. TROW said he thought the hon. member for Hamilton (Mr. Irving) was entitled to the thanks of the House

and country for bringing forward the resolution. It was necessary that the Government should give the matter their serious consideration. Within the past eight or ten years \$30,000,000 had probably been spent in Ontario on railways. He knew that the English bondholders did not receive much remuneration for their outlay, but it was also a fact that preference was given to through foreign traffic. From some points west of Toronto, where the Grand Trunk and Great Western Railways were nearly united, grain was carried at a cheaper rate east than from some places 40 miles this side. He thought a resolution of this kind should be placed in such a form that it could be thoroughly ventilated before next Session, in order that there might be an intelligent verdict given upon the grievance, if such existed.

Mr. POPE (Compton) said the through lines should be allowed to settle through rates themselves. He could not imagine that his hon. friend was in earnest in proposing that municipalities should settle the local rates. It was absurd to think of such a thing. The Grand Trunk and Great Western local freight was carried as cheap as in any other country, and through traffic was carried cheaper; and here was the difficulty. All railway companies had to submit their traffic rates to the Government, and this was about as good protection as could be desired. He thought the law had better remain in its present position, than to be changed in the manner proposed. There should be no doubt on the matter, and the Government should express their opinion.

Mr. MACKENZIE said the hon. gentleman who had brought this subject before the House had, at various times, as also his hon. friend from Oxford, referred to the necessity of adopting something like the Minnesota or New York law, which compels a *pro rata* rate. The present system in Canada might be described as one that fixed the maximum rate, but permitted the railway companies to go as low as they pleased. The question was not whether some places were getting freight far too low, but whether any place was paying too high rates. His hon. friend from

Oxford had pointed out the desirability of the Government having control over the railway system, and expressed the hope that the time would not be far distant when the Government would own many hundred miles more of railway. If the hon. gentleman knew the difficulties there were in working a railway, he would not seek to impose a few hundred more miles of railway upon the Government. He differed *in toto* from the conclusion of the hon. gentleman. He had arrived at the conclusion that no Government should have anything to do with the governing or control of commercial affairs; and there was no more reason why a Government should work a railway than a cotton mill. They were both commercial enterprises, and both had better be managed by commercial men. The cause of the exceeding low rates from the west was simply on account of the keen competition. There were four great lines from the centre of the wheat-growing district to the Atlantic sea board. One route to the ocean was by way of Baltimore, which was the shortest of all the lines, taking Chicago as a common point, or any point to the south; and the farther south the shorter was the distance to the sea by way of Baltimore. Another route was by the Pennsylvania Central; then the New York and Erie, and then the New York Central. Some of these lines had great advantages over the Canadian line, the Grand Trunk, which was the longest of all from Chicago to Portland, or to any point where the sea-board could be reached except, perhaps, Montreal, and that, of course, was only available in the summer season. On the New York Central, and partially on some of the other routes, there were lines of rail laid wholly devoted to freight purposes, and by keeping a constant stream of freight cars upon the freight tracks, which are double, the same as for passengers, they were enabled to carry at much less than could possibly be done on a line like the Grand Trunk, where there was only one line of rails where, the passage of trains had to be governed by switches. They knew as a fact that, during the keen competition last year cars of grain and flour were carried from Chicago to Portland or Bos-

ton for \$12. That was a rate which would not pay expenses. Our people had to pay as much as that for a distance of forty or fifty miles. But it was not to be expected that our roads should by any possibility be governed by such absurd through rates. The subject which the hon. gentleman proposed for the consideration of the House was in fact a revolutionary one. It was one which, if carried out to its logical conclusions, would ruin many of our railway systems. It would be impossible to carry out the proposals which the hon. gentleman seemed to advocate. He (Mr. Mackenzie) admitted that there might be some necessity for reform. There might be some necessity for the Government to interfere in some respects, but he thought it was better, as far as possible, to avoid any interference with the railway rates if they were established upon a fair basis. The law at present required that all railway companies under the jurisdiction of the Government should have their rates approved of by the Governor in Council. It was the maximum rate which was regulated, but the Governor in Council had no power to establish a minimum rate. Unless there was a fixed rate established by the Government, it appeared to him that the object of the hon. member for Oxford could not be attained. On the Intercolonial Railway, which was the property of the Government, they were obliged to carry from Rivière du Loup to Halifax at a rate very much less, indeed, than from St. John to Halifax, or, perhaps, from St. John to Moncton. This was because they had to carry at such rates as they could obtain from the Grand Trunk, otherwise they would get none. The Grand Trunk could take its freight as cheaply to Portland as to the water terminus of the Intercolonial. The Government had to compete with American lines, and had, therefore, to regulate its rates accordingly. In the summer, also, they had to compete with the St. Lawrence and Gulf boats. The resolution, *prima facie*, was one to be commended; on its face it seemed to be manifestly fair; but it was one scarcely practicable. While he did not object to a discussion of the subject, or even to the resolution being adopted if

desired, he thought all the railway corporations should have due notice of the proposal before a Bill was brought in, so that they might be prepared to state their views before Parliament next Session. While more had to be paid from Chatham east than from Windsor east, this was because the latter had to compete with American lines. The same rule applied to other competing points, and they must make fair allowance for the difficulties railway corporations had to encounter in consequence of competition for through traffic. He had only to say, further, that he was quite disposed to give due consideration to that or any proposal of the kind that might be brought forward; but he thought there was too great a tendency at present to force upon railway companies that policy which in Minnesota had partially closed some of their lines and had compelled some of the companies to suspend operations, as the rates forced upon them made it utterly impossible for them to pay expenses. He was bound to give any proposal made by his hon. friend due consideration, and admitted that if anything could be introduced which would remedy the difficulty without destroying the revenue of the railroad corporations, it would be a great reformation. He would consent to the resolution on the understanding that it was only for the purpose of introducing the Bill so that it could be considered at the next Session.

Mr. IRVING explained that he had opposed the Minnesota or *pro rata* principle as applied to railway companies. The principle embodied in his Bill was not to destroy the power of the railway companies to fix their own rates, but to have the companies not unduly discriminate between traders and stations. The Bill was based on the English Act.

Mr. MACKENZIE said that the Government would allow the resolution to pass on the distinct understanding that the Government was not in any manner pledged to the Bill.

*Motion agreed to.*

House resolved itself into Committee of the Whole.

(In the Committee.)

Resolution agreed to and ordered to be reported.

House resumed.

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

Mr. IRVING introduced a Bill (No. 116) to make provision for the more effectual securing the observance by Railway Companies, of the law requiring equality of treatment in the management of traffic, and imposition of rates and tolls.

*Bill read the first time.*

### PRIVATE BILL.

#### FIRST READING.

The following Bill was introduced and read the first time.

Bill (No. 117) to amend the Act to incorporate the Manitoba Junction Railway Company.—(Mr. Thompson, Haldimand.)

### QUEBEC HARBOUR IMPROVEMENTS.

#### MOTION FOR PAPERS.

Mr. BLANCHET moved for copies of the Petition of the Harbour Commissioners of Quebec; praying for the guarantee of the Government for an additional sum of \$250,000, in order to complete the improvements in the above mentioned Harbour of Quebec.

*Motion agreed to.*

### WORKS AT RIVER ST. CHARLES.

#### MOTION FOR PAPERS.

Mr. BLANCHET moved for a statement of the tenders sent in to the Harbour Commissioners of Quebec for the projected works in the River St. Charles, the said statement to include the original tenders, the supplementary tenders, the names of the contractors and of their sureties, and the name of the person or company who obtained the contract, with the names of the sureties.

Mr. MACKENZIE said he must ask his hon. friend not to press the motion, as these contracts had not yet been let. It would be most unfair, under the circumstances, to ask the Commissioners to supply this information.

Mr. BLANCHET said it was mentioned some time ago that the Commissioners had given out the contract.

Mr. MACKENZIE: It is not correct.

Mr. BLANCHET said that if this was not the case, he would withdraw his motion; but he hoped that the hon. gentleman would not say that he asked for a return when it was not announced that the contract was awarded. He would not press his motion under the circumstances.

Mr. MACKENZIE: I was not aware of any public notification; but I know it is not given out.

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

#### ADMINISTRATION OF HARBOUR BOARD OF MONTREAL— TOWN OF SOREL.

##### MOTION.

Mr. BARTHE moved for copies of all petitions, correspondence and Orders in Council relating to complaints made against the administration of the Harbour Board of Montreal in connection with the town of Sorel and the works for deepening Lake St. Peter; also copies of all documents transmitted to the Government respecting the bad administration of the aforesaid works, the arbitrary dismissal of Pierre Côté and Pierre Charbonneau, and of any other employé; of all correspondence and documents relating to the dismissal of Captain Charles Armstrong; of all documents relating to the appointment of Messieurs McCarthy and McKenzie, and of any other employé at Sorel in connection with the works of the harbour—which documents, as well as those hereinafter mentioned, should be found in the office of the Montreal Harbour Commissioners, and of which the Government is entitled to have communication, inasmuch as the latter provides each year a very large amount of public money for the carrying on of those works; also copies of any report made by Mr. John McCarthy or any other employé of the Montreal Harbour Board at Sorel, showing why the pay of day labourers and of many others employed by the month or by the year

was reduced, while that of the said Mr. John McCarthy was increased from \$600, which his predecessor, Mr. Pierre Côté, had, to \$2,000; also copies of any contracts in relation to the leasing of the wharves, lands, shops, &c., of Messrs. John and Daniel McCarthy either with the Government or with the Harbour Board of Montreal; also of all instructions given either by the Harbour Board of Montreal defining the duties of the aforesaid employés, Messrs. McCarthy and McKenzie or of any other subordinate employé, in the carrying out of the said works; also, copies of all contracts awarded to any person whomsoever for the repair of dredge-boats, the erection of any building, the repairing or building of engines, machinery and boilers, the purchase of wood and of coal or any other contract generally; the names and residences of those who obtained such contracts and works generally, with or without tenders, mentioning the amounts of each such contract; also the amounts paid since 1875, whether by contract or otherwise, for provisions, bread, meat, groceries, &c.—for the board and maintenance of the men employed on the said works, and to whom such payments were made.

Mr. MACKENZIE said this brought up the question to what extent the Government could call upon Commissioners whose only connection with the Government was, that five of them were appointed by the Government in consequence of their guaranteeing the interest on a certain expenditure on the river, to give such information. This would indicate a minute surveillance over the works the Commissioners carried on, and this was a responsibility which they could not assume. It would be extremely inconvenient to consider that this should be exercised. All he could say was that they would transmit the motion to the Commissioners, and ask for such information as the latter could give. He had no reason to doubt that the greater portion of it would be complied with, but he himself and Parliament should guard against assuming a minute supervision over all the details of the work done by the Commissioners.

Motion agreed to.

Mr. MACKENZIE.

## HARBOUR OF REFUGE AT ROND EAU.

### MOTION FOR CORRESPONDENCE.

Mr. STEPHENSON moved for copies of all correspondence with the Department of Marine and Fisheries, or any other Department, relative to the supplying of a life or other boat for the public service at and in the vicinity of the lighthouse and piers at the harbour of refuge at Rond Eau. He said he moved for these papers from a deep sense of duty, because last fall he had visited this lighthouse, and he had found that a necessity existed there for the maintenance of a lifeboat or some other boat. It was some time before he could reach the lighthouse, which was situated some five or seven miles from any place where boats were kept, and he could not see why it should be so neglected. It was isolated completely, being situated on an island at the entrance of the harbour, which was about seven miles long and three miles wide. For many years, and in fact every year, more or less, vessels were stranded on Rond Eau Point, and it was absolutely necessary that the person in charge of the lighthouse should be in a position to go to the aid and, if possible, relieve those who were in distress under such circumstances. This was an important point, and a large amount of money had been expended there. He also thought the lighthouse-keeper should be supplied with every facility for making himself as efficient as possible in his particular department. Having a large degree of confidence in the Minister of Marine and Fisheries, who had ever shown him the utmost consideration, he believed it was only necessary to have the matter properly brought before that gentleman in a fair and candid way to induce the Government to take such steps as would meet the exigency of the situation. He was sure that the Minister of Marine and Fisheries was disposed to do what was pointed out to him as being requisite, on becoming acquainted with the facts, and, on looking into the circumstances, would be inclined to furnish the appliances necessary to place the lighthouse keeper at the

Rond Eau in a position to meet the requirements of the trade and navigation of that important section of the Dominion.

Mr. SMITH (Westmoreland) said that the matter having been brought to the attention of the Government, arrangements had been made to place a life-boat at this station on the opening of navigation.

Mr. STEPHENSON: Under the circumstances, I will withdraw my motion.

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

## FISHERIES IN THE NAPAN AND BLACK RIVERS.

### MOTION FOR REPORTS.

Mr. MITCHELL moved for all reports to Council by the Minister of Marine and Fisheries, in relation to the Bass and Gasperaux fisheries in the Rivers Napan and Black River, Miramichi, and the shores in the vicinity of the same; also, all Orders in Council made thereon since 1st January, 1874; also, all reports made by the Overseers of Fisheries and by the Inspector of Fisheries in relation thereto; also, all letters and correspondence had with the Department in relation to the said subject. He said that this object was not in any way to condemn the Minister of Marine and Fisheries or the Department for the policy pursued by the Government with regard to these fisheries, as he was not in a position to form an opinion on it. His own impression and feeling was that the Department had desired to do what was right, and for the best interest of the fisheries, which were very important, involving the question of hundreds of thousands of dollars. Perhaps there was none other as valuable in the Dominion. The Minister of Marine and Fisheries had sources of information, of course, in this relation, which he did not possess; but his constituents had requested him to ask for these papers in order to enable them to judge of the opinions of the officers of the Department as to whether the policy pursued was right or wrong. This was a reasonable request; and after the papers were brought down he

would be able to form an opinion on the matter. It was a question of vital importance that these bass fisheries should be cultivated and sustained.

Mr. SMITH (Westmoreland) said he was aware that there was a good deal of feeling in the hon. gentleman's county on the subject; but he was satisfied that the course adopted was a sound and prudent one.

*Motion agreed to.*

## HARBOUR MASTER AT PORT COLBORNE.

### MOTION FOR ORDERS IN COUNCIL.

Sir JOHN A. MACDONALD moved for all Orders in Council relating to the creation of the office of Harbour Master at Port Colborne, and to the appointment of Charles H. Carter to such office, and all correspondence with the Superintendent of the Canal and other persons on the subject of such appointment, together with a copy of the Regulations for the management and protection of the Canals and Harbours. He said he was told that the case stood thus. No harbour master had formerly been appointed at this port, but the Government, for some reason or other, took this step and named a political friend to the position. This particular friend was interested in vessels which passed through the canal, and he received a salary of \$600 which was not of the slightest value to him (Mr. Carter.) But still he was the owner of a large number of tugs and it was important that he should be the Superintendent, and manage the whole affair, and he transferred the tugs to his sons. This was directly contrary to the 31st section of the regulations of the Department for the management of the Welland Canal, which provided that no man in charge of any work should have any interest in teams, boats, tugs, etc., used on the canal. He was told that Mr. Bodwell and Mr. Norris, member for Lincoln, protested against this appointment, and he would like to have an explanation from the Minister of Public Works on this matter.

Mr. MACKENZIE said he would bring down the papers. He was assured that Mr. Carter was not the owner of

Mr. MITCHELL.

the tugs, nor had he heard before that they had been transferred to anybody. It was necessary to have a harbour master at Port Colborne, and Mr. Carter was appointed. Whether it was the best appointment or not he did not know, but he heard nothing against it.

Sir JOHN A. MACDONALD asked if Mr. Bodwell and Mr. Norris did not both protest against the appointment.

Mr. MACKENZIE said he had no recollection of their doing so, but he could not state positively at present.

Mr. McCALLUM said he agreed with the hon. the Minister of Public Works that it was necessary to have a harbour master at Port Colborne. There had been one there for a great many years, but he was transferred from the position to inspect the works in order to make room for Mr. Carter. A great injustice was done to Mr. Hamilton by removing him from the position of harbour master. The inspectorship would only continue for two or three years, and then he would have to go about his business; whereas Mr. Carter would probably hold the position of harbour master for life. It was well known that Mr. Carter owned tugs at the time of his appointment, and if they were not in that gentleman's name now, he (Mr. McCallum) had no doubt that he still owned them. It was in the public interest that no man interested in tugs on the Welland Canal should hold such an office.

Mr. THOMSON (Welland) said there was nothing in this cry against Mr. Carter owning tugs, because that gentleman had actually retired from business at the time of his appointment. Mr. Carter was a man of the highest respectability, integrity and truthfulness, and he would do nothing which was not in accordance with the strict discharge of his duties.

Mr. PLUMB said the gentleman whose name was brought forward in the resolution was, up to the time of his appointment, the proprietor of tugs doing business on the canal—at any rate, he owned them up to two or three days before his appointment. Those vessels were still doing business on the canal, and it seemed a little extraordinary that immediately Mr. Carter

took the position of harbour master, they should be quietly transferred. This was undoubtedly done in order to render himself eligible for the office. If the representations made in regard to this case were true, it demanded a searching inquiry.

*Motion agreed to.*

## PURCHASE OF IRON.

### MOTION FOR RETURN.

Mr. PLUMB moved for return of all iron purchased by any of the Departments of the Government for other than railway purposes, the person from whom purchased, the prices paid, and whether the same was purchased by tender or otherwise and for the purpose for which said iron is required.

*Motion agreed to.*

### MILITIA STAFF OFFICERS.

Mr. DOMVILLE moved for all Orders in Council appointing staff officers in the Militia since 1st January, 1875, and all reports by the Major-General commanding, and all letters and papers relating to the appointment and removal of staff officers in the Militia since 1st January, 1875.

*Motion agreed to.*

### POSTMASTER OF JONQUIÈRES.

Mr. CIMON moved for: 1st. Copies of all correspondence respecting the appointment of Mr. Benjamin Lagacé, as Postmaster of Jonquières, in the county of Chicoutimi; 2nd. Copies of the latest tenders for the conveyance of the Mails between Chicoutimi and Jonquières; 3rd. Return showing to whom the contract for the said conveyance of the mails was granted, and in consideration of what sum of money it was taken, and whether the contract was given to the lowest tender.

*Motion agreed to.*

### BOOMS AND PIERS ON THE GATINEAU.

Mr. CAMERON moved for a copy of the report made by a Select Committee of the Senate during the session of 1875, on the subject of the construction of the booms, piers, and other works on the Gatineau. He said it had always been contended by the hon. gentlemen

opposite that one of the strong points on which they appealed to the public opinion of the country was, that all public works should be let by tender and that the lowest tenderer should honestly receive the contract. After investigating this matter with all the attention he could bestow upon it, he had come to the conclusion that that principle had been violated in the present instance, and he thought that the House should be in possession of the information upon which he had come to that conclusion. The facts were briefly these: An advertisement was published requiring tenders to be sent in for certain works in the shape of piers, booms, &c., on the Gatineau. There were six tenders in all sent in. The lowest was W. Palen, at \$15,862.86; the next was J. Harvey, at \$16,059.18. The others were:—No. 3—Murphy & Braden, \$16,550.50; No. 4—Thomas Pidgeon, \$17,193.29; No. 5—Robert Stanley, \$19,131.79; No. 6—J. Lyons, \$19,415.01. It would now be noticed that J. Lyons' tender was the highest. The four highest tenders were received at the office of the Minister of Public Works some time at twelve o'clock, noon, on a certain Saturday. It also appeared by the documents which he had asked for, that by usage of the Department of Public Works, tenders mailed before twelve o'clock on the day on which tenders were to be received, were considered as being in time, although it may have taken twenty-four hours before they could reach the office. The documents also showed, and the evidence was overwhelming, that the two lowest tenders were mailed before twelve o'clock on the day on which tenders were to be received. The four highest tenders did not, on their face show the gross amount for which the work was to be done. They had to be what was called "extended." On the Monday morning it came to the knowledge of the Deputy Minister of Public Works, that two other tenders had been received, which were not extended. They were stamped "P.M." on the envelope in which they were enclosed, Mr. Palen's being one of these. But the Deputy Minister of the Post Office Department reported that he was satisfied that these tenders were

mailed before 12 o'clock. In consequence of that information the Deputy Minister of Public Works caused these two tenders to be opened, and the result was to show that Mr. Palen's was the lowest of all the tenders that had been sent in. Mr. Merrill, the Superintendent, upon ascertaining this fact, sent for Mr. Palen on Monday, the 9th, and informed him that he had the contract, and that he must proceed without delay to execute the work, as the state of the weather rendered it imperative that the work should be done at once. In consequence of this direction from Mr. Merrill, Palen commenced immediately to make the necessary preparations to carry on the work, and continued to employ men and teams, and provide material, until Monday, the 16th, when he received the first official information that the contract had been awarded to another party, and at once ceased to work. After that, some influence was brought to bear upon the Department to reconsider the question as to whether these two lowest tenders had been mailed in time or not. Amongst the documents he asked to be brought down was a letter, from a then Minister, addressed to the Assistant Engineer of Public Works, as follows :

"DEAR SIR,—The bearer is Mr. Lyons, a contractor in this city, who, I think, has tendered for the construction of the Gatineau booms. Mr. L. is well recommended, and is able, I think, to fulfil a contract if the work is given to him.

"Yours truly,

"(Signed) A. A. DORION.

"T. Trudeau,

"Assistant Engineer."

Strange to say, this letter had no date. There was, also, another letter without date :

"DEAR TRUDEAU,—Mr. John Lyons has a number of friends in the city who would be gratified by our giving him some work. Can we employ him to construct the Gatineau boom ?

"Yours truly,

"(Signed) R. W. SCOTT."

Another letter had a date, and the date on this was more significant than the absence of a date in the two former letters :

"We, the undersigned, are acquainted with the bearer, Mr. John Lyons, of Ottawa,

**Mr. CAUCHON.**

contractor, and know him to be a good and competent person to fulfill whatever undertaking he tenders for. We have confidence in his sobriety and honesty of purpose and industry, and he has our earnest wishes for his success in what ever undertaking he enters upon.

"Ottawa, January 14th, 1874.

(Signed)

"W. H. WALLER,

"JOHN P. FEATHERSTON,

"WM. FINGLAND,

"DR. P. ST. JEAN,

"FRANCIS McDougall,

"CHARLES BATE.

"The Hon. R. W. Scott."

All the gentlemen here named were friends of the Government, with one exception, and it should be remarked that Mr. Lyons had always, hitherto, taken a prominent part in politics against the Government. Mr. Lyons turned out to be the highest tender for the work. Representations were made to the Department that something was wrong, and it ought to be considered whether or not the two lowest tenders had not been mailed in time. The Department considered the matter from Monday until Thursday, but did not take the smallest amount of evidence to ascertain whether these two lowest tenders had been mailed in time. The Government suddenly decided that they were mailed too late, and they gave the contract to Murphy & Braden for \$16,550.50. But a still more strange circumstance happened afterwards. It turned out then that Lyons was a partner of Murphy & Braden. He (Mr. Cameron) felt that a constitutional principle had been violated, and that an injury had been done to an individual. The Senate Committee, after investigating all the facts, deliberately reported that Mr. Palen was honestly entitled to the contract, and that it should have been given to him. A minority report was made in which it was not even questioned that Mr. Palen was entitled to the contract, and it was recommended that he should have \$1,000 paid him as recompense for not receiving it. The minority report did not commit itself to the sum of a thousand dollars, but still admitted that he was entitled to some compensation. After these reports were made, he was requested to send in a statement of the amount of the outlay he had made. He did claim the profits and the actual outlay

of a thousand dollars, or thereabouts. He (Mr. Cameron) presumed it was on that evidence that the sum of a \$1,000 should be paid, ignoring the claim for profits, that he thought should have been paid, if he were entitled to the contract; if he were not, it was doubtful whether he should have had anything at all. After that, the Department of Public Works took the matter in hands, after some considerable trouble he believed, and after some time they offered to pay him the small sum of \$200, not stating the principle on which they had arrived at that calculation, but saying "There is the sum, take it if you like." The House ought to have documents so that they might see whether the hon. gentlemen had fulfilled their promises as to giving contracts to the lowest tenders, and also whether people engaged in the public service could be convinced when tenders were asked for, that the contracts were honestly awarded to the party who tendered at the lowest price.

Mr. MACKENZIE said the hon. gentleman had fallen into two or three mistakes. In the first place, this was all before the House. If he would turn to the journals of last Session he would see that a motion was made, and the papers brought before the House.

Mr. CAMERON: I was informed it was allowed to stand over on the request of the Minister of Public Works.

Mr. MACKENZIE: Not at all. He would say again, as he had said twice before, that the Government did award the contract to the lowest tender. This person's tender was not in time, as would be seen. The Secretary and Deputy Minister opened the tenders which were in in time; the other two tenders were received by the Secretary on Monday, and there seemed to be a possibility at first that they were in time. It was agreed between the Deputy Minister, the Secretary, and himself that it would be well to open them. No tender was awarded to any person; but Mr. Merrill, on Tuesday, on his own responsibility, informed Mr. Palen that he was lowest. He had no right to do that; it was not any part

of his duty to do that. The proper course was for the Secretary of the Department to intimate to the one whose tender was accepted, and not for a mere foreman or the manager of a work, such as was Mr. Merrill, to do anything of the kind. They had reason to believe that Mr. Merrill had been meddling in contracts in the same way, and when he (Mr. Mackenzie) sent for him, he called him to account for this. He quoted from his evidence given before the Committee last year to show the ground on which he acted. He knew nothing about the parties; but he did know that Mr. Palen urged his claims on the ground of being a supporter of his (Mr. Mackenzie.) Palen was the only one who did so urge. When the member for Cumberland put a motion on the paper last year, he had stated that he would consider this, and this only. Mr. Merrill stated to Palen on Tuesday that his tender was the lowest, —unofficially, improperly and without authority. He was notified on the Thursday that it was not the lowest, and he (Mr. Mackenzie) agreed that if Palen could establish what he had expended or done between the time of his improper notification by Merrill and his proper notification, it should be paid him. Mr. Trudeau examined into all his vouchers and accounts and found they amounted to \$192, and he was paid that, on the principle that he might have supposed that Mr. Merrill had authority to make the statement, although that was difficult to imagine; but he (Mr. Mackenzie) was willing to go to the utmost length to that extent. There was one very curious matter in connection with these tenders to which he would call the attention of the House. John Harvey and Palen were the two whose tenders were put in too late. This John Harvey was the same person who was employed in Arnprior, and was here tendering for this work instead of attending to his own work.

Mr. ROCHESTER: Was he under Government pay at that time?

Mr. MACKENZIE: I understood so.

Mr. ROCHESTER: I thought he was only employed during the summer?

Mr. MACKENZIE: He must have been under pay before the boom could be constructed.

Mr. ROCHESTER: That must have been in the winter.

Mr. MACKENZIE said the ground on which this tender was refused was the same as that on which they had refused tenders for almost every work,—the mails coming in too late; and unless they adhered rigidly to this rule, there would be no security to contractors. Those parties who put in their tenders before twelve o'clock on Saturday night, might have their tenders examined in Mr. Merrill's office, and information might be given.

Mr. ROCHESTER: Does the Government expect the tenders to be in the Department, or in the post office, by that time?

Mr. MACKENZIE said they expected all tenders to be sent to the Department. It was as easy to go to the office of the Department of Public Works as to go to the post office, and the usual plan was to take them to the Department. It was nearer, probably, to go to the Department, than for many people to go to the post office. In any case, tenders were to be received up to noon, but they were not to be received after noon. These two tenders referred to, were marked in the post office, "afternoon." The proof of that was, that they were not received with some others that were mailed. If they were in time, how was it they had not all come together? He was perfectly satisfied, after examining into the matter and conversing with Mr. Merrill, that these parties put in their tenders too late; that they got information improperly, and that this was the natural result of a system which would allow tenders to be accepted when they were put in too late. As to the report from the Senate, it was not, perhaps, very usual to refer to the proceedings at Committees; but he might say that he went there at the request of the Committee to be examined, and he found the Chairman of that Committee, Mr. Reed, at the head of the Committee, with Mr. Palen beside him, and the two conducted the examination between them. Anyone could infer from that what sort of an exami-

nation it was, and what sort of a Chairman of Committee.

Mr. ROCHESTER asked if the tenders were mailed in the post office in Ottawa by twelve o'clock, whether they should be delivered to the Department of Public Works on Saturday. He thought Mr. Griffin's evidence was somewhat different from what the Minister of Public Works had stated: that information could have been taken from Mr. Merrill's office to Mr. Palen, or any other individual tendering after, as he understood, Mr. Merrill had received the tenders from the Department to make up. He could not conceive how the Minister of Public Works could say that. If his memory served aright, it was on Saturday afternoon that Mr. Merrill received the tenders, and on Monday that he returned them to the office, after they had been made up. Mr. Merrill had, he believed, been an officer of the Government for over twenty years as Superintendent of the Public Works on the Ottawa, and, perhaps, altogether, for nearly thirty years; and he had not heard of any charge which had been preferred against him. He did not know that there had been anything wrong, and it was a very serious matter, after a man had spent his life in serving his country, that a charge of that kind should be made against him by the First Minister when he was out of service, having been superannuated. He did not think that the Minister was borne out in saying, or even insinuating, that Mr. Merrill would, under any circumstances, give any private information out of his office. Only five, six or seven days' notice was given for these tenders, the reason being that the season was so far advanced, and the boom must be got in before the ice went out of the Gatineau River. Mr. Merrill, he believed, stated that he saw Mr. Palen after he had made the tenders up, and told him that he had the contract, or that his was the lowest tender; and Mr. Palen on that, without any further notice, went to work, put on a large number of men, contracted for his timber, and was going on with the work next day, which was absolutely necessary in order to complete it before the ice would break

Mr. ROCHESTER.

up. From all he knew of it and the letters read, he must say he thought there was something which was not altogether right in connection with the award of this contract. He was sorry to say so; but he knew it was currently reported that such was the case. He believed it was mainly through the communications and interferences, personal and verbal, if not by letter, of a gentleman who had sat in the House, but who was now deceased, that the change was made, and that the stoppage of the work commenced by Mr. Palen was ordered. Under the circumstance, the least that the Government should do would be to reimburse this contractor for his outlay. Possibly Mr. Merrill might have exceeded his duty in giving notice to Mr. Palen, who sent in the lowest tender; but he thought that, as a general thing, Mr. Merrill had been a trusted officer, having given out contracts previously in many instances, and he (Mr. Merrill) evidently thought he was not doing wrong when he gave Mr. Palen such notice.

Mr. CAMERON said, in reply to the Minister of Public Works, he would state the evidence was quite clear that it was the practice of the Department to receive tenders mailed on the day on which tenders were called for. Mr. Trudeau in his evidence said:—

“As a general rule, we allow an additional day to give time to drain the post offices at a distance.”

Several tenders were so put in, and even in Ottawa it was the practice to drop tenders into the Post office, and not deliver them at the Public Works Department. Mr. X. Griffin in his evidence stated the practice as to the mailing of tenders, and also expressly that the letter addressed to the Department of Public Works was received. There was also the following letter received from the Deputy Postmaster General:—

“POST OFFICE DEPARTMENT,  
“OTTAWA, 9th February, 1874.

“MY DEAR SIR—Mr. Wm. Palen states that he dropped into the receiver's box of the Ottawa Post Office on Saturday last, a little before twelve at noon, a tender addressed to your Department; then he shortly afterwards came up to this Department to see the Postmaster General, and mentioned that he had

so tendered. The Honourable Mr. Macdonald remembers that Mr. Palen did so call and make mention of his having tendered. This was between twelve and one o'clock on Saturday. Mr. Hopkirk, the Postmaster General's Secretary, also remembers Mr. Palen's visit, and that it was about half-past twelve on Saturday. Mr. Palen states that after posting his tender he went back to the Russell House, and was some time there before he came up to the Postmaster General. The circumstantial evidence is therefore somewhat strong that the tender was posted as stated, though not taken out of the post office receiver until after twelve, as shewn by the postmaster's stamp.

“Yours truly,

(Signed) “W. H. GRIFFIN.”

Surely after the receipt of this letter from the responsible head of the Post Office Department, it was the duty of the Department of Public Works, to institute an investigation as to the time when the tender was mailed, and not to decide summarily that it was not mailed before noon because the letters “p. m.” were on the envelope. He supposed that the letters were not promptly taken out of the receiving box; and, under these circumstances, letters posted before noon might be so stamped. This was no evidence as to the time of mailing; and, if it was the practice to accept tenders if posted before twelve, when this letter was received from the Deputy Postmaster-General, the least that could have been done would have been to investigate the matter. The Department, although not only Palen but also Harvey and other tenderers, swore that the letter was mailed before noon and before the gun fired, and although that the Deputy Postmaster-General certified that the tender was mailed before twelve,—yet saw fit to reject these tenders and summarily decide that the letter was not mailed before twelve; and not only had they ignored positive and sworn testimony, but they considered that suspicion existed against an officer of the Government (Mr. Merrill) for having proved false to his duty, and given information on which Palen put in a tender lower than the previous ones; and on this mere suspicion, against the sworn evidence of Palen and Harvey, they rejected these tenders and favoured the man who sent in the highest tender, and who became the partner of the

man who was accepted as having sent in the lowest tender. And as these two were rejected under such circumstances, hon. members had to consider a suspicion, not resting on a merely vague surmise such as that entertained by the Minister of Public Works, who inferred that Mr. Merrill had proved untrue to his duty—but on good, substantial grounds, even if for a moment they laid aside the letters written by Ministers of the Crown—that political influence had been brought to bear in awarding this contract.

Mr. MACKENZIE said the hon. gentleman considered himself justified in stating that more regard should be paid to a suspicion directed against a Minister of the Crown than to one against a public servant.

Mr. CAMERON: I say nothing of the kind; but more regard should have been paid to sworn evidence.

Mr. MACKENZIE said the hon. gentleman knew that there was no sworn evidence until months afterwards. The hon. gentleman had said that, despite sworn evidence before them, they had decided in this way. This was the colour the hon. gentleman had chosen to give the transaction; this was the sort of fair play the hon. gentleman was disposed to extend to them; this was a specimen of it. But what were the facts: Mr. Braun, who received the tenders in the first place, stated:—

“On Saturday, the 7th February, 1874, at noon, several tenders were received, as called for by the notice (paper A.) On Saturdays, during vacation, the public offices close at one o'clock.

“On the day referred to, after one o'clock, I was still in the office, and Mr. Merrill, the Superintendent of the Ottawa River Works, called to know if the tenders had been opened.

“The rule of the office in opening tenders, unless in case of emergency, is not to open them till next day; the reasons for that is, that tenders may be dropped into the local post office in the morning, when they are stamped ‘A.M.’ and not be received in the office till the afternoon.”

The hon. gentleman had misstated the rule. Mr. Braun continued:

“The outside general mail is received at the Post Office Department, and is there distributed to the Departments; but the local

letters are called for by messengers at the post office.

“I replied to Mr. Merrill that they were not. He said the case was urgent, and no time was to be lost; upon which I took the tenders, some four or five, to the Deputy Minister, and stated what Mr. Merrill had said, upon which he decided that we should open the tenders, which was done.”

That was, they were opened an hour after they were received. Mr. Braun further stated:

“As these tenders were at schedule prices and had to be extended, we handed them to Mr. Merrill for that purpose. On the Monday morning, among the letters brought to me from the General Post Office, were two letters addressed to me with this in loration: ‘Tender for Gatineau Boom.’ On receiving letters or tenders I stamp them with a stamp bearing the date of the day of the month that I receive them. I looked at the local post office stamp and saw that both bore the date 7th, P.M.

There was more than this. The Montreal mail always came about five o'clock in the afternoon, but these tenders did not come with this mail on that day. They were only received on the Monday morning following; and they bore the stamp of Saturday afternoon. Beyond all doubt, they were posted in the afternoon too late to be brought to the office with the Montreal mail. This was the evidence upon which the hon. gentleman, for the sake of a little paltry political capital, endeavoured to make an unfair, unjust and scandalous statement. Mr. Braun also said:—

“The same morning Mr. Palen called at the office and asked about his tender, but I answered that I had received no tender from him.”

Such was the statement of the Secretary of the Public Works Department. Then Mr. Trudeau stated, “Harvey's tender is also marked Ottawa Post Office, P.M.” Mr. Merrill had expressed some surprise that there were no more tenders, appearing to know that another tender which was not there, was to have come in. The next they heard of it was on the following Monday, when, in order to be scrupulously careful, and not to do wrong, as he had heard it asserted that the letters were posted in time, he said to Mr. Trudeau, that, perhaps on the whole, they had better open the tenders, and give them the benefit of the doubt. Then came

the information that Mr. Merrill had immediately rushed to tell Palen that he had received the contract. Such a thing had never been done before. He had never previously known of a subordinate going and volunteering such information to a contractor. It was quite unprecedented.

Mr. ROCHESTER: But there was necessity for pushing on the work.

Mr. MACKENZIE said this was nothing. It was no more the business of Merrill than of the hon. gentleman to act so; and this had induced the belief on his part that some one who had seen the tenders opened on Saturday had given information on which other tenders were based. There being a possibility that this could have been done, they had adhered rigidly to the rule of the Department—not to look at the tenders received too late. He was never better satisfied with any action than with this in his life.

Mr. CAMERON said the hon. gentleman had accused him of making a scandalous charge, and, therefore, he thought that a personal explanation was due himself. The hon. gentleman had charged him with political partizanship, but he wholly denied it. If he had said anything scandalous—and this he denied—it was conclusive that the hon. gentleman and other hon. gentlemen opposite had made scandalous charges without any foundation for them. If he had done so he would only have been following the example of the hon. gentleman opposite.

Mr. SPEAKER said he had called the hon. gentleman (Mr. Mackenzie) to order for using the term, and he must also call the hon. member to order.

Mr. CAMERON said he had not heard Mr. Speaker call the hon. gentleman to order. He had ventured to reply, and the hon. gentleman had contradicted his statement, that there was sworn evidence before the hon. gentleman. The affidavit of Mr. Palen was dated the 12th of February, before the contract was given out, as he understood the facts.

Mr. MACKENZIE: Not at all.

Mr. CAMERON said this was the

case. Tenders were called for on Saturday the 7th, and on the 8th or 10th, on Monday or Tuesday, Palen was told he had the contract, and on Wednesday or Thursday he went on with the work, and on Thursday, as a doubt was suggested, he sent in an affidavit; and only on the Monday following, the other men went and insisted on going on with the work.

Mr. MACKENZIE: It was awarded on the 10th.

Mr. CAMERON said there was no evidence of this. Mr. Palen's sworn document was sent to the Department of Public Works on the 12th of February. This affidavit showed what were the facts. On the 13th, the following day, the affidavit of Harvey was made, and the hon. gentleman opposite had also Mr. Griffin's statement, which he had read, and which was dated the 9th, Monday.

Mr. MACKENZIE: That amounts to nothing.

Mr. CAMERON said that on these documents at any rate, Palen ought to have been given the opportunity of proving when his own tender was mailed, before, on suspicion, the contract was taken away from him by the Government, and given to another; and when they found that this contract was awarded practically to a man who had the recommendations of Cabinet Ministers, and who, between the 14th and 28th of January, changed his politics, becoming a supporter of the hon. gentleman opposite, he held that there ought to have been something stronger to rest upon than the suspicion on which the charge was made against Merrill.

Mr. ROCHESTER asked whether it was not customary for men wishing to tender to call at the office for the information they required before making out tenders.

Mr. MACKENZIE said this depended on where the plans and specifications were to be seen.

Mr. ROCHESTER asked whether it was not customary for them to call at Mr. Merrill's office for information.

Mr. MACKENZIE said they called wherever the plans and specifications were placed for examination.

Mr. ROCHESTER said in this case the plans and specifications were at Mr. Merrill's office. This was the reason why Mr. Merrill knew that more tenders were sent than were received.

Mr. SPEAKER: It is irregular to make a proposal to send to the Senate for papers which are already in our possession.

Mr. CAMERON: I was not aware of that fact.

Motion, with leave of the House, withdrawn.

## THE QUEEN VERSUS WILKINSON.

### MOTION FOR LEAVE OF ABSENCE.

Mr. BOWELL moved:

"That the Hon. Richard John Cartwright have leave of absence to attend the Assizes now being holden in the Town of Cobourg, in obedience to a subpoena served upon him to give evidence in the case of the Queen, on the prosecution of Hon. John Simpson, against James A. Wilkinson."

Mr. CARTWRIGHT said it might be as well to inform the House that several days ago he received letters, both from Senator Simpson and the legal representative of Mr. Wilkinson, desiring his attendance at Cobourg; but to both parties he had replied, that in the state of public business this was utterly impossible. To attend the Court at this time, could not be done without the greatest possible inconvenience to the business of the country; and he had, consequently, declined to go. As a matter of fact, although an attempt had been made to serve a subpoena on him in the corridors of the House—and he rather thought this was a breach of privilege—he did not think that any subpoena had been served on him, nor did he think that there was any sort of precedent for expecting a Minister holding his office, at this time in the Session, to absent himself from attendance on Parliament for any such purpose. As a matter of course, if the law permitted, it would give him much pleasure to be examined by a Commission here, which was done in one or two cases; but he thought the House would see that to attempt to establish such a precedent

as this motion would do, would be attended by the greatest possible inconvenience.

Mr. CAMERON said it was perfectly impossible to have the hon gentleman examined by Commission, inasmuch as the jury would be sworn to-morrow morning. If the hon. gentleman would agree to the motion it would only involve one day's absence. Of course, it was a matter of the greatest importance that the duties of the hon. the Finance Minister should be discharged here, but this trial was also of grave importance to the people. It was desirable to understand whether there was any foundation for all this talk of corruption in high places, and if the hon. gentleman could throw any light on the matter it was his duty to give evidence at the trial.

Mr. BOWELL said he was not aware that granting leave to any hon. member to obey the summons of the Court compelled him to go. The right to punish bailiffs or anyone for serving subpoenas on members of Parliament within the precincts of the House had long been given up. On this point *May* said:—

"Various other cases subsequently occurred, in which the parties who had served subpoenas upon members of both Houses were committed or otherwise punished for their contempt. But of late years, so far from withholding the attendance of members as witnesses in Courts of Justice, the Commons have frequently granted leave of absence to their members, on the express ground that they have been summoned as witnesses, and have even admitted the same excuse for defaulters at calls of the House. \* \* \* As the withdrawal of a witness may affect the administration of justice, the privilege has very properly been waived."

He thought it was quite clear, according to the latest practice in the Imperial Parliament, it was not considered a breach of privilege to serve a member with a subpoena.

Mr. HOLTON: Within the walls of the House?

Mr. BOWELL said he would not make that point. The authorities did not say anything as to the locality in which the subpoena should be served. His reason for submitting the motion was to further the ends of justice, and it was done at the request of the

person prosecuted for criminal slander. He had no desire to be kept here longer than was absolutely necessary; but the hon. gentleman (Mr. Cartwright) must remember that liberty of speech was at stake in this matter, and if the evidence of any hon. member was of weight he should attend and give that evidence. If the information the hon. gentleman had given to the House had been given when he first presented the petition, he did not know that he would have proceeded further with this motion. He took the course which he deemed to be in the interests of justice and in the interest of a man who had been prosecuted, and, without the hon. gentleman's evidence, might be punished.

Motion *negatived* on a division.

#### DAWSON ROUTE SUBSIDY.

##### MOTION FOR RETURN.

Mr. ROCHESTER moved for Returns of all monies paid to Carpenter & Co., together with Orders in Council recommending such payment on account of the Dawson Route Subsidy, up to 31st March, 1877.

Motion *agreed to*.

#### DEPARTMENTAL PAY LISTS.

##### MOTION FOR COPIES.

Mr. ROCHESTER moved for Copies of the Departmental Pay Lists for the months of October, 1873, and March, 1877.

Mr. MACKENZIE said there were so many of those pay lists that he could hardly see the necessity for this. Besides, the month of October, 1873, was an ominous one. It would be interesting to have November, 1873, included, and, with that addition, he had no objection to the motion passing.

Motion, as amended, *agreed to*.

#### EMPLOYÉS OF THE HOUSE.

##### MOTION FOR STATEMENTS.

Mr. BOWELL moved that the Clerk do lay on the Table a statement showing the ages, names, present salaries, and length of service of each officer and permanent Clerk in his Depart-

ment; also, the ages, names and salaries or daily pay, with date when pay commenced, of the Sessional or Extra Clerks at present employed in the service of the House of Commons; also, a statement by the Sergeant at Arms shewing the ages, names, salaries or daily pay and length of service of Officers, Messengers and others in his Department, whether employed permanently or otherwise.

Motion *agreed to*.

House adjourned at  
Fifteen minutes before  
Twelve o'clock.

#### HOUSE OF COMMONS.

Tuesday, 17th April, 1877.

The Speaker took the Chair at Three o'clock.

#### NEW WRIT.

Mr. SPEAKER informed the House that a vacancy having occurred in the representation, by the resignation of J. M. Currier, Esq., Member for the Electoral Division of the City of Ottawa, he had, in conformity with the Act 31 Victoria, Chapter 5, Section 12, issued his Warrant to the Clerk of the Crown in Chancery, to make out a new Writ of Election, for the said Electoral Division.

#### GODERICH HARBOUR WORKS.

##### RESOLUTION PROPOSED.

Order for the House again to go into Committee of Supply *read*.

Mr. FARROW said, before Mr. Speaker left the Chair, he wished to call attention to a matter respecting the Goderich Harbour contract. He thought he would be able to prove to the House that this was no ordinary matter—that it was a matter that came home to the Government; and that it was a matter that the country had a great interest in, because, he contended, a vast amount of money was expended needlessly, uselessly, and unjustly in connection with this work. They all knew that times had been hard in Canada. The country had been crying out about hard times for the last three

years, and, during the past year, the times had been still harder, on account of the failure of the crops. When the people experienced hard times they acted wisely, because they paid great attention to their expenditures, and whenever they found a leak stopped it. They began to live more economically; they began to husband their resources so as to outlive the hard times. To illustrate, he considered the country had acted like a ship in distress at sea. When it was found that a voyage was going to last six weeks which was only expected to extend over four, the crew were immediately put on short allowance so that the provisions might last out for the voyage. If they did not do that the most dreadful famine would occur. The country had acted on that principle throughout; but, he was sorry to say, just the contrary could be said of the Government. While the people had been living economically, and husbanding their resources, the Government had been wastefully expending the public money, and he hoped to show that in this particular instance they had thrown into the hands of a pet and supporter no less than \$30,000 of the hard earnings of the country. During the early part of the Session they heard a great deal about the charges made at picnics last Session. Hon. members opposite had said a great deal about meeting those charges. Why did not they meet them fairly, squarely and honestly, like men? Referring to certain charges made against him by the right hon. member for Kingston (Sir John A. Macdonald), the hon. Premier, in a speech at Watford, said: "I shall make that hon. gentleman answer this on the floor of Parliament." The hon. gentleman had not fulfilled that promise, and at this late stage of the Session he thought every one would agree with him that the hon. gentleman had no intention to do so. The right hon. member from Kingston charged the hon. the First Minister with having given contracts to tenderers that were higher than others equal in ability and financial standing. It would be remembered that early in the Session he moved for papers respecting this contract. From those papers he found that a Mr. Tolton tendered for this

work at \$182,630; then came Mr. Neilson, at \$200,375; Mr. Ellis, \$212,155; and then the successful firm, Moore & Co., \$212,540. This tender of Moore & Co. was about \$30,000 higher than Mr. Tolton's. On the 28th February, 1874, an Order in Council was passed, awarding the contract to Mr. Ellis, of Toronto, Messrs. Neilson and Tolton being passed by. But, strange to say, four days afterwards the following telegram was sent by Mr. Braun to Mr. Moore:—

"Are you prepared to deposit 5 per cent., and are your securities men of large means and property?"

The firm replied in the affirmative—he wanted the House to bear that in mind. On the 2nd March, Messrs. Moore & Co. sent a telegram to Ottawa stating that one of their firm would go to that city and make arrangements, and immediately after that an Order in Council was passed, giving the contract to this firm. The House would bear in mind that they had here an answer by telegram, saying that they were able to deposit 5 per cent. as security, and to give good security. When this was examined, however, these men were not able to make the money deposit, but in lieu of it they offered a property they represented to be worth \$14,000. The Government very wisely—and he gave them credit for it—sent one of their agents to a barrister named Ellwood, at Goderich, and asked him to value the property and report on the title. He was acquainted with Mr. Ellwood, who thoroughly understood the value of property in that section, and the House would be astonished to learn that this gentleman estimated the property to be worth only about \$4,500 instead of \$14,000, while there was also a mortgage on it of \$1,400. Moore and Company then put in a little more property, situated in Walkerton, in addition, and obtained other valuers, according to their own thinking, it seemed, from the return, and these persons valued these two properties at \$7,500. The Government then, in lieu of keeping to the first proposition as to the 5 per cent. on the contract price, accepted this property worth \$7,500, something like \$3,000 less than was originally intended. He now come to the most impor-

tant part of the affair. The House would recollect that when he moved for the papers, the Premier appeared to be a little alarmed, and, he might say, the Minister of Justice was also a little concerned. The Premier at once saw his dilemma. In looking over the transaction, the hon. gentleman observed a discrepancy of \$30,000, and wrote to his officer to ask how it came to pass that Mr. Tolton did not obtain the Goderich Harbour contract. This little matter had, nevertheless, cost the country \$30,000. Mr. Page replied, stating that the first reason was—that this man was unknown to the Government; the second, that his tender was too low—a very strange reason he might remark; and the third, that if this man had got the contract, he might have been ruined, and the Government might have thereby sustained loss. He wished to examine these points briefly. He did not altogether blame Mr. Page for insincerity. When Mr. Page wrote that this man was unknown, they made no effort to find out who he was. This seemed strange to him, because Mr. Tolton had already executed one contract at Meaford Harbour for the Government, to their satisfaction, and the man's name was in their own office. Mr. Tolton was a man who carried out faithfully and well all he undertook; and how could the Government, under the circumstances, say he was unknown. Mr. Tolton might have been partially unknown to Mr. Page, but not to the Premier, as he would prove. He would further show that the tender was not too low. Before this tender was sent in, Mr. Tolton asked Mr. John Brown of Thorold, how much he would charge for 400,000 yards of dredging, and Mr. Brown had replied, that he (Brown) would make a clear profit of \$12,000 on the dredging, and a proportionate profit on the iron work, because the contract for supplying the ironwork for Meaford Harbour was let to one Lockerby, who was eager and anxious also to secure the contract for the supply of such work for the Goderich Harbour job at the same figure. Therefore he asked whether this tender was too low. In the next place, why should the Government be so much concerned about any possible loss that might be-

fall Tolton when they were offered abundance of security. People generally did not so act under such circumstances. If Tolton had attempted to do the work at too low a figure, he would have received only 90 per cent. for work done, and besides having this performed so cheaply, in case of failure, the Government would also have had the ten per cent retained; therefore the Government could not have suffered any loss as far as he could perceive. He considered the argument in question a blind, which was unworthy of consideration. He contended that Mr. Tolton was well known in his own locality as a contractor, as a grain buyer, as a capable man, and as a faithful and experienced man. In the face of these facts how would the country view this transaction. In one sense, the Government knew not the man; but they knew the other men into whose hands they were going to place thousands of dollars of the country's money. It might be asked why the Government gave this contract to men who tendered at a figure \$30,000 higher than Mr. Tolton, who was financially able and in a position to give better security. Mr. Tolton could have furnished security to the amount of \$50,000 more than the others, and his sureties were Sheriff Tuttle and his brother, who lived in the township of Eramosa and was worth \$80,000, while the three other men could only furnish security for \$7,500. Why did the Government do this? Thereby hung a tale. It would be recollected by many members of the House that the Minister of Justice ran for election in Bruce in 1867. However strong politically the hon. gentleman might have been afterwards and now was, the hon. gentleman was not at that time so strong because he was very nearly defeated, only obtaining a majority of seven. This very man, up to the time of that election had always been an out and out Conservative, but then he turned his coat and afterwards boasted that his friends had become supporters of the present Minister of Justice for whom he had secured many other votes. If it had not been for this defection from the Conservative party, the hon. gentleman would at the time have likely

been defeated. One good turn deserves another; and when this little job or contract came on the carpet, Moore was of course anxious to secure it, and he accordingly went to the very best source to gain support—the present Minister of Justice, who he (Mr. Farrow) believed, was not in the habit of writing letters to parties wishing to be advanced. Nevertheless, the hon. gentleman wrote to Mr. Moore a very carefully worded letter as follows:—

“TORONTO, Jan. 2nd, 1874.

“MY DEAR MAACKENZIE,—David Moore, of Walkerton asks me to inform you that he is about to tender for the Goderich works, and I do so accordingly. I told my friend Moore that an introduction was unnecessary, as you would let the work fairly without respect of persons.”

No doubt the Minister of Justice wrote that letter in the interest of the country. But if an introduction was useless and unnecessary why was it written at all. It must have been a certain preliminary leading to an introduction of some kind or other, and no doubt somehow or other it had a certain influence in the direction intended. He had no objection to the Government giving positions to their friends: for “to the victors belong the spoils.” But when money was to be expended on public works, advertisements ought to be issued, and the men who offered to do the work, whether Conservative or Reformer, at the lowest price, should, other things being equal, receive the contract; and the Government which did not so act was reprehensible. He believed that the present Government had violated the principle of the contract system, and he therefore moved the following resolution:

“That Mr. Speaker do not now leave the Chair, but that it be *Resolved*, That by a Return to an Address from the House of the 21st February, 1877, dated the 8th March, 1877; for copies of all Orders in Council having reference to the Goderich Harbour Works, in 1874, together with a copy of the notice or advertisement calling for tenders for such work, the tenders received in response and Reports in relation thereto, with the contract entered into for the performance of such work, it appears:—

“That in all 16 tenders were sent in, for the performance of said work, averaging from \$182,630—to \$301,185. The four lowest tenders, being as follows:—

John S. Tolton, Walkerton.....	\$182,630
George Neilson, Belleville.....	200,375
W. H. Ellis, Toronto.....	212,155
Moore, Clendenning & Wilson, Walkerton .....	212,540

“That on the 23rd February, 1874, an Order in Council was passed, setting forth the fact that 16 tenders had been sent in, and containing as follows:—‘That W. H. Ellis, whose tender is third lowest, and when extended is found to amount to \$212,155, appears to be in a position to execute the work satisfactorily, and that his sureties appear to be good and solvent, and recommending that the tender of Mr. Ellis be accepted, and that for the due fulfillment of his contract satisfactory security be required on real estate, or by deposit of money, public or municipal securities, or bank stock, to the amount of 5 per cent. on the bulk sum of his contract.’

“That four days later, on the 27th February, without any information in relation to the said Ellis having, as appears by the Return, been furnished to the Department, a telegram to the following effect, was sent by Mr. Braun, Secretary of the Department of Public Works, to Messrs. Moore, Clendenning & Wilson:—

“‘Your tender for Goderich Harbour Works is among the lowest; are you prepared to deposit 5 per cent. of contract amount, and are both your sureties men of large means and property,’ to which telegram Moore & Co., on the 28th day of February, replied as follows:—

“‘Prepared to make deposit and go on with Goderich Harbour Works; can give satisfaction as to standing of sureties.’

“That on the 7th March an Order in Council was passed on a memorandum of the Minister of Public Works of the 5th March, stating:—‘That Mr. Ellis has left the country, and recommending that the next lowest tender, that of Messrs. David Moore & Co., whose tender, when extended, amounts to the sum of \$212,540, be accepted.’

“That on the 20th March, 1874, a letter was addressed to J. Y. Elwood, Esq., of Goderich, instructing him to examine titles, and state value of property offered by Messrs. David Moore & Co. as security, and to say what it would bring at Sheriff’s sale.

“That on the 28th March, the said Elwood reported to the Department of Public Works, that the property offered was worth from \$5,000 to \$5,500, less a mortgage upon it of \$1,400.

“That by a schedule submitted by other valuers appointed by the Government on the 11th June, 1874, it appears that properties valued at \$11,800, less \$3,400, incumbrances, were accepted as security, the security having been fixed by the Department at \$7,500, being \$3,127 less than 5 per cent. on the bulk sum of the contract.

“That on the 16th day of February, 1877, after notice had been given of the intention to move for the papers, a letter was addressed

by Mr. Page to Mr. Mackenzie, Minister of Public Works, in answer to enquiry from him, explaining the reason why the tender of John S. Tolton had not been accepted, the reason being that the tender of John S. Tolton was at that time looked upon as so low that some trouble was taken to ascertain whether he was a person acquainted with such work; but no information could be obtained about him, and that it would be injudicious to entrust the execution of such work to him, as it probably would result, not only in a loss to the Government, but also prove ruinous to the man himself. But there does not appear to have been any correspondence in relation to the said John S. Tolton, or any reference to him or to the reason for ignoring his tender at the time the contract was let.

"That on the 22nd February, 1877, the Hon. E. Blake addressed a note to the Hon. A. Mackenzie, requesting that a letter written by him on the 2nd January, 1874, might be included among the papers, which letter was in the following terms:—

" 'TORONTO, January 2nd, 1874.

" 'MY DEAR MACKENZIE,—David Moore, of Walkerton, asks me to inform you that he is about to tender for the Goderich Works, and I do so accordingly. I told my friend Moore that an introduction was unnecessary, as you would let the work fairly without respect of persons.

" 'Yours truly,

" (Signed) 'EDWARD BLAKE.'

"That, notwithstanding the statement in the letter of Mr. Page to Mr. Mackenzie, it appears from a statement made by an honorable member in his place in this House, that the Hon. Minister of Public Works had information connected with the said John S. Tolton, the following telegram having been addressed to him by Mr. David Stirton, at that time a Member of this House:—

" 'GUELPH, January 4th, 1874.

" 'To the Hon. ALEXANDER MACKENZIE, Minister of Public Works, Ottawa :

" 'I understand that John S. Tolton, of Walkerton, has tendered for the Goderich Harbour Works. Mr. Tolton is a thorough practical, honest and reliable man, financially able, and accustomed to the construction of Public Works. The securities named are reliable, sound men.

" (Signed) 'D. STIRTON.'

"That it appears that the tender of John S. Tolton was improperly ignored, and that the country has lost thereby the sum of \$29,525.

"That in the opinion of this House, the Government in thus awarding this contract, are justly censurable for violating the principles of the contract system, and causing serious loss to the country."

Mr. MACKENZIE said, so this was the response to the challenge he had

made to the hon. gentlemen opposite to make good their picnic speeches. He accepted that response, and was quite prepared to show that not only had the Government employed "a continuous system," to use the language of the hon. gentleman, of setting aside the lowest tenders and of finding some excuse to give contracts to their political friends, but he was prepared to show that the Government had succeeded beyond all former Governments, or at least beyond the late Government, in awarding the largest number of the lowest tendered contracts in the public service. Of this particular contract he would say a few words in the course of a few minutes. In 1870 the entire number of contracts let was 52; of these 25 only were let to the lowest tenderers. In 1871, 75 contracts were let, of which 46 were let to the lowest tenderers; in 1872, 77 contracts were let, of which 38 were let to the lowest tenderers; in 1873, 76 contracts were let, of which 43 were let to the lowest tenderers. In 1874, the first year of the present Administration, 90 contracts were let, of which 59 were let to the lowest tenderers; in 1875, 73 contracts were let, of which 58 were let to the lowest tenderers; in 1876, 30 contracts were let, of which 23 were let to the lowest tenderers. The percentage let to the lowest tenderers was as follows:—In 1870, as to numbers, 48 per cent.; as to amounts, 16 per cent. In 1871, as to numbers, 61 per cent.; as to amounts, 37 per cent. In 1872, as to numbers, 49 per cent.; as to amounts, 32 per cent. In 1873, as to numbers, 57 per cent.; as to amounts, 22 per cent. In 1874, the first year of the present Government, as to numbers, 63 per cent.; as to amounts, 43 per cent. In 1875, as to numbers, 79 per cent.; as to amounts, 78 per cent. In 1876, as to numbers, 77 per cent.; as to amounts, 92 per cent. But he had another statement still to give. In this he left out all of the lowest tenders that were passed over, for reasons attributable to contractors, because sometimes the lowest tenders were not accepted on account of the lowest tenderers withdrawing their tenders. Leaving out all such, he gave the results in this way: In 1870, 52 contracts were let altogether, and

of these 32 of the lowest were accepted, or 62 per cent. were given to the lowest tenderers. The total amount of contracts let was \$9,135,430, of which \$2,455,000 was given to the lowest tenderers. In 1871, 75 contracts were let altogether, and of these 58 of the lowest were accepted. The total amount was \$4,027,000, of which \$1,765,000 was given to the lowest tenderers. In 1872, 77 contracts were let, of which 50 were given to the lowest tenderers. The total amount was \$1,695,000, of which \$846,000 was given to the lowest tenderers. In 1873, 73 contracts were let, of which 53 were given to the lowest tenderers, representing a sum of nearly \$2,000,000, out of \$6,000,000. In 1874, the first year of the present Government, there were 90 contracts let, of which 70 were given to the lowest tenderers. The total amount was \$5,500,000, of which \$2,987,000 was given to the lowest tenderers. In 1875, 73 contracts were let, of which 69 were given to the lowest tenderers, the other four being given to the next lowest. The total amount was \$9,269,000, of which \$9,097,000 was given to the lowest tenderers. In 1876, 30 contracts were let, of which 25 were given to the lowest tenderers. The total amount was \$4,665,000, of which \$4,297,000 was given to the lowest tenderers. He directed the officers of his Department to prepare, carefully, tabular statements, showing, in every case, during the past seven years, the names of the parties who sent in the lowest tenders, and every particular regarding them; and from them it would be seen, at a glance, how far the Government had carried that principle practically into operation. The tables to which he had briefly adverted, and given the general results, showed that the Government had devoted themselves with great anxiety and assiduity to giving out contracts invariably to the lowest tender, where such could be done consistently with the interests of the public service; and that the Government had done that to a much greater extent than did the late Government. Those statements he would submit, of course, to the Press, in order that they might give them to the pub-

lic. He did not know of a single instance where the Government deviated from that rule for anything but public reasons. It was true they had been told in one case—the case mentioned last night—that a person was passed by because he was not of the same political faith as the Government; but he (Mr. Mackenzie) had been able to show, and to prove, that that person was the only one in his (Mr. Mackenzie's) office who declared he was of his own political faith. If a political friend obtained a contract, it was said to be due to the fact that he was a political friend; and, if a political opponent received a contract, it was alleged to be because he had to be bought over. Such was the various reasons assigned. When the hon. member for North Huron (Mr. Farrow), or some other member, called attention to the matter, he (Mr. Mackenzie) had no recollection of the circumstances, and he asked Mr. Page to put him in possession of the reasons why Mr. Tolton was passed over. Mr. Page wrote the following letter:—

“ OTTAWA, 16th February, 1877.

“ HON. A. MACKENZIE,

“ SIR,—In reference to your enquiry this morning as to why the tender of John S. Tolton for Goderich Harbour Works was not accepted in January, 1874:

“ I recollect distinctly that, after the tenders were opened and extended, I was called into your office and shown the list, and observed that Mr. William Sutton, Sheriff, Walkerton, was one of the sureties. The same gentleman was one of the sureties for Harvey & Korman, who had the contract for the new entrance channel and part of the dredging at Goderich in 1871-72.

“ I was subsequently informed by this firm that Mr. Sutton, although appearing as a surety, was in some measure a partner, and was so very sharp and troublesome that they had to buy him out in order to get along in anything like a satisfactory manner. Korman also left the firm, and the works were completed by Mr. Harvey and Paul Ross, the latter being the surety for the firm. John S. Tolton's tender was at that time looked upon as so low that some trouble was taken to ascertain whether he was a party acquainted with public work; but no information could be obtained about him. The other surety offered was Henry Tolton, a farmer of Eramosa. Judging from the tender (which appears as if it were in Mr. Sutton's handwriting) that Mr. Tolton might also be a farmer unacquainted with the class of work required, which, it may be observed, consisted of a double line of pier work 60 feet apart, the north or river pier being 2,300 feet long, for which a channel had to be dredged, the pier work sunk and carried to the full height the same season in which it was commenced, requiring consider-

MR. MACKENZIE.

able plant, knowledge, means and energy. I therefore advised that, from the low rates of the tender, the person, so far as could be ascertained, being unknown as a contractor, together with the circumstances previously mentioned, that it would be useless to entrust the execution of such works to him, as it probably would result not only in a loss to the Government, but also prove ruinous to the man himself.

"Yours, &c.,

"JOHN PAGE."

That being the opinion of the Chief Engineer it was accepted and acted upon. But it would be said there was another person, Mr. George Neilson, who was next to Mr. Tolton in the amount of tender, the sum being \$200,375. Mr. Neilson was passed over because he was their defaulter on two contracts, one on the Intercolonial and one at Port Colborne, and he (Mr. Mackenzie) had made it a rule of the Department that where contractors failed to carry out work, their tenders should not be considered until satisfactory arrangements had been made with regard to the works undertaken. Acting on that principle several tenders had been altogether rejected. The Messrs. Hatch who failed on the contract for the post office building in Ottawa tendered when the work was re-let, but the Department declined to receive or consider their tender. Mr. W. H. Ellis was the next lowest, and he was communicated with at once, but for some reason Mr. Ellis declined to answer any letters. Messrs Moore & Co. were next in order, and they were communicated with. He was altogether unaware as to who the gentlemen were, knew nothing about them, never heard as to their political antecedents, who they were, where they lived, or what connections they had in any respect whatever. Those gentlemen were as much strangers to him as any of the other tendering parties; indeed, the only party tendering whom he knew was Mr. Neilson, who was very well known to him, and whom he would have been very glad to have seen receive the contract but for the circumstances mentioned. He had, therefore, merely to say that in this, as in all other contracts, the Government had acted in the most perfect good faith, trusting necessarily to a very large extent, and especially at that time,

having newly assumed the cares of office, to the reports of officials, more perhaps than might have been necessary at a later period. The hon. member for North Huron (Mr. Farrow) had indulged in various speculations as to what advantages his hon. friend (Mr. Blake) thought might be derived from giving the contract to those parties, and to various other circumstances to which he (Mr. Mackenzie) would not allude as not being pertinent to the matter in hand. He declined to discuss mere probabilities and dreams of the hon. member, and he simply declared that in this, as in all other matters of a similar kind, the Government acted, first, with the most perfect good faith, and, second, with a single eye to the public interest, that being the chief matter to be attended to.

Sir JOHN A. MACDONALD said the statistics given by the hon. the Minister of Public Works as to the percentage of lowest tenders accepted by the late and present Government would be of some use to the country and some information to the House. He did not, however, see what bearing that information had on the case under discussion. Every contract must stand on its own merits; whether the course of the Government or Department of Public Works was right or wrong was to be determined simply by the facts of each particular case. The facts of the present case were those: Mr. Tolton, who had put in the lowest tender, was a Government contractor at the time he tendered for the Goderich Harbour works. He was a contractor employed under Mr. Page on the harbour works at Meaford. He was known to be a contractor. It was proved he was a wealthy, responsible and competent man; and why, then, did he not receive the contract? The hon. the Premier had read a statement made the other day by Mr. Page, stating his recollection of what happened in 1874. Where was Mr. Page's report of 1874? And if Mr. Page did not know in 1874 who Mr. Tolton was, why, the hon. the Premier should have told him. The hon. gentleman had received a letter and telegram from Mr. Stirton, who was known to hon. members as worthy of confidence for his veracity and shrewdness, and the Government had so much

confidence in him that they gave him an office at Guelph. Every one knew "honest James Stirton," and no one knew him better or valued him more than the hon. the Premier. That hon. gentleman was informed by Mr. Stirton that Mr. Tolton was a good, competent and wealthy man, and that his sureties were men of wealth. The hon. gentleman possessed that information, but he did not convey it to Mr. Page, who was wandering in ignorance all the time. As Mr. Page was a respectable person, no doubt his statement was true, and probably he had forgotten that Mr. Tolton was employed on Meaford Harbour Works. The difficulty experienced by Mr. Page with regard to Mr. Tolton, would have been at once removed if the hon. the Premier had handed over a telegram he had received from Mr. Stirton. Why were those circumstances withheld from Mr. Page? It was difficult to understand why Mr. Moore should be favoured. The letter written by the hon. the Minister of Justice was highly creditable to him—it was a letter which Mr. Moore had a right to ask from him. Mr. Moore supported the hon. the Minister of Justice, as a candidate for North Bruce, in 1867. He was, therefore, a friend of the hon. gentleman, and had a right to receive a letter stating all the hon. gentleman could honestly state. The hon. the Minister of Justice was not in any way personally responsible for the loss of those \$29,000 to the country. What became of the letter sent by Mr. Stirton, he did not know, but it was of comparatively little importance, because the letter was an expansion of the telegram, which distinctly informed the hon. the Premier in regard to Mr. Tolton. The hon. the Minister of Public Works was justly chargeable with having given a contractor \$29,000 more than the sum for which another competent man would have executed the work. He submitted the case to the House as it appeared from the papers submitted, and he held that no hon. member could honestly say that under the circumstances Mr. Tolton should not have received the contract. Messrs. Harvey & Kormann had the contract for the completion of the outer works in Goderich harbour, a much more difficult

work than that on the inner harbour, because the outer work was liable to be injured by storms, and indeed they knew that Messrs. Harvey & Kormann sustained pecuniary loss by portions of the work being destroyed by that time. Yet, though Mr. Kormann retired, Mr. Harvey and his surety, Mr. Ross, finished the work, and had made no claim on the Government for extras. The specification showed that for the same description of work the tender of Mr. Tolton was from ten to twenty per cent. higher than that of Messrs. Harvey & Kormann. With regard to the statement he (Sir John A. Macdonald) had made that the Department had acted with undue favour towards some of its own friends, there was one instance: it had been shown that Mr. Moore was a political friend, and that no doubt \$29,000 had been lost to the country, and before the Session closed he would feel it to be his duty to submit to the House other cases of a similar character. The House and the country could come to no other conclusion than that \$29,000 of the public money had been thrown away.

Mr. BLAKE said he would confine himself entirely to the personal matter. He desired to state to the House his political relations with the persons who were interested in the contract,—the only test which could be applied to such a case. The persons who were interested in the contract were Messrs. Moore, Clendenning and Wilson, of Walkerton. It was true that in the general election of 1867, when he stood for the Local Legislature in that constituency, he received the support of a very considerable number of gentlemen who had formerly belonged, and professed to still belong to the Conservative party. Upon that occasion he was elected by a very narrow majority over the Liberal candidate, who was defeated by 150 votes, a Conservative being elected to the House of Commons. The vote was, therefore, in his case not wholly a party one. Among the gentlemen who gave him their support on that occasion were Messrs. Moore, Clendenning and Wilson, all gentlemen belonging to, and not altogether without note, in the ranks of the Conservative party.

Sir JOHN A. MACDONALD.

On the next occasion on which he stood for the Riding, viz., at the general election of 1871, Mr. Moore voted for, and Messrs. Clendenning and Wilson against him. The next election in that Riding in which he was concerned was in the Fall of 1871, upon his accepting office, when he was elected by acclamation. The next election was the general election in 1872, upon which occasion Mr. Moore voted for him, Mr. Clendenning voted against him, and Mr. Wilson did not vote. The next election was in the Fall of 1873, upon his resignation, on again accepting office, at which time he was elected by acclamation. The next election was in January, 1874, shortly after the month on which the letter to which reference had been made was written. Mr. Moore told him that he and Clendenning and Wilson were about to tender for the work, and he (Mr. Blake) told him what was said in the letter. He was not influenced by the circumstance that Mr. Moore was a political friend. He knew that the whole of those persons were respectable citizens of his county, and he did not conceive that the question of a man's political relation to his member or to the Government ought in the slightest degree to affect his having every fair consideration with reference to the letting of contracts. Upon that principle he acted. Mr. Moore having been the person who came to him, he wrote the letter for him. Had Mr. Clendenning, Mr. Wilson, or Mr. Tolton come to him he would have done just the same thing. He was content that any letter he had written, or any expression that he had made with reference to the letting of any contract from the time he might be supposed to have any influence in this matter, should be made public, and it would be found that they had all been in the same fashion. He was convinced that his hon. friend (Mr. Mackenzie) would let this and all other contracts fairly, without respect to persons. He told Mr. Moore that he might depend on that, and nothing more; and he told his hon. friend precisely what he told Mr. Moore, so that he might understand, as distinctly as Mr. Moore and his partners, that his (Mr. Blake's)

opinion was that contracts should be let fairly, without respect to persons. That was the last communication he had with any person in regard to this subject. He knew nothing more about it. He observed that the Order in Council awarding the work to Mr. Ellis, was made upon the 13th February, ten days before the time he left the Government. Neither by letter nor by word of mouth had he any other communication with any person on this subject. Either this letter and the hon. gentleman's (Mr. Farrow's) insinuations were relevant, or they were not. He was glad to notice that the hon. gentleman had indulged in insinuations which, in effect, the hon. member for Kingston (Sir John A. Macdonald) had repudiated. The hon. gentleman introduced this letter for the purpose of supporting his argument and bearing out his insinuation. Inasmuch as that insinuation had been made, he thought fit to make this short, simple, plain statement of the facts. He saw that the hon. gentleman, by the course he had adopted, was endeavouring to have the House vote him guilty of some unworthy conduct, and with this statement he would leave the matter in the hands of the House.

Mr. McDONALD (Cape Breton) said the hon. member for North Huron (Mr. Farrow) charged that the public money had been unnecessarily expended in this case, and that the contract was awarded to a person who was not the lowest tender. The hon. the Minister of Public Works denied that, and claimed that from 1870 to 1873 the late Government did not give a larger percentage of contracts to the lowest tenders than the present Government had done since 1873. That statement did not justify the hon. Minister in his argument. In the matter of the Gattineau boom contract, which was discussed the other day, the hon. the Minister of Public Works laid down the principle that tenders could not be considered even if they were received one minute after twelve o'clock, and, acting on that principle, he excluded certain tenders for that work. He wished to refer to the building of the Marine Hospital at Sydney, Cape Breton, for which several gentlemen ten-

dered. According to a Minute in Council passed February 2nd, 1875, the contract for this work was awarded to Mr. Toole, who was the second lowest bidder, on the ground that it would be impossible for the other man (Mr. McKean) to perform the contract for the sum for which he tendered. Shortly after that, owing to some influence being brought to bear on the hon. the Minister of Public Works, the contract was taken from Mr. Toole, and awarded to Mr. McKean. It would have been supposed then that the building would have cost no more than the sum for which Mr. McKean originally tendered for, but owing to an extension of time granted this gentleman, and his being also the Government Superintendent of the work, it cost only \$400 less than if Mr. Toole had constructed it. This would show that the Government did not, to say the least, act with commendable discretion in such matters.

Mr. LANDERKIN said as the parties to whom reference was made in the amendment lived in his section of country, he could speak with some personal knowledge of this subject. He understood the hon. member for North Huron (Mr. Farrow) to say that Mr. Tolton was a wealthy man, a man of undoubted means, superior in financial ability to Messrs. Moore, Clendenning and Wilson. The hon. member for Kingston (Sir John A. Macdonald) also made a similar statement. He (Mr. Landerkin) was very much surprised to hear those hon. gentlemen make those statements. Those persons who knew all the parties would perhaps be much more astonished. He (Mr. Landerkin) believed he was quite safe in asserting that the financial position of Messrs. Moore, Clendenning and Wilson was quite safe and reliable.

Mr. FARROW: Yes, now.

Mr. LANDERKIN: And when the contract was entered into. The observations of the hon. member for North Huron were intended to mislead the House and the public. He had not a word to say against Mr. Tolton, but he thought the Government acted wisely in giving the contract to Moore & Co., although their tender was somewhat

Mr. McDONALD.

higher. It was well known in the section from which he came that Messrs. Moore & Co. were highly deserving and capable of fulfilling their contract. The early and satisfactory completion of this contract had justified this good opinion of them. For himself he never advocated that the lowest tenderer should always receive the contract. Every person knew that the adoption of such a system might, at times, be very prejudicial to the public interests, and he believed it was the duty of the Government to exercise discretion in giving contracts. He never found fault with the late Government for exercising discretion in this particular, but he was aware that the present Administration had, as a rule, favoured the lowest tender. In one instance, where a friend and supporter of his tendered in reference to mail service, although his tender was only \$1.00 higher than the successful competitor, the contract was not given him. He knew another case where a difference of \$5.00 gave a contract to a political opponent, when one of his supporters had tendered. The charge was made to show that the Government had given this contract to their friends, although the Chief Engineer stated that the reasons why Tolton's tender was not accepted was, because it was too low, and that he was unwilling to accept Sheriff Sutton as security, as he, when a security in a former contract at Goderich, had given so much trouble that the Department was not willing to accept him for this one. An attempt had been made to show that Moore's property was only worth \$4,500, and was encumbered by a mortgage. To show how deliberate an attempt this was to lower Mr. Moore's financial standing, he had only to state that a portion of this property was sold a short time ago for over \$12,000.

Mr. MACKAY (Cape Breton) said he would not have spoken on the subject had it not been for the remarks of the hon. member for Cape Breton (Mr. MacDonald), who had taken an unfair advantage of the Government, in bringing the charge he had, when the Government had no opportunity of placing the facts before the House. He understood the hon. gentleman to com-

plain of the Government for having given a contract for building the Sydney Marine Hospital to a party who had sent in the lowest tender, and for having been guilty of the gross outrage of not having awarded it to a friend of his own, whom the hon. gentleman characterised as a Liberal Conservative, inasmuch as this person tendered for a considerably larger amount. It seemed to him that this was hardly a legitimate matter for complaint. The Government were bound, as a duty they owed to the country, to give the contract to the person who would perform it properly and efficiently, and for the very lowest sum. The hon. gentleman also said that the eventual cost of the work was nearly as great as if it had been awarded to the person alluded to; but the hon. gentleman in this was exceedingly inaccurate, for he believed that the work was completed for the exact amount named in the successful tender, which was some \$2,000 less than the tender to which the hon. member had reference, and other amounts which might have been added, he thought did not exceed \$120 or \$130, and this was for what the Superintendent of the Works declared was extra work outside of the contract. The hon. gentleman also said that the Government had given an extension of time, and afforded Mr. McKean certain concessions to which he was not entitled. The extension was granted, but the hon. gentleman had not mentioned that the contractor was ready to go on with the work, but was prevented doing so on account of the neglect or negligence of some persons to purchase the land necessary for the purpose. The work was thus delayed for two or three months, and the Government had, in justice, consented to an extension of time for one or two months. The hon. gentleman said that the contractor superintended his own work; but this was inaccurate. A person was appointed by the Government to perform this duty.

Mr. McDONALD (Cape Breton) said the hon. gentleman (Mr. Mackay) had declared that he had been extremely inaccurate in his statement; but the facts were these: one tender was for \$3,890—

Mr. MACKAY rose to a point of order, as the papers in question were not before the House.

Mr. SPEAKER: The hon. gentleman has no right to answer; but he would have a right to explain any misrepresentation or misunderstanding.

Mr. TUPPER said he thought his hon. friend (Mr. McDonald) had a right to explain, as the accuracy of his statements was called in question.

Mr. SPEAKER: I think not. The rule of Parliament is that when an hon. gentleman is misunderstood by anybody following him, or if anything is misrepresented he has a right to explain and state: "I did not say so," or "I meant to say so and so;" or "what I stated was this;" but he cannot reply.

Mr. McDONALD said the hon. gentleman had distinctly stated that he was inaccurate in saying that the contractor had superintended his own work.

Mr. SPEAKER: Did or did not the hon gentleman say so?

Mr. McDONALD: I did say so.

Mr. SPEAKER: Then the hon. gentleman has no right to raise the question.

Mr. McDONALD: I give the report of the Minister of Public Works as my authority.

Mr. ORTON said he was very sorry to hear the hon. member for South Grey refer to the present financial position of Mr. Tolton, with whom he was well acquainted; and he could only say that at the time this contract was let, Mr. Tolton was considered to be wealthy, while his brother was possessed of considerable means. At the present time, the former was not so well off as he had been, but he did not occupy the position which the hon. gentleman tried to make appear. After this contract was awarded, he (Mr. Tolton) had engaged in other business, and bought a mill,—milling had not been a good business in this country for some years back. Mr. Tolton had lost a considerable sum of money. He thought it could not be denied that the hon.

member for North Huron had established that there was ample evidence in the possession of the Minister of Public Works, when the contract was awarded, to show that Mr. Tolton was a reliable man, and thoroughly competent to do the work; and, in the face of all this, it was distinctly proved that the Minister of Public Works and the Government were responsible for having wrongly spent \$30,000 of the people's money. The hon. member for North Grey had alluded to the wealth and standing of Messrs. Moore, Wilson & Clendenning; but it was a somewhat remarkable fact that, when this contract was let, these gentlemen could not find landed or any other security for \$10,000. He could now state, on good authority, that so far had been this job that one of these gentlemen had been since enabled to purchase a property for no less than \$52,000. It was evidently a very profitable and agreeable thing to be a friend of the Minister of Justice. Another significant fact had been disclosed in the discussion. The Minister of Justice was not then a member of the Government; and it was well known that when out of the Government the hon. gentleman was anything but a source of strength to the Administration. Viewing this circumstance in the light of other facts of which this House were well aware, such as the skill and tact shown by the Minister of Public Works in the first formation of his Government in attracting friends, as exhibited by the manner in which the hon. gentleman obtained the friendship and support of the Prince Edward Island representatives, it might seem to some minds that the hon. gentleman (Mr. Mackenzie) had an object in view in acting so as to please and gratify the Minister of Justice by giving this contract to the hon. gentleman's friends. He was very glad that the matter had been brought up, and he considered that the hon. member for North Huron had thoroughly established his case.

Mr. McCALLUM said that in his section of the country this work was regarded as having cost a great deal more money than it ought to have done. In the first place, mistakes had

been made in the engineering work; and in the next place, the people at all events in his section, believed that great favouritism had been shown in the letting of the contract. He was amused to hear the defence of the Minister of Public Works, who, when charged with the waste of \$29,000, justified himself by saying that the former Government had done similar things. But this was not what the hon. gentleman had advocated when in Opposition. The hon. gentleman had acceded to power in order to put an end to favouritism. He did not at all approve of the policy of the Government with regard to the awarding of contracts for public works. This policy tended to make the rich richer and the poor poorer. In the first place, it was required by the present system that a deposit of 5 per cent. of the whole cost should be made; and though a contractor were pretty well off, he might not be able to raise the money. The furnishing of good securities, besides the retention of 4 per cent. on the whole cost of the work under contract, ought to be sufficient. How was it in this case? Land of insufficient value had been accepted as surety, and, in some instances, railway stock, very much watered at that, had been so taken from favourites of the Administration. The latter had been the case, he believed, in connection with the Georgian Bay Branch Railway. That Mr. Moore was rich had nothing whatever to do with the case; he might well be so if he obtained \$29,000 more than the work was worth, and this was the question at issue—that the people of this country, through the action of the Government, had lost \$29,000, which, taken out of the Public Treasury, had been placed in Moore's pockets. And what did the hon. member for South Grey say? That he knew two or three instances in which the Government had accepted the lowest tenders, and only in one or two instances were the cases mentioned. He protested against contractors being required to make a deposit of 5 per cent. on the whole cost of a work before it was commenced. This placed too much power in the hands of the Government; and no Government should have it, as this al-

Mr. ORTON.

lowed them to decide in favour of their favourites, and he was informed many such instances of favouritism had occurred in the awarding of contracts for the enlargement of the Welland canal. When it was said that Mr. Tolton was unable to complete the work, who was better authority for his position than Mr. David Stirton, a former member of the House, and an honest man, whose word, as well as his signature, would be taken in any part of the country, and who had since been honoured by getting an office from the Government. The Minister of Public Works was condemned by his own action, in endeavouring to show that other Governments had done nearly the same thing. He would not have done justice to the people he had the honour to represent had he not expressed his disapproval of the hon. gentleman's course in this matter.

Mr. DYMOND said the first question which suggested itself regarding this subject was—what was the ground work of the motion. When they listened to the speeches of the mover and of the hon. member for Centre Wellington and remembered how the matter had been discussed in the Press, they found that the turning point of the whole case, and the main cause assigned for the motion, was the fact that the Minister of Justice had some motive or other which induced him to place the claims of Messrs. Moore, Clendenning & Co., in a favourable light before the Minister of Public Works. In short, the hon. gentleman (Mr. Mackenzie) was charged with corruption and the spending of \$30,000 more than was necessary, in order that a political friend of the Minister of Justice might be gratified. The answer to the hon. member for North Huron and the hon. member for Centre Wellington was found in the language of the hon. member for Kingston. The only evidence of any corrupt contract with Moore, Clendenning & Co., was to be found in the letter read by the mover and written by the hon. the Minister of Justice, which the right hon. member for Kingston said was eminently creditable to the writer. That disposed of the ground-work of the whole charge, unless there was something outside of the information

that had been placed before the House. Nobody supposed that any Government would recklessly give away \$30,000, unless there was some motive for doing so. The hon. gentlemen were judging the Government by their own measure. The hon. the Minister of Justice said that Mr. Moore had been a Conservative; but Mr. Moore, it seemed, had intelligence enough, which was highly creditable to him, to vote for that hon. gentleman. But Mr. Clendenning was still wandering in the dark labyrinth of Conservatism and voted against the Minister of Justice. Mr. Wilson, however, was such a good friend of the present Government that he did not vote at all. So the Government, if they acted corruptly, gave \$10,000 to oblige a friend, and \$20,000 to bribe two opponents. The right hon. member for Kingston said this was one of a series of cases to be brought before the House in order to sustain the allegations which he had made in his speeches last summer, when he said: "Let any Conservative try to get a contract, let any Conservative apply for an office, he would not get it." But here were two Conservatives at all events who got a contract. Here at all events was fair play. The right hon. member for Kingston found fault with the hon. the Minister of Public Works for not following the advice of Mr. David Stirton and for following the counsels of the Chief Engineer, Mr. Page. If the contract had been given according to Mr. Stirton's advice the Minister of Public Works would be denounced as a corrupt man, and now he was denounced for not doing so. What was a Government to do under such circumstances? When the present Government were in opposition there were witnessed no such unfairness, false charges and trumpery allegations. Had this been the case they would not have received the general support of the country which they now had.

Mr. WHITE said it was not a case of Conservative against Reformer, but as to whether the Government had not given a contract to a man who had tendered \$30,000 above the lowest tender.

Mr. CAMERON asked whether, as the lowest tender was not accepted,

the leave of the Governor in Council had been had to award it to another person.

Mr. MACKENZIE said it had been.

Mr. CAMERON said then this placed the responsibility upon the Government, and not upon Mr. Page. He understood that Mr. Tolton had contracted for some works at Meaford Harbour, and therefore must have been an experienced contractor.

Mr. MACKENZIE said this was subsequent to the present transaction, and the work was under the local authorities and not the Government.

Question put, and amendment (Mr. Farrow) negatived on the following division:—

YEAS :  
Messieurs

Baby	Macdonald (Kingston)
Benoit,	McDonald (CapeBreton)
Blanchet	McKay (Colchester)
Bowell	Macmillan
Cameron	McCallum
Campbell	McQuade
Caron	Masson
Cimon	Mitchell
Colby	Moffat
Costigan	Monteith
Coupal	Montplaisir
Cuthbert	Mousseau
Daoust	Orton
Desjardins	Ouimet
Dawdney	Pinsonneault
Domville	Platt
Farrow	Plumb
Ferguson	Pope (Compton)
Flesher	Robillard
Fraser	Robinson
Gandet	Robitaille
Gibbs (North Ontario)	Rochester
Gibbs (South Ontario)	Rouleau
Gill	Roy
Haggart	Stephenson
Harwood	Thompson (Cariboo)
Hurteau	Tupper
Jones (South Leeds)	Wallace (S. Norfolk)
Langevin	White (East Hastings)
Lanther	White (North Renfrew)
Little	Wright (Pontiac).—62.

NAYS :  
Messieurs

Appleby	Horton
Archibald	Huntington
Bain	Irving
Barthe	Jetté
Béchar	Jones (Halifax)
Bernier	Killam
Bertram	Kirk
Biggar	Lafamme
Blain	Lajoie
Bolduc	Laurier
Borden	Macdonald (Cornwall)
Borron	Macdonald (C. Toronto)
Bowman	Macdougall (E. Elgin)
Boyer	MacKay (Cape Breton)
Brouse	Mackenzie

Mr. CAMERON.

Brown
Buell
Burk
Burpee (St. John)
Burpee (Sunbury)
Carmichael
Cartwright
Casey
Casgrain
Cauchon
Cheval
Church
Cockburn
Coffin
Cook
Cunningham
Delorme
De St. Georges
Dymond
Ferris
Fiset
Fleming
Flynn
Forbes
Fréchette
Galbraith
Geoffrion
Gibson
Gillies
Gillmor
Goudge
Greenway
Guthrie
Hager
Hall
Higinbotham
Holton

McCraney
McIntyre
McIsaac
McLeod
McNab
Metcalfe
Mills
Oliver
Paterson
Perry
Pettes
Pickard
Pouliot
Power
Ray
Richard
Ross (East Durham)
Ross (West Middlesex)
Ross (Prince Edward)
Ryan
Scatcherd
Schultz
Scriver
Sinclair
Smith (Peel)
Smith (Westmoreland)
Snider
St. Jean
Thompson (Haldimand)
Thomson (Welland)
Trow
Vail
Wallace (Albert)
Wood
Workman
Young.—103.

Sir. JOHN A. MACDONALD explained that the basis of his assertion that Mr. Tolton had a contract at Meaford Harbour, was a letter which he received from that gentleman, in which he said:—

“Mr. Page appears to have had great difficulty in ascertaining whether I was personally acquainted with such work, although I was at the time constructing a harbour at Meaford under his specifications.”

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

After Recess.

SUPPLY.

XII. PUBLIC WORKS AND BUILDINGS CHARGEABLE TO INCOME.

House again resolved itself into Committee of Supply.

98. Harbours and breakwaters  
Quebec..... \$22,000

In reply to Mr. LANGEVIN,

Mr. MACKENZIE said the pier at Rimouski had been assumed by the railway. Some of the other piers were

quite dilapidated, and the engineer reported that it would require about \$20,000 to repair them.

Mr. LANGEVIN said the pier at Islet was not wanted, or needed to be repaired. It had never been built high enough to prevent water at high tides, or during high winds, being carried over it. For that reason, at certain periods of the year, the pier could not be used.

Mr. MACKENZIE said the pier at Islet would take \$17,000, that at Berthier, \$3,000.

Mr. LANGEVIN said he regretted that the Minister had not been in a position to ask a special vote to continue the pier at Baie St. Paul, in the County of Charlevoix. It was a work which was begun, and he thought it was only proper that it should be completed. There was another wharf at St. Cimon, at the other end of the county, but he did not press that.

*Vote agreed to.*

99. Harbours and Breakwaters in New Brunswick \$97,000

Mr. MASSON said that last year the Minister had told the House that the amount asked for would be sufficient to complete the work at Saint John.

Mr. MACKENZIE: I cannot have said that.

Mr. MASSON: I noted it down.

Mr. MACKENZIE: It was impossible. This was a work under contract, the amount being \$224,000, and whatever balance is required to complete the contract must be paid.

Mr. MASSON: \$339,000 has been paid for that work.

Mr. MACKENZIE: But it has not all been expended. The contractors had got on with their work very well; perhaps it is one of the best works in the Dominion. I think the amount of the estimates was \$224,000. Mr. Perley's estimate was \$240,000.

Mr. LANGEVIN: How much has been expended on it now?

Mr. MACKENZIE said that up to the 7th of December the expenditure was \$138,664. The appropriation for 1876-7 was \$65,000, and the expenditure \$63,795. The total amount re-

quired for completion was put down at \$92,000, making \$230,000, including the amount for engineering and inspection.

Mr. DOMVILLE asked what steps had been taken to put the Harbour of Saint John into commission?

Mr. MACKENZIE said he was not in a position to say anything about St. John harbour. The first movement was made by the Board of Trade, an irresponsible body with whom the Government could have no communication, as the harbour was the property of the City Council; but there was a general desire to have it placed in Commission, and it was probable that it would be carried out next Session.

Mr. LANGEVIN asked if the present vote would complete the work?

Mr. MACKENZIE: Not quite.

Mr. McLEOD said he regretted to find that the Government had not considered that there was any county in New Brunswick outside of St. John, which required an appropriation. It seemed that Gloucester was the only one entitled to any consideration. So far as the trade of that county was concerned, it had, perhaps, less trade, less exports, less tonnage going to the principal port of shipment than any other county in New Brunswick. He saw by the Estimates that \$9,000 was appropriated for a wharf at Clifton, Gloucester County, the locality furnishing an equal amount. He understood that that was a wharf which the Government proposed to purchase from the parties who had erected it for their own use, and, he supposed, applied to carrying on their own private business. Then there was another vote of \$1,000 for Grande Anse, Gloucester County. Last year the sum of \$3,000 was appropriated for the same purpose, on the ground that the locality would furnish an equal amount. He believed the locality had not furnished an equal amount. So far as his county was concerned, the harbour of Richibucto was in want of improvements.

Mr. DOMVILLE said he felt bound to back up the member for Kent (Mr. McLeod) in asking for anything that New Brunswick was entitled to, and a little more. He had no doubt that the

county viewed with pride the able legislation which that hon. gentleman had taken part in during this and the last Session, and the many speeches which he had made on the various questions of the day. He thought the Premier should reconsider the matter, and when he brought down the Supplementary Estimates do something for that county.

Mr. MACKENZIE said the \$7,000 for Shippegan was simply a re-vote to enable the work there to be finished. It was the building of a long pier near the upper end of the peninsula, and was not intended for any local benefit at all, but to enable vessels frequenting that quarter to obtain shelter. The amount of the contract was \$18,700, and \$9,110 had been expended up to the 31st December. It was intended to extend the length of the pier 120 feet, and to construct an L of 200 feet, the locality bearing half the expense and agreeing to transfer all the rights connected with what had been built to the Dominion. The vote of \$1,000 was to finish the small harbour.

Mr. DOMVILLE called attention to the harbour of Shediac, which he thought had hardly accommodation enough for vessels discharging cargoes there.

Mr. MACKENZIE said it was proposed to build an L to the end of the East pier there, which, it was expected, would remedy the difficulties existing there at present. With this improvement and a little dredging they would be able to maintain from 14 feet to 16 feet of water. No portion of the vote for Richibucto was expended last year, because the engineer reported that it would require \$150,000 to make the harbour what it should be. They did not feel justified in entering upon any expenditure there when the sum at their disposal was calculated to do so little good; and they preferred waiting to ascertain with more particularity whether something could be done next year upon some other plan which would preserve the harbour and at the same time keep the ground clear. The harbours of Bathurst and Richibucto deserved attention from the fact that they paid a large amount of harbour dues. They really paid for

harbour improvements, and if the Government did do something they might be obliged to modify the charges on shipping, which were felt somewhat severely at present.

Mr. LANGEVIN said, in the matter of harbour improvements, the hon. the Minister of Public Works seemed to have looked specially to the counties represented by his friends. They had no shelter on their coast, and it was not proposed to build anything. This was rather unfortunate, as a great many vessels traded in that neighbourhood.

Mr. MACKENZIE said, for the last three Sessions, hardly a dollar had been taken for the south shore, whereas a considerable amount was expended on the north shore. The hon. gentleman appeared to wish that, repeated constantly, no other counties but Charlevoix should have any attention paid to them.

*Vote agreed to.*

100	}	Antigonish, Antigonish Co.	\$5,000
		McNair's Cave, do	5,000
		White Point, Queen's Co.	3,500
		Jordan Bay, Shelburne Co.	2,000
		Meteghan Cove, Digby Co.	3,000
		Belliveau Cove .....	3,000
		General repairs.....	10,000
			\$31,500

Mr. MACKENZIE said a number of breakwaters and piers had suffered damage from storms, and the Government had resolved to ask for this \$10,000 for general repairs, to be employed in preventing the destruction of some of those works. It had been a very general experience that the works undertaken during the first six or seven years of Confederation were done on too slight a plan. The works, for instance, in one harbour, which cost altogether a large sum of money, were almost entirely destroyed by a gale in 1873. Some works at Liverpool also had been damaged by a heavy sea; and this had been the case at various other places. He felt it necessary to ask for a general vote to make these repairs. There was no part of the New Brunswick coast so exposed as the coast of Nova Scotia to the action of the waters of the Gulf and of the Atlantic. In New

Mr. DOMVILLE.

Brunswick the only exposed portion lay between the harbour of St. John's and the boundary line. This was the only harbour in that neighbourhood where any expensive works were to be done; but they did not propose to do anything there at present.

Mr. LANGEVIN: This is not to be a permanent vote.

Mr. MACKENZIE: No.

Mr. FORBES said they felt very much the want of the improvement proposed. The breakwater to which the Premier had alluded had been exposed to serious injury from storms. If repairs were not made during the coming season, a large part of the superstructure would be probably carried away. He was very much pleased to see this vote placed in the Estimates, as the expenditure of a few dollars in time in the past would have saved considerable expense; and he had no doubt that this expenditure would prevent the work being further injured and prevent a greater charge on the revenue.

Mr. MITCHELL said that the entrance of Miramichi and Gloucester was very much exposed. He would call attention to a breakwater at Escuminac Point, a place of refuge for the fishermen on that coast. They ran in there from the herring bank when a storm arose; and this was really a very exposed place. He had seen as many as 300 or 400 fishermen there at one time, and a small sum expended in making a breakwater at this point would do immense service in affording shelter, and preventing the loss of many lives. Some years ago, as many as 80 or 90 fishermen were lost in a gale in this neighbourhood, in one night. He hoped a vote would be put in the Supplementary Estimates for the purpose he had mentioned.

Mr. MACKENZIE said that hardly any of these votes were for new works. The \$5,000 for Antigonish was to enable them to complete the dredging at a certain pier up to a certain point. This would be sufficient for many years; and other parts of the coast would yet be equally well attended to. The works at McNair's Cove had failed once or twice.

The vote was for general repairs to the breakwater, which had almost been destroyed by a heavy gale last Fall. It was completed in December, 1873, at a cost of some \$29,000; and to prevent its utter destruction this vote of \$5,000 was asked for. In White Point, Queen's County, and Jordan Bay, Shelbourne County, a great many of the smaller craft found shelter occasionally. He did not think that these works required transfer. To many places in Nova Scotia the Local Government had granted sums to aid in the construction of breakwaters and shelters required for vessels, and they had occasionally supplemented these votes. These were public works. There were no tolls collected on the wharves. At some expensive places tolls were established. They proposed that tolls should be established in various other places for the maintenance of piers. The invariable rule was that they should not build wharves or piers and breakwaters unless they were for the benefit of sea-going vessels. He considered that all these were now public works.

*Vote agreed to.*

101. Harbour and breakwater,  
Prince Edward Island. \$30,000

Mr. MACKENZIE said that the vote of \$20,000 for Colville or Scuris Bay was part of the vote required to execute a contract entered into two years ago. The cost of it was estimated at schedule prices at about \$67,000. The amount expended last Session was \$35,500, and this left a sum of about \$3,600 in hand, which would shortly be spent. They hoped that this \$20,000 would complete, or very nearly complete, the work—the construction of a new breakwater. The railway was brought to the side of a shallow stream running into the bay, and the depth of water was not more than seven or ten feet at this particular point. When the pier was finished, the depth was 17 or 19 feet, and when the work was completed, they hoped to have about 20 feet. This was one of the few really excellent harbours of the Island. The Malpeque breakwater, for which \$10,000 was asked, was a new work in an old harbour. The Island was shaped like a crescent, the concave side being

to the north, and the result was that the north coast was visited by violent storms, which concentrated towards the centre; and when vessels were caught from the west or east end during a gale, it was very difficult for them to escape, unless shelter was afforded. There were three principal harbours on this shore—Massapeque was the best and largest, but its entrance was somewhat difficult on account of a double bar. Malpeque was comparatively easy of entrance; and for St. Peter's Bay, a vote of \$5,000 would be proposed in the Supplementary Estimates in order to secure a fair entrance. It would then be one of the best harbours on the coast.

Mr. POWER said Colville or Souris Bay opened to the south, and it had been the case that there was no shelter for vessels to anchor there. It had a depth of about 16 or 20 feet, and it now was a good sheltering place. He believed that the work proposed would be of great advantage to that part of the country. The terminus of the railroad was at the eastern end of the Island. Malpeque and Colville Bay were two of the best harbours on the Island.

*Vote agreed to.*

102. Slides and booms,..... \$5,000.

Mr. WHITE (North Renfrew) said he had questioned the Minister of Public Works last Session as to the necessity of constructing certain works at the Rapides des Rochers, and of removing certain rocks from the channel at Cap Gravel. If he understood the hon. gentleman aright, he was told that the former were recommended by the Superintendent or the Engineer in charge. As he saw, however, that the vote was reduced instead of being increased, he wished to enquire whether it was the intention of the Government to have these works constructed during the present year.

Mr. MACKENZIE: They are certainly not included in this vote, at all events. I would not like to say absolutely that it is not our intention to do so; but I will be able to give the hon. gentleman an answer in a few days.

*Vote agreed to.*

Mr. MACKENZIE.

103 { Dredge vessels..... \$22,000  
Dredging ..... 92,000

Mr. MITCHELL said it would be very desirable if the vote for the Maritime Provinces was separated. He would again call the attention of the Minister of Public Works to the Harbour at the mouth of the Miramichi. He thought one of the dredges should be sent to the bar for a few days. The work of dredging there so far was satisfactory, but it would be useless unless it was completed all across the bar. It was not right that two of the dredges should be stationed all the time at St. John's Harbour.

Mr. MACKENZIE said the two dredges were only at St. John's Harbor during the winter, and one of them would be leaving on or about the 20th instant.

Mr. McDONALD (Cape Breton) enquired whether a dredge could not be sent to Lingan, as there was some dredging much required at that place to permit vessels in the coal trade passing. He understood that a telegram had been sent by a Mr. Coffin from one of the Departments to the agent of the Company who worked Lingan mines, asking for information for his (Mr. McDonald's) colleague on this matter. This telegram, whether authorized by the Premier or not, led to the belief that the Government intended to send the dredge there soon. He hoped they would do so.

Mr. DECOSMOS asked why no provision was made for continuing the dredging at Victoria Harbour. When British Columbia entered into Confederation it was expected by the people of Province that they would receive their full share of harbour improvements. They handed over to the Dominion Government dredging material which cost \$100,000, and it was now laid-up doing nothing. He believed an order had been sent from the Department of Public Works to stop all improvements there. When it was considered that Victoria harbour alone paid half as much customs' duties, within a fraction, as the whole of the Province of New Brunswick, and two-fifths as much as the great Province of Nova Scotia, and that there were a great many large foreign ships calling there, it would at

once be seen that there was cause of complaint against the Government, and against the Minister of Public Works in particular. He believed the Dominion Engineer had represented the necessity of the Government dredging a portion of Victoria harbour along the front of the wharves, where the mud was carried down from the streets of the city, and also that the rocks should be removed. It was absolutely necessary that something should be done in a short time to keep the harbour open. The harbour had answered all the purpose of their commerce for the last twenty years, and would still do so for a long time to come; but some small sum of money ought to be spent in dredging it. It had been alleged by the Mail Steamship Company running into Victoria that they could not get into that harbour. That was a mistake. They could do so, although there were difficulties to contend with. The first difficulty was the filling up of the harbour, and then there were the rocks which wanted removing. He sincerely trusted that the Minister of Public Works would give some explanation why these improvements had not been carried out.

Mr. MACKENZIE said as the hon member had remarked, vessels of almost any size could get into Victoria harbour without any danger or difficulty, at present, and it could not be expected that the Government would spend money merely for spending's sake. It could scarcely be expected that the Government could remove the mud and filth that flowed from the city. That should be done by the local authorities. The Dominion Government merely removed bars, &c. The rocks referred to must, undoubtedly, be removed. There was, at present, a vote unexpended which could be applied to the removal of the most dangerous of the rocks. As to the harbour of Ligan, that was only a small place, and the Government did not feel justified in asking the \$30,000 or \$40,000 which would be necessary to cut the canal through the mud, in order to accomplish what was desired.

Mr. LANGEVIN suggested that, in future, the amounts for the several

Maritime Provinces for dredging should be stated separately.

Mr. MACKENZIE said he would not like to bind himself not to change the situations of the dredges when necessity arose.

Mr. LANGEVIN asked where the \$10,000 for the Province of Quebec was to be expended.

Mr. MACKENZIE: Chiefly between St. Johns and St. Ours.

Mr. LANGEVIN asked whether there was an appropriation to remove the mud bank below Father Point.

Mr. MACKENZIE replied in the negative.

Vote agreed to.

104	Miscellaneous Works not otherwise provided for.....	\$10,000
105	Surveys and Inspections.....	45,060
106	Arbitrations and Awards.....	15,000
107	Maintenance and repairs of Steamers <i>Napoleon III, Newfield, Druid, Glendon</i> and <i>Sir James Douglas</i> .....	100,000

Mr. PLUMB asked how much of the proposed vote would be devoted to repairs on the steamer "Glendon."

Mr. SMITH (Westmoreland) said that some reference was made last year in regard to that steamer, and he was now in a position to make a statement with regard to her purchase. Every precaution was adopted before the purchase was made, and a report was made by Mr. Wm. Smith, the efficient Steamboat Inspector of Nova Scotia and New Brunswick. That officer reported that the vessel was suitable for the service for which she was required; that she was able to steam at seven knots an hour, and that she was worth \$25,000. He, as Minister of Marine and Fisheries, offered \$20,000, and it was accepted. The "Lady Head" was transferred from Halifax to another service, and the "Glendon" replaced her; and he had received a letter from a competent official at that city, stating that the vessel was very useful, and that such a ship was required for the buoing and

lighthouse service. The Department proposed to expend \$12,000 on repairing her.

Mr. PLUMB asked how much had been spent on repairs since the vessel was purchased by the Government.

Mr. SMITH (Westmoreland) said the vessel had cost for repairs much more than was expected, but if hon. members would read the report of the Steamboat Inspector, they would consider him justified in purchasing her at the price.

Mr. CARON said that if he correctly remembered the discussion of last year, it was then stated that the vessel had proved unequal to the work for which she was purchased.

Mr. SMITH said he would leave the House to determine whether he was justified in purchasing the vessel for \$20,000 after they had read the Steamboat Inspector's report, which was as follows:—

"The freight steamer "Glendon" was built at this port (St. John, N. B.) and was completed and employed in August, 1872. The hull was built under the inspection of Mr. Thos. H. Sime, surveyor for Bureau Veritas. The engine, boiler, &c., were furnished by Messrs. Geo. Fleming & Sons, engine builders, St. John, N. B.

"*Present Condition.*—The steamer's hull is in very good condition, does not leak, is considered strong—it has not shown any signs of strains or weakness. [Note.—The hull of this steamer was slightly damaged the first season she ran, by touching Musquash Head, but was thoroughly repaired and made stronger than before under inspection.]

"The engine is of the inverted cylinder condensing type, such as is usual in single engine screw steamers, the pipes are copper, cocks brass, jet condenser; the machinery is in good order. I consider it reliable from its strength, and the satisfaction it has given during the last two years. [Note.—Several changes have been made in the strength of parts of the machinery since it was first put into the boat. These changes added to the strength, and were made the first season the steamer ran.]

"*Outfit*—The outfit is of the usual kind for freight steamers. I enclose a printed paper shewing the outfit in detail.

"*Speed*—This steamer makes her greatest speed with an ordinary cargo, say 300 tons of coal and 300 barrels freight. Her speed with this load is seven knots per hour; her speed light is not quite so fast, as the steamer is out of trim. 309 tons of coal, not including the coal in bunkers, or 2,000 barrels, is the quantity she can carry, and be in good trim and seaworthy.

"*Consumption of fuel, coal in bunkers, &c.*—The steamer burns eight tons of soft coal in twenty-four hours' steaming, when making a speed of seven knots an hour. [Note.—This steamer's boiler is better adapted for hard than

soft coal. Hard coal has been used on her as fuel, except on a few occasions. The soft coal used was "Picton," and did not give as good results as the hard coal. The furnace bars were not properly set for the soft coal. I consider the boiler fittest for the hard coal, but changes in the furnace bars would give better results with soft coal than have been obtained. The bunkers stow 30 tons of coal. This quantity has steamed this vessel 100 hours. The boiler has been repaired this winter, new pieces have been put in the tops and sides of furnaces; the boiler is in good order, and with care and the usual repairs done each season, would make it last two years at a steam pressure of 30 pounds per square inch, the full pressure required to make the speed stated. She has never leaked. The shell has wasted 1-32 of an inch since first put in the steamer; its thickness at first was 5-16 of an inch.

"I enclose a statement procured by me from the Surveyor of Bureau Veritas (who inspected this steamer) showing sizes, strengths, and the kinds of timber fastenings, spars, etc. The steamer has very little cabin accommodation, and this is in two deck houses—one forward, one aft.

"The number of crew required to navigate the vessel is eleven all told, without working cargo.

"The spars are of pitch pine, rigging wire; the steamer has three masts, called a three-masted schooner, is provided with sails, etc., for this rig. I do not consider the model of the vessel a good one; she is not at all handsome in looks, but is fit for the business for which she is intended—freight carrying. The present value of the steamer, in my opinion, is about \$25,000. It is said she cost \$30,000, but I think a similar vessel could be built for less than \$30,000.

"There are some changes that can be made on this steamer if required for service by the Department, such as housing in the deck cargo winch, alteration of rig, etc."

Upon that report, he thought it would be in the interest of the Department to purchase this steamer; but she, unfortunately, turned out unsuitable for the service, and had to be devoted to the service in which she was now engaged at Halifax.

Mr. PLUMB said it was evident from the beginning that the purchase of this vessel was a mistake, and the report which the hon. Minister had read only justified the opinions expressed on that side of the House. Even with this amount expended on her for repairs, the "Glendon" would still be useless for the service she was now nominally supposed to be used for.

Mr. SMITH (Westmoreland) said he had stated distinctly that the "Glendon" was very useful at her present work. Their agent at Halifax reported that, with the necessary alterations, the "Glendon" could be made a valuable boat.

Mr. SMITH.

Mr. BLANCHET said the only conclusion to be drawn from the hon. gentleman's explanations was, that the Government were trying to make the best of a bad bargain.

Mr. SMITH (Westmoreland) said if he had known as much about the "Glendon" before he purchased her as he did now, he would not have bought her. But he wanted to show to the House that he was exonerated from blame; he had no other object in view but the public interest. Finding the boat unsuitable for the service for which she was intended, they had endeavoured to utilise her in other work and had succeeded.

Mr. ROBITAILLE said it was well known that the "Glendon" was not adapted for the service before she was bought by the Government. A very fine steamer the "Beaver" which would have answered all the requirements, could have been obtained for \$28,000 to \$30,000.

Mr. SMITH (Westmoreland) said persons who were acquainted with the qualities of the "Beaver" did not give her as high a character as the hon. gentleman did.

Mr. LANGEVIN asked for an explanation of the increase of \$20,000 over last year's vote.

Mr. SMITH (Westmoreland) said last year his hon. friend (Mr. Cartwright) was desirous of retrenching in every particular, and he had endeavoured to cut the expenditure, but had found it difficult to economise with steamers of this description. He found that \$80,000 was insufficient to maintain the steamers, and from the reports of their agents it would appear \$120,000 would be necessary. He had desired to ask for \$100,000, and would endeavor to make that sum suffice.

Mr. ROBITAILLE said he thought it would be better for the hon. Minister to ask for a vote at once which would enable him to meet the requirements of the service. By economising on the steamers now, they would probably go to destruction in a few years, and then there would be the expense of renewing them, which might be avoided by keeping them in a good state of repair.

Mr. SMITH (Westmoreland) said he agreed with this principle, but he thought they would be able to get along with the sum asked for.

Mr. BUNSTER said the sum of \$10,000 for the "Sir James Douglas" was reasonable.

108. Steam communication between Halifax and St.

John, via Yarmouth... \$10,000

Mr. LANGEVIN: Is this service performed by contract?

Mr. CARTWRIGHT: Certainly.

Mr. DOMVILLE asked whether it was let by public tender.

Mr. FORBES: No.

Mr. DOMVILLE said this ought to be done.

Mr. FORBES said this service was let by contract when the vote first passed, and had been so continued ever since.

Mr. LANGEVIN: Is this service performed by contract?

Mr. CARTWRIGHT: Yes.

Mr. LANGEVIN: It appears that the contract has been continued without calling for new tenders.

Mr. MACKENZIE: Tenders were asked for last year.

Mr. LANGEVIN: Was there a new contract?

Mr. MACKENZIE: I think so.

*Vote agreed to.*

Mr. JONES (Halifax) said he would call attention to the dropped item of \$39,541.67 moiety which had been payable to the Allan Line between Halifax and Cork. He thought the probability was that present negotiations with the Imperial Post Office authorities regarding the establishment of a weekly line between England and Halifax and for the landing of the Australian and American mails, had something to do with this omission. If not, he ventured to hope that the Government would reconsider the question, if the negotiations in question were not crowned with success. The people of the Maritime Provinces would be deprived of a very great convenience if the fortnightly boats between Halifax and Liverpool

during the summer months were withdrawn. If the amount omitted were placed in the Estimates for the six months during the summer, he thought this would ensure the running of fortnightly boats to Halifax during that time. He believed that the people of the Maritime Provinces generally would be very much disappointed if the Government did not take this view of the matter. If the communication which had existed for the past thirty years was removed, it would cause serious inconvenience and embarrassment those engaged in commercial pursuits and the public generally.

Mr. FORBES said this sum could, with great benefit to the country, be used to subsidize a line running between the Dominion and the West Indies. The prospects for the encouragement of this trade was one of the inducements held out for the entrance of the Lower Provinces into the Dominion. These Provinces were now suffering severely for want of such communication and this need was increasing every day. The sum in question with another small grant, would undoubtedly build up, and largely benefit the trade of the Dominion. He hoped that the Government would take the matter in hand.

Mr. DOMVILLE said it might be well to consider the advisability of continuing a subsidy to the Allan Line, but he did not think it would be any use to provide a sum of money for mail communication with the West Indies. Such mail facilities as already existed were ample for the purpose.

Mr. CARTWRIGHT said that it was just to bear in mind that the Government had gone to very large expense in connection with the Intercolonial Railroad, and were now incurring a very considerable expenditure to establish winter communication *via* Halifax. He was afraid that this expenditure would be very considerably in excess of the sum here saved. Negotiations were in progress with the British Government that they hoped would make of Halifax a port of call for steamers of a very superior class. If he remembered aright, the steamers employed on this service had been discontinued, as the British Government had with-

Mr. JONES.

drawn their subsidy, but they were not a very fast class of vessels.

Mr. JONES: They do very well for the purpose.

Mr. CARTWRIGHT: What length of time do they take to pass between Halifax and Queenstown?

Mr. JONES: Ten or eleven days.

Mr. CARTWRIGHT: Twelve days, I think.

Mr. JONES said they were satisfied with the speed. The people of the Lower Provinces were under the impression that the Intercolonial Railway was provided for the convenience of Ontario and Quebec. He would have liked a little more direct assurance as to the policy of the Government in the event of the negotiations mentioned, failing. He hoped that the Government were not so undecided on the point as to be unable to let them know whether, in the event of the negotiations failing, they would be able to continue the Allan Line during the summer months.

Mr. FORBES said instead of a fortnightly communication between the West Indies and Nova Scotia, there was only a monthly communication.

Mr. DOMVILLE said he understood there was a fortnightly communication.

109. Steam Communication on Lakes Huron and Superior \$12,500  
110. Steam Service between San Francisco and Victoria, British Columbia.. 54,000

Mr. DECOSMOS said he wished to call the attention of the Government to the non-fulfilment of the contract in connection with this service, and he wanted to see right done to British Columbia in the matter. This estimate was false on the face of it. There was no steam service between San Francisco and Victoria in accordance with the true intent and original meaning of the Treaty of Union between British Columbia and the Dominion of Canada. The contractors take their steamers to Esquimalt, three miles from Victoria, and take freight and passengers round to Victoria in steam lighters. In

many instances, great loss occurred to merchants in Victoria on account of the contract not being carried out in accordance with the terms of Union. Passengers landing at Esquimalt had to pay their own fare to Victoria by land, or else to wait for hours for the steam lighter. Sometimes the Victoria mails were detained for hours at Esquimalt. A great injustice and cause of complaint was that British Columbians were refused berths according to the terms of contract. The steamer's state rooms were divided up, one for Portland, Oregon, one for Washington Territory and the third for British Columbia. He could produce affidavits from respectable men in British Columbia who had to pay in San Francisco \$40 instead of \$25 in order to take a berth to Victoria; in other words, buy a Portland ticket at \$40 because they refused a Victoria ticket. The contract was really farmed out. The original contractor disposed of his contract to the Pacific Steamship Company, and he, in conjunction with three others, received \$16,000 clear, \$4,000 each, and then the contract was not carried out as it ought to be. The service was originally intended to promote the interests of British Columbia as a part of Canada; but it was now, and had for a considerable time been, used to build up Puget Sound to the loss of British Columbia. The steamships on arrival called at Esquimalt, and then went to Puget Sound. Instead of getting all their coal at Nanaimo, as they ought to do, they got it on the American side, although occasionally one got its coal at Nanaimo. The fact was that this contract was now being carried out to the injury of the people of the Province and of the Dominion, and to the great inconvenience of merchants and travellers. Last week there was a petition signed by between 600 and 700 merchants, and other citizens of Victoria, asking that the steamships carrying Her Majesty's mail between San Francisco and Victoria should be compelled to enter Victoria Harbour. There were loud and deep complaints in consequence of the violation of the contract, as they felt that considerable injury was being done to their trade. A year ago the contractors sent a letter over here,

which was considered by the members for British Columbia. Their proposal was that they (the members) should recommend the Government to consent to their carrying the mails three times a month all the year round, instead of twice in winter a month and four times in summer, and if they would do so they would bring their vessels into Victoria harbour and get their coal at Nanaimo. This was agreed to by the British Columbia delegation and the Postmaster-General, but the agreement was not carried out by the contractors. It had been alleged that steamships could not get into Victoria harbour, but this he most distinctly denied. When the contract was first entered into the "City of Panama" entered the harbour all right and she could do the same now.

Mr. BUNSTER said there was a desire on the part of American capitalists to crush out British Columbia. The contract was obtained under false pretences. Owing to an injudicious pilot a vessel did once run upon a rock in Victoria harbour; but there was plenty of room, and the Government had promised to blast the rock. In consequence of the steamers not calling at Victoria, goods had to be handled twice, which was of course detrimental. And the lighters in which the transportation from Esquimalt was made were old colliers, not fit for carrying merchandise. Although the British Columbia coal was 22 per cent. better than the American coal, the companies bought the latter. He believed the Government thought they were giving the contract to a purely British Columbian Company. But it was not so, it belonging to San Francisco. The Chief Factor of the Hudson Bay Company was insulted by being informed that he could not get as good a berth as the people going to Washington Territory and Oregon; and, rather than stand this insult, he went round overland at a great expense. That was not the way to have our citizens treated. It would be well for the Government to take into consideration the manner in which our people were dealt with by parties who claimed that they always got the advantage of the Dominion, and, in this case, prided themselves that they had the advan-

tage. The sum of \$54,000 was no small item for the House to deal with, and, when so much time had been wasted on trumpery items, he thought the House would bear with him on an important matter of this kind. If hon. gentlemen would pay more attention to matters of this kind, they would have more money to build the Pacific Railway with. A couple of enterprising British Columbians had built a first-class boat, which was now in the harbour of Victoria ready for service; and there was a company in British Columbia with capital enough to build, not one, but two boats. The deposits in the Dominion Savings Bank in that Province would compare favourably with those in any other Province, in proportion to the population. There was enough money there, but what the people required was to be encouraged, to see that they would have an equal chance with, or a preference over foreigners, though we could not condemn the Government for giving the contract to the parties who got it. The Postmaster-General—now the Lieutenant-Governor of Ontario—said he would give the preference to a British Columbia company, and so it was given; but, unfortunately, that company had not a boat at that time and did not carry out the pledge given to their partners. Hence, they had to suffer the disadvantage of having less accommodation than was given to Chinamen. Another difficulty had been that their perishable goods—fruit and other things—had been carried to the American side. When the citizens and Her Majesty's navy in Esquimalt wanted these things they were carried to the other side. There was a provision in the contract that these vessels were to make eight or ten knots an hour. If they would do that, they could make the trip in three days. The average time was four days, and that would not be anything like ten knots an hour, while boats here ran fourteen, fifteen, and sixteen knots an hour. He thought it was desirable that the contract should be let to a British boat, and that we should not again be swindled, as we had been, and our citizens insulted.

Mr. DEWDNEY said this question was brought up in this House last year

Mr. BUNSTER.

by the hon. member for Victoria (Mr. De-Cosmos), who had stated that the boats were insufficient and unsafe; and that the captain told him that he was afraid to go back again to Victoria unless he insured his life for \$10,000. He (Mr. Dewdney) had enquired into that statement, and had found that the captain had been making fun of the hon. member. He was proud of his boat, as he ought to be, as it was one of the best sea-boats on the Pacific Coast. The complaint was also made by the member for Victoria that the speed did not reach ten knots.

Mr. DECOSMOS: When was this complaint made?

Mr. DEWDNEY: Last Session. He could not say what was meant by a ten-knot boat, but the boats running from San Francisco to Victoria were considered, by nautical men, as ten-knot boats. Captain Seabury—captain of one of those boats—said, in a statement which he (Mr. Dewdney) had in his hand, that his steamer, since he commenced to run between Victoria and San Francisco, had made the trip in an average time of 79 hours. He believed that would be perfectly satisfactory to the Department, and that it was as fast time as was made four years ago across the Atlantic. He believed that, only a short time ago, arrangements were made with Sir Hugh Allan, in order to ensure safety, that steamers should not go over an average of ten knots an hour. The Pacific coast was very foggy and dangerous, and it would be the height of injudiciousness to ask any contractor to carry out the contract of ten miles an hour in a dense fog—in fact he believed the nautical running regulations would not allow a ship to go over half speed in foggy weather on a rocky shore. The member for Vancouver (Mr. Bunster) had mentioned the name of Mr. Graham, who could not get a berth on this steamer, and had to go overland. He did go overland; but a few days ago he (Mr. Dewdney) had received a letter from Victoria stating the circumstances which brought that about. He had taken his stateroom on the steamer, and was given one of the best on the boat for himself and family. Unfortunately, small-pox

broke out, and he took the first chance he could get and went overland. That was the story of Mr. Graham. With regard to the steamer running to Esquimalt, he thought the people of British Columbia, as well as Victoria, ought to have something to say. The Victoria Harbour was not capable of accommodating the large vessels now carrying our mails. The "Panama" once tried to get in and ran on a rock.

MR. DECOSMOS: And the pilot was discharged.

MR. DEWDNEY said plenty of other pilots had run her since, but they had never attempted to take her into Victoria Harbour. If there was a breath of wind the vessels could not be handled in that little harbour. He thought it was not fair to the travelling public to endeavour to force the Government to give the mail contract to small steamers capable of entering Victoria Harbour when they had a chance of accommodating fine steamers, of which anyone might be proud, at Esquimalt. There was a little inconvenience incurred in going to Esquimalt by land, for the distance of a mile or two, but all the merchandise (and passengers when willing) was transported at the expense of the Company, in tug-boats. As to the spoiling of some fruit and other perishable goods which he believed was taken across to Puget Sound on one occasion, the owners of the steamers paid for the loss, and in every case where there had been any misunderstanding of that kind, the Company had made it good. There was a great deal of correspondence in the Departments in regard to all these matters, but he believed the representations made by the contractors had turned out to be true, and the allegations against them to be not true at all, and the explanations to be satisfactory to the Department. There had been difficulties in shipping coal for these large ships on account of the wharves not being prepared to load such large vessels; but they had taken large quantities, and did so now every month, from the Provinces. The petition which the hon. member for Victoria spoke of with 600 signatures lately received, contained, he was informed, very few names of prominent

men in Victoria, the rest being a lot of boys and aliens with no interest in British Columbia or Victoria; but he (Mr. Dewdney) knew that a petition was signed by almost every responsible merchant in the city of Victoria stating that the service was perfectly satisfactory and far better than had ever been given before. The steamers were first-class, the mails were carried very regularly, the boats were run well, officered well, and, in the event of any ruffianism occurring, it was immediately put down.

MR. HUNTINGTON said the discussion would be sufficient to satisfy the House that there were differences of opinion among the members from British Columbia in regard to the service which had been criticised. The Government could only have one object, which was to secure, under the obligations they had undertaken to British Columbia, the fairest and best service for that Province. His hon. friend for Victoria moved for papers the other day in reference to this subject, and he might think there was some delay in their not being brought down. He could tell his hon. friend that since that time, a clerk had been constantly employed in copying the voluminous correspondence, and it would probably take three or four days more before it would be completed. The contract was made after tenders had been advertised for, and it was given to the lowest tenderer. The amount paid seemed to be a large sum—it was almost half what was paid for the Liverpool service—but, whatever it was, it was a contract into which the Government had entered, and which, unless there were some grounds for breaking it, must be fulfilled. Up to the present moment they had been unable to see any necessity for breaking it, and, while he had listened to the representations made on this subject, he had been unable to form any conclusion on the subject. The contractor was here last winter, and all the complaints made against the service were represented to him, and he was informed that the object of the Government was to carry out the benefits which the contract was intended to confer upon the people of British Columbia. He was told, moreover, that

the Government would regard with no leniency whatever, the least disposition they could discover to deal unfairly with the British Columbians, and that they would take all the means in their power to break the contract if they found a disposition to discriminate against our fellow countrymen in favour of foreigners. The difficulty in arriving at a conclusion was so serious that the Department would have to send an experienced officer to British Columbia to examine into the matter.

Mr. BUNSTER said the Company agreed to enter Victoria harbour, and by their failure to do so they entailed great inconvenience and expense on travellers. The hon. member for Yale (Mr. Dewdney) said the boats were well officered. Well, the captains were gentlemen, and the mates probably understood their business, but the balance of the crew were Chinamen. He hoped the hon. the Postmaster-General would send out an officer to investigate, for it would then be found that his statements in regard to this matter were correct, and that there were evils which required remedying.

Mr. DECOSMOS said he was very much surprised at the statement made by the hon. the Postmaster-General, to the effect that the difficulty was so serious that an officer would have to be sent to the Province to enquire into it. He could only say that such a course would only be a waste of public money. Section 4 of the Terms of Union read:—

“The Government will provide an efficient mail service fortnightly by steam communication between Victoria and San Francisco, and twice a week between Victoria and Olympia, the vessels to be adapted for the conveyance of freight and passengers.”

He would like to know what necessity there was to send a gentleman out to interpret that section. That term of Union instead of being carried out was being violated; there was no steam communication—no Dominion mail service—between Olympia and Victoria. When Lord Dufferin visited the Province, the service between San Francisco and Victoria was improved a little, and they had made shorter passages since that time. The hon. member for Yale said ships could not

Mr. HUNTINGTON.

enter Victoria harbour during a high wind, but high winds did not prevail all the year.

Mr. DEWDNEY: I said a light breeze.

Mr. DECOSMOS said he denied that most distinctly. He had the statement of the Captain of the “Dakota,” which was to the effect that they could enter the harbour at any time, providing they had a tug to assist them entering at some places. The remarks the hon. member for Yale had made with regard to the petition were calculated to mislead the House. The hon. gentleman (Mr. Dewdney) also stated that he had seen a petition to the effect that the vessels were first-class. He (Mr. DeCosmos) believed that that petition confined itself to the seaworthiness of the boats. There were from 36 to 50 Chinamen on board each vessel, which fact could not be regarded as desirable in any respect.

Mr. DEWDNEY said one of these steamers had arrived at Victoria from San Francisco in 68 hours 10 minutes, the shortest trip ever made, and one hour less than the time occupied in the passage of the warship “Amethyst,” conveying the Governor-General, from San Francisco to Victoria.

*Vote agreed to.*

- |                                                                              |          |
|------------------------------------------------------------------------------|----------|
| 111. Steam communication with the Magdalen Islands.....                      | \$ 4,200 |
| 112. Winter service by steamer between Prince Edward Island and the mainland | 20,000   |

Mr. PLUMB asked, whether the “Northern Light” had been successful.

Mr. SMITH (Westmoreland) said she had been wonderfully successful. He was satisfied that this service could not be done for less than \$20,000.

Mr. LANGEVIN: What did it cost last season?

Mr. SMITH (Westmoreland): We have not received the bills and do not know as yet.

*Vote agreed to.*

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|---------------------------------------------------------------------|----------|
| 113. Steam communication between Nova Scotia and Newfoundland ..... | \$ 5,000 |
|---------------------------------------------------------------------|----------|

Mr. LANGEVIN: Is this service done by contract?

Mr. MACKENZIE: There is only one steamer on the route, and this is a grant for it.

Vote agreed to.

114. Steam communication between Grand Manan Island N.B., and the mainland, ... \$ 1,500

115. To provide for the examination of masters and mates..... 4,250

116. For purchase of life-boats, life-preservers and rewards for saving life..... 4,000

Mr. LANGEVIN said that some of the boats on the north shore of the St. Lawrence were not fit for use.

Mr. SMITH (Westmoreland) said he would make enquiry in the matter.

Vote agreed to.

117. To provide for investigation into wrecks and casualties and collection of information relating to disasters to shipping..... \$ 500

118. Expenses in connection with Canadian register and classification of shipping, 500

Mr. SCHULTZ asked whether any regulations were introduced for the classification of the shipping of the North-West. It was as yet not very considerable, of course, but still there was quite a little marine springing up on the inland lakes.

Mr. SMITH (Westmoreland) said the vote was intended for another purpose, having reference to sea-going vessels.

Vote agreed to.

119. Montreal Water Police.. \$14,090

120. River Police, Quebec..... 23,500

Mr. SMITH (Westmoreland) said the vote was increased as they had recurred to the vote of a former year. They found that this was necessary.

Mr. LANGEVIN said he was very glad to find this done. The force was a credit to the Government.

Vote agreed to.

121. Removal of obstructions in navigable rivers ..... \$500

122. Salaries and allowances of lighthouse keepers ..... 146,881

Mr. DOMVILLE said there was a large increase for Nova Scotia, while the increase for New Brunswick was very small. He had annually called the attention of the Minister of Marine and Fisheries to the necessity of building a lighthouse at Palmer's Point on the St. John River.

Mr. SMITH said more lighthouses were built on the Nova Scotia than on the New Brunswick coast, because more were required there.

Vote agreed to.

123. Maintenance and repairs,..... \$253,263

Mr. LANGEVIN remarked that the increase, \$40,263, was very large.

Mr. SMITH (Westmoreland) said the amount last year was \$50,000 less than it was the year before.

Vote agreed to.

124 For completion and construction of lighthouse and fog-alarms, \$30,000.

In reply to Mr. LANGEVIN,

Mr. SMITH (Westmoreland) said the Government were building no more lighthouses, only completing those in progress.

Vote agreed to.

XV. FISHERIES.

Salaries and disbursements of Fishery Overseers and Wardens:—

	Ontario .....	\$11,600 00
	Quebec .....	11,500 00
	Nova Scotia, including Inspector and Clerk	14,400 00
125	New Brunswick, including Inspector and Clerk.....	10,130 00
	Prince Edward Island	1,740 00
	Manitoba .....	200 00
	British Columbia.....	1,000 00
126	Maintenance and repairs of steamer for protection of Fisheries.....	20,000 00
127	Fish-breeding, fishways and oyster beds.....	20,000 00

Mr. PLUMB said he had watched with much interest Mr. Willmot's fish-breeding experiments at Newcastle, and the question arose whether the artificial breeding had been of any

benefit. No vote could be asked or would be more cheerfully granted than for anything which went in the direction of increasing and improving the stock of fish. There was no doubt whatever that Mr. Green, of New York, had succeeded to a certain extent in stocking the rivers flowing into Lake Ontario and the Lake itself with shad. Probably the hon. the Minister of Marine and Fisheries could give some information in regard to the results obtained.

Mr. SMITH (Westmoreland) said the increase in the vote was owing to the fact there were three new establishments to maintain. A report would shortly be made which would give the hon. gentleman all the information he desired. He would merely say that great good had been done so far through this instrumentality.

Mr. ROBITAILLE said he would like to know what was the policy of the hon. the Minister of Marine and Fisheries in regard to the oyster beds—what portion of money was spent for their protection?

Mr. SMITH (Westmoreland) said he was not prepared to state at this moment, but he would make enquiries.

Mr. LANGEVIN said the oysters were diminishing, and it was very important they should be protected in some way.

Mr. SMITH (Westmoreland) said this was a difficult matter to deal with, as parties in the neighbourhood of the beds claimed certain rights.

Mr. LANGEVIN said the Government and Parliament had not hesitated to deprive persons living along the banks of the rivers of their rights to fish, and it was just as necessary that steps should be taken for the protection of the oyster beds. They were protected in other countries.

Mr. PLUMB said unless some protective measures were adopted the oysters would disappear in the same manner as the lobsters were disappearing.

Mr. ROBITAILLE said the lobster fishing would be destroyed unless something was done to protect it. The protection of fish was at the outset

Mr. PLUMB.

unpopular, but it became popular as soon as the fishermen found that it was in their interests. He had strongly supported the measure. In some instances, however, as in case of high tide, it was impossible to tie up nets as was required, at six o'clock on Saturday evening, to so remain until six o'clock on Monday morning; and he thought that some regulation should be introduced to prevent difficulty in such cases. He held that oyster beds should be protected as they were being ruined under the present system; but he was aware that the Minister of Marine and Fisheries did not occupy an independent position in this regard. He would be most happy to aid the hon. gentleman as far as was in his power to protect these beds. He had intended to move for a Committee in the matter, but he had not done so owing to the manner in which he had been treated last Session—as to limitation of expenses—by the Premier with regard to the Committee appointed to enquire into the important subject of telegraph communication in the Gulf of the St. Lawrence.

Vote agreed to.

128.	Observatory, Quebec.....	\$2,400
129.	do Toronto....	4,800
130.	do Kingston..	500
131.	do Montreal..	500
132.	do New Bruns-	
	wick.....	850

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

## THE SEAT FOR LINCOLN.

### RESIGNATION OF MR. NORRIS.

Mr. SPEAKER: I have the honour to inform the House that I, this evening, received the following letter:—

“OTTAWA, 17th April, 1877.

“To the Honourable  
“The Speaker of the  
“House of Commons,

“SIR,—Some twelve years ago several Steam-boat proprietors, of whom I was one, formed a line of steamers upon the Lakes called the Merchants' Line, each proprietor retaining the ownership of his own vessels.

“In the year 1874 an Incorporated Company called the Lake and River Navigation Company, brought their vessels into the line, and it was called the Merchants and Lake and River Company. The Agents of the line at Montreal were Messrs. George E. Jakes & Co..

"Some time in the winter of 1875 Messrs. Cooper, Fairman & Co., of Montreal, as well as a number of other persons, applied to the Merchants Line for rates for the carriage on their account of steel rails to Lake Superior, saying they had tendered, or were about to tender to the Government for the contract. The rate of five dollars per ton for the net carriage was given them as the price at which the line would carry the rails, subject to certain charges. On the 12th of May, 1875, Messrs. Jakes & Co. on behalf of the line entered into an agreement with Messrs Cooper, Fairman & Co (who represented that their own tender at \$6.20 had been accepted by the Government) to carry the rails at the rate previously named to them of five dollars per ton, subject to certain charges.

"It now appears that Messrs. Cooper, Fairman & Co., represented to the Government that they were acting for the Merchants Line. For this representation they had no authority whatever from me, or as far as I know from any one else. They had never been in any way agents of the Line.

"Immediately after the agreement with Cooper, Fairman & Co. of the 12th of May, the carriage of the rails commenced under that agreement, and it appears that after several cargoes had been delivered the Secretary of the Incorporated Company, Mr. Charles J. Hope applied to Cooper, Fairman & Co. for payment of freight due his Company, and not obtaining a settlement, wrote a letter to the Secretary of Public Works of the 22nd of June, 1875.

"This letter was written without my knowledge, and the statement contained in it, that a tender by Messrs. Jakes & Co. on behalf of myself and others had been accepted, is incorrect.

"Some time afterwards I was informed that in order to enable the line to obtain the freight due them by Cooper, Fairman & Co., it was necessary to give the latter a power of Attorney to draw the amount from the Government, and the instrument of the twenty-third of July, 1875, was presented to me for signature, as intended to confer such authority.

"Under this impression I signed it without reading it, considering it a mere formality, and without imagining that I was thereby apparently authorizing a contract to be made on my behalf with the Crown.

"The whole business was done under and pursuant to the agreement of Jakes & Co. with Cooper, Fairman & Co. I never intended to become or supposed I was in any manner a contractor with the Crown, or with any one save Cooper, Fairman & Co.

"I am to-day advised that I may by these transactions have unwittingly vacated my seat in the House of Commons, under the provisions of the Independence of Parliament Act, and feel it my duty to notify you of the facts for the information of the House and to resign my seat, and accordingly, I, James Norris of the City of Saint Catharines, in the Province of Ontario, Shipowner, who was duly elected a member of the said House of Commons for the Electoral Division of the County of Lincoln, do hereby declare my intention to resign my seat in the said House of Commons, and do hereby resign the same.

"As witness my Hand and Seal, this 17th day of April, 1877.

"JAMES NORRIS.

"Witness,—

"G. CASAUDT,  
"THOS. OLIVER."

Mr. MACKENZIE: I feel I would not be doing justice to an old friend and colleague in the Legislature, in the person of Mr. Norris, if I did not say that from the first to the last of this business to which he has referred, he never had any communication with myself directly or indirectly as to the carrying of these rails, nor was I aware of the position which the hon. gentleman occupied in that connection. I consider Mr. Norris to be one of the most conscientious and upright men I ever knew, and one who, above all others, is above doing anything that would be either mean or improper. It is a matter to myself of the greatest possible regret that he should have been placed in the position he is now in by a mere accidental circumstance, over which he undoubtedly appears to have had no control, and at least no personal cognizance. And I am quite sure I reflect, at all events, the opinions of a very large majority of the members of the House who have associated with him, in giving expression to these views regarding his political and personal character.

MANITOBA JUNCTION RAILWAY  
COMPANY ACT AMENDMENT  
BILL.—[BILL No. 117.]

(Mr. Thompson, Haldimand.)

SECOND READING.

Order for second reading read.

Mr. SCHULTZ said he regretted that this matter should be introduced so late in the Session. It would be noticed that powers were asked for to run a line parallel for a long distance with the Canada Pacific Railway, 30 miles only between them.

Mr. CAMERON said the Bill would authorize the Company to become gigantic land speculators.

Mr. MACKENZIE said the Railway Committee could eliminate the objectionable portions of the Bill if necessary.

Mr. SCHULTZ said the road must be against the interests of the Canada Pacific Railway.

Mr. MILLS remarked that the North-West could sustain more than one railway.

Bill read the second time.

House adjourned at  
Twenty minutes after  
One o'clock.

## HOUSE OF COMMONS.

Wednesday, 18th April, 1877.

The Speaker took the Chair at Three o'clock.

### THE CANADIAN PACIFIC RAILWAY.

Mr. TUPPER said he thought it only right to give notice to the Minister of Public Works that he proposed to move to-morrow, or when it would be most convenient, the following resolution, when going into Committee of Supply :

"That Mr. Speaker do not now leave the Chair, but that it be *Resolved*, that this House cannot approve of the policy and course pursued by this Government with respect to the Canadian Pacific Railway."

Mr. MACKENZIE said that perhaps he had better first give his explanations, to-morrow, concerning the Railway.

Mr. TUPPER said he would then move his motion on Friday or Saturday.

### DISTRIBUTION OF OLD RAILS.

Mr. BOWELL said he would like to call the attention of the First Minister to the return brought down yesterday, in connection with the distribution of old rails, loaned or given away under a resolution passed last Session. He had asked for the return on the 15th February last, but the return submitted was very brief, though so long delayed. He would not find fault with this if it contained all the information he had asked for. He moved :—

"For a return shewing the quantity of iron rails removed from the Government railways, railway companies to which they have been loaned, the date of such loans, the counties and districts through which the said railways run, the quantity loaned to each railway company, the terms upon which such loans have been made, the nature of the security given by each railway to secure the return of said iron rails, the names of the directors of the compa-

nies respectively to which iron rails have been loaned, together with all correspondence between the Government and any company or individual making application for such loans."

The only information given related to the railway companies, to which the rails were given, the counties and districts through which the lines run, the quantity loaned, and the names of the Directors. There was a most extraordinary statement in a letter of Mr. Brydges, who, he supposed, was the General Superintendent of Railways, as follows :—

"There is no correspondence that I am aware of, in connection with these matters."

He was not aware that he or the House had asked for any correspondence had with Mr. Brydges, who seemed to arrogate to himself the right to say what should come to the House. He supposed that the Government knew whether there was any correspondence or not. Mr. Brydges was trifling with the House, in his opinion. He had good reason to believe that very important correspondence had taken place in this regard.

Mr. TUPPER said he himself had had a somewhat lengthy correspondence with the Government on the subject, which would come under the head of "individual" mentioned in the end of the motion. He was extremely anxious that this correspondence should be brought down, as he thought he had very great reason to complain of the action of the Government in this matter. At all events, he desired to show that he had not been wanting in the performance of what he considered to be his duty. He could not understand the statement of Mr. Brydges because the Minister of Public Works had informed him that his application had been referred to this official. A Company in his county had requested him to communicate with the Government on the subject. He perceived that the motion did not embrace the Order in Council, which decided to what Companies the old rails should be given; and he would be extremely obliged if, before they came to concurrence on the Intercolonial Railway item, this Order in Council was laid on the table.

Mr. SCHULTZ.

Mr. MACKENZIE said he thought he had stated the number—70—of miles of rails distributed, and the names of the railways to which they were sent; but this information could be easily submitted.

Mr. BOWELL: All the railways do not appear in the return.

Mr. MACKENZIE: Two or three do not appear, because they have got none yet.

## SUPPLY.

## XVI. GEOLOGICAL SURVEYS AND OBSERVATORIES.

House again resolved itself into Committee of Supply.

(In the Committee.)

133. Grant for Meteorological Observatories, including instruments and cost of telegraphic weather warnings.. \$37,000  
134. Geological Survey. .... 50,000

Mr. TUPPER: Is this all transferred to the Department of the Interior?

Mr. CARTWRIGHT: Yes; it is entirely in the hands of my hon. friend.

Mr. TUPPER said he was extremely glad to observe that the former doubts of the hon. gentleman (Mr. Mills) regarding the constitutionality of this appropriation were entirely removed.

Mr. MILLS said, while he entertained precisely the same views as formerly in this regard, he recognized the fact that as the question of jurisdiction had been directed by one Legislature, and as others who might claim jurisdiction in the matter were silent, time and practice had determined the interpretation of the law. This was a well recognized principle under the American Federal system, and he knew of no reason why it should not prevail here. As the particular practice in this regard had fixed the jurisdiction here with the acquiescence of the Local Legislatures, he did not undertake to disturb this state of things.

Mr. TUPPER said he would like to have an explanation as to what was to be done this year.

Mr. MILLS said this was not as yet absolutely determined. The Director of the Geological Surveys, however, thought—and he was inclined to concur in this view—that they should make explorations concerning the coal fields of the North-West Territories, near the Rocky Mountains, and the mineral resources of the eastern shore of Hudson's Bay. This would not interfere with the ordinary work undertaken in the various Provinces.

Vote agreed to.

## XVII. MARINE HOSPITALS AND SICK AND DISTRESSED SEAMEN.

135 Marine and Immigrant Hospital, Quebec.....	\$20,000
136 Montreal General Hospital \$3,000, and other ports in Quebec, \$2,000 .....	5,000
137 St. Catherine's Hospital, Ontario, \$500, and Kingston, Ontario, \$500.....	1,000
138 Halifax General Hospital, \$3,500, and other ports in Nova Scotia \$10,000.....	13,500
140 Ports in British Columbia.	3,000
141 Ports in Prince Edward Island .....	2,000
{ Province of Quebec.....	1,000
{ Province of Nova Scotia	2,000
{ Province of New Brunswick.....	1,000
142 { Province of British Columbia.....	1,000
{ Province of Prince Edward Island.....	500
143. To reimburse Board of Trade, London, for expenses incurred in connection with shipwrecked and distressed seamen of the Dominion.....	3,000

## XVIII. STEAMBOAT INSPECTION.

144. Salaries.....	\$14,650
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## XIX. INSPECTION OF INSURANCE COMPANIES.

145. Expenses in connection with the inspection of Insurance Companies.. .....	6,000
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## XXI. INDIANS.

146. For Indians, Quebec.....	2,200
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147. Purchase of blankets for aged and infirm Indians of Ontario and Quebec.....	1,600
148. Indians of Nova Scotia, relief, &c.....	4,500
149. Indians of New Brunswick, relief, &c.....	4,500
150. Indians of Prince Edward Island, relief, &c.....	4,500
151. Indians of British Columbia:—	
Victoria Superintendency, \$13,200	
Fraser Superintendency... 17,000	
Estimated cost of Land Commissions and Surveys in both Superintendencies	27,000
	\$57,200

In answer to Mr. LANGEVIN,

Mr. MILLS said the appropriations hitherto made were found insufficient to meet the expenditures. The vote of \$27,000 was to meet the expenses of the Commission and surveys. They had come to an understanding with the Government of British Columbia that this Commission should continue to sit until the reserves in the vicinity of settlements were located. Those some distance away from settlements and where the Indians were not likely to be reserved for some time to come, would be dealt with in future. British Columbia bore half the expense.

Mr. LANGEVIN said this vote was very large for the purpose, and inasmuch as it was only half what would be actually expended, he thought it would be better to stop the Commission and give a sum of money for the purchase of lands for the Indians.

Mr. MILLS said this vote covered not only the expense of the Commission, but that of the surveys. The labours of the Commissioners would probably terminate this season.

Mr. LANGEVIN asked if a large sum for this purpose had not been expended without the authority of Parliament.

Mr. MILLS said he thought there had been no expenditure without the sanction of Parliament. When the serious difficulty occurred between the white population and the Indians, some expenditure was incurred, but that could properly be charged to "unforseen

Mr. MILLS.

expenses." Up to this period about \$10,000 had been expended by the Local and Dominion Governments on this service. The hon. gentleman (Mr. Langevin) he thought had made an absurd proposition to the Committee. The Commission was the only fair means of settling the disputes. There was not a single instance of the Crown taking possession of a foot of territory to which the Indian title had not been extinguished; but it had been the general rule in British Columbia to deprive the Indians of their land without paying them for it. When they found that the reserves were too small for the Indians and they were being subjected to a great many hardships at the hands of the whites, when the Indians complained of their burying places being ploughed up and desecrated, it was absolutely necessary this matter should be dealt with; and it had been dealt with, he believed, in a way that was satisfactory to the Indians and to the Government of British Columbia. The best security that there had been and would be no improper expenditure, was the fact that both Governments shared in the expense.

Mr. LANGEVIN said the hon. gentleman might have used some other word in speaking of his argument than "absurd." He never applied such an epithet to anything the hon. gentleman said, and there was no argument in the employment of such terms. He (Mr. Langevin) discussed those matters dispassionately, and with a view of obtaining proper information and facts. The Government had no right to incur any expenditure without the sanction of Parliament. When the trouble arose they could have told the Indians a Commission would be appointed to examine into the matter as soon as Parliament voted the money, and the Indians would have been perfectly content, because they knew when the Crown of England promised anything it was sure to be performed. He thought it would have been better to purchase land to add to the reserves than to have gone into this expenditure. \$5,000 had already been spent by each Government, and now it was proposed that this Government should

spend \$27,000 on the Commission, making \$32,000 in all, besides the \$27,000 additional to be spent by the Local Legislature of British Columbia; and even at that, there was no promise that the matter would be ended with these expenditures. This Commission had been the talk of the whole Province of British Columbia, and it was held that it was a most expensive institution. It would have been a great deal better had the Indian claims been met at once.

Mr. MILLS explained that a considerable portion of the \$27,000 was for the purpose of surveys.

Mr. ROSCOE said the Commissioners had caused much expense to the Local Government by the use of the Dominion steamer "Sir James Douglas," and he thought they should have the use of it for nothing.

Mr. DECOSMOS said the Local Government had made it a penalty for any person to interfere with an Indian burial ground, and if the statement of the hon. the Minister of the Interior in this matter was correct, it was also true that the offenders were liable to be brought before a magistrate and punished. He thoroughly agreed with the statement made by the hon. member for Charlevoix. He viewed the action taken by the Canadian Government with reference to the Indian Department as most tyrannical. By virtue of the Act of Union the trusteeship of the Indians was to be assumed by the Dominion Government, and a policy as liberal as that which had been pursued by the Local Government was to be continued. In fact, it was to be the same policy as much as possible. But instead of that, no sooner had the Indians become the wards of the Imperial Government than claims were made for more land. The Government of which he was the head, in British Columbia, had agreed that 20 acres of land should be set apart for each Indian family, and that was a sufficiently large quantity to meet their requirements. The matter had occasioned so much difficulty between the two Governments, that the Dominion Government threw out the threat of appealing to the Imperial authorities. From 20 years' experience with the

Indians and British Columbia affairs, he could say that the Indian Commissioners at Vancouver and New Westminster could have discharged all the duties that were now being discharged by the gentlemen who had been appointed by the Dominion and Provincial Governments, at an expense of \$10 a day, with \$5 a day travelling expenses, besides the use of a small steamer. He believed the short and easy mode of disposing of the difficulty would have been for the Dominion Government to have purchased from the Provincial Government the land over and above the 20 acres for each Indian family, and then their surveyors could easily have marked out the territory. The present policy of buying out the Indian title was like a jeweller giving a child a ridiculously small sum for a valuable jewel it had, the child itself not knowing its value. British Columbia had always dealt liberally with the Indians, with respect to land, and in no instance had it attempted to take away a single right from the Indians. He did not know from what fund the Government could appropriate the money to meet the expenses of the Indian Commission, except out of the amount appropriated for 1877-8. He hoped that the Minister of the Interior would close up the Commission as soon possible.

Mr. DEWDNEY said he perfectly agreed with some of the observations of the hon. member for Charlevoix. He agreed that it would have been better had the Government given the Indians what they asked for the land. The arrangement, however, was made by the Government of which the hon. member for Victoria was the leader. But, because his Government did not have the consequent patronage, he had always used every argument to prejudice the minds of the people of British Columbia and the Government against the members of the Commission. He (Mr. Dewdney) did not see why there should be any question as to the amount spent towards the Commission. The previous vote had not been expended, as the surveyors could not go into the field and settle the claims. With regard to the future, he hoped there would be some new arrangement. He was glad to see that the present Government of British Columbia had

endeavoured to reduce the expenditure. Under the present system, he did not think the claims could be settled in ten or fifteen years, at the rate they were being settled now.

Mr. THOMPSON (Cariboo) said he thought it would take, at least, five years, if not ten years, to settle the claims by the present Commission. As he was coming to the sea coast, three months ago, on his way to Ottawa, he was met at Soda Creek by a deputation of Indians. They stated that their reservation was barren, and that unless the Government gave them a new reservation or supplied them with tools and means to irrigate their land, they would have to take forcible possession of the farm of a gentleman living in the vicinity, unless he would supply them with provisions and clothing from his store. Previously they had depended to a great extent upon the salmon in the Fraser River for sustenance, but this year there was no run of salmon, and they were in a starving condition. The situation was a really critical one, and he hoped the Government would see that the Commission attended to the matter, otherwise there might be bloodshed; and he hoped also, that the Commission would settle all the claims as expeditiously as possible.

Mr. DECOSMOS denied the statement of the hon. member for Yale, that he had endeavoured to prejudice the minds of the people of British Columbia and the Government against the Commission. He had, however, endeavoured to point out the true course which should be pursued. He would repeat that this Commission was wholly unnecessary, and that the two Commissioners at Victoria and New Westminster could have discharged the duties. The Commissioner at the former place had hardly anything to do, although he was an able officer, and the same was the case with the Commissioner at New Westminster.

Mr. DEWDNEY said he had not accused the hon. gentleman of attacking the Commission, but the Commissioners, on account of his Government not having the power to appoint them.

Mr. DECOSMOS said the hon. gentleman had made another state-

Mr. DEWDNEY.

ment which he distinctly denied. He could only tell the hon. gentleman, when he stated that if the Government of which he (Mr. DeCosmos) was a member, had made the treaty or convention that it would have been all right,—that the management was made by the Walkem Government, of which he was not a member. He could assure the hon. gentleman that such was the fact, for he had a letter from one of the members of the Executive Council, and a party to the arrangement, viz., the ex-Chief Commissioner of Lands and Works, who stated that it was never contemplated by the Government to incur a greater expense. The Chief Commissioner would have acted as Joint Indian Commissioner, and there would have been no additional charge, except some travelling expenses. More than that, he (Mr. DeCosmos) was here when the arrangement was made, and, when he heard of it, on his return to Victoria, he condemned it then and there. Two of those Commissioners had been his personal friends for years—the one from the mainland, and the other from the Island. They were gentlemen whom he respected; and with the other Commissioner he had always been friendly, differing only on political subjects.

Sir JOHN A. MACDONALD inquired when the arrangement with the British Columbia Government was made.

Mr. MILLS said he could not at the moment state the precise date, but it was sometime in September last.

Sir JOHN A. MACDONALD said that any agreement made with the Government of British Columbia for a Joint Commission with regard to the settlement of the land question, must be laid before Parliament. The House was now asked to vote \$57,000 to carry out an agreement made behind the back of Parliament, in vacation, which had not been submitted to Parliament, with the terms of which they were ignorant, also as to the manner in which the Commissioners would be paid, and as to whether Parliament possessed any authority to pay these Commissioners.

Mr. CARTWRIGHT said the hon. the Minister of the Interior was not

responsible for the arrangement; of course he (Mr. Cartwright) was responsible. He was not very familiar with the details, because at the time the arrangement was made he was *en route* to Europe, but, to the best of his recollection,—and he spoke under correction—it was this: As the right hon. member for Kingston and other members were aware, the land question in British Columbia had been a vexed question ever since the time of union being effected. Loud and numerous complaints had been made to the Dominion Government by the Indians and their friends in British Columbia. As he understood the case, the Indians of British Columbia were not a nomad race to anything like the extent of the Indians on the other side of the Rocky Mountains, but depended much more on the cultivation of the soil for their subsistence. In many places the Indians cultivated the soil. The territory occupied by the Indians was coveted by white settlers, and it was well known that white settlers did not respect their rights. Numerous, frequent and very urgent representations had been made to the Government, of the ill-feeling which was growing up between the Indians and white settlers in many places. It was on that ground that the Government, deeming the matter urgent, did consent, at the instance of the British Columbia Government, and after the return of His Excellency from his trip to that Province, to take steps to prevent any mischief arising. Any money vote that might be necessary would be embodied in the Supplementary Estimates, and the authority of Parliament asked. Any papers required would be brought down. He denied that any cheap arrangement for the purchase of the land, as suggested by the hon. member for Charlevoix (Mr. Langevin), could be effected. The Indians demanded four or five times the quantity of land that the British Columbia Government was willing to assign to them. As to the plea that lands at distant points might be allotted to them, it should be remembered that the Indians required land near where they were at present.

Mr. MILLS said that the report of his predecessor last year contained the

agreement which the Commission would be appointed to carry into effect. He believed the arrangement was to appoint three Commissioners who would be paid \$10 per day, the expense to be borne by the two Governments. The hon. member for Charlevoix (Mr. Langevin) had made a series of assumptions, none of which were borne out by the facts. That hon. gentleman had said that it would be cheaper to pay the British Columbia Government for the land than to undertake to survey it. But the Government, even if the land were purchased, would have to survey the territory. White settlers had entered upon lands at fishing stations along the sea coast, which had been claimed by the Indians for ages.

Mr. DECOSMOS: Where?

Mr. MILLS said if the hon. member would move for the papers he would easily understand how the difficulty had arisen. White settlers in some instances had rented Indian lands on which considerable labour had been expended, and afterwards entered the lands in the Land Office, and difficulties between the Indians and whites had thus arisen; and it was only because of the confidence of the Indians in the Agent, and their belief that the Canadian Government would at an early day consider their case and maintain their rights, that bloodshed was prevented. Another difficulty arose. Hon. gentlemen opposite had declared that the Canadian agents should attend to the matter. Those agents had much work to perform in addition to such labour. A body of Indians went to Victoria from Queen Charlotte Islands, and the women were induced to remain there. The agent could not get the Indians to return. Small-pox broke out among them. The municipal authorities maintained that the Dominion authorities had no right to interfere; but the Indians, who were in a dying state, were driven out of the municipality, and the Dominion Government had been obliged to provide for them out of unforeseen expenses. A party of fifty died in the Pest House. Indians not affected with the disease were compelled by the municipality to accom-

pany those suffering from the disease to the hospital, and thus the disease spread among them. Many of the Indians of British Columbia were husbandmen or stockraisers, and it was absurd to suppose that they would rest satisfied with twenty acres of land for each family. It was absurd to suppose that the Indians would tamely submit to be ousted of their lands in the neighbourhood of favourable fishing stations. It was in the interests of the country as well as of the public revenue that the question in dispute should be settled at the earliest possible day in a manner that would satisfy the Indians that their rights would not be improperly interfered with.

Sir JOHN A. MACDONALD said the Government had no right to inaugurate a new policy in regard to Indian lands without having first obtained the assent of Parliament. At the time of the union of British Columbia with Canada it was speedily provided that the Indians of the Pacific Province should be treated in a similar manner to that in which they had been dealt with previously. That Province did not exact from the Indians the surrender of lands in the same formal manner as had been done in the old Provinces of Canada. If the Dominion Government had continued the same practice as that which obtained in British Columbia when it was a Crown colony there would not have been any trouble. It so happened that, immediately after becoming a portion of the Dominion, interested persons put it into the heads of the Indians that they owned the whole country. In consequence of this, he was afraid that his hon. friend (Mr. Mills), with his doctrinaire studies, would sacrifice a great deal in order to carry out the symmetry of some proposition, and philosophize upon the subject and about the Indians, instead of dealing practically with the matter, going into the question of abstract rights.

Mr. MILLS : No ; not abstract rights.

Sir JOHN A. MACDONALD said that there was an arrangement and agreement made between British Columbia and the Dominion Government

Mr. MILLS.

He took it that the just rights and claims of the Indians had been perfectly safe, whatever they might have been. The hon. gentleman had no right to make this arrangement, or cancel anything that had not been granted before, until an Act of Parliament to authorize it was passed.

Mr. MILLS : Will the hon. gentleman tell us what was conceded ? I do not know of anything conceded.

Sir JOHN A. MACDONALD said he had understood the hon. gentleman to state that there would have been bloodshed had not the Indians got certain lands surveyed. They continued to claim more lands, and the hon. gentleman gave these lands away.

Mr. MILLS : I can tell the hon. gentleman that they claimed lands of which they had been fraudulently deprived ; and, as trustees of the Indians, we had a right to see that they were protected.

Sir JOHN A. MACDONALD said that as their guardians the Government had certainly a right to protect the Indians in the lands they actually occupied and used. This arrangement was made last summer, and the salaries of the Commissioners appointed were \$10,000 a year, of which this country he supposed had to pay one-half. The first thing done should have been to bring this matter down by Message, stating what the policy of the Government was and securing the sanction of Parliament to the vote. It was not enough to insert this sum in the Estimates.

Mr. CARTWRIGHT said he thought that this information had been given to Parliament before, and he found that this was the case. In the report for the year ending 30th June, 1876, a long correspondence was communicated and the action finally taken by the Government on the 5th November, 1875, was detailed. This report was laid on the table last year, so that opportunity had been afforded for learning the intentions of the Government.

Sir JOHN A. MACDONALD said it appeared that the agreement was made on the 1st January, 1876, Parliament rose in April, 1876, and yet no

intimation of the facts had been given last Session.

Mr. CARTWRIGHT: Oh, yes.

Sir JOHN A. MACDONALD: No. The hon. gentleman had stated that the money was taken out of unforeseen expenses, but they could not then have been unforeseen. There ought to have been a vote taken in Parliament. The appointments were made in May, 1876.

Mr. CARTWRIGHT: That information was contained in the report brought down last year.

Sir JOHN A. MACDONALD: But there was no formal action by Parliament on it.

Mr. CARTWRIGHT: I understood the right hon. gentleman to complain particularly that no information of all these negotiations had been supplied.

Sir JOHN A. MACDONALD: I did so.

Mr. CARTWRIGHT: In the report presented last year there are several communications, and one in particular to which I would call the hon. gentleman's attention—it is dated Department of the Interior, November, 1875, reciting in full the whole arrangement made between the two Governments and signed by the Minister of the Interior. I merely mention this to show that there was an opportunity for Parliament informing itself as to what was intended to be done.

Sir JOHN A. MACDONALD: There was no vote, however.

Mr. MILLS said that this was a mere matter of administration, and not of public policy. There was no difference between running a line between an Indian reserve and any other land, and surveying other portions of the country. He held that the Government of Canada had no power to deprive the Indians of any right in the soil existing prior to that, by any arrangement with British Columbia. The whole history of the policy of the British Government agreed with this action; and there had been decisions from the highest tribunals declaring that this point was determined. Under the Act

of Confederation they were not merely the guardians of the Indian Reserves, but also the guardians of the Indians; and this, he apprehended, embraced any right which the Indians might have in any territory coming into possession of Canada, and the title of which had not been extinguished. The Indians of British Columbia, in this respect, stood on no different footing from the Indians of the North-West Territory.

Sir JOHN A. MACDONALD said he had not held that a policy respecting the Indians of British Columbia, different from that followed with regard to Indians in other parts of the Dominion, should be pursued. No formal surrender had been obtained from the Indians of British Columbia. This information was furnished by the Commissioners who came here for that purpose. Dissatisfaction had arisen among the Indians of that Province since the Union, in consequence of their having been incited or aroused to assert certain rights which they had not previously enjoyed. He did not wish to see the Indians deprived of or denied any right they possessed; but things should not have been allowed to go on without formal assent or denial of them, as had before been happily the case. The arrangement in question was finally closed on January 8th, 1876; and yet it had not been brought before Parliament for its sanction, nor was a vote taken for the payment of the Commissioners.

Mr. MILLS: The Commissioners were not then appointed.

Sir JOHN A. MACDONALD said they were appointed in May. The Government had waited until the House rose before doing so, and had paid them improperly without the authority of Parliament, out of the item for unforeseen expenses, which was not intended for any such purpose.

Mr. DECOSMOS said he took occasion to allude to an observation that had fallen from the Minister of the Interior. He had no doubt that the hon. gentleman had endeavored to discharge his duties with relation to the Indians of British Columbia with the best intention; but he (Mr. Mills) was laboring under a misapprehension. The hon.

gentleman said that fishing stations on the coast had been taken away from the Indians. Such might be the case; but he was acquainted with the whole coast of Vancouver Island where there were settlements, and he was not aware of a single fishing station along this line of settlement that had been taken from the Indians. He also knew the coast on the opposite side of the Island, and at Burrard Inlet, and he was not aware of a single fishing station that had been taken away from the Indians in this section. Around the mouth of Fraser River and around the American Boundary, Indians resided; but he was not aware of a single fishing station that had been taken away there. This being the case, it seemed to him that some one had been making to the Minister of the Interior statements which were without foundation. With relation to another matter: the quantity of land cultivated by the Indians was stated to be very small indeed, but the Indians behind the mountains were what he might call civilized. They owned horses and moved from place to place on horseback; but this was not the case with the Indians on the coast, who moved from point to point in canoes. If disposed to engage in the raising of stock, it might be necessary to give to the Indians more land; but the moment they entered into this pursuit and showed a desire to take a civilized position, the Government of British Columbia was empowered to treat them as were treated the residents of any civilized country without any charge to the Dominion Government whatever, and to supply them with the land they required.

*Vote postponed.*

MANITOBA SUPERINTENDENCY.

152. Annuities under Treaties	
Nos. 1 and 2.....	\$ 24,205
153. do under Treaty No. 3...	18,010
154. do " " No. 5..	15,630

Mr. TUPPER: There are increases in all these items. Are the Indians increasing in number?

Mr. CARTWRIGHT: I rather think not. As far as experience gives any light on the subject, tribes in point of numbers remain about stationary; and,

Mr. DeCosmos.

of course, if epidemics arise amongst them, their population rapidly decrease. If they do increase, we must pay so much more, as we are obliged to pay so much per head.

Mr. MILLS said that considerable sums which were voted last year had not been paid. It was as well to inform the Committee that the amount of appropriation now asked for was merely an estimated amount. They had not had accurate data at which to base their calculations. Since the time the estimates were made no then they had received further information which showed that the number of the Indians was considerably larger than they had supposed. An unexpired balance had stood over from last year, and the unexpired balances amounted to \$64,645. The same policy had been pursued with reference to the money voted from year to year as Indian appropriations as that which prevailed in the old Province of Canada. The hon. member for Kingston knew that then such unexpired balances at the end of the financial year did not lapse into the public treasury, but were treated as portions of the Indian Fund. In 1871-2 the estimates for Indian purposes approached \$35,834.79, and the expenditure was \$52,761.94. The hon. gentleman had, in this case, certainly done what he now complained they had been doing in British Columbia without the authority of Parliament. In 1872-3, the appropriation was \$36,918.66, and the expenditure, \$28,145.49; in 1873-74 the appropriation was \$107,000, and the expenditure, \$82,000; in 1874-5 the appropriation was \$178,000, and the expenditure, \$151,000; and in 1875-6 the appropriation was \$223,000, and the expenditure, \$203,000, so that the accumulated and unexpired balances, during the past five or six years, amounted to \$64,645. If they had paid, as expected, all the Indians last year under the Treaty, they would have paid 150 more Indians under the first Treaty, \$1,800; 20 Indians under the second Treaty, two years' unpaid annuities, \$200; and 546 Indians under another Treaty, \$2,730. Under Treaty No. 6, 2,500 Indians, as yet, had received nothing, but they were entitled, as their first payment, to the following

amounts : to \$30,000 at \$12 per head ; to \$325 for 13 chiefs, one year in arrears, at \$25 each ; and to \$780 for 52 headmen, at \$15 each ; so that, in this one matter alone of annuities, the expenditure of nearly \$36,000 was concerned that ought to have been paid last year, but which had not been paid. As they could not state the exact number of the Indians or tell the exact amount that would be required for annuities, in addition to the sum placed in the Estimates, they expected to use, for the purpose of paying Indian expenses, and purchasing agricultural implements and seed, grain, etc., to which they were entitled under the various treaties, at least \$36,000, and other sums to be taken out of unexpired balances. It was therefore important for the Committee to know that in addition to the estimates now before them, there was a sum of \$64,000 unexpended from former years, on which the Department expected to draw.

*Vote agreed to.*

155. Agricultural implements, ammunition, farming stock and tools furnished under the above mentioned Treaties Nos. 1 and 2.....	\$8,000
156. do No. 3.....	7,500
157. do No. 5.....	5,500
158. Provisions for Indians assembled to receive annuities under the above mentioned Treaties .....	13,000

Mr. MASSON said last year it was stated that the Government would reduce this expenditure.

Mr. MILLS said this year they had a larger number of Indians to deal with than last. They had 13,000 to deal with under 1, 2, 3 and 5. and they estimated that the expenditure for provisions would be 50 cents a day for two days, which would make \$1 for each Indian.

Mr. MASSON said it was understood that the Government would not keep the Indians so long, and that the expenditure would be reduced. What precautions were being taken in that direction ?

Mr. MILLS said the facilities were no greater now than they were before.

The Indians would have to meet at points distant from settlements, and two days was the shortest possible time in which they could be got rid of. This practice of providing for the Indians for two or three days was inaugurated during the negotiation of the first treaties.

Sir JOHN A. MACDONALD said when the Canadian Government was treating with the Indians they had to keep them in good humour. It seemed strange that this large sum should be thrown away, but it might be difficult to introduce a reform in this respect.

Mr. MACKENZIE said this practice seemed to be actually essential, as part of our treatment of those people, and, however costly, it could not be got rid of.

Mr. SMITH (Selkirk) said during the negotiation of the first and second treaties there was a great deal of feasting and many things were given to the Indians which were utterly useless to them. The Indians knew of this, and it would be impossible now to discontinue the practice.

Mr. SCHULTZ said no doubt the country paid too much for this purpose. Last year he called attention to this matter, and the then Minister of the Interior stated that he had good reason to believe that considerable reduction could be made in this expenditure ; but not only had no reduction been made, but an increase was proposed. The reason given by himself last year for this expenditure was that the Indians were not properly notified when the payments were to be made, and in consequence reached the agencies sometime before the annuities were distributed. There was no doubt that the Indians must receive food at the time they were receiving their money, and, although he thought this vote was more than ought judiciously to be used, he was quite content to vote for it, because he saw a disposition to reform on the part of the present Minister. He saw, from a Manitoba paper, that the Government were advertising for tenders for supplies, and that pointed to the fact that previously some one had made large sums by supplying the provisions.

There was no check on this service, and the consequence was the enormous appropriations Parliament had to vote. As soon as the local agents were appointed, the Indians would be paid almost at their own hunting grounds, and this sum would not be required. In view of the fact that supplies were to be furnished by contract, he had no hesitation in allowing this vote to pass and leaving the matter in the hands of the hon. the Minister of the Interior.

Vote agreed to.

NORTH-WEST SUPERINTENDENCY.

160. Annuities under Treaty No. 4.....\$21,745

Sir JOHN A. MACDONALD asked what was the cause of the falling off in this vote.

Mr. CARTWRIGHT said the Indians were paid more the first time after the ratification of a new treaty than afterwards.

Mr. MILLS said he had read a statement showing that even in this item there were some amounts which did not properly belong there. For example there were \$18,000 still due to certain parties for annuities for the first year.

Vote agreed to.

161. Annuities under Treaty No. 6..... \$48,150

162. Agricultural implements, ammunition, &c., under Treaties Nos. 4 and 6 (in last year No. 4 only)..... 27,236

163. Provisions for Indians assembled to receive annuities under Treaties Nos. 4 and 6 (in last year No. 4 only) 16,400

164. Salaries and office expenses ..... 17,000

165. Probable cost in connection with new Treaties..... 60,000

Mr. PATERSON asked how many new treaties would be necessary, and when they would take effect.

Mr. SMITH (Selkirk) asked whether new treaties would be carried out this season, and if so at what time.

Mr. MILLS said the Government did not propose to make any treaties with the Indians north of those

included in Treaty No. 6. There was a section south-west of the North-West territory, at the foot of the Rocky Mountains, where there were between 3,000 and 4,000 Indians in a territory of some 35,000 square miles, where it was intended to make a new treaty. It was certain the \$60,000, in itself would not be sufficient to cover the expenses of that treaty, but they would be covered with the unexpended balance of former years. A large number of settlers were going into that part of the country, and it was desirable that the Indian title should be extinguished. It was also intended that the latitude and longitude of Fort McLeod should be fixed.

Mr. TUPPER: How can you use the unexpended amounts of former years?

Mr. MILLS said the policy of the late and present Government had been never to let moneys for Indian purposes lapse. The amounts unexpended were not subjected to the law which applied to other purposes. In 1871-72, for instance, the Indian vote was overdrawn by \$17,000, without any direct Act of Parliament. In 1872-73 there was an unexpended balance of \$8,000. In 1873-74 there was an unexpended balance of \$1,600; and in 1874-75 there was an unexpended balance of \$34,000. Now there was an unexpended balance of \$64,645.

Mr. TUPPER: The law of 1867 provides that unexpended balances should go back to the Treasury.

Mr. MILLS said the law was in force in Lower Canada at the time of the treaties there, and the auditor, Mr. Langton, acted on the principle that it did not apply to money appropriated for Indian purposes. That was the principle acted on by the hon. gentleman's Administration.

Mr. TUPPER: That is *prima facie* evidence that it must be right.

Mr. MILLS: That is *prima facie* evidence that the hon. gentleman has no right to complain.

Mr. TUPPER: I don't complain.

Mr. MILLS said one important reason why these balances should not lapse was, that there were many persons who should have been paid money,

Mr. SCHULTZ.

but who had not yet been paid. In annuities alone there remained unpaid some \$36,000. Until it was accurately ascertained what was the number of Indians and the extent of the liabilities, it was absolutely necessary that there should be a considerable sum at the disposal of the Government which might be drawn upon when there was necessity.

Mr. SMITH (Selkirk) asked whether any steps had been taken to prevent the importation of whiskey through Peace River Pass?

Mr. MILLS said the Dominion Government had taken no direct action. That was a matter which, no doubt, had occupied the attention of the Local Government. In fact, he had received copies of a large number of ordinances from the North-West within the last two or three days, but he had been so busy that he had not been able to see what had been the precise action of the Local Government on this subject. But, no doubt, the Government would take whatever action was necessary to enforce the policy that had prevailed, namely, to exclude intoxicating liquors from the North-West Territory.

Mr. SMITH said although an hon. member of the House had taken credit to himself for securing prohibition in the North-West, the fact was that Lieut.-Governor Archibald had a Prohibitory Law in operation two years before that hon. member was connected with the North-West Council, and then that hon. member himself was the only party who had committed any great breach of the Act.

Mr. SCHULTZ said that before this item passed, he wished to review briefly the general features of the treaties that had been made in the North-West. And in doing so, he must say that all, or nearly all of them were defective in one point, and the later treaties had especially many objections. He noticed that his hon. friend the Minister of the Interior, had, in his last report, complimented the present Indian Commissioners in the North-West, and he (Mr. Schultz) supposed that this was only a graceful act of courtesy to his predecessor in office. However, his hon. friend could not

but know that Treaties 5 and 6 had many objectionable features, and particularly the one last negotiated had in it conditions which he felt sure that the hon. gentleman would not allow to be repeated in the treaty to be made next summer with the Blackfeet. The fact was, that the Commissioners were too often in a hurry to complete the treaties, anxious for the *eclat* which they suppose belongs to the purchase of so many thousands of square miles for the smallest possible amount of money, forgetting that we have the future of the Indians to look to as well as their present wants, and getting over the troublesome question of the reservations by not fixing them at once. The making of a treaty is not a difficult matter. Generally the Commissioner has a large quantity of provisions, he has native interpreters and commands every influence which can operate to cause the Indian to part with his birthright for a mere trifle. The reserve question not being fixed, the Indian is under the impression that the country is still practically his for hunting purposes. This answers very well till the necessities of colonization force him on to the reserve which is made for him. And then will come the time when the lowness of the conditions of these treaties may bear their legitimate fruit of trouble and difficulty. He (Mr. Schultz) trusted that when the treaty was made for which they were now voting money, that these matters would receive the consideration of the Minister of the Interior, with a view to avoid the errors of the treaties already made. In the matter of the appointment of local Indian agents, he (Mr. Schultz) regretted to see that political influences had dictated many of them. It could easily be understood that in these appointments of local agents, whose duties should be, in addition to the payment of the annuities, the advising and directing of the Indians in their agricultural efforts, that a selection made from among the people of the country who understood the language and habits of the Indians would be necessarily better than any selection made from those who were strangers to the language and habits of these tribes. It has been matters connected with their reservations

which have caused most of the Indian wars in the United States, from that with the Seminoles in Florida down to that with the Sioux at the present time. We have no reason to expect entire immunity from Indian difficulties in the future, and he (Mr. Schultz) very much feared that in most of the treaties which had been made were to be found the germs of possible serious difficulty with our Indians in the North-West.

Mr. SMITH (Selkirk) said the hon. gentleman had stated that Governor Archibald said it was necessary to frame this law in order to meet the case of the Hudson's Bay Company sending such enormous quantities of intoxicating drinks into the North-west Territory. When he (Mr. Smith) had the honour of being appointed by that Company to act as their Governor in 1870, after the late lamented Governor McTavish, his first step was to have a rule passed, which was law to their people, that not a dram of intoxicating drink should go in. That was in June, 1870. From that time for two years not even a few gallons of wine or brandy were allowed to go in by the officers of the Hudson's Bay Company. So much was that the case that a small quantity of wine brought out to Moose Factory was, owing to these instructions, returned to England. In October, 1870, Mr. Archibald believed he had the right to appoint a Council for the North-West Territory to advise him there, and at that time there was an outbreak of small pox, as, unfortunately, there had been lately in the Saskatchewan, but then it had been much greater than it had been now. It was found necessary to frame some law to meet the case, and he believed it was on the 20th October, that he (Mr. Smith) had the honour of being appointed by Mr. Archibald, a Councillor of the North-West, believing he had the right to do so. Judge Johnson was another, and Mr. Bellard, a French gentleman of Montreal, was the third. His (Mr. Smith's) first act was to have this Prohibitory Law carried out. At that time a gentleman very well known, who had written with regard to that country very pleasantly, was sent on a commission to the North-West to report in regard to it, and

Mr. SCHULTZ.

to see the condition the country was in owing to this visitation of small-pox. He brought with him the Act now in force, with very little change indeed. That was printed and carried into the country in numbers by Major Butler and the gentleman who accompanied him—both of whom were appointed Justices of the Peace for the purpose of seeing it carried out. This was all very well. He went up into the country and a Council of Health was appointed in Manitoba at that time, and they found it necessary to send a surgeon into the country. It was left to a gentleman, now a member of this House, and another, to send what might be necessary as medicines and medical comforts into the country. That gentleman, the hon. member for Lisgar (Mr. Schultz) at that time, without the consent or sanction of the Board of Health or of the Council of the North-West, supplied this surgeon with a very large quantity of intoxicating drinks, he believed to the extent of £120 sterling. When it came to the knowledge of the Board of Health and the Council they objected to it, but they did not care to bring it forward very prominently. The member for Provencher (Mr. Banantyne) was perfectly aware of everything that took place. Major Butler and other gentlemen found that there were large quantities of drink in the territory, and that the Indians and Half-breeds were being intoxicated by it. Major Butler found it necessary himself to destroy a large quantity of that liquor and spill it on the ground, and he said, "Here I go in with a law passed prohibiting this, and here is an officer of the Dominion immediately afterwards, who himself uses it very freely indeed, and gives it to all around him." The scenes at some of the posts were such as he (Mr. Smith) did not care to describe. These were facts as he had stated them, and could be vouched for by many gentlemen, including the hon. member for Provencher. He had shown the part he had taken in prohibition himself: that his first act on being appointed by the Hudson Bay Company as Governor, was to pass a law which was the law of the Hudson Bay Company; but there was a constituted authority—the Council appointed for the North-West, and this law, which

his good friend the then Governor of Manitoba was pleased to call his (Mr. Smith's) Act, was in force there. He was aware that there was an irregularity in the appointment of that Council. That was pointed out to the right hon. member for Kingston, and he was good enough to say that all which had been done would be legalized; and he was sure he would admit that he was very much pleased at the passage of this law, and with the very good effect it had in keeping out intoxicating drinks from the North-West Territories.

Mr. SCHULTZ said his first duty was to give a distinct and unqualified denial to the assertions of his hon. friend from Selkirk in regard to liquor being sent in very large quantities in the North-West Territories by the Board of Health of Manitoba, at the instance of himself (Mr. Schultz). No one knew better, or should know better, than the hon. gentleman himself that the statement was false. The Board of Health of Manitoba had among its members the present Archbishop Taché and the present Lord Bishop of Rupert's Land, and both of these gentlemen were too anxious for the welfare of the Indians to countenance such an act as the hon. member for Selkirk declared to have been committed; and it was curious to notice that, in the journals of the proceedings of the Board of Health in question, no record was made at all bearing out the assertion of the hon. gentleman—an assertion which he must characterize as one of the most base and most unwarranted which he ever knew of being made by the hon. gentleman. He (Mr. Schultz) had no objection to this annual form of attack by his hon. friend. It seemed to be a necessity of his nature to make a wholesome relief to pent up spleen; but his hon. friend must come somewhere within the range of truth, within, at least, gunshot distance of the facts of the case. The hon. member for Selkirk had also stated that the Prohibitory Liquor Law which now exists in the North-West, had been passed first by Lieut.-Governor Archibald in 1870, two years before he (Mr. Schultz) became a member of the North-West Council. Now, the connection of a subject like this with the item in the estimates about a sum of

Indian Treaties was not very apparent, but he (Mr. Schultz) was disposed to waive that fact in favour of any elderly member of the House whose infirmity of temper, weakness of recollection and garrulousness of speech should make him desirous of—not, indeed, of discussing the matter before the House—but of having a fling at an hon. gentleman opposite, and thus relieving the pent up wrath and spite of the past year. It was quite true that Lieut.-Governor Archibald, early in his Administration, did pass a temporary prohibitory measure, but it was in view of the extent of the evils which were being caused in the North-West by American whiskey and the Hudson Bay rum of the Saskatchewan Ports; and it remained for the North-West Council to frame and to put into force the law which now existed in the North-West prohibiting the importation, manufacture or sale of intoxicating liquor. The hon. member for Selkirk also stated that he had, in 1870, when the Governor of the Hudson Bay Company issued an order to the different posts of the Company to cease that trade in liquor which had been carried on. Now, if by this the hon. gentleman meant to claim any credit for the action, it would be at once apparent that no credit was due, because it might be noticed that the date given by the hon. gentleman of this order of his to the Hudson Bay Posts was about the same as the date which he gave to Governor Archibald's temporary edict in regard to liquor. It was small credit to the Hudson Bay Company that they should have ceased the traffic in liquor just when the strong arm of the law, through the mandate of Governor Archibald, ordered that the trade should cease. Why, in connection with the trade in rum the Hudson Bay Company should say as little as possible, and it was in bad taste for the member for Selkirk to bring up such a matter at all. Impelled by that feeling of hostility which, Session after Session, he had displayed, he must make an attack of some kind, and if it quieted the angry feelings of his honorable friend and assuaged the smart of the castigation of the year before, he had no objection. The whole discussion was foreign to

the debate, but he would call the attention of honorable members to the fact that now, as in many instances before, the attack had come from the hon. member for Selkirk and had never been commenced by himself. His hon. friend had dragged into the discussion the Hudson Bay Company, and as the Chairman had allowed great latitude in discussion and the House had good naturedly allowed it, he had a few words more to say about the influence of the Hudson Bay Company on the interests of the North-West, both in the past and present. From the very first their influence had been inimical to the interests of this country. Their charter was obtained on promises of searching for a North-West Passage which were never carried out. They opposed and ruined the flourishing furtrade of Canada, and when Canadian effort was put forth to obtain the North-West for colonization and development, they met Canada's effort to secure the country by compelling a payment of one million and a half of dollars for a country, a portion of which only they owned, and retained a twentieth part of the lands in a manner which promised to become a nuisance, and in fact had already become a nuisance in the settlement of the country. They caused to Canada an expense of three millions of dollars to put down rebellion in the country they were so well paid for; and from first to last their influence had been inimical to Canada. If the hon. gentleman was invited to discuss these matters, let him bring them up in a proper manner. Let him bring up the claim formerly preferred by the Hudson Bay Company for losses during the Red River rebellion, and then see in what manner the people of this country and the members of this House regarded their claim for compensation. He had before stated that he was quite willing to allow his hon. friend to indulge his infirmities of temper, even if he were the subject of attack; but there must be some limit to the range of discussion, some limit to the extent which an hon. gentleman could go in such gross and unwarranted attacks as had been made upon the present occasion.

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

Mr. SCHULTZ.

### After Recess.

Mr. TUPPER said he was sorry to see that the two great duellists had disappeared. He was rather amused to hear the two great champions of temperance disputing as to the one of the two who had done the most with regard to the introduction of a Prohibitory Liquor Law in the great territories of the North-West. He was both surprised and amused to see the hon. gentleman tear to pieces the laurels which he thought ought to encircle his own brow. He flattered himself that he was the humble instrument that had prepared and submitted to the House a Prohibitory Liquor Law of the most stringent character, applying to a very large portion of the Dominion,—he had introduced the law which rendered illegal the manufacture and sale and introduction of ruinous spirituous and fermented liquors into any parts of the North-West Territories; and he had provided for the destruction of such liquors if so introduced.

Mr. MACKENZIE: I was under the impression that I moved the only stringent clause in that Bill.

Mr. TUPPER: The hon. gentleman did not introduce the clause into the Bill, but he proposed to me a very embarrassing question, which, since he has had the honor of a seat on the Treasury Benches, he has not seen the necessity of introducing.

Vote agreed to,

166. To aid Indian schools in Ontario and Quebec, where most required..... \$5,000

Mr. MASSON enquired why the words "Ontario and Quebec" were introduced into this vote.

Mr. MILLS said this appropriation had always been for these Provinces. The words mentioned were struck out last year; but the officer in preparing the Estimates had re-inserted them. He had sent for explanations. Appropriations for such schools in Nova Scotia and New Brunswick were taken out of other sources.

Mr. GOUDGE said he thought this vote should be extended to the other Provinces.

Mr. MASSON asked what the other sources were.

Mr. MILLS replied that he alluded to the \$9,000 previously voted for the Provinces of Nova Scotia and New Brunswick.

Mr. MASSON said that these votes were not intended for education at all.

Mr. CARTWRIGHT said the total vote for Ontario and Quebec was \$8,800, while \$9,000 was voted for the other Provinces mentioned.

Mr. LANGEVIN said he supposed the same system was now followed in this relation as was pursued when he was at the head of the Department, when the votes mentioned were used in part to provide for schools. The vote for the Indians of Quebec was very small, and not so liberal as was the case in Ontario, and tribes settled on the Lower St. Lawrence would certainly require some help, when their hunting grounds were taken possession of by whites. He was very much pleased to see that the vote for Indian schools had been increased. This was required.

Mr. GOUDGE said that the vote for the Provinces of Nova Scotia and New Brunswick was very insufficient.

Mr. LANGEVIN said he would like to learn whether a list of the schools that would receive aid had been prepared.

Mr. MILLS said they had not determined on any particular schools for this purpose. The money would be distributed where most required. Many schools, especially in Quebec, were attended by Indians who were in rather indigent circumstances, and it was necessary to supply them with books. When the Estimates were prepared, he had been informed by the Deputy-Superintendent of the number of these schools which would be aided in accordance with some general principle. If he was not very much mistaken, some claim existed against the Governments of Nova Scotia and New Brunswick with reference to these matters, and he hoped it would be disposed of shortly. It would be highly improper and unreasonable to tax the whole Dominion in order to relieve the Lower Provinces of their fair share of the burden in this regard.

Mr. VAIL said that the fund lying to the credit of the Indians of Nova Scotia had been transferred to the Dominion at the date of Confederation.

Mr. ROBITAILLE said the time had arrived when the Government should adopt a different and better policy towards the Indians of Quebec, New Brunswick and Nova Scotia. He had directed the attention of the First Minister to this matter in another Committee, and he had promised to refer it to the Minister of the Interior. He would state a few facts in this connection. The Miemac tribe had settled at two places in the county of Bonaventure, and there were a few scattered settlements of Indians in the county of Gaspé, besides a good many on the northern coast of New Brunswick, who were actually destitute. The majority of them had at present to be supported by their white neighbours, and the sum voted to help them was small, while but trifling aid was given to their schools. This was not adequate to their wants. The sum of \$1 or \$1.50 per head was allowed them for seed grain in the spring to encourage them in the pursuit of agriculture. On the other hand, however, the Department of Marine and Fisheries took away from them the right and privilege of spearing salmon, almost their only means of support. The aid granted was quite insufficient for the purpose, and, as a consequence, the Indians became degraded and debased, and this was the fault of the whites. Their spiritual advisers had become discouraged; and the Indians themselves were poverty struck and starving there. Had these poor people, however, at their backs such hordes as were in the North-West, he was sure that they would be better cared for by the House; and if hon. members were not prepared to vote a larger sum to civilize these Indians and encourage them to become industrious, they were not worthy to sit in the House. He did not know how the blankets for which provision was made in a previous item, were distributed, but he was pretty sure that none of them were sent to the Indians to whom he had referred. Proper reports in this regard could not be prepared by officials who remained

in the offices of the Department, who had neither the experience nor practical knowledge necessary to enlighten a Minister of the Crown so that justice could be done on this question. He referred particularly to the Indians of the Provinces of Quebec, New Brunswick and Nova Scotia. He would warn the hon gentleman (Mr. Mills), as no attention seemed to be paid to his statements, that he would submit to the House next Session facts that would astound him.

—Mr. MILLS said these might be the facts, but observations regarding fishery rights did not apply to his Department. Complaints had been made by Indians from the locality mentioned during the past winter, and these representations had been taken into consideration.

Mr. MASSON: But what has been done?

Mr. MILLS said the Indians had made charges against their superiors, but they had not thought proper to take action in reference to the matter.

Mr. ROBITAILLE said the trouble in that locality was owing to the taking away of their privilege of fishing. It was not fair that they should be deprived of this right, especially when the Indians abided by the laws of the country. On the one hand, there was not sufficient assistance and protection given to the Indians, and on the other, too much was taken away from them.

Mr. GILL asked whether it was the intention to extend aid to the Tête de Boule Indians at Upper St. Maurice. If he was rightly informed that tribe never received anything from the Government, and he thought some little consideration should be paid them.

Mr. MILLS said the Government had written to the Hudson Bay Company's Agent in that district, asking him to give aid to the Indians at the expense of the Department, and that aid was given.

Mr. LANGEVIN said it would be well if a small amount was put in the Supplementary Estimates to assist this tribe. He thought when the Indians were deprived of their right to fish, they should receive compensation in

**Mr. ROBITAILLE.**

some shape or other. He would like to know whether any Indians had availed themselves of enfranchisement under the Act passed last year.

Mr. MILLS said the Indians had taken advantage of the Act to some extent.

Mr. GILL said the tribe of Indians in his constituency were allowed to enjoy the right of hunting and fishing, and he was not aware that the laws in regard to the preservation of game and fish had been disturbed in any way by that fact. He thought the time had come when the Government ought to cease treating the Indians of Quebec as children; they should be allowed to act as freemen, and enjoy their property as white men did. The more intelligent of the Indians desired thorough enfranchisement, and he thought a law should be enacted to give them the same rights as whitemen enjoyed in regard to property, etc.

*Vote agreed to.*

167. To bring up the annuities payable under the Robinson Treaty to the Chippeway Indians of Lakes Huron and Superior, from 96 cents to \$4 per head..... \$11,000

XVII. MISCELLANEOUS.

168. *Canada Gazette*..... \$ 4,000

169. Miscellaneous printing... 8,000

170. Unforeseen expenses; expenditure thereof under Order in Council, and a detailed statement to be laid before Parliament during the first 15 days of the next Session 50,000

171. Commutation in lieu of remission of duties on articles imported for the use of the army and navy..... 12,000

172. For the organization of Government in the North-West Territories and Keewatin ..... 22,000

Mr. MILLS explained that \$17,000 was for the North-West Territories and \$5,000 for Keewatin. It was possible that all of the latter sum would not be used.

*Vote agreed to.*

## COLLECTION OF REVENUE.

## XXIII. CUSTOMS.

173. Salaries and contingent expenses of the several ports \$705,967

Mr. MASSON remarked that it looked strange to see this amount all classed together, while in other votes, all the details, however small, were given.

Mr. CARTWRIGHT said the suggestion was a good one, and he would endeavour to carry it out.

Vote agreed to.

## XXIV. EXCISE.

174. Excise..... \$241,000

Mr. TUPPER asked for an explanation of the increase, \$7,600.

Mr. CARTWRIGHT stated it chiefly arose from the necessity of increased energy and activity in putting down illicit distillation, of which there was a great deal in Ontario.

Mr. TUPPER enquired whether the excise officers would carry out the provisions of the Weights and Measures Act.

Mr. LAFLAMME said some new officers had to be appointed to prevent illicit distillation, but the officers of the Department would carry out the provisions of the Act referred to.

Mr. TUPPER instanced the case of the different portions of distilling machinery being manufactured at different factories, and enquired whether the new law would provide for the seizure of such.

Mr. LAFLAMME replied in the affirmative.

Mr. LANGEVIN asked whether the additional preventive officers were appointed temporarily or permanently.

Mr. LAFLAMME said they were put on as necessity arose, and when their services were no longer required they were discharged without any claim on the Department. They received a percentage of the penalties which they were instrumental in getting imposed.

Mr. BOWELL asked as to what necessity existed for increasing the staff at Belleville.

Mr. LAFLAMME said there had been a disposition shown to avoid the law and an additional force was required to protect the revenue.

Mr. BOWELL said there was only one distillery at Belleville and that was not a large one. There was a brewery at Trenton, 12 miles distant, and another at Picton.

Mr. CARTWRIGHT said there had been a great loss to the revenue, and great frauds committed a year and a half ago.

Mr. ROCHESTER said that in 1873, seven stills, valued at \$777.70, were seized by the Government officers; in 1874, 18 stills, valued at \$559.60, were seized, and in 1875, ten stills, valued at \$1,600. He would like to learn what percentage the officers received on seizures, for if they had besides to pay \$7,600 in salaries for the seizures of material worth from \$500 to \$1,600, he thought it was a pretty hard case. They might almost as well abolish the system.

Mr. LAFLAMME said the stills which were seized could not be sold, save when broken up, and then as old metal, consequently they could not bring a high price. Few stills had been seized, owing to the want of a sufficient number of officers. During the past seven months, however, thirty illicit stills had been discovered and broken up, and with more active supervision better results would be secured and the revenue would be better guarded.

Mr. ROCHESTER asked why an increased number of officers was required for the Belleville district.

Mr. LAFLAMME said frauds had been detected in this district where the supervision had been insufficient. One officer was not able to attend to the duty properly, and consequently two additional officers had been appointed. There was a fourth, but he was incapacitated at present from illness. The vote for Goderich had been reduced from \$5,200 to \$3,250, owing to the stoppage of a large distillery there. In Guelph the vote was increased from

\$10,500 to \$12,100, owing to the recent establishment there of a new and large distillery, requiring the appointment of two additional officers. One officer had been removed from Goderich to Guelph. In London the vote was increased \$300 to provide for better supervision, as the capacity of Mr. Carling's establishment had been quadrupled, and an officer was required to superintend the production of petroleum. The vote for Prescott was increased from \$4,800 to \$5,300 to provide for better supervision and an additional officer.

Mr. PLATT said he knew from experience that no more than one officer was required for any brewery or distillery. One man attended to Gooderham and Worts' distillery, which used as much material as all the other distilleries in Ontario.

■ Mr. LAFLAMME said it was essential in the interests of the Department and of the revenue, that each of these establishments should be most carefully superintended, because in many instances they had found that frauds had been committed. It was not advisable to leave the superintendence as to the collection of such a large amount of revenue to one man without any supervision or check whatever. In many cases there ought to be a guarantee against fraud.

Mr. ROCHESTER said he inferred from this that it was actually necessary to appoint two officers, one to watch the other, and both to watch the brewer.

Mr. LAFLAMME: Not in every case, but in some instances.

■ Mr. ROCHESTER said these brewers must be a lawless set of people. He was afraid if this was the case, the anticipations of the Finance Minister as to increase of revenue in this respect would not be realized. It would be found that every bushel of barley used in breweries, was weighed and measured under the present regulations no less than seven times, and, under the circumstances, he could not see the necessity for appointing so many officers. During the administration of the present Deputy-head of the Department there had been a continual in-

crease of the staff; that officer had sought in every possible way to mystify the law in this connection, that it would take a new Minister a year to understand what he had to do. He said this advisedly, as he knew that it was the case. These laws had been inoperative, and under them there was no brewery in the Dominion that was not liable to a fine; but the Deputy did not dare to attempt to enforce the law because it was inoperative. It was, however, very convenient for that official to have a great many officers about him. It was a poor state of things if the officers received the benefit of this—instead of the country. He was satisfied that the hon. the Minister of Inland Revenue, after one or two years' experience, would make an efficient head of this Department, and he hoped he would initiate a reform in this particular.

Mr. CARTWRIGHT said, after looking carefully at the items, he thought they might be reduced. He would, therefore, make this one \$229,800, and the first \$184,000.

Mr. BUNSTER said the farmers would suffer materially from the extra tax on malt, which would also have a depressing effect on the brewing interests. But the annoyance of an Excise officer going into their premises any time he saw fit, was almost equal to the annoyance of the tax. The gauging and weighing of malt compelled brewers to employ an extra clerk, in order to comply with the mystified law, which was changed annually, until it was impossible to understand it. He did not see why the Government should not make the law simple, as it was in the United States. In British Columbia the salaries paid to excise officers amounted to more than the duty that was collected, and he thought there was great room for reform in this respect. He thought it would be better to allow the brewers to go before a Justice of the Peace and hand in his returns and pay his dollar, instead of employing so many officers. He would recommend that, instead of imposing a tax on malt, the Government should impose it on the manufactured article.

Mr. LAFLAMME.

Mr. ROCHESTER asked how many officers were employed at Guelph.

Mr. MACKENZIE : Fourteen.

Mr. PLUMB asked how it happened that a much larger number of men were employed at Guelph than in other cities of similar population.

Mr. MACKENZIE said this was regulated by the business and not the population of the towns.

Mr. SINCLAIR said the salary of the Inspector at Charlottetown was put down at \$1,800, and he had good reason to believe the officer did not get more than two-thirds of this amount. He hoped that the hon. the Minister of Inland Revenue would see that the Inspector got the amount voted by Parliament.

*Vote agreed to.*

#### XXV. CULLING TIMBER.

175. Salaries, Cullers' Fees and Contingent Expenses ..... \$81,000

Mr. BERTRAM said he wished to call attention to the manner in which the work was done by many of the cullers in Quebec. After the lumbermen had their timber culled, in many cases it was found the culling was of no use. If culling was to be of any use at all, it ought to stand as good in one part of the province as in another.

Mr. LAFLAMME said the arrangements in regard to culling were fixed according to the desire, and at the solicitation of the entire lumber trade. The amount for contingencies was merely for necessary expenses regulated by law.

Mr. ROCHESTER expressed the hope that before next Session a Bill would be matured which would suit every description of lumber as well as square timber. He knew of a case where a lumberman had paid the return expenses of a culler coming from Quebec to Rice Lake, to cull some timber, and paid the regular fees; but when the timber went to Quebec a survey was called for, and the lumbermen had to pay the cost of re-culling.

Mr. BERTRAM said he hoped abuses of this kind would not occur again.

Mr. WHITE (Renfrew) asked whether the rumour that some of the officers were to be put upon the superannuation list, was correct.

Mr. LAFLAMME agreed that there ought to be some protection against the abuse referred to, but said that the lumber should be culled from where it was shipped. It was not the intention of the Government to superannuate any person employed in the culling office.

Mr. ROCHESTER said the rule was to cull timber where it was sorted.

Mr. WHITE (North Renfrew) said a system had grown up of not culling according to the strict letter of the law, for which the cullers were not wholly responsible.

*Vote agreed to.*

#### XXVI. WEIGHTS AND MEASURES AND GAS—EQUIPMENT AND INSPECTION.

176. Furniture and means of heating 87 Weights and Measures office.....	\$6,090
177. Furniture, and means of heating 31 Gas offices.....	1,120
178. Salaries of Deputy Inspectors of Weights and Measures.....	52,000
179. Salaries of Gas Inspectors	16,650
180. Rents of 87 Weights and Measures offices.....	8,500
181. Rents of 31 Gas offices....	2,420
182. Contingencies for Weights and Measures and Gas, such as travelling expenses, fuel, &c....	20,000

Mr. DECOSMOS said for the last six years British Columbia had been unable to get an Inspector of Weights and Measures.

Mr. LAFLAMME stated that the Government had the matter under consideration.

*Vote agreed to.*

#### XXVII. INSPECTION OF STAPLES.

183. For the purchase and distribution of Standards of Flour, &c., and for other expenditure under the Act... \$1,000

## XXVIII. ADULTERATION OF FOOD.

184. To meet expenses under the Act 36 Vic., chap. 49 (will be mainly recouped by fees).....\$10,000

## XXIX. PUBLIC WORKS.

185. Salaries and contingencies of canal offices..... \$35,170  
186. Collection of slide and boom dues..... 20,245

Mr. WHITE (North Rentrew) called attention to the unsatisfactory manner in which this account appeared in the Public Accounts. The whole amount for collecting slide and boom dues at Ottawa and Quebec was charged against this item, whereas, two-thirds of it was returned by the Provinces of Ontario and Quebec, and that ought to be credited there with other items charged against that particular service which ought not to be charged against it. For instance, there was \$20,000 contribution to the Chaudiere bridge, and \$225 for building sidewalks on the Suspension Bridge. This item added to the amount which he contended ought properly to be credited to this account of \$11,730, would increase the net revenue derived from this particular service from \$30,954 to \$62,909.

*Vote agreed to.*

187. Repairs and working expenses of above..... \$366,500  
188. Intercolonial and other Government Railways, N.S. and N. B.; Intercolonial Railway, Quebec.....1,600,000

Mr. MACKENZIE said that in the Public Works report there were very full details of all the expenditures in this direction, so full that it would take a long time to give even a summary of what was contained there. The total number of miles now in the hands of the Government was 714, without the Windsor branch, which was worked under agreement made some years ago, and continued until it was delivered up to the Western Counties Railway Company. It was proposed to transfer that branch so soon as the Company were ready to complete their line to Digby, where they could

Mr. LAFLAMME.

make their connection across the Bay to Annapolis, and make their arrangements with the Annapolis Railway Company. The item was made up of several items to be found on page 91. The passenger traffic last year had amounted to \$352,354 on the roads in Nova Scotia and New Brunswick, and in Quebec \$18,166. The freight business of Nova Scotia and New Brunswick had amounted to \$448,531, and in Quebec \$7,219. Payment for carrying the mails in Nova Scotia and New Brunswick had amounted to \$47,976, and in Quebec to \$3,831. The total revenue, therefore, including the mails, was \$848,861 in Nova Scotia and New Brunswick, and \$29,216 in Quebec. He distinguished Quebec from the other Provinces, because at that time connection was not made. The expenditure, including all the items, was \$877,485 in Nova Scotia and New Brunswick, and \$66,369 in Quebec. The total earnings in 1874-5 were \$861,593, and in 1875-6 \$848,861, being a decrease of about \$13,000. In 1874-5 the expenditure was \$850,775, and in 1875-6 \$877,485. In computing the revenue he left out Quebec. For the first half of the current year the excess of expenditure over revenue was about \$13,000. The total mileage was about 714 miles in use; for the first eight months of the year the mileage was 184 miles less than that. There were 338 miles in Nova Scotia and New Brunswick, and 83 miles in Quebec, that was 421 miles altogether. In 1875-6 there were 525 miles in operation, besides the 84 miles in Quebec; but of that 525 miles a certain portion was only eight months in operation.

Mr. MACKENZIE said that in 1874-5 the deficit in working expenses was \$10,818 for Nova Scotia and New Brunswick; in 1875-6 this deficit was \$28,624. In the Province of Quebec, for the 83 miles in operation, this deficit for 1874-5 was \$29,254, a little more than 50 per cent.; in 1875-6 this deficit was \$37,153. The line in Prince Edward Island in 1874-5 was only in operation for a short time. The revenue for that year was \$24,494, and the expenditure \$47,671, the deficit being \$23,177; in 1875-6 the revenue amounted to \$118,061, and the expen-

diture to \$214,930, the deficit being \$6,869. He would here mention, in answer to a question put some evenings ago, that the Truro and Pictou Branch was opened for traffic in 1865-6, and the rails being pretty well worn out, in 1873 five miles were re-laid with steel rails; in 1874—for the financial year ending 30th June—seven miles; in 1875, ten miles; and during the last year and a half, up to the 31st of last December, 15½ miles, making in all 37½ miles which had been re-laid with steel rails, leaving 13½ miles of road with the old iron rails, but he was informed that these were in such a dilapidated condition that it was quite impossible to keep them in use. Iron rails with ordinary traffic were supposed to last for eight or ten years; but a pretty heavy coal traffic had passed over this line, and the rails had, on the whole, lasted very well.

Mr. BOWELL: Is it the intention to replace these 13½ miles with steel rails before the road is transferred?

Mr. MACKENZIE: I do not express any particular intention in this respect; but we must replace them, I am afraid, with something. We will maintain it as long as possible with such iron rails as we have, but whether we will do so altogether I am not able to say.

Mr. MITCHELL said representations had been made him by some of his constituents with reference to the carrying of the mails over the Intercolonial. They were taken from Halifax to Quebec, Montreal and Toronto by the first train, but to intermediate points such as Miramichi and Richibucto, by the next train. He could not see why the delivery should not be made at all these points at the same time. He was told that there was ample leisure to prepare the mails for all these places. He hoped that instructions would be given to obviate this inconvenience.

Mr. MACKENZIE said the reason why this had not been done was that the service was a new one, and the Government, very naturally desirous of having it succeed, had perhaps paid a little too much attention to through mails. They had been anxious to

afford every possible chance to the road to show its competence for this work, and the result had been that during the whole of the winter the mail trains had actually averaged a little over thirty miles per hour over the line from Halifax to Rivière du Loup. They might not be able to keep up this speed next winter as the recent cold season had been very favourable; but having made immense preparations in the way of providing snow sheds and fencing, they hoped they would be able to do fair work next winter, when arrangements would be made to have way-mails made up and delivered at all principal points on the line.

Mr. MITCHELL: And in summer as well?

Mr. MACKENZIE: Oh, certainly.

Mr. MITCHELL said he felt bound to state, in justice to the management of the road, that this had been very successful during last winter, giving very great satisfaction to the public. He was pleased to learn from a high official that the receipts of the road during at all events nine months of the year, would certainly exceed the working expenses. This was somewhat contrary to general predictions in this relation. He was sure that it only required to have the line better understood in the country to render it even more successful. All who passed over it declared that, in solidity of construction and in appointments and administration, it was a very great success. He had been thoroughly identified with this undertaking, and had taken great pride in it. He believed that the road would be run as successfully, with the new improvements mentioned, next winter as during the late season. He had no fears whatever on this point.

Mr. JONES (Halifax) wished to call the attention of the Minister of Public Works to the fact, that passengers were frequently landed at Halifax whose destination was Richibucto, Miramichi, or some other point, but whose tickets had all been marked *via* Portland. He desired to learn whether it would not be advisable, in the interest of the Government, to have such

information given on the other side of the water as would enable the travelling public to take advantage of this route. He was informed the other day, when the steamer arrived at Halifax, that several gentlemen, who were going to northern parts of New Brunswick, came on by rail at a very rapid rate, and other passengers would have availed themselves of the same route had their tickets not been marked for Portland.

Mr. MITCHELL said he would confirm what had just been stated. He understood that the impression on the other side of the water was that the Intercolonial was an unsafe and uncertain line; and it also seemed that the interests of the steamship lines were adverse to it. A gentleman had told him that he could not obtain any information in the old country with regard to this road; but, nevertheless he risked it. He believed that the Allan Line desired to take passengers to Portland and send them by way of the Grand Trunk. This was a matter which should occupy the attention of the Government.

Mr. MACKENZIE said that their attention had been called to it at a very early day. Some difficulty had been experienced in inducing the Allan Line to call at Halifax, and they had been obliged to require it in accordance with the terms of the contract. The line had believed that it was prejudicial to their interests and had endeavoured to persuade the Government that no time could be gained by forwarding the mails on the Intercolonial. The result proved that the English mails, as a rule, were delivered at Montreal about the time when the steamer reached Portland, securing about 300 miles start of the latter. He thought that the line had probably no faith in the permanency of these arrangements, and, consequently, continued to sell tickets *via* Portland, declining to make any reduction for passage to Halifax; and, although landing at this port, required the payment of an additional \$17 for fare, a number had taken this route. Of course, such an arrangement could not be allowed to continue during the coming winter. They would have to have a

Mr. JONES.

perfect understanding about it. Their agent at Liverpool would give the necessary information regarding the route, and they hoped to induce other lines of steamers to call at Halifax, making our railway system, when complete, a highway to all parts of the continent. When connection was made at St. John, continuous railway communication with New York would be established, and he had no reason to doubt that a very large amount of traffic, mail, freight and passenger, would then pass over these routes, both to the West and South-West. At all events, the Government were bound to do everything in their power to facilitate such a movement as far as was possible. He would now mention that the cost per train mile in 1874-75, on this line was 7957 cents; and in 1875-76, 7336 cents; while the cost per train mile on the Grand Trunk and the Great Western was, he believed, something over \$1, so that the road was run more cheaply than the average lines. This was greatly due, no doubt, to its excellent construction and thorough ballasting. On the latter work, in 1875, \$70,000 or \$80,000 had been spent on the recommendation of the engineer, and the result had been most satisfactory. During the past year, stores had cost a good deal less than formerly. He found that the ordinary price for iron delivered on the road—he did not allude to the extravagant prices once paid to certain firms, which he did not propose to discuss—was from .0125 to six cents per pound. Last year they only paid \$1.90 to \$1.95 per cwt.—a little less than half what it cost in the Spring of 1874 or the Fall of 1873. They were then paying about \$3.25 for coal, and they made contracts last year with the Albion Mines at \$1.80, and with the Springhill Mines at \$1.95.

Mr. MITCHELL said he thought the hon. the First Minister was mistaken as to the amount paid for coal in 1874; it could not have cost that much.

Mr. MACKENZIE said it was possible he might be wrong, but he thought the figures he quoted were correct; he would, however, make inquiries. The coal on the Island Railway cost much

more—\$3 a ton. The stores in hand in 1874-5 amounted in value to \$90,582, and \$3,850 in Quebec. In 1874-5, 3,583 tons of steel rails were put down; in 1875-6, 2,181 tons, and 1,779 tons of iron rails. The total cost of changing the gauge was \$842,764, less \$79,868 received for old materials, making the net cost \$735,076.

Mr. TUPPER asked if the hon. gentleman was able to state from experience up to the present, what relation the revenue on the Interoceania was likely to bear to the expenditure.

Mr. MACKENZIE said their expectation was that when the whole road was laid with steel rails the revenue would meet the expenditure, if they were as successful as they hitherto had been in inducing a certain class of traffic to pass over the road.

Mr. JONES (South Leeds) asked if the express and Pullman car business was retained in the hands of the Government or was let out to companies. A great deal of the revenue was taken out of roads by such companies, and he hoped the Government would be able to initiate the parcel delivery system which was in vogue in England.

Mr. MACKENZIE said that matter had not escaped his attention. There was this difficulty in the way of the Government undertaking a small-parcels delivery. A large amount in value of the express companies' business was money, and he was very unwilling to run the risk those companies ran in carrying large sums of money. Then if the Government undertook to deliver ordinary small parcels and not money, they would then interfere with the express companies to such an extent that they would probably not carry on the business. Under those circumstances the Government determined to enter into a short contract with a company. Parties tendering were asked to state the percentage of their receipts they would pay to the Government, and the company offering the highest percentage received the contract. They had also considered whether it was advisable to build sleeping cars themselves. They found a great many

difficulties in the way. They bought those cars in the United States at a large cost, or made some arrangement with the two great companies possessing the proprietary of those vehicles. They communicated with Wagner & Co., and with the Pullman Palace Car Co. The former made no offer, and a temporary contract for five years was entered into with the Pullman Co. This, no doubt, caused some little expense, but it was the best that could be done under the circumstances. As the time for the expiration of the contract approached, the Government would consider whether it would be well to build stock of its own, or continue the contract.

Mr. JONES (South Leeds) asked if the freight cars would be built in the Government workshops or by tender by some of the Canadian companies.

Mr. MACKENZIE said the Government sent a circular letter to all the car factories in Canada. The lowest tender they received was from the works at Colborne at \$529 per car; the next lowest was from the London works, at \$530 per car. They gave the Colborne works an order for 200, and the London works for 100; and as they had a great deal of old material which could be worked in, they had determined to build the remaining 400 themselves. The two companies had delivered a considerable number of cars, which were said to be excellent stock.

Mr. TUPPER said Mr. Fisher, the late contractor for the express business of the line, had spent twenty years in building up the business, and had done excellent service in times past. Just as this gentleman was about to reap the reward of his energy and perseverance, the service was put up to competition, and another party having offered a higher percentage he lost the contract. He (Mr. Tupper) regretted exceedingly that such was the case, as he thought the Government might in this instance have exercised a wise discretion and taken into consideration Mr. Fisher's claims. He heard with great pleasure the announcement that it was expected that the revenue and expenditure would meet. A gentleman well qualified to form an opinion, Mr.

Brydges, stated in a letter to Mr. Potter, in England, that when the road was finished and opened for traffic, the loss to the country would be from \$500,000 to \$750,000 per annum. The Committee, he was sure, under these circumstances, would learn with great satisfaction that the experience up to the present time left them to hope that there would be, at all events, no considerable deficit in the working expenses of the road. He was quite satisfied that if the deficit of \$13,000 for the six months quoted was anything like correct, that the prediction of the Premier that the working expenses would be covered, would be fully realized, since the road would every year open up new sources of revenue never thought of before. He was inclined to think the original views of the Premier, as to the route chosen by the late Government being the best that could be selected—but which views he afterwards changed—were now held by him. The result was exceedingly satisfactory, especially under such a reasonable tariff, which he had always advocated.

Mr. MACKENZIE remarked that it was necessary, in order that the road should be successful, that it should be managed by the same gentleman who had managed it during the last year.

Mr. TUPPER pointed out the injustice of steamship companies charging the same fare to Halifax as to Portland, several hundred miles farther. It was desirable for both Canada and Great Britain that merchants from Great Britain should travel to the west through Canadian territory.

Mr. MACKENZIE said of course the six months referred to were the best six months of the year. The following six months would embrace the winter months, and then the traffic would not be so great, and the expenses would be greater.

Mr. JONES (Halifax) said it was a source of very general complaint that the Grand Trunk showed no disposition to forward goods by the Intercolonial. In some cases, he had been informed, they even sent them to Portland when directed to send them over the Intercolonial to Halifax; and sometimes the

mails, on being transferred to the Grand Trunk from the Intercolonial, had been detained several hours.

Mr. MACKENZIE said he thought only one complaint of this nature had reached him. In the communications the Government had regarding it, it would appear to have been some mistake. He found Mr. Hickson exceedingly willing, and apparently anxious, to co-operate with the Intercolonial, and the relations between the Grand Trunk Railway Company and the Government had, as a general thing, been all that could have been desired. The distance to Halifax and Portland being the same, of course it was a difficult matter to manage, there occasionally being conflicting interests.

Mr. TUPPER asked whether there was any foundation for the rumour that there was some difficulty between the Government and the Imperial authorities as to the proximity of the line to the powder magazine at Halifax.

Mr. MACKENZIE said the matter was not in such condition as to justify him in giving details. There had been correspondence with the Imperial authorities for the last four years on the matter. It was impossible to put the line at any other place at the time in order to reach Halifax, but it would appear as if either the magazine or the railway track would have to be removed.

Mr. MITCHELL asked whether there had been negotiations between the Government and the Grand Trunk Railway with reference to the transfer of the Rivière du Loup branch.

Mr. MACKENZIE said the matter had been talked over, but there had been no actual negotiations.

Vote agreed to.

189 Railway, Prince Edward Island.....	\$200,000
190. Telegraph Lines, British Columbia (including subsidy) .....	\$36,720

Mr. DECOSMOS called attention to the fact that while the Government gave \$5,000 a year as a subsidy to the Western Union Telegraph Company; the line between Victoria and San

Francisco was sometimes not working for a week. There appeared to be difficulty in keeping up telegraphic communication between Victoria and points in Washington Territory. He hoped the attention of the Government would be directed to the matter.

Mr. MACKENZIE said if the hon. member would send him a communication setting forth the facts, the matter would be considered.

- 191. Telegraph Lines between Prince Edward Island and the mainland... \$2,000
- 192. Agent and contingencies, British Columbia ... 4,000

XXX. POST OFFICE.

193 {	For Ontario.....	\$773,000
	Quebec.....	473,900
	New Brunswick... ..	172,300
	Nova Scotia.....	101,600
	Prince Edward Island ...	46,000
	Manitoba .....	24,000
	British Columbia .....	79,000
North-West Territory...	10,000	

Mr. TUPPER said that under the late Administration provision was made for a steam service between Windsor and St. John, calling at important points. He observed that neither this nor last year had any provision been made for a continuance of the service.

Mr. GOUDGE said he thought that the item should be re-inserted in the Estimates for this service. He regretted to say that they were not at present able to induce any company to continue this communication. He had endeavoured, but unsuccessfully, both at St. John and Halifax, to prevail upon some one to place a steamer on the route. However, if the vote was placed in the estimates he had every reason to believe that it could be done during the present season, promoting very great intercourse between New Brunswick and Nova Scotia, while a very large trade would likely result from the opening of the Springhill Coal mine. He was very glad that the hon. member for Cumberland had brought the matter to the notice of the Postmaster-General.

Mr. MACKENZIE said there was just one weak point in the claim; it

would be subsidizing a steamer to run in competition with the railway which reached all the main points and conveyed the mails more rapidly than they could by the steamer.

Mr. GOUDGE said this did not necessarily follow.

Mr. TUPPER said the Premier was mistaken. He thought that a small subsidy would tend to develop a great deal of trade and inter-communication in that section of the country, while many would avail themselves of it who would not likely go by the Government line of railway.

Vote agreed to.

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at  
Ten minutes after  
Twelve o'clock.

HOUSE OF COMMONS.

Thursday, 19th April, 1877.

The Speaker took the Chair at Three o'clock.

AUDITING OF PUBLIC ACCOUNTS  
ACT AMENDMENT BILL.

FIRST READING.

Mr. CARTWRIGHT moved for leave to introduce a Bill (No. 118) To amend the Act 31 Vic., chap. 5, entitled An Act respecting the Auditing of the Public Accounts.

Bill read the first time.

WEIGHTS AND MEASURES ACT  
AMENDMENT BILL.

FIRST READING.

House resolved itself into Committee of the Whole, to consider the following resolutions:—

“ 1. That it is expedient to amend the Act respecting Weights and Measures, 36 Victoria, chapter 47, by repealing sections 5, 26, 27, 30, 34 and 41, and re-enacting them with certain amendments providing:—

“ 2. That the Imperial or Standard British shall always be held to be the measure agreed upon as regards sales of goods by dry measure, unless it is otherwise stipulated.

" 3. That the hundred weight shall always be understood to mean one hundred pounds, and the ton two thousand pounds, as regard sales by weight, tolls or duties, unless it is otherwise stipulated, and that public weighers shall always use the same.

" 4. That the same rule shall be observed as to contracts for the sale of grain and other articles mentioned in section 5 of the said Act, as before the 1st January, 1874, and in such contracts a bushel shall be understood to mean the weight of a bushel of the article in question as fixed in the said section, and not a bushel in measure, unless it is otherwise stipulated.

" 5. That on any verification of weights and measures under section 26, after the first, the party having them in possession shall only pay full fees in case of their being found incorrect, and that otherwise he shall only pay one-fourth of the full fees and charges.

" 6. That the parties mentioned in section 27, being manufacturers of, or wholesale dealers in weights, measures or weighing machines, shall not be liable for the penalty therein mentioned for merely offering for sale any uninspected weight, measure or weighing machine, and shall be liable to such penalty only if they sell the same without having them inspected and stamped; but that other traders using or having in possession such uninspected weights, measures or weighing machines shall be liable to the forfeiture thereof and to the penalty.

" 7. That any person, not being a manufacturer or wholesale dealer therein, who refuses to produce and permit inspection of any weights, measures or weighing machines in his possession, or, being such manufacturer or wholesale dealer, refuses to permit the inspection of such articles in his possession when required, shall incur the penalties mentioned in section 30.

" 8. That penalties and forfeitures incurred under the said Act may be recoverable before any competent tribunal, as well as in the manner provided by section 34, by suit brought by the proper officer; and that persons aggrieved by the use of false weights, measures and weighing machines may recover treble costs.

" 9. That section 41 be so amended as to allow officers under the Act to adjust weights, measures and weighing machines, on receiving compensation therefor."

(In the Committee.)

Mr. LAFLAMME said as the committee knew by the Confederation Act the regulation of weights and measures was left entirely to the Federal Parliament. No attempt was made to regulate them until 1873 when the late Government introduced a measure for that purpose which made some very serious and important changes in the system previously in force. Prior to

Mr. CARTWRIGHT.

the passage of that Act the standard for measures of capacity was the Winchester bushel and the wine gallon, and for those the late Government substituted the Imperial measure. Besides this, several other modifications were introduced which were to take effect at a subsequent period. Up to 1873, throughout the whole of the Dominion as well as the United States, grain was generally disposed of in commercial contracts by weight, a bushel of wheat being estimated at 60 lbs. By the Act of 1873 this system was to be tolerated only until 1874. The cental system was introduced and the weights were to be divided by decimals instead of as before, and, at the same time, provision was made for the inspection of scales, a Commissioner of Weights and Measures being established to determine what scales should be used. To this Government was deputed the responsibility of putting this law into operation; but the moment that was done there arose complaints from almost every part of the country about the inconveniences and hardships caused by a change from the old system. Considering those objections the Government deemed it their duty to come to the assistance of the public generally by tolerating the old measure. The substitution of the new measure for the Winchester bushel and wine gallon interrupted our trade relations with the only portion of this continent with which we traded to any large extent. In England a large portion of the commercial community had been anxious for the establishment of an uniform system all over Europe, and about two-thirds of the European continent had adopted the French metrical system. This fact, that England was contemplating a change in her system of weights and measures, ought to have prevented the late Government from revolutionizing our system by the introduction of the Imperial standard. As the system of weights and measures was nearly allied to that of the currency, and as we had adopted the American system of currency, he did not think the late Government acted wisely in altering the standard. Nevertheless, as the measure of 1873 must have been considered as an expression of the desire of

the commercial community, in carrying it into effect this Government had to do it in such a manner as to avoid trouble and confusion. It was thought advisable that a provision should be introduced into the law to allow the use of the old measures, and the amendments proposed gave authority to stamp and verify measures of this description until 1880 at least. If during the interval it was found more convenient to resort to the old measures, the country would be better prepared to do so after having made the experiment. It would perhaps have been advisable to have gone back to the old system completely, but as in Ontario the largest portion of the trading community had accepted the new system, the Government thought it proper to maintain the standard, allowing only the use of the former measures for some time to come, in order that public opinion might arrive at a surer conclusion in regard thereto at a future time. It was also thought advisable to allow the trade in grain to be conducted by weight as formerly. Then there was another important matter which it was important should be amended. From 1859 in Canada the standard had been 2,000 lbs. for a ton, but the Act of 1873 gave a new legal definition to a ton; and it was now proposed to revert to the old system. It was also proposed to amend the provisions of the Act with regard to the decimal system of weights, the amendment allowing the use of different weights than those represented actually by decimals. In the existing laws there was a provision which compelled scale makers to fraction every sub-multiple of weight, even of a pound, into decimals. This would strike everybody as rather illogical. If they took for a unit the English pound, which was sub-divided into 16 ounces, it was really absurd to fraction that into tens. The amendment would make the sub-division into ounces legal and allow the manufacturers of scales to revert to the old system. A revolution in the weights and measures up to the year 1873 was created; and, regarding these points, the strongest objections were urged. Besides, a great number of complaints had been made concerning

the verification of scales, the kind of scales allowed to be used, the charges levied, subsequent verification entailing the same fees as were originally imposed on new scales, and the necessity for parties bringing scales for verification to return if the scales were not found to be correct and have them re-verified. This gave great inconvenience and trouble, and the amendments proposed were intended to remedy these complaints. The Inspector was authorized to verify weights and measures, and, as it was impossible to establish in the law what should be the exact amount of remuneration, it was thought better to leave the choice of the person who should adjust the weights or measures optional. It was stated that the remuneration should be only what would be fair value for the labour, as one scale might only require a few minutes work, and another complete modification. It was thought that this regulation, by rendering possible fair competition, would prevent individuals from being mulcted in too large amounts, and avoid the inconvenience to which parties were at present subject. Another great inconvenience of which bitter complaint was made by the public generally related to the necessity of taking weights and measures from a distance to the Inspector's office. This and many other inconveniences resulting from the first operation of the law were amended and would be amended by an Order in Council. The Government intended to analyze all the departmental regulations, and the Orders in Council which had been multiplied as objections were raised, and necessity for them became apparent, and to make as clearly and briefly as was possible, an explanation of the rules according to which tests were to be made and weights and measures were to be allowed in use. The rule would be laid down that all scales which evidently could not be used for fraudulent purposes, should be permitted to remain in use, and none others. He was omitting to mention a very essential amendment. By the present law, the necessity of having weights and measures inspected applied universally, and this had given rise to so great an inconvenience that the Government had been obliged to vir-

tually suspend in part the execution of this regulation. For instance, the wholesale dealer was obliged to unpack large cases of weights and measures to have them stamped; and hay and platform scales could be only adjusted when set up; and the operation of the law, obliging wholesale dealers to have them all stamped and re-verified every year, was considered an injustice which could not be tolerated; consequently this evil was remedied in these resolutions. He believed that these were the principal features of the resolutions, intended to remedy the unfavourable results and inconveniences found to exist in the application of the law of 1873; and they met, as far as he could ascertain, the obligations raised by the commercial community at large. It was impossible to make the law perfect without experience as to its operation. The objection made to fees, was also met in the resolutions. The fees were to be reduced, and only to be levied to such an extent as was required to meet the expenditure requisite to carry out the law. The fee to be charged on re-verification, would be lowered to one-fourth of the original charge for adjustment, if the scale or measure was found to be correct; otherwise the full fee would be charged. This matter could be regulated by Order in Council. With these remarks, he would submit the resolutions and a Bill based upon them.

Mr. TUPPER said that if the duty of a Government was confined to the introduction or administration of popular measures, it would be much more pleasant and easy for those who occupied seats on the Treasury Benches. There were reforms, however, which were of a very unpopular character, owing to their interference with the operations of, and inconveniencing, such large classes in the community; and when a Government were called upon to deal with such a question, they might fairly and confidently, he thought, look—as he was sure would always be the case in this Parliament—for a fair, hearty and general support from the Opposition of the day. When he felt it to be his duty to introduce this subject, for which he was prepared to take the fullest measure of responsibility, in face of

**Mr. LAFLAMME.**

the unpopularity which had attended its administration, the hon. member for Lambton, if his memory served him right, had given a very hearty and generous support to the late Government; and he felt bound to deal with that hon. gentleman, and the Administration of which the hon. gentleman was leader, in the same spirit. This measure was not introduced until the Government had satisfied themselves of its great necessity. Steps were taken to ascertain in what condition the weights and measures of the country were in the large commercial communities, and the results were so startling as to leave the Government, he might say, no choice as to whether the time had arrived, when it was incumbent on them to discharge their highest duty—to see that the great mass of the people were fairly and honestly and equitably dealt by, and they came to the conclusion that they had no option other than to introduce this measure. He was just as much satisfied then as now, that the operation and administration of the law would be attended with very great inconvenience, and involve a very considerable amount of unpopularity, and, he might add, of odium. It was not his duty to defend the Commissioner of Inland Revenue, who was well known to have had a great deal to do with the initiation, preparation and administration of the Act, but after having heard that gentleman assailed, as was the case on a former occasion, he felt bound to state frankly what he thought with regard to this matter. The hon. member for Hamilton (Mr. Wood) said he did not complain so much of the Act as of its administration, and that one of the great difficulties was that this gentleman was appointed by the late Government and was utterly hostile to the present Administration, doing all in his power to bring them into odium with the body of the people. Having had the honor to fill, for a short time, the position of Minister of Inland Revenue, it was his duty to say that, while Minister, he had been continually assailed by his friends and political supporters from all parts of the country, with the same charges. It was then complained that the Deputy Minister was utterly hostile to the

Conservative Party, and was doing all he could to bring it into odium. It so happened that this gentleman was appointed to a high position in the Civil Service, by the Liberal Administration of 1862-3, led, he believed, by the late John Sandfield Macdonald, and it was only fair for him to say that, although he did not suppose that Mr. Brunel was entirely perfect, he believed there was no more faithful or more efficient, or more able officer in the public service to-day than was this gentleman. It had been his duty when his attention was directed to the matter, to pay strict attention to all the movements and recommendations, and to the course of this officer; and he was bound to say that, during his tenure of office, having watched him as closely as a Minister could under such circumstances, he had never been able to form the slightest opinion regarding the political predilections of this gentleman. Although a great enthusiast, and inclined, when he took up a difficult subject of this kind, to throw his whole heart and soul into it, and perhaps disposed to press it too extremely, every step taken by Mr. Brunel under the late Government was, he believed, adapted with the view of making this measure as perfect and efficient as possible. The law had been in operation for a short time, and what had been the result? The effect of it had been such that neither the Government, nor Parliament, nor anybody could suppose that the law was not required. They had only to turn their attention to the facts stated upon the 30th page of the report on Weights and Measures, brought down this Session, where it was stated that 90 per cent. of the weights and measures were rejected because they were incorrect; and perhaps in 99 cases out of a 100 this was unintentionally and ignorantly so. He was reminded of a couplet used by Lord Palmerston on a similar occasion.

“For truly the pleasure is as great  
Of being cheated as to cheat.”

The fact was, it was those most incapable of protecting themselves that were most affected, and it was highly incumbent on the Government therefore, to place the law on the Statute-

book, to keep it there, and to see that it was judiciously administered. He was prepared to take his full responsibility for the introduction of the Act, but he did not think it had received fair play. Competent and trustworthy officers should be charged with its administration, as there would be of necessity a popular feeling against it on the part of those who came in contact with the officers until the public were educated up to it. The severity with which the law had been operated, and its expense, were the matters complained of. Two officers had been appointed in Montreal, on the recommendation of his hon. friend from Montreal West, who were unfit for the positions.

Mr. WORKMAN: I never recommended them; I had nothing to do with it.

Mr. TUPPER: I am glad the hon. gentleman is able to relieve himself of that charge, for the men had been found to be most corrupt.

Mr. WORKMAN: They were appointed before I was elected.

Mr. TUPPER said, then it appeared he had charged the hon. gentleman wrongfully. He was sure that that hon. gentleman would not say that those two men were entitled to the confidence of the mercantile community. In some instances men 70 and 80 years of age, perfectly unable to appreciate the very first principles of the Act, were appointed. Even with the most able and trustworthy men to administer the law, it would still for some time be an unpopular one. He did not believe, however, that there had been one petition asking for the repeal of the Act. This was remarkable evidence that although there was a widespread unpopularity in connection with the measure, and dissatisfaction in connection with its administration, yet that it would not be wise to sweep it altogether from the Statute-book. The hon. Minister had spoken of the Boards of Trade. The Dominion Board was a concentration of the opinions of the various Local Boards, and that body said:

“That this Board, while approving of the objects of the Weights and Measures Act, desires to represent to the Government that

the inconvenience and charges which the trade are put to in the working of the Act are excessive, and that the yearly compulsory examination, if enforced, should be at the public cost, and not made a charge on the individual trader. Further, that there be recommended to the consideration of the Government the expediency of so modifying the law that provision shall be made for stamping two and five gallon wet measures, and that the shape of such measures of capacity may be conical instead of cylindrical."

He was glad to see that a remedy was proposed as to the inconvenience and expense. There could be no objection whatever to the suggestions, as above, of the Board of Trade. The fundamental principle of the Act was actually endorsed. The hon. the Minister of Inland Revenue said that the law tolerated the old measures. That was provided for, however. In the introduction of this measure, he (Mr. Tupper) wanted to go a great deal further than the Bill went. The then leader of the Opposition, the hon. member for Lambton, as representing a great party in Ontario, gave his hearty support to the proposed measure. The leader of the French-Canadian Opposition, now Chief Justice Dorion, urged that the Bill should go further than it originally provided, and that the cental should be introduced at once. The Government now proposed to take a retrograde step, and also an unfortunate step, in going back to the old measures. It would place them in the same position they were in before. The Commissioner in his report said:—

"It is a curious illustration of the force of habit, and of the sensitiveness of commercial men as to any change in established usages, that there should be so much difficulty in reconciling the trade to the use of the 'cental' as a unit in dealing with grain. No one, I suppose, questions the greater convenience of the 'cental,' for all grain is now bought and sold by weight; and in all places, except where a special weigh beam is provided for each description of grain, the weight is, as a rule, first determined in pounds, after which it is converted into bushel. How much easier, then, to divide by 100 than by 60, 55, 40, &c., according to the description of the grain."

The hon. gentleman's proposal was to go back to the measurement of grain instead of deciding by weight. The measure bushel had caused the greatest confusion possible. There would be

much difference in the weight of the same kinds of grain. If the cental were swept away and the measure bushel were substituted, it would lead to great inconvenience and injustice to one party or the other. The hon. gentleman had referred to foreign markets. The Commissioner on this point reported:

"Then, although wheat is quoted in Chicago at so much per bushel of 60 lb., it is quoted in Liverpool at per cental, while the quotations in Mark Lane are not by weight at all, but by measure; that is, at per 'quarter,' which signifies a quantity varying in weight between 460 and 520 lb."

We had introduced a decimal currency, and it would be hard to find five men in the country who would desire to return to the old fractional currency. The same principles applied to the cental, and if it were not continued it would be a retrograde step. The report further said:—

"Indian corn is quoted in Chicago by the bushel of 56 lb.; in Liverpool by the 'quarter' of 480 lb., and in Mark Lane by the 'quarter,' which means a measure and not a weight. The same vagueness exists with reference to other grains. In short, the quotations of the prices of grain in the English markets, which appear in the commercial papers of the Dominion, give no just conception of the prices except to the initiated. It is evident, therefore, that, unless it is desired to make a secret craft of the trade, the 'cental' would be accepted by all who desire to simplify the business affected by it; and I feel confident that if Canada would stand firm in leading the way, all grain would be dealt in by the 'cental,' both in Liverpool and Chicago. I may add that, in Detroit, in the State of Michigan, as well as in several places in Canada, barley is now bought and sold by the cental."

Already they saw the effect of that measure, and there was good reason to believe that if Canada continued to maintain the policy it had adopted, England and the United States would fall into the same practice. The legislation now proposed with respect to the Winchester bushel and the wine measure was a retrograde step. He had felt the difficulty that existed, and had provided in the legislation that contracts might be made by wine measure as well as by Imperial measure. But the hon. the Minister of Inland Revenue proposed to extend that provision, which was objectionable in itself. Nothing was so delusive or

afforded such facility for fraud on the part of persons disposed to be fraudulent, as having different measures in use sanctioned by law, because persons dealing with ignorant people might buy by one measure and sell by another. It was true, the law provided that in order to use the old measure a special contract must be made, but that to a very great extent was illusive. The change from one measure to another was made very simple. The hon. the Minister of Interior had argued that because Canada had a small population, therefore she should adopt the wine measure, which was used by the rest of the continent. The argument would have force if the people of the Dominion purchased liquids largely from the United States. But such was not the fact, and coal oil and a small quantity of turpentine were the only liquids he could remember as being imported from the neighbouring country.

Mr. JONES (Halifax) said the Imperial measure was only used in Great Britain.

Mr. TUPPER said that Great Britain was the principal market from which Canada obtained liquids. He called the attention of the House to the statement of the Commissioner of Weights and Measures in regard to the difficulty, danger and injustice to the masses of the people by having different measures in use. The Commissioner said:—

“Wherever the inspection has been practically in force, the advantage of establishing one standard for measures of capacity, in place of those previously legalized, has received many illustrations. The most forcible have occurred with reference to the milk trade; I say the most forcible because that is a trade which, in towns and cities, comes to every one's door. It has been ascertained that milk has been sold in the same town indifferently by the wine measure, the Winchester measure and the old ale measure, by persons who are in happy ignorance as to the comparative value of the measure used, and who, in their simplicity, had been satisfied with the measures as offered for sale by irresponsible makers.”

It had been said that all existing wine measures would be rendered useless if the Imperial gallon were made the only legal measure. There was some force in that argument, but not so much as had been urged. But, hav-

ing made a step in that direction, the Government should not retrograde. He was afraid, from present appearances, that this, and other important questions, would remain to be dealt with by hon. gentlemen now forming the Opposition; and having experienced some difficulty in regard to the subject in the past, they did not wish to find, when succeeding Reform Administration, the reforms made by the so-called old Tory Party so deformed as to compel them to re-enact the legislation in order to bring the country back to the happy position in which they left it. There had been no reform within the last half dozen years, which had been of more importance than the adoption of the Wines and Measures Act; and the responsibility of dealing with the Act in such a way as not to destroy the reform intended to be accomplished, rested with the Administration, which, if true to their name, would be very careful in regard to any step which might be taken. The Commissioner in his report further said:

“It may not be out of place to refer here to the cost involved in substituting the Dominion measures for those heretofore in use. It was with reference to this that the law was made to tolerate the old measures until 1880. By that time there will be very few of the measures that were in use when the law was proclaimed fit to continue so, and it may further be stated, without fear of contradiction, that two-thirds of the old wine measures now used are unfit for use, by reason of indentations which reduce their capacity, to the injury of the purchaser of goods measured by them.”

Yet the Government proposed to change the law so that an enormous number of those measures would have to be manufactured and all the difficulty and loss again re-enacted at a future day. Everyone knew, also, that every measure that had a kink or dint in it, was to that extent a fraudulent measure, and unjust to the party that purchased the liquid measure by it. He concurred in the proposal that after the first verification, the parties should not pay the full fees, in cases where the measures were examined and found correct. He favoured the placing of the fees at the lowest possible figure, and even if it was a loss to the general exchequer of the country, Parliament would be willing to defray

the sum. He also concurred in the proposition that a dealer in measures might have any number of measures, and that it was only when they were sold they were required to be tested and stamped. He objected to the proposition that the inspector should be charged with adjusting the weights and measures. While the inspector was an interested party the public would be willing to yield to his judgment, but if he were charged with the duty proposed it would be generally believed that the inspector condemned weights and measures for the purpose of adjusting them. If such a change were made in the law the Government would find that they would be compelled to withdraw it.

Mr. MACKENZIE: That was the practice in Ontario under the old law.

Mr. TUPPER said he had stated the objection he entertained to such a provision. He was prepared to share with the hon. the Minister of Inland Revenue the responsibility of carrying out the law and to aid the Government in making the Act as acceptable as possible.

Mr. JONES (Halifax) said the House was fully aware that he intended to introduce a Bill to repeal the Act. When the proposition to bring the Act into operation was made he took advantage of the occasion to warn the House and the Government that it was an unwise course they were pursuing with regard to it. Any one who took the responsibility of asking Parliament to go back on previous legislation, and repeal an Act which had received the formal sanction of the House should give reasons for adopting that course. The result of the working of the Act during the short time it had been in operation was a sufficient answer under that head. The public opinion of the country had expressed itself so strongly with regard to the measure as a whole, that the repeal of the Act would be in accordance with that opinion, and he would take an early opportunity at a subsequent stage to move an amendment that the Act be repealed. The hon. member for Cumberland (Mr. Tupper) had failed to show the House that there was any petition from a

commercial or other body asking Parliament to pass such an Act. He was prepared to admit that on the face of it there was good reason why some supervision with regard to the correctness of weights and measures should be exercised by the authorities of the Dominion, the different Provinces or the municipal authorities, if that were practicable. But he was not prepared to admit that business men should be hampered or put to the expense and annoyance to which this Act had put them during the short time it had been in operation. The law had been fairly administered, and the officers appointed to carry it out had tried to do so with as little inconvenience to the public as was practicable; but it was found the Act itself would not work. A return had been made in regard to this measure, and he found that 134 regulations were necessary to carry it into effect. If it required 134 orders to explain it up to this time, they might fairly estimate the difficulties there must be in carrying the law out, and how little the public appreciated or desired its continuance. The hon. member for Cumberland (Mr. Tupper) had endeavoured to persuade the House that it was wise to depart from the Winchester bushel and the wine gallon, and adopt the Imperial measure, on the ground that we imported a certain quantity of liquors from England. The hon. gentleman should have known that everything in a liquid shape imported into Canada was manufactured in countries where the Imperial gauge was not in use, except a little whiskey from Great Britain.

Mr. TUPPER: Does the hon. gentleman see a strong argument in the fact that England, which imports from all other countries, finds it convenient to adopt the Imperial measure.

Mr. JONES (Halifax) said there would be just as much argument in that for adopting pounds, shillings and pence. In England they were hampered with old trade regulations which they would be glad to get rid of, but which prejudices and indisposition to change kept in force. Having had experience of the conveniences of the decimal system of currency, the

**Mr. TUPPER.**

people would never return to pounds, shillings and pence.

Mr. TUPPER asked if a cask of wine brought to Canada from London or Liverpool was not invoiced by the Imperial gallon.

Mr. JONES (Halifax): Not always; he thought he was speaking correctly when he said that in the majority of cases wine was bought by the cask and hogshead.

Sir JOHN A. MACDONALD: A cask of so many gallons.

Mr. JONES (Halifax): Yes; but that was only wine purchased in England, and it was no reason why we should adopt the English method of gauging liquors. Look at the difficulties which the measure imposed upon the people and the liability of the provisions being misunderstood or used to the disadvantage of ignorant people. It proposed that the Imperial gauge should be used for a certain time—and that was one of the greatest objections he had to the measure. While it provided that liquors should be gauged by the Imperial standard, at the same time it allowed them to be sold by the old measure, and it would therefore enable traders to take advantage of people not familiar with the difference between the Imperial and wine measures, and a system would be perpetuated which would become every day more difficult to get rid of. The same argument, to a great extent, applied to the bushel, which there was no necessity for changing. We were alongside a people who after considerable experience had settled down to the old wine measure and Winchester bushel, and he thought our system of weights and measures should correspond with theirs. The hon. member for Cumberland said he had opposed the change of currency in Nova Scotia. Personally he was never opposed to that change, but their people were opposed to it. He was not opposed to it, because he believed in assimilating our trade relations with those of the continent. Why did we alter the gauge of our railways? Simply in order that we might have a continental gauge. And it was desirable that our system of weights and measures should conform to that of

our neighbours with whom we traded. There was no reason for the introduction of the English system. It was inconvenient; the people were not accustomed to it, and did not desire it. At another stage he would move an amendment that the Act be repealed entirely. He was aware that was a great responsibility, but he believed if it was repealed, the Government could introduce a standard of weights and measures which was highly necessary. He had hoped to reach his Bill before this, and that the Government would have dealt with this measure in the same manner as they did with the Insolvent Act—taken the sense of the House as to the propriety of retaining it before introducing amendments. He believed the majority of the House, if they were to deal with this question as they knew the country desired, would vote for the repeal of the Act. If that were done, the Government could bring in a short measure, which could be speedily disposed of.

Mr. WORKMAN said before the introduction of the resolution of the hon. the Minister of Inland Revenue, he agreed in a great measure with the views just expressed by the hon. member for Halifax (Mr. Jones), because the measure had been unpopular and was worked with the greatest possible difficulty. But he thought the amendments proposed by his hon. friend (Mr. Laflamme) would remove, in a great measure, the objectionable features of the law, and he was therefore willing to give them a fair trial. Representing a large commercial centre, where he was frequently brought in contact with the persons who were dissatisfied with the law, it was his unfortunate duty sometimes to come in contact with the inspectors at Montreal, the men whom the hon. member for Cumberland (Mr. Tupper) had condemned in such strong language. Those men were at their posts early in the morning and late in the evening; they were attentive and anxious to meet the requirements of the public, but they were surrounded with difficulties in the carrying out of the law which it was almost impossible for them to overcome. If 304 orders were necessary to explain the act he did not think there were three hon. members who could understand it.

The hon. member for Cumberland had also said that the absence of petitions to Parliament for the amendment of the Act proved that no serious grievance existed. It should be remembered, however, that the newspapers had announced that the Government intended to make certain changes, and hence the Boards of Trade and other public bodies did not think it necessary to petition Parliament. If the commercial community had supposed no amendments were to be made, the House would have been deluged with petitions. Something had been said with regard to the measuring of liquids. In Montreal, as a rule, they were measured by the gauge rod and the callipers. There were two or three officers whose special duty it was to attend to this business, and their measurements were always relied upon and accepted by the trade. He had not heard, within the last few years, any complaints in this relation, though, previously, disputes were an every-day occurrence, giving rise to a great deal of trouble and annoyance. He thought that, if this system was carried out in other cities, less complaint would be made. He was very much pleased with the resolutions, and he believed he could say for his constituency that they were prepared to give them a fair trial, and see that they were properly carried out.

Mr. BLANCHET said he wished to correct the statement made by his hon. friend from Cumberland that no petitions had been sent to the House asking for the repeal of this law. A great many such petitions had been, in fact, sent from the Province of Quebec, and he might instance, in this regard, the counties of Bellechasse and Montmagny, as well as other counties. He was certain that, if the Minister of Inland Revenue had not advised the provisional suspension of the law, petitions on this subject would have poured into the House, because the operation of the Act had been very unpopular, giving rise to much ill feeling and discontent; and had it not been for the expectation that something in the way of amending it would be done, the excitement would have been greater. He admitted that uni-

formity in weights and measures was necessary, but reforms which were unpopular, as his hon. friend had remarked, must be carried out with moderation. Time alone could change the usages and habits of a people; and if an attempt was made to force changes in commercial customs, and the dealings of people with one another, a revolution might be created. The law relating to weights and measures in Great Britain was passed in 1828, and it had been since amended frequently. It was only in the course of time that the present system of Great Britain had come into universal use there. In 1852, the Canadian system of currency was altered, but, with the exception of dealings with the Government and Government accounts, which were made in decimal currency, the use of the pounds, shillings and pence method was left optional, and the consequence was that in time everybody had adopted and was satisfied with the present system of dollars and cents. He thought that the

Weights and Measures' Act of 1873 was very important, but he was afraid that it was rather premature, because the Winchester bushel and wine measure were still used on the other side of the line. As his hon. friend had observed, uniformity in weights and measures was only second in importance to uniformity in currency, and it was to be hoped that the time would come when all civilized nations would adopt a uniform system of weights and measures, as nearly all of them had done in the matter of currency. This law was unpopular, not on account of its principle, but rather owing to the instructions given by the Government. It was passed in 1873, but the Order in Council putting it into force was dated Dec. 18th, 1875. Few understood the law; and, if the instructions issued were clear, they were too numerous and too extensive; and the Inspectors themselves had not known what to do. It was on the representation of merchants and the Inspectors themselves, that the Government suspended provisionally the operation of the measure. The petitioners stated that, if the law could not be repealed, and if Parliament thought that this step would be unwise, it should be amended and im-

proved, as many inconveniences arose from its operation, which had been well exposed by his hon. friend. The Inspectors' fees were too large; and people had not known where to go to have their weights and measures adjusted, as this was forbidden to the Inspectors. The inspection also was too frequent. He did not suppose that any weight or measure could become incorrect from use in a year; and he thought that they should, perhaps, not be inspected more than once in two or three years. As was mentioned at the last meeting of the Board of Trade, the fees which were charged virtually amounted to the cost of the measures. If the Government wished to bring this law into favour with the people, they must see that it was put into operation with the least possible expense. The Minister of Inland Revenue should perhaps so regulate as to provide merely for the operation of the law. He was rather inclined to vote for the proposed motion of his hon. friend from Halifax, if made at a future stage; and, if he found that the House was favourable to the principle of having a uniform system of weights and measures, he would propose some changes in the resolutions.

Mr. ROCHESTER asked what course the Government intended to pursue with regard to persons whose weights and measures had been seized and removed. He had received complaints from quite a number of individuals, who stated that Inspectors or parties employed by them had last fall entered their shops and taken away scales and weights and measures without right or permission, and given them instructions as to where other scales and measures could be purchased.

Mr. LAFLAMME said that in a few instances these had been condemned because they were opposed to the principle of the law, and were proved by actual experiment to have been fraudulent, consequently they were seized. No officer was authorized to remove any scale or measure for any other reasons.

Mr. ROCHESTER said he was prepared to establish that Inspectors, or parties in their employ, had taken away scales, weights and measures

from shops without testing or attempting to test them. He hoped that the persons who had thus suffered loss would be reimbursed.

Mr. LAFLAMME said that, if the hon. gentleman showed that any irregularity or illegality had been committed by any officer, and submitted the complaint in proper form, that officer would be dismissed. Recourse could also be had by law against the official so offending.

Mr. ROCHESTER said he was satisfied with the reply. He had told the aggrieved persons that there was not much law or justice about anything done by this Department. He took it that if they petitioned the Government they would be reimbursed for the loss they had sustained. He could prove that scales which weighed correctly when sent to the Inspector had never since weighed correctly. A gentleman wrote him as follows:—That their firm had suffered loss to the extent of \$500 in this relation; that they had on hand twenty-seven sets of Warren's scales, which could not be marked and certified here; that they had to return them to Hamilton, the freight there and back costing \$30; that the charges for certification amounted to \$132.80c., not including those for Fairbanks' scales, which were adjusted and certified in Ottawa; that their customers asked not for the new but for the old measures; that the public should be indemnified for the heavy loss sustained in this regard, that they had a number of steelyards which the Inspector refused to mark and adjust, thus causing a direct and dead loss; and that, if this law continued in force, a skilled mechanic should be appointed, who would keep his office open for such purposes at certain hours. He (Mr. Rochester) thought that the people were aroused rather owing to the abuses which had been committed than to the principle on which the law was based. Some people said so, though there was a diversity of opinion on the subject. A gentleman, two years ago, bought four sets of Bell weights in London, England, costing about \$40, but he was told by the Inspector that he would not be allowed to use them. He had no doubt that quite a number

of petitions would now be received from persons who wished to be refunded for the expense to which they had been put by the removal of their scales, weights and measures. He heard that a great many of the latter had been sold by auctioneers on the market. The corporation of Ottawa had its own Inspector of Weights and Measures, and the weights and measures seized by the Government official, he was informed, which were all branded by the former, were not tested to see if they were right or wrong. He hoped the Government would see its way clear to reimburse parties who had sustained loss in consequence of this act of their Inspector. With respect to the remark of the hon. member for Cumberland as to the deputy head of the Department, his opinion was that he was a theorist and not a practical man. In 1873, the hon. member for Cumberland, under the advice of the deputy head, brought in two Bills, one being as to the caliper gauge, which was withdrawn in the Banking and Commerce Committee, and the other providing for the gauging of all liquids. He (Mr. Rochester) pointed out that to put the gauging rod into a barrel of beer in July to measure it, as provided by the Act, would render the beer useless, on account of its being opened at that time of the year. Consequently, that Bill was withdrawn also.

Mr. LANDERKIN said he was pleased to see some amendments to the Bill as already in force; as, for instance, that amendment relative to the fees to be paid for verification after the first inspection. This was a matter respecting which the people were somewhat anxious, and he thought that the course of the hon. the Minister of Inland Revenue was perfectly right. There were some other modifications which he thought very acceptable likewise. He had very much pleasure in supporting the amendments proposed. He was somewhat surprised at the observations in reference to the operations of the Act, and to hear the hon. member for Montreal say that it was very unpopular in that city. When the discussion on the Bill was up some time ago, he (Mr. Landerkin) had caused some enquiries to

be made, in order to ascertain whether it was acceptable to the people of his Riding. He learned that it was not unpopular, but that it was regarded as one in the interests of the people. The Inspector had gone over nearly the whole of his county, and the result was generally satisfactory, although he thought there were some complaints that were well founded. In some instances the weights and measures had to be taken a great distance to be inspected, but in his county the Inspector went around and examined the grain measures, and the public were consequently well satisfied with the operations of the Act. It was absolutely necessary that scales and measures should be inspected. The old system of verification did not come up to public requirements. Under the present system weights and measures could be properly adjusted; under the old system that was impossible. He was not aware that the fees were any higher now than they were before. He believed that some of the objections to the Bill were not on the merits of the Bill itself, but partook of a political character, because the Bill was put into operation by the present Government. He knew one hon. gentleman who had opposed the Bill, but as soon as he found that it had been introduced by the hon. member for Cumberland, his objections immediately faded away, and he was convinced that the Bill was a very good measure. He (Mr. Landerkin) believed that, when it had been some time in operation, the public would be very well satisfied with it. He did not think it would be judicious to repeal the Act now. Now that it had been introduced, and a fair standard had been reached, the Act should have a fair trial. The hon. member for Carleton always got himself into a fever whenever he discussed this question, and particularly when he referred to the deputy head of the Department. He (Mr. Landerkin) had made enquiries from those who had been brought in contact with that gentleman, and they had paid a high tribute to his worth, and to the care and consideration which he brought to bear upon the subject. He did not know of any instance in his county where the

Mr. ROCHESTER.

people had refused to have their scales inspected. When people were unwilling to have their weights and measures inspected, he considered they had a very good reason for such unwillingness. He believed a good deal of the opposition to the Act was on account of the want of tact displayed by those engaged in the inspection. If there were good men employed, men who endeavoured to do what was right, he did not think there would be any desire to have the Act repealed. He hoped that the amendments would be carried, and that hon. gentlemen, instead of creating a prejudice against the Act, would endeavour to harmonize it to the public interest, as such an Act was absolutely required for the safety of the public.

Mr. ROSS (Prince Edward) congratulated the hon. the Minister of Inland Revenue and the Government upon the amendments they were making to the Bill, as without them it was a very improper law. There was a great deal of force in what the hon. member for Cumberland had said. There might as well be two yard measures as two ways of computing a bushel. He would recommend strongly that the Minister of Inland Revenue should make only one measure. Were it otherwise there would be great con- feeling of the country generally, and not particular localities as Montreal fusion throughout the country. He was one of those who petitioned the Government in favour of a change in the Act. He was not prepared to support the amendment of the hon. member for Halifax. A large amount of money had been spent in connection with the Act, and it should have a fair trial. He would again express the hope that the Government would take into consideration the advisability of having only one measure. He would suggest that the yard measures on counters should also be stamped.

Mr. GIBBS (South Ontario) said he agreed with the hon. member for Cumberland that the objection was not so much to the Act itself as to the administration of the Act. He could not conceive how any hon. member could advocate the repeal of the Act. Some of the amendments proposed were in

the right direction, but there were others which should receive the greatest consideration. The attention of the House had already been called to the fact that the Bill tolerated two measures. He could readily understand how in some portions of the country it was desired to retain the old system of measurement with reference to grain; but in the interests of the country generally there should only be one system. As the hon. member for Bellechasse said, the provisions of the Act had been contravened, and he thought it was advisable that there should be some indulgence shown until the prejudices against the Act had died out. It was just as absurd to have two measures for grain as two for drygoods. The hon. the Finance Minister had the credit of suggesting the cental clause, and he (Mr. Gibbs) supported it, as he thought it would become general. But Liverpool was the only port of Great Britain where the cental was used. Originally it was the quarter of a gross, 500lb., eight bushels of 70lb. to the bushel, but now a quarter was eight bushels of 60lb. to the bushel. He thought that under no consideration should the Minister of Inland Revenue allow anything but the standard of weights as laid down in the 5th section. He regretted exceedingly that the cental had not come into general use in this country. In purchasing grain in this country since 1868 they had violated the law. In Detroit and in London barley was purchased by the cental, but he was afraid it would take many years before we could get that into general use in the Dominion of Canada. He differed entirely from the member for Cumberland (Mr. Tupper) in reference to one of the provisions introduced by the Minister of Inland Revenue,—that in Section 41. He congratulated the hon. gentleman on having adopted that course. What the people could complain of in the administration of the Act in this particular was that there was no person having the authority of the Government to attend the Inspector when he was inspecting weights and pronouncing them to be incorrect. It was not so much that the charge was an enormous one, or an extravagant one, as

that no one liked to be subject to a charge made by a person having no authority. All the Inspector had to do was to condemn the scale, which was then thrown back into the hands of the owner, and he had either to appoint a person to follow the Inspector or to take the scale somewhere else to get it adjusted. He would not mind if the charge were three times as much under this section. The people would more readily agree to that than to the previous provision. The people objected to paying the fees because the Inspector had not authority to adjust the scales. Hon. gentlemen had spoken of the injustice of compelling the owners of large scales to take them twenty or twenty-five miles, and he had received two letters from owners of large scales who said it was impossible to take them to the residence of the Inspector, a distance of twenty-two miles. He would suggest that, while it might be proper to bring small weights and measures to the Inspector, in the case of hay scales and scales used in mills, which were fixtures, it was almost impossible for owners to comply with the provision. He suggested that the Bill should be referred to the Committee on Banking and Commerce.

Mr. OLIVER said he looked upon the proposal to go back to the wine measure, instead of continuing the Imperial measure, as one which would be very injurious to trade in the country. In every inspection district, the Inspector had partially put the Act into operation, and many others had purchased the Imperial gallon measure. This would compel those who had adopted the Imperial measure to go back to the old measure for self-preservation. They had purchased the standard measures at considerable cost, and had had them stamped and adjusted, and it would be unfair to compel those who had gone into this in good faith to go back again to the old measure. The Minister of Inland Revenue said it was unwise to adopt a revolution of this kind all at once, but the revolution had been gone into, and it had been partially adopted. In his own county about half had adopted the new measure, and it would be very unfair to them to compel them to go

Mr. GIBBS.

back to the old measures. He thought the other amendments were in the right direction. It had been stated by his hon. friend from Halifax (Mr. Jones), that there never had been a desire for a measure of the kind.

Mr. JONES (Halifax): Never.

Mr. OLIVER said it was passed by a considerable majority, not as a political measure, but in the interest of the whole country, and, if a vote was taken for the repeal of this Act, it would be found that the country still desired a measure of this kind. Where were the complaints from? It was only natural to suppose then the mercantile community, the merchants, of the country would object to a measure of this kind, and they had given as a reason for that objection that ninety per cent. of the weights and measures were not correct. It was therefore, thought they were always found in favour of the trader and not of the general community. Of the ninety per cent. which were inaccurate, a vast percentage of the weights were too light and the measures too small. The Bill was in the interest of the consuming population of the country, and he held that it was in the interest of the merchants themselves that such a measure should be on the Statute-book, because, when they were not properly authorized by it to test their weights and measures, they did not know whether they were against themselves or not. If this Act were repealed, they would have to go back to the old County Council arrangement. When the new standards were introduced, it was found, in his county, that the standards used for adjusting weights and measures were themselves incorrect. He urged, if the Minister of Inland Revenue desired to make the Bill popular, that he should continue the Imperial measure, and not have two measures in one Province.

Mr. COLBY expressed his satisfaction with the amendments which the Minister had proposed to the Act. It was a very important question for the people to determine which of these systems was the better one. His own Province had been decidedly in favour of the system suggested by his hon. friend from Halifax (Mr. Jones), and

he fully endorsed every remark he had made on that subject. The people in that section of the country in which he lived used the Winchester bushel measure and wine gallon. Their relations were so intimate with the States that it was doubtful whether it was not well to separate their system of measures from the system in vogue across the border. There was much propriety in our conforming our system of measures and making it a continental system, as in assimilating the railway gauge, and adopting a decimal currency in place of the pounds, shillings and pence used in England. While the Minister simply desired to give the country an opportunity of a year or two longer, in which to determine this question, he was doing wisely; and he thought he would be doing unwisely to enforce the Imperial measure. After a little experience before 1880 they might be able to determine finally which was the better system. He agreed that ultimately and permanently there should be but one system. It was confusing that there should be two distinct systems permanently, but he thought the people should have an opportunity of considering the matter.

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

### After Recess.

Mr. GIBBS (North Ontario) said there was no doubt the working of the Act had caused widespread dissatisfaction, not so much on account of the principle as on account of the charges and vexatious annoyances parties were put to in bringing their weights and measures to the place appointed for inspection. In his own county, the deputy discharged his duties efficiently and satisfactorily, and if any fault was found it was owing to matters over which he had no control. One of his constituents had to go 50 miles to get his weights and measures adjusted, and it was really important, if the Act were to work satisfactorily, that the inspection should be so arranged that parties coming under it should not be subjected to such loss of time and expense. The provision that only one

quarter fees should be paid in case the weights or measures were found correct after the first inspection was a step in the right direction; but he regretted that the hon. the Minister of Inland Revenue had not seen his way clear to make the public Exchequer bear the charge of the inspection after the first time when they were found accurate. He did not think that dealers were inclined to defraud the public as a rule; if their weights and measures were incorrect, it was doubtless because they had not the proper means of ascertaining their correctness, and it was only proper that they should not be held for cost of inspection when everything was found correct. If that were done, it would have the tendency of making the law more popular. Again, he thought annual inspection was not required; if it were done every second or third year, it would fully meet all the necessities of the case. As to the last clause of the resolution, he feared it would not work very satisfactorily; he did not think the adjuster should receive the fees. He would suggest that the fees should be no part of the perquisites of the party performing the work. The adjuster should be a salaried officer, and the fees should go into the general revenue, and thereby relieve him from any suspicion of acting merely for the sake of fees.

Mr. HIGINBOTHAM said he had taken considerable interest in the progress of this Act, and he was glad to see that the same spirit of fair play which existed at the time the measure was introduced, prevailed to-day. He congratulated the hon. member for Cumberland (Mr. Tupper) for the fair and candid manner in which he had treated this question, and he hoped that both sides of the House would co-operate in making this Act work better in the future than it had done in the past. The changes proposed, although they might not go as far as was desired, were certainly in the right direction. The great objection was the enormous expense to the parties who had their weights and measures inspected. A half bushel measure which cost 55c. paid an inspection fee of 40c.; a peck, which cost 45c., paid 30c., and so on in proportion. In regard to this matter the Commission said:

"As to the fees charged for verification they have been adjusted with a view to making the revenue from this service cover its cost. So far this result has not been attained, but that is more due to want of energy in some quarters as to the enforcement of the law than to the insufficiency of the fees. If the provisions of the Act are enforced equally over the whole Dominion, there will be no difficulty in making large concessions in the directions indicated in the third item of objections above stated. But if, in consequence of adverse influences, some localities are allowed to escape, to a large extent, the operations of the law, any reduction made in the fees cannot fail to have the effect of throwing a portion of the cost on the general public, a result which is suggested and approved by the third objection."

This was not a valid reason why, in localities where this Act was enforced, this additional cost should be imposed on the people. The receipts and expenses in the various Provinces were for the first half of the current fiscal year:—

	Expenses.	Receipts.
Ontario.....	\$16,319 41	\$14,496 75
Quebec .....	10,617 63	1,965 20
New Brunswick.....	2,613 98	811 95
Nova Scotia.....	4,152 87	2,426 85
Manitoba.....	772 70	.....
	<hr/> \$34,476 59	<hr/> \$19,700 75

This showed that the Act had not been rigidly carried out in some of the Provinces. He understood the hon. member for Cumberland to have cast a general reflection on the Inspectors. The Inspector for the county in which he (Mr. Higinbotham) lived was an excellent officer, who attended faithfully to his duties, and if all the other appointments were as good he did not think there would be much ground for complaint. He hoped that the hon. the Minister of Inland Revenue would see his way in the future to amend the fees, which formed one of the chief objections to the law as it now stood.

Mr. BOLDUC said there was one inconvenience which should be made to disappear. On the market at Quebec, produce was sold by French weight, while the law prescribed the Imperial measure. He thought it was certainly necessary to impose a penalty on those who did not wish to submit to the law. While this was not done, this state of affairs would not be remedied. The traders at present combined and refused to buy from the

farmers unless they would sell by French weight; but the former sold by Imperial measure. He considered that this was unjust, and that it was absolutely necessary to impose a fine in the direction he had mentioned. He hoped the Minister of the Interior would take his suggestion into consideration and add the amendment he had instanced to the resolutions submitted to the House. It was also unjust to permit the use of two measures—the old and the Imperial, because this was dangerous, as traders under such circumstances were sometimes inclined to buy by the large and sell by the small measure.

Mr. LAFLAMME said that a penalty of \$10 could now be imposed on those who violated this law, which only provided for the Imperial measure. No other weight was recognized by law.

Mr. BLANCHET said that his hon. friend (Mr. Laflamme) perhaps did not understand the system in vogue at Quebec. It was very true that the law only recognized the English weight, but in practice the traders combined among each other, and told the farmers that they would not buy their produce, except they sold by French weight; and this, if he sold, the farmer was consequently obliged to do, though the agreement in question was not recognized by the law; it was purely personal between two individuals. On the other hand, when the trader returned to town, after buying by French weight, 112lb. to the quintal, he sold to consumers by Imperial weight, thus making two profits—one on the sale to the consumer and the other on the difference in weight.

Mr. SCRIVER said he simply desired to say, as far as he understood the amendments proposed, that they were decidedly in the right direction. He was particularly pleased to hear the announcement from the Minister of the Interior that the Government intended to submit the instructions given from time to time to the Inspectors to a thorough and careful revision. The difficulties which had arisen throughout the country were due, he conceived, to the difficulty which Inspectors had in understanding these instructions more

than to anything else. They had been, in some instances at all events, to his knowledge, beyond the comprehension of some Inspectors. He did not say that there were not others who were sufficiently intelligent to understand them; but he knew that, in many cases, Inspectors had not properly understood their instructions, and had, consequently, so administered the law as to cause injustice, difficulty and dissatisfaction. He was afraid, however, that one purpose which the Government had in view--the prolongation of the time for the use of the two kinds of measures--would result in great difficulty, not to say great injustice. He agreed with the hon. member for Stanstead in this: that, so far as their constituents were concerned, along the frontier, it would be very greatly to their own convenience to have the old measures as they were employed across the line among those with whom they mainly had transactions; but, as the change had been made, and to a great extent carried into effect, it would be better to have but one measure in use. In cases where the change had not been general, they could all easily understand that this would result in difficulty and injustice to those who had acquired new measures, on account of the difference in them. The sooner the change was made thorough and complete the better it would be. The only objection he could see in the resolutions related to the prolongation of the time, as mentioned.

Resolutions agreed to and ordered to be reported.

House resumed.

Resolutions reported, read the first and second times and agreed to.

Mr. LAFLAMME introduced a Bill (No. 119) To amend the Act respecting Weights and Measures.

Bill read the first time.

#### SUPPLY—CONCURRENCE.

Resolutions 1 to 24, reported from Committee of Supply on February 23rd, read the second time and agreed to.

On Resolution 25, Precis-writer of the Supreme Court of Canada and the Exchequer Court, \$1,850,

Mr. LANGEVIN said he wished to make a few remarks, first, personal to himself, and then as to the working of the Court.

Mr. MACKENZIE suggested that, if the remarks were such as required to be replied to, they be deferred until the hon. the Minister of Justice, who was absent through indisposition, was present.

Mr. LANGEVIN said he would do no injustice to the hon. the Minister of Justice; if he thought he would, he would defer his remarks. This was the first opportunity he had had of replying to accusations made against him in the press that he had attacked the Supreme Court in connection with the judgment that had been rendered against him in the Charlevoix election case. He might say that he had never attacked the Judges. He had never attacked their motives. He had never stated that they had wittingly committed an injustice towards him or towards anyone else. On the contrary, he had always stated that he believed they had acted conscientiously, and had done what they considered right at the time they rendered their judgment, and that the Court, as the High Court of Canada, should be respected. But he stated, as was of course his right, that he did not agree with the judgment. And he did not suppose that any hon. member placed in his position would agree with the judgment. He had given reasons why he thought the judgment was not right, but he would not now occupy the time of the House by reciting those reasons. He was not present to ask the House to sit in judgment upon the Court, but he merely wished to set himself right in this matter. He disagreed with the judgment of the Court, and that was all.

Mr. LAFLAMME: Does the hon. gentleman say he never condemned the Judges of the Supreme Court?

Mr. LANGEVIN explained that he had condemned the judgment but had not attacked the motives of the Judges.

Mr. LAFLAMME asked whether the hon. member approved of the circular issued on his behalf, which was a most violent, abusive and unjustifiable attack on the Judges.

Mr. LANGEVIN said, as the hon. gentleman knew, there was a rumour that his (Mr. Langevin's) election would again be contested, and therefore he must be excused from entering into the details, as they would be investigated if there was a trial. But he would at once say that he had not attacked the Judges, nor had he got anyone else to do so. He had never commissioned anyone to attack the Judges either verbally or otherwise.

Resolution read the second time, and agreed to.

Resolution 26 read the second time and agreed to.

On Resolution 27, Messenger of the Supreme Court of Canada, \$330,

Mr. LANGEVIN referred to the other matter, that of the working of the Supreme Court. He said he wished to call the attention of the House to the enormous expense in connection with trials before that Court. Hon. gentlemen might laugh, but it was not only a matter personal to himself but one which might affect any member of the House. The record had to be printed, and in the case of Charlevoix the volume amounted to 600 pages, at a cost of \$800. Then there were other documents, which made the printing altogether \$1,000, to be charged either against the member or the petitioner; in the present case against himself. This was not an isolated case; it was an ordinary case. The paper was of the best kind, and was only printed on one side, with very wide margins. The testimonies of 186 witnesses were printed, there being at the commencement of each a heading of half a page, the recital thus being repeated 186 times. He asked hon. members whether they intended, when they passed the Supreme Court Bill, that all this expense should be incurred. Only two of the Judges understood French sufficiently to appreciate the evidence of the witnesses, and therefore the whole of the evidence had to be translated—not at his expense, he was glad to say, but at the expense of the country. There was such haste to push his case through that all the Departmental translators in Ottawa were employed for the

Mr. LAFLAMME.

purpose. He hoped that this matter would be placed before the hon. the Minister of Justice. In the translation made, although it was done by able men, yet, because it was hurried, there were no less than one hundred blunders which changed completely the sense of the document in French. The subpoenas and headings were all translated. Not only were all the headings printed 170 or 180 times—not only were the pages printed only on one side—but, when the evidence turned the page, the few lines were charged as a whole page. They had to pay \$800 for the volume, but the cost should not have exceeded from \$300 to \$400. He had deemed it to be his duty to call the attention of the House to that matter, and he trusted it would be brought before the notice of the Court. He had had the experience, and he wished the House to have the benefit of it through him.

Mr. CARTWRIGHT said he would take care that the matter would be brought to the notice of the hon. the Minister of Justice. What was the case of the hon. member for Charlevoix to-day might be that of any other hon. member to-morrow. The expenses connected with cases under the English law had always been a reproach to it.

Sir JOHN A. MACDONALD said these expenses amounted to a denial of justice to a poor man, for no member who was not wealthy would be able to do other than resign his seat when it came into question. The result would be that the wealthy man would have the power of worrying the poorer member out of his seat, by holding over him a threat to bring his case before the Supreme Court.

Mr. LAFLAMME thought the hon. member for Charlevoix should be pleased that he was not charged with the costs of translation. Had the case come before the Privy Council in England, the hon. member would have been put to the expense of all the costs.

Mr. CAMERON said it was reported that officers of the House had been engaged in translating this work. If this were done during office hours he would certainly protest against it, and would like to know by whom the order was given.

Mr. MACKENZIE said the hon. gentleman was speaking a little too fast. He did not think any Minister had given any orders of that kind.

Mr. CAMERON did not suppose the officers would do it on their own responsibility.

Mr. MACKENZIE: I regret that they do very frequently.

Mr. SPEAKER said the officers of the House received their orders from him, and he had never given such orders.

Mr. LAFLAMME believed it was necessary, if they desired their Constitution well protected, that they should have the right in election cases to appeal from the local Courts and from local influences, to the only safe Court, viz., the Supreme Court.

Mr. MACKENZIE said that the officers were in the habit of leaving the House at a certain hour each day, and had been in the habit of occupying themselves in keeping accounts and other pursuits during their leisure hours. The Government discountenanced that practice in the Departments two years ago, when it was the custom, and had been for many years, for a large number of young men to be employed in some of the Departments requiring extra writing. For instance, it was customary in the Finance Department to have a number of the employés from the other Departments brought in to assist. That had been put an end to, and the whole of the work was now done by ladies belonging to deceased public servants, or who had parents and others dependent upon them. Some other officers of the House were engaged—he hoped they were not now—in carrying on a regular business outside, and that was ordered to be stopped.

Mr. IRVING said some of the Judges of the Supreme Court complained of the absurd and unnecessary amount of matter printed in the book, which was far in excess of their rules, and created great expense. It was very proper that such an expense should be greatly reduced.

Mr. McDOUGALL (Renfrew) said he agreed with the hon. member for Kingston, that such expenses should be

reduced in every way they could be without interfering with the cause of justice. It was surely not the wish of hon. members that men who happened not to have the faculty for acquiring wealth should be deterred from becoming candidates, which would be one of the effects of such a practice as had been brought before the notice of the House. Unless under very exceptional circumstances, he thought election trials could be heard before a single Judge, and even then the expenses would be sufficiently large.

Mr. LANGEVIN said the hon. the Minister of Inland Revenue tried to make out that he (Mr. Langevin) was making remarks injurious to the Judges. Such was not his intention, nor did he say anything which would bear that construction. All he said was that this whole system, from beginning to end, was wrong. If the translation was to be made, it ought to be perfect, so that the French suitors would be on an equal footing with the others in the Court. Moreover, a law should be framed to prevent a repetition of what occurred in his own case. This was such an important matter that a short Bill ought to be introduced on the subject.

Mr. LAFLAMME said what the hon. gentleman (Mr. Langevin) complained of could be remedied by the mutual consent of the parties.

Mr. LANGEVIN said it would be much better if in such cases only the body of the evidence was ordered to be printed. That would meet the difficulty and save at least a fourth of the cost for printing, which was an important saving.

Mr. CAUCHON said they had endeavoured to save the parties from expenses in every possible way, but he did not think they had effected much. Even if this were attended to as suggested, by and by some other cause of complaint would be found. Still there would be no harm in drawing the attention of the Court to this matter, to see if anything could be done to reduce this expense. It was certainly useless to print all the evidence in many cases.

Mr. MASSON asked how the evidence was read before the Privy Council in England.

Mr. LAFLAMME said if the evidence was stated in French it was transmitted to the Privy Council in French; there was no translation. If any of the hon. Judges did not understand French, which was not very likely, one of the officers of the Court was asked to translate, but no translation was ordered.

Mr. MASSON said the present system was rather hard on French pleaders, who were entitled to plead before the Supreme Court in their own language, which the Judges of this Court should understand. An appeal to this Court entailed greater costs than an appeal to the Privy Council, which did not require the translation of French documents.

Mr. LAFLAMME said appeals from Spanish, French, and Hindoo colonies were taken before the Privy Council, but the members of this Court were not obliged to speak Hindoo and Spanish. As a rule nothing but English was spoken there, and when the members of the Court did not understand French, they had such portions as were in French translated for them.

*Resolution read the second time and agreed to.*

*Resolutions 28 to 30 read the second time and agreed to.*

On Resolution 31, for the salary of one Stipendiary Magistrate or County Court Judge, to provide, if necessary, for the vacancy created by the death of the late A. T. Bushby, Esq., \$2,425,

Sir JOHN A. MACDONALD said that when it was before the Committee the Minister of Justice had said he was not at all certain that this item, \$2,425, to provide, if necessary, for the vacancy created by the death of the late A. T. Bushby, Stipendiary Magistrate, would be used, as an existing official might be able to fill the position.

Mr. MACKENZIE said that the Minister of Justice had been in communication with the Local Government on the subject. The hon. member for Kingston was perhaps aware that the

Mr. CAUCHON.

Local Legislature had passed a Bill establishing County Courts in a somewhat different way than had hitherto prevailed, and required each of these Judges to be a barrister. This would necessitate the superannuation of the six gentlemen who were now acting as Judges of these Courts, none of them being a barrister. The matter he believed had not progressed any further since the Minister of Justice had made his explanation, but he would again call the attention of the hon. gentleman (Mr. Blake) to it.

Sir JOHN A. MACDONALD said that, although these Judges were not all lawyers, technically speaking, yet they had had great experience, and knew the country, and the habits and wants of the people, and had practically acquired a sufficient knowledge of the law to meet the requirements of the country. He thought it would be a wilful waste of money to supersede all these gentlemen who had a right to superannuation.

*Resolution read the second time and agreed to.*

*Resolutions 32 to 45 read the second time and agreed to.*

On Resolution 46, grant to Parliamentary Library, including provision for law books, \$10,000.

Sir JOHN A. MACDONALD asked whether any plan had been prepared by which the Library could be made available for a larger number of books. A library meant a room full of books, but in this instance it signified a handsome room with few books. By running up the stairway on the interior of the wall to the foot of the windows, and then having an interior circle for books, more accommodation would be provided, and there was plenty of room for it. There was a great waste of space at present in the centre of the room.

Mr. MILLS: It would then be very dark in the centre of the room.

Sir JOHN A. MACDONALD: We want books and not ornaments.

Mr. MACKENZIE said it was quite possible, of course, to provide accommodation for more books. If the gentleman would look at the initial

design he would see that provision was made for a stone roof, and that the ribs which were now made of wood rested on bases of dark marble, which marble or capital surmounted pillars of the same material. All this was necessary for the artistic appearance of the structure and room. If they took up another story with books they would cover up the plinth and the columns and the capitals, and render it at once apparent that the original design and effect of the Library was utterly destroyed.

Sir JOHN A. MACDONALD: I would be sorry to see that, certainly.

Mr. MACKENZIE said such an arrangement would effectually destroy the lighting of the room. This was a matter which had cost him a good deal of anxiety. It was originally proposed to provide stained glass windows, but he had determined to give them up. It rested, of course, with Parliament to decide what should be done, and whether they should have a very beautiful room or a mere bookseller's shop. He did think that it would be a great pity to spoil such a handsome pile of buildings. In a few years a new wing might be erected, and then the room at present occupied by the Supreme Court could be utilized for a particular class of books and perhaps for a reading-room as well, for the two Houses. An abundance of room would thus be provided. At present he strongly deprecated any cutting up of the room in such a way as to destroy the artistic affect.

Mr. MASSON said books which were required for daily reference, such as appendices or sessional papers, should be made more easy of access. At the present the library was not lit up at night, and though he had diligently sought for such books with the aid of a candle, he had given the task up in discouragement. He hoped something would be done shortly in this regard, and that a better location would be provided for books which were needed by members for daily reference.

Mr. MACKENZIE said he had no doubt that the lighting was a little deficient. They could not use the

ordinary brackets, as these did not agree with the style of architecture, and they had had to have other brackets made for the purpose. He would see that the library by next Session was placed in the best possible order for the convenience of members.

Resolution read the second time, and agreed to.

Resolutions 47, 49, 50 and 51 read the second time and agreed to.

On Resolution 52, to meet expenses in connection with the care of Archives, \$3,000,

Mr. POPE (Compton) asked what action the Government intended to take in this regard.

Mr. CARTWRIGHT said he had that day called the attention of the Minister of Agriculture to the point. The matter would be taken in consideration, and it would be decided whether or not the item would be increased.

Mr. BABY said he hoped this would be done. There were two important collections, the Haldimand and Rochester, from which it was extremely desirable that copies of documents should be taken.

Mr. MASSON said, when the hon. the Minister of the Interior was preparing his report on the boundaries of Ontario, he was obliged to go to New York to inspect copies of works which should be found in our own library.

Mr. POPE (Compton) remarked that writers could be employed for a small amount of money at London, Paris and New York.

Mr. PLUMB referred to the Johnston papers, relating to the early history of the State of New York and the Province of Ontario, which should have been obtained. Every year was increasing the value of these collections, and the difficulty of securing them.

Mr. MILLS agreed that there were many manuscript collections relating to the early history of Canada which should be obtained.

Resolution read the second time and agreed to.

Resolution 53 read the second time and agreed to.

On Resolution 54, Preparation of Criminal Statistics, \$5,000,

Sir JOHN A. MACDONALD enquired what progress had been made in this department.

Mr. MACKENZIE said the system worked tolerably well. The papers were prepared with a great deal of care, after consulting the criminal statistics of Scotland, which were generally complete, and of some other countries of Europe.

Resolution read the second time and agreed to.

On Resolution 55, (reported from Committee of Supply, on March 16th) Immigration and Quarantine, \$120,550.

Mr. BLANCHET asked the hon. the Finance Minister whether he had endeavoured to carry out the recommendations of the two physicians at the port of Quebec. When the question was asked in Committee of the Whole, an answer was promised on concurrence. The two physicians resided on the north side of the river, but the immigrants landed on the south side. Last year over 20,000 of them landed, and in one or two years there were over 50,000. The physicians not only lived on the other side of the river, but the Immigrant Hospital was two miles away on the north side. In cases of an emergency, immigrants were placed in a very unfortunate position, having to be taken across the river and carried through the narrow streets of Quebec before the hospital could be reached. There was no hospital accommodation on the south side of the river.

Mr. MACKENZIE: The hospital on the north side is not an immigrant hospital.

Mr. BLANCHET said it was called the Marine and Immigrant Hospital. There was no other hospital to which immigrants could be taken.

Mr. MACKENZIE: There is the Hospital on Grosse Isle.

Mr. BLANCHET: But they don't land there except when quarantined. His hon. friend the member for Compton, when he was in power, had provided for this necessity to a certain

Mr. MILLS.

extent, and a medical officer was employed at the immigrants' landing place all through the summer season, and he was always on the spot in case of emergency. But when the present Government came into office this gentleman was removed, for what reason he could not conceive, except on account of economy, if not for political reasons. The two officers of the Government at Quebec had recommended that rooms and beds be provided on the south side with a full supply of drugs and surgical instruments. There were already some drugs at that place, but not sufficient. This was a matter which ought to be attended to in the interest of humanity.

Mr. CARTWRIGHT said he had not neglected to call the attention of Department to it, but as he did not expect this item to be up he had not the required information. The matter however, could be discussed on the next item.

Resolution read the second time and agreed to.

Resolution 57 (reported April 9th) read the second time and agreed to.

Resolution 58 (reported April 10th) read the second time and agreed to.

On Resolution 59, to meet the probable amount required for pensions to veterans of war of 1812, \$50,000,

Mr. VAIL, in reply to a former question of the right hon. member for Kingston, stated that 245 of the veterans had died during the last year.

Resolution read the second time and agreed to.

Resolution 60 read the second time and agreed to.

On Resolution 61, Salaries of Military Branch and District Staff, \$28,600,

Mr. MITCHELL said he felt that in times of peace, such as we had had for several years, the exceptional state of things which existed when the time of militia service was much longer than it was to-day had been removed by the removal of the Fenian troubles, and of any fears of trouble between our parent country and the United States. The reduction was, therefore, a step in the right direction. He thought we had arrived at a period in our history when we

could afford to reduce the amount still further; and, when they saw that the taxes had to be increased to maintain the ordinary service, when they looked at our friendly relations with the country on our borders, when they looked at the depressed state of trade, he believed that the expenditure of something like a million and a quarter of dollars for Militia and Police service was more than ought to be expended. He believed that the playing at soldiers for which a large amount of this money was expended did not commend itself to the masses of the people. He knew it was not of any use in a House like this, with Colonels on his right, Colonels on his left, Colonels all around him and in front of him, with about every fourth man in the House a Lieut.-Colonel, to ask for a reduction of this amount; but he desired to call the attention of the House and of the country to the fact that we were expending a far greater amount than the interest of the country required. He felt that, when the attention of the people was called to the subject, Parliament would be asked to reduce this vote, and he knew of nothing that would place the Ministry before the country more favourably than a reduction of this expenditure. We had expended a great amount of money very foolishly. Colonel Ross, under the Administration which preceded this one, felt it necessary, when British Columbia came into the Confederation, to travel across the continent at a very considerable expense for the purpose, as was alleged, of getting information for the Department. He had a very pleasant summer trip, and he believed was here some three or four months afterwards, when he resigned and went to Europe—left the country altogether. Now we had another gentleman in command of the Canadian troops, and he had found it necessary to travel across the country at a very considerable expense, and on the staff of those gentlemen he was told there was not a single Canadian, not one man identified with the country. These trips were mere pleasure trips and it was time they were put a stop to. If they were necessary, they should be made of advantage to the country by giving

information to men identified with it, and not to men who came here, drew salaries, and left it at their own convenience. He knew that the Premier believed that the general feeling of the country was in favour of a reduction of the item to half a million dollars. He believed that the statement he had uttered would be taken up from one end of Canada to the other. Although this Parliament might not be disposed to favourably consider the matter, when a new Parliament assembled he believed his views would find an echo in the hearts of the people, and that this amount would be reduced to half a million of dollars.

Mr. VAIL said that, when the Finance Minister made his Budget speech last year, he had stated that it was the policy of the Government for the present to carry out a system of retrenchment in every Department, as far as they could do it without endangering the public service. The Estimates showed that the Government had reduced their estimates some \$510,000. He must confess he had acceded to that reduction very reluctantly, because he thought it was not calculated to make the head of the Department very popular, but he thought if the pruning knife had to be introduced they could stand it in the Militia Department as well as anywhere, and so he had cheerfully acceded to the views of the Government. The amount expended by the former Government was about a million and a half dollars which this Government had reduced by more than half a million. The amount they had expended for training the Militia last year was \$125,000, compared with \$350,000 the year previous. That was expended in training the field artillery for twelve days and the infantry for eight days. This year they had \$30,000 to provide for the training of 20,000 militia for twelve days. He agreed with the hon. member for Northumberland (Mr. Mitchell) that it would be unwise in the present state of the country to expend more than was necessary to keep up a proper force and staff, but it would be impossible to keep up the volunteer force without the proper machinery to make it of some advantage and credit to the country. The Government did not desire to expend anything beyond

what was actually necessary. It was just possible that the former Government did extend it beyond what was actually necessary for some particular purpose, he would not say what, but the number was increased from 23,000 to 40,000, which was about 20,000 more than the country could afford to keep up. The number must be gradually increased to 24,000 or 25,000, which was quite as much as we could afford to keep up for militia drill.

Mr. MITCHELL: Or gradually decrease it.

Mr. VAIL said it would be unfair to do it suddenly. It could be done in such a way as to cause no disappointments to those who had made it their study, and not to impair the Militia force. It was possible that, as there were indications of war on the other side of the Atlantic, it might be desirable to make the Militia force more efficient than now.

Mr. WRIGHT (Pontiac) said he entirely disagreed with the member for Northumberland (Mr. Mitchell) that the time had arrived when a still further reduction should be made in the Militia Estimates. He was afraid they were working in the wrong direction; that in trying to carry out the principle of economy they were really wasting all the money they gave for the Volunteer movement. He agreed with the member for Northumberland that perhaps it would be better, considering the smallness of their votes, to give them up altogether for a certain time, until the Government felt themselves in a position to return to the grant which the Minister of Militia considered was an excessive one under his predecessors. He (Mr. Wright) ventured to say that at no time in the history of Canada was it ever so efficient as under the predecessors of the present Government; and that the position which it occupied to-day was one that could not be favourably compared with the position which it occupied at that time; and, further, that if they compared the amount now asked with the efficiency of the force under a former grant, it would be found to be largely on the debit side of the account. He hoped that the very able report of the Major-General com-

Mr. VAIL.

manding the forces would be, in a large measure, carried out. He thought the time had come when the force should be reduced to such a compass as the money expended would cover, so that it might be clothed and armed very efficiently. It was a mistake to have only soldiers on paper. The drill for eight days was a mere absurdity; it was worse than useless; it was a sort of picnic party, and possibly degenerated into something worse. The men were raw recruits. It took them two or three days to get to their grounds and settle down. He thought it would be better to reduce the militia to say 20,000 men, according to the estimate of the General commanding, and that they should be in as large a measure as possible in the centres of population where they could be got together easily and readily, and that the time of drill should be extended. He hoped the suggestion that infantry and cavalry corps should be formed would be carried out. What the militia wanted was competent officers, men who understood their business, who made it their business to acquire a knowledge of their profession and could keep their companies together. A company which had a belief in the efficiency and knowledge of its officer would be almost sure to maintain its standing, but without that it would never come up to the required standard. The member for Cumberland had alluded to the different origins of the Canadian nationality. He asked last Session and the Session before that the position of Major-General should be thrown open to Canadians. He did not for one moment wish to say that a British officer should not command the force; a British officer was now in command, and discharged his duties ably and well. But he objected to any regulation whereby a Canadian could not rise to this position. He had intended to move to abrogate this resolution this Session. In looking over the report he observed there was no return with respect to the repairing of guns and material. They were generally sent to Montreal for repairs, and he was told a large amount of money was expended in this way. If the scheme suggested by the Major-General, of

concentrating the force within the vicinity of towns and villages, and an adjutant or a couple of sergeants attached thereto, were adopted, a great saving would be effected. There was a great feeling of dissatisfaction all through the force, and, if the present system were continued, we would not have an efficient or willing militia. They would have a certain amount of money expended, and a number of bright and shining lights represented on the staff and in other places of emolument and profit, but we would not have the men. There was too much thrown upon the local officers at present. They were getting tired of it, and would probably throw the thing up, and it would be impossible for the Government to resuscitate the service.

Mr. AYLMER said it appeared to be the intention of the Government to reduce the force to about 20,000 men. In his report the Major General said :

"I consider it would be imprudent to make any reduction in either Cavalry, Artillery or Engineers. Upon the rural battalions and the independent companies of Infantry unaffiliated to any Battalion should fall the reduction, if such must be temporarily resorted to, though I shall regret if it becomes necessary."

He did not wish to make any invidious comparison between the city and rural battalions, but he could not but think that if any reduction was to be made it ought not to be in the latter. Anyone acquainted with the material from which soldiers were made must be aware that the men obtained from the rural districts were better recruits than those got from the cities. Besides, when disturbances like that which occurred on the Grand Trunk took place, men belonging to the rural districts would be less likely to sympathise with the rioters than men from the cities. Major Lazier, in a letter to Colonel Worsley, said :

"A strong feeling of sympathy was expressed by many of the men for the men on strike, and while some positively refused to turn out, others, I have no doubt, kept out of the way to prevent being found or called upon. Non-commissioned officers and men were under arms, the most of whom were obtained from the country."

He observed remarks to the same effect in a memorandum of Colonel Straubenzie to headquarters. If

this reduction had been made, he thought he could show how it might be made without disturbing the ground work of the whole system. He perfectly agreed with the Major-General when he said he would recommend that no reduction be made in the engineers, cavalry or artillery. It was difficult to keep those branches up to a proper state of efficiency, and they ought to be allowed a full course of drill. He saw that the engineers consisted of 13 officers and 222 men; the cavalry 131 officers and 1,799 men; the artillery 255 officers and 3,420 men, or a total in the three branches of 399 officers and 5,441 men. This number should perform the full quota of drill without any reduction whatever. The city battalions consisted of 116 companies—in round numbers, as at present constituted, 6,000 officers and men. He thought it would be a pity to disturb the city battalions if it possibly could be avoided. They had arrived at a high state of efficiency, and it would not be advisable to make any permanent change in their organization. The city battalion had undoubtedly many facilities and advantages for mustering and drilling over their fellow soldiers of the rural districts; but for the reasons he had assigned, if a reduction must be made, it should not be that the rural battalions alone were to be cut down. To prevent such a calamity, which would be most unpopular throughout the country, he proposed that the following system should be applied to the rural volunteers:—As he had already shown, there were of engineers, artillery, cavalry, and in the city corps a total of about 11,840 officers and men, the whole of whom should be retained. There were in all, according to the Militia Report, 34,702 officers and men on the muster rolls of the different corps, supposed to be efficient. This would give some 22,662 officers and men as belonging to the rural districts. If 20,000 men was to be the maximum number that could be drilled annually with the funds at the disposal of the Militia Department, and the 11,840 were retained as he proposed, then only 8,160, or slightly more than one-third, of the rural force could be called out for the annual drill; but

even with so small a proportion they could preserve the framework of the force without any reduction, and could, he believed, bring them into a more efficient state than they were in at present. The proportion of officers to men in the Infantry force was one to fourteen, so that they had 1,618 officers in the rural battalions, and this number of officers and 6,542 men should be taken annually for drill to make up the total of 8,160 allowed for the country force. This number, as he had explained, with the 11,840 of city and other corps, made the 20,000 or total number to be drilled. The proportion of battalion staff officers was apparently slightly more than one-third, which would give 538 officers to the staff and leave 1,080 officers as company officers, or three officers per company, the required number for 360 companies. This would give 60 battalions of six companies each. He was aware some few battalions had as many as eight or even ten companies in each; but this number made a battalion too ponderous for active work. Six companies were sufficient for active service. The 6,542 men should be called out from the different companies, which would allow of 18 men per company being annually drilled. Of this number, six should be non-commissioned officers, who would turn out annually, only twelve of the number being privates. Twelve men per company might seem to any person not understanding the subject an absurdly small number to propose to form a company with, but twelve men per company was ample to form a rope or skeleton company with which all the principles of company and battalion drill could be taught the officers and non-commissioned officers and the flank men of sections. He ventured to say more than half the drill in the British service was performed in this manner. With twelve men per company there would be four men per company to spare to form small-arm squads, and, with this system, officers and non-commissioned officers would be able to devote all their time, while at drill, to drill alone, instead of having, as at present, to devote a large share of their time, while

at camp, looking after the wants and comforts of their men. The large proportion of officers to men would not be an additional expense, as it must be remembered the men not only received their pay, which was certainly small enough, but they were a charge upon the country for rations, clothes, wear and tear of arms and accoutrements and expenditure of ammunition, all of which charges being computed made the private as great a charge upon the country as the officer. Now, with a force thus organized, he contended that we could maintain the thorough efficiency of the present force upon the present money grant. They would preserve the engineers, artillery, cavalry and city corps intact, they remaining upon their present footing, the only change made being in the system of drilling and mustering the rural battalions. Before proceeding to particulars of the method of drilling this rural force, he would say that, in all our different branches of the service, stricter rules should be applied to the qualification of officers. There was no difficulty in filling up the companies with good men if they only knew their officers to be qualified to command them. All staff officers should hold 1st class certificates, and all company officers 2nd class certificates, to be renewed every five years at the brigade camps. This should be an imperative rule, and officers not qualifying should make room for men willing and able to take their places. The volunteer force could never be in a proper condition unless the officers of the force, and, to a certain extent, the non-commissioned officers were themselves thoroughly efficient. For drilling this country force of 8,160 officers, non-commissioned officers and men, he would advise that in some part of every rural district, where a battalion existed, there should be an armoury, somewhat on the same principle as were established the head-quarter armouries in the cities. The armouries could there be taken proper care of. At present, as they who had any knowledge of the way in which the arms were kept were aware, the very large majority of the places where the arms were stored were totally unfit for the purpose; and, in consequence, a

great deal of damage was done to Government property. Some such proposition as was made by the hon. member for Pontiac might be adopted, and the present armoury allowance granted to the captains of rural battalions, \$40, would be a sufficient salary to secure a careful, efficient man to take full charge of all the arms and accoutrements, in a building properly erected for the purpose. Besides, this would effect a large saving in the travelling expenses now incurred by staff officers, who had to visit all these out-of-the-way places, where rifles were kept, to inspect them; but, if these officers had only to visit periodically such armouries, a better inspection would be possible; the duty would be performed more quickly, and travelling expenses would be very greatly reduced. He saw that the Deputy Adjutants-General recommended the appointment of an armourer to inspect annually all the rifles of the force, and make any necessary repairs. In this there would be another advantage,—as soon as the annual drill was performed the rifles and other stores were returned into the armoury, and then the caretaker could discover whether any damage was done them, and, if so, ascertain how it occurred. If this were due to carelessness, the amount necessary to repair the damage could be taken out of the pay due for drill. The saving under a system of this kind would be the saving of the pay, clothing, and rations of something over 14,000 men annually. Then too all the companies would be filled up; under the system followed some three years ago, 54 men were in each company, and he would propose that instead of the companies in the rural battalions being reduced they should be filled up to the old number of 54 per company. Every year 1,618 officers of rural battalions would be called out to drill, and six non-commissioned officers for 360 companies—in all, 2,160, making a total of 3,778 officers and non-commissioned officers who would be called out yearly for drill. He maintained that the whole efficiency of our volunteer and militia force depended on the knowledge which the officers mentioned possessed; he thought it was of very little moment

how much the men knew, as they could be very easily taught if the officers were thoroughly acquainted with their duties. He doubted very much whether any one would say to-day or or even would have said when the volunteer force was so much better than it now was, as some pretended, that the officers and non-commissioned officers of the whole force were ever properly up to their work, but the number he had mentioned called out yearly for drill, and twelve men per company would make 4,320 in all called out. He would continue this system for four years, calling out a fresh batch of men each year, with the officers and non-commissioned officers, so that at the end of that time forty-eight men from each company would have been drilled, making a total of 21,000 and upwards of officers and men drilled. He would so arrange it that one-fifth of the whole force every five years would be able to engage. Under this system, in which one-fifth of the force would be brigaded annually, the Major-General would be able to visit every camp. Now, this was not possible for want of time. Then rural battalions would not need to be reduced at all, and the whole frame-work of the present organization would be maintained, and it would be a great pity if any reduction was to be made. It was very much easier to reduce the force than it would afterwards be to re-organize and fill it up again. He considered that the present musketry practice was a simple waste of ammunition. It did not do the slightest good. In the regular service it took three or four months for a man to learn his drill, and three weeks to go through a course to enable him to use his rifle, while volunteers here had eight days to go into camp. A certain number of rounds of ammunition was served out to the men, who were marched out in front of a target at which they fired a lot of expensive ammunition without possessing the slightest knowledge of the weapon they handled. Some other system might be adopted to teach the men to shoot. Additional assistance to this end might be given to District and Battalion Rifle Associations. Much might be done in this way. He saw in the report of

Lieut.-Colonel Fletcher, the Deputy Adjutant-General, that in his district there were nine rifle associations carried on in an efficient manner, and out of this district came six out of the seven competitors who went to Wimbledon. He thought this would show what might be done by teaching men to shoot under some such system. Under the present arrangements, \$40,000 was annually expended for ammunition, and this might all be saved. The Major-General reported that the reserve of ammunition was particularly small; that they had only 150 rounds each for each stand of rifles in the country, and this was at least one-half too little to keep, in view of the rapidity with which breech-loading arms could be fired. Taking this into account he thought that a great saving could be effected if instructions were given that no ammunition should be used at all. It had occurred to him very often that the manufacture of ammunition could be very easily carried on in this country at Quebec or in some other parts of the Dominion. It was a very simple thing to do; and arrangements could be easily made for the manufacture of small-arm ammunition in the winter season when labour was cheap. This would furnish work to some of our own people, and ammunition could be made as good and as cheaply as that which was imported.

Mr. BROUSE said our system was not accomplishing what was desired. Men were drilled for 8, 12, or 16 days and the good effected scarcely amounted to anything. He was satisfied not one out of fifteen of those who had drilled in his town still resided in that section of the country. They had gone to the United States. Volunteers were collected, when the order came to turn out, from the floating population, and he had known men to be brought from across the line in order to swell the numbers of companies, to return when they had their pay. This was three or four years ago. He did not think that the drill would be satisfactory until it was taught in our schools as was the case in Switzerland and Germany. Youths never forgot their drill, but men who

Mr. AYLMER.

learned their drill when advanced in years, forgot it in three or four years. The youth of the country could thus be drilled without the expenditure of \$700,000 or \$1,500,000. Drill was capable of being taught in the Normal Schools, and it would be a great advantage if the male population learned the rudiments of drill at school.

Mr. BOWELL said he must compliment the hon. member for Richmond for his practical speech on the subject. If the recommendations made by the hon. gentleman were acted upon, he was quite satisfied that the money now squandered on the force would be spent advantageously to the country. Too much theorizing and too little practical knowledge had been shown in the treatment of this matter. He had no sympathy with the sentiments of the hon. leader of the Left Centre (Mr. Mitchell). The existence of a proper military spirit tended more than anything else to nationalize a people. If the system of late pursued were continued, little difficulty would be found in reducing the force, as it would reduce itself. This was being very rapidly done at the present moment. The greatest dissatisfaction prevailed with regard to the present system. There had been no reduction until the present year with reference to the Department at headquarters, and for the outside staff the reduction amounted to some \$9,000; but it had taken a great number of years and a great many recommendations from both members of the House and Adjutants-General to arrive at this point. He thought the House was entitled to further explanations as to the causes which had led to the selection of officers retained and dismissed. The hon. gentleman (Mr. Vail) had made the Major-General solely responsible for recommending the dismissal of the oldest and most valued officers on the staff in different sections of the country. While officers who were in full vigour of health and quite capable of fulfilling their duties, and who had been in the force for ten or fifteen years, serving as such ever since Brigade Majors were appointed, had been dismissed, others who had only served as such for three or four months had been retained.

He would repeat what he had said before, that if it was desired to popularize this branch of the public service a different system would have to be pursued. If the present system was continued, there could be no doubt that both officers and men would become dissatisfied, and that, as the Major-General had pointed out in his report, demoralization would ensue. There was another point on which they had no explanations. When the matter was discussed last year, it was stated that the vacancies at Kingston were not to be filled, and that it was the intention of the Government to reduce that force as rapidly as possible, in accordance with the suggestions of the Major-General. But as soon as the House prorogued these offices were filled. One Brigade Major was not then really in the force, his brigade having been disbanded, and another gentleman, a regular, although he knew nothing of the volunteer system, was put in the position of Adjutant-General, and the old officers, men who had been years in the service, were sent adrift.

Mr. VAIL said the system pursued was but a continuation of the system inaugurated eight or ten years ago.

Mr. PLUMB: That is the old story.

Mr. VAIL said the mistake eight or ten years ago was in extending the system beyond what the country could afford. 20,000 or 25,000 men would be quite sufficient. The consequence was the men were drilled a shorter time than was necessary to make them familiar with the duties of a soldier. Camp drill was a popular and instructive drill, but it was useless to attempt to give all the men the requisite 16 or 20 days' drill out of the present appropriation. The true policy would, he thought, be to reduce the force to 20,000 or 25,000 men, but to do this precipitately would be an injury to the force. Before any change was made in the system, it should be well considered. It was important that the officers should be quite competent to perform their several duties. Camp drill would instruct both officers and men, but in rural districts it would take as much to pay the officers and non-commissioned officers, in accordance with their rank,

if they were all drilled, as it now took to drill the whole force. It would be advisable to generally establish schools of infantry, for the instruction of the officers; but until there was an increased amount, the present system would have to be continued. With regard to the remarks of the hon. member for Hastings, he (Mr. Vail) had given full explanations before, and the appointments were made entirely in accordance with the suggestions of the Major-General.

Mr. CARON enquired whether it was intended to serve out bushies.

Mr. VAIL: No.

Mr. CARON: Do the Government intend to serve out side-arms to the bandsmen of the rifle corps, according to regulations?

Mr. VAIL: They will be served out the same as before, and as they were entitled to.

Mr. CARON: But they were never served out.

Mr. VAIL: I am not exactly in a position to answer my hon. friend, but I presume there was good reason for not serving them out. If the bandsmen are really entitled to side-arms, I see no reason why they should not be served with them.

*Resolution read the second time and agreed to.*

*Resolutions 62 to 65 read the second time and agreed to.*

On Resolution 66, drill pay and all other incidental expenses connected with the drill and training of the Militia, \$155,000,

Mr. ROSS (Prince Edward) expressed a hope that the Government would see fit to give the rank and file something more than fifty cents a day for service.

Mr. MASSON remarked that the Minister of Militia had stated that the expenditure of the late Government on Militia was a million and half. That large expenditure occurred in one year only, and that was the one in which Sir George Cartier replenished the stores and replaced the Militia on a first-class footing.

Mr. PLUMB said the Government was at present practising that style of

economy which would no doubt result in a reactionary movement, which would, in the end, involve a very heavy expenditure.

Resolution read the second time and agreed to.

On Resolution 67, contingencies and general service not otherwise provided for, including assistance to Artillery and Rifle Associations and bands of efficient Corps, \$45,000,

Mr. KIRKPATRICK said he hoped the grant to the Wimbledon Team would not be reduced, especially this year, when not only Australia, but the Cape of Good Hope would also be represented. A great deal of interest was taken in the country in the doings of this team.

Mr. PLUMB referred to the dilapidated condition of the barracks at Niagara, and urged that something should be done to repair them.

Mr. CASEY said he wished to endorse, very strongly, the sentiments expressed by the hon. member for Frontenac, in regard to the reduction of the grant to the Dominion Rifle Association for the purpose of sending a team to England. Nothing more economical, in the true interest of the Militia service, could be conceived than this grant. Nothing tended so much to keep up the *esprit de corps* of the service as rifle shooting, and nothing except that was now holding it together. If any sums were to be devoted to prizes for rifle shooting, he certainly thought this grant should be retained; no prize could be offered which would so strongly stimulate the young men as the prospect of getting on the Wimbledon Team. But there was another reason why the grant should be continued. The Canadian camp at Wimbledon attracted a great deal of attention, and had created a very favourable impression regarding Canada. The vote for this purpose was a small one in comparison with the economy which might be practiced in other branches of the service. If the hon. the Minister of Militia desired to economize, he might turn his attention to the waste in the stores and clothing. It would be a great mistake for the Government to drop

Mr. PLUMB.

this grant. The step would not only be unpopular with the Volunteers, but with all who took an interest in rifle shooting and our representation abroad. If the Government had come to a decision to abolish the grant, he would urge them to reconsider it, as they would lay themselves open to the charge of having on the ground of sentiment done something unpatriotic.

Mr. MACKENZIE said there was no doubt that a very large portion of the Volunteers were of a different opinion to his hon. friends from West Elgin and Frontenac. A number of hon. members connected with the force had a belief that the practice of rifle shooting would be much better promoted by encouraging local associations than by giving \$7,000 to \$10,000 to send a team to England. He had no doubt that the grant had done us some good by exciting curiosity as to Canada but, on the other hand, a very few riflemen indeed derived any immediate benefit from it. His own impression had been that a smaller sum distributed among the battalions, or perhaps larger associations than battalions, to stimulate rifle shooting, would accomplish more good. It was the intention of the Government to reduce, if not to abolish, the vote to the volunteer team, but they would be controlled to some extent by the general views of the volunteer force, which was not so unanimous in favour of the grant as his hon. friends seemed to think. The Government would consider the matter with such additional information as they had obtained, but one thing was quite certain, that it would be a reduced grant, if any. He thought it would be quite wrong to give the same amount as in former years, and whatever amount was granted it should be devoted to the hard work of the team, and to paying the actual expenses of the men rather than to make a fine appearance.

Mr. MACKAY (Cape Breton) said the amount of good derived from this vote was very limited, and he thought the amount should be spent at home in encouraging the use of the rifle, rather than being devoted to paying the expenses of a certain number of gen-

tlemen who went to England. The country was suffering from financial depression, and he thought the money could be expended in more desirable ways.

Mr. CASEY said he thought that the hon. the Premier was mistaken in supposing that the money given by the Government was used for the purpose of making displays at Wimbledon. Any entertainments that had been given were at the expense of members of the team, and the grant was simply used for legitimate expenses. With regard to future expenditure, he might state that certain reforms had been made in the Dominion Rifle Association to satisfy those members who had been clamouring for economy. He quite agreed with the opinions of the hon. the First Minister in regard to aiding local associations, but he thought the small sum required for the Wimbledon team could be spared without interfering with such aid. Moreover, there was a certain position we should take as a Colony. Other British Colonies would be sending teams, and it would not conduce to our standing abroad if, after having inaugurated the Intercolonial competition, we should not send a team because of a desire to practice economy.

Mr. BROWN said there was no doubt the Wimbledon team did a certain amount of good in interesting people in Canada, but he hoped the local associations would not be lost sight of in providing for that team.

Mr. ROSS (Prince Edward) said he strongly approved of the views expressed by the hon. the Premier. The privates were the best shots, and he was quite willing that \$3,000 or \$4,000 should be granted if they were the men who were to be picked out for the team.

Resolution read the second time and agreed to.

Resolution 68 read the second time and agreed to.

On Resolution 69, care and maintenance of military properties transferred from the Ordnance and the Imperial Government, including rents, \$10,000,

In reply to Mr. PLUMB,

Mr. VAIL said it was quite impossible to keep all the buildings so transferred in good repair, as the expense would be too great.

Mr. PLUMB said that the buildings at Niagara were an eye-sore to the place. A very small sum would put them in a proper state of repair.

Mr. STEPHENSON said he wished to call attention to the fact that 10 or 11 acres of ground at the town of Chatham belonged to the Government. A portion of it had been sold to the county, and on it had been erected a registry office. The other portion was held by the Agricultural Society, for agricultural purposes, under a nominal lease. If no money was voted for the maintenance of this property, he thought that the Government might transfer it, as had been done with a portion of the Ordnance land in Ottawa, to the municipality, to be kept in a proper state of repair. The Government would thereby incur no expense, and the locality would be benefitted. It could nevertheless, as now, be used in case of emergency.

Mr. VAIL said that, if the town desired to obtain the property and would make application for it, and if it was not necessary for military purposes, it could be sold to the town, provided fair remuneration was given.

Mr. STEPHENSON said he had no doubt that the town of Chatham would be prepared to purchase it on the same terms as those on which the Ottawa property was disposed of.

Mr. MITCHELL said land had been conveyed to the Government in the town of Newcastle, by the county, for the erection of a drill shed. This had never been done, and consequently this land should be re-conveyed to the county.

Resolution read the second time and agreed to.

On Resolution 70, Pay, Maintenance and Equipment of "A" and "B" Batteries Garrison Artillery and Schools of Gunnery, Kingston and Quebec, \$115,000 (reported April 12),

Mr. MITCHELL said it appeared the other night that the fuel in this regard cost more than the food. These

Batteries cost an enormous sum, and the sum should be reduced, at all events, next year. This would give great satisfaction to the country.

Mr. VAIL said the statement that the fuel cost more than the food of the men, was incorrect. The men were only supplied with rations, a pound of beef and bread; the remainder they were obliged to furnish for themselves.

Mr. MITCHELL said that the hon. member for Chateauguay had first aroused his attention to the enormous expenditures connected with the Militia. When this vote was first introduced, the hon. gentleman pronounced it a vote establishing the principle of having a standing army in this country, and, if he (Mr. Mitchell) recollected aright, divided the House on the question. The hon. gentleman had certainly made a convert of him; and, as he presumed that the hon. member's views were unchanged, he was surprised that the hon. gentleman had not raised his voice against what he had declared to be detrimental to the interests of the country, and a continual charge on the revenue.

Mr. HOLTON said he avowed that he had not changed his opinion, but his hon. friends were moving in the direction of realizing the views he had advanced.

Mr. MITCHELL: Very slowly.

Mr. HOLTON said they moved too slowly, but still they were making progress, and he hoped that the result he desired would be achieved sooner or later, and rather sooner than later.

Mr. MITCHELL: But this item is increased \$5,000.

Mr. HOLTON said he alluded to the entire Department. The expenditure was diminished.

Mr. MASSON asked if the hon. gentleman thought that the creation of a Military College was a step in that direction.

Mr. HOLTON said yes. Formerly the military schools were very inefficient and very costly; and the providing of a place where a real sound military education was given to a com-

Mr. MITCHELL.

parative few, was a step in the right direction.

Mr. MITCHELL said the vote for militia purposes had in reality been increased by about \$29,000.

Mr. BOWELL said, the vote last year was \$959,151, and this year it was \$988,556, the increase being \$29,405.

Resolution read the second time and agreed to.

Resolutions 71, 72 and 73 read the second time and agreed to.

On Resolution 74, Mounted Police, North-West Territories, \$306,356,

Mr. MASSON asked the hon. the Premier whether he was prepared to answer the question he had asked in Committee, viz., whether he had any information or any report upon the standing and discipline of the Mounted Police. His reason for asking the question was that the only report they had was old, and there was a rumour that the discipline was deficient. The Major-General remarked that the men took it upon themselves to write to the newspapers on the matter. This did not show a desirable state of affairs. He thought the force should be put under the control of the Militia Department. He hoped the force would be provided with side-arms.

Mr. MACKENZIE: They have them.

Mr. MASSON said he was glad of this, as side-arms were absolutely necessary, as had been proved by American experience in similar operations.

Mr. CARTWRIGHT said Col. McLeod, the officer in command, had been so busy on account of the movements of the Sioux Indians on the border that he had not had time to prepare a report. The cost per head of the force was \$900, but the American cavalry on Indian service cost \$1,760 per head.

Mr. MASSON said he did not complain of the expense.

Mr. KIRKPATRICK said he was afraid, if the young men that were sent out from the cities and towns of Canada to join the Mounted Police in the North-West were called upon for any serious duty, they would not be

able to perform it, as they had no instruction, and many of them did not even know how to take care of their horses, rifles, and accoutrements. They should all be sent to some depôt in the North-West where they could learn their duties.

Mr. MACKENZIE said he was afraid the hon. gentleman had libelled the force. He had no doubt they were a very superior body of men, although one or two of them might not have been very well used; but, as a body, they had fully come up to the expectations of the Government. He was quite sure all the reports indicated that, under the late commandant, there was certainly not much success in maintaining discipline, but under Col. McLeod these causes of complaint had disappeared. Major Walsh was in Ottawa some time ago, and he had questioned him very particularly on various points connected with the force, and there was no indication of the ignorance which the hon. gentleman so much deplored.

Mr. KIRKPATRICK explained that he did not refer to the force already out there; they had done good service. But he spoke of the class of men that were now being forwarded. It was very desirable that they should be sent to some place where they could be taught their drill before being drafted into active service. He had no doubt that Col. McLeod would do all in his power to make the force efficient; and he was sure that that officer would be pleased to see the suggestion carried out.

Resolution read the second time and agreed to.

Resolutions 75, 76, 77, 80, 81, 83 and 84 (reported April 13th) read the second time and agreed to.

On Resolution 85, improved approach to Culbute Canal, \$10,000,

Mr. WRIGHT (Pontiac) enquired whether the Government had come to any definite conclusion respecting the bridge leading to this canal. It was absolutely necessary that either a draw or a swing bridge should be built.

Mr. MACKENZIE: We have directed the bridge to be removed.

Mr. WRIGHT: Without compensation to the municipality?

Mr. MACKENZIE: Yes; no municipality has any power to build over a river.

Resolution read the second time and agreed to.

Resolutions 86, 87, 88 and 90 read the second time and agreed to.

Resolutions 89, and 91 to 96 (reported April 14th) read the second time and agreed to.

House adjourned at  
Thirty minutes after  
One o'clock.

## HOUSE OF COMMONS.

Friday, 20th April, 1877.

The Speaker took the Chair at Three o'clock.

### INDIAN ACT AMENDMENT BILL.

#### FIRST READING.

Mr. MILLS moved for leave to introduce a Bill (No. 120) To amend the Indian Act, 1876. He said he proposed to repeal the 16th section and amend the 17th and 69th sections. The 16th section provided for the punishment of trespassers, and went on to say that the Superintendent-General might fine and imprison parties trespassing on Indian lands, but it did not state how far they should be punished, or make any provision for their arraignment before a Stipendiary Magistrate or Justice of the Peace. He, therefore, repealed the section and added the words: "persons so trespassing shall, on conviction therefor, before any Stipendiary Magistrate or Justice of the Peace," &c., indicating the manner in which they were to be tried. The 69th section provided that sales made of presents given to Indians, without the authority of the Superintendent-General, should be void. This worked very well as far as the old Provinces were concerned, but in the North-West Territories, where property such as ploughs and harrows was given to Indians—say on the Saskatchewan—these were bought from them and brought back again; to say the sale was void was practically useless, because

the Indians could not regain their property, and, consequently, no effect could be given to this provision in the law. Therefore, it was provided that the Superintendent-General, or anyone acting on his behalf, might appropriate this property, which would again be taken possession of by the Government, so as to prevent frauds being committed.

*Bill read the first time.*

### QUEBEC HARBOUR ACT AMENDMENT BILL.—[BILL No. 105.]

*(Mr. Smith, Westmoreland.)*

#### SECOND READING.

*Bill read the second time.*

House resolved itself into Committee of the Whole to consider the said Bill.

*(In the Committee.)*

Mr. DE ST. GEORGES said he was glad to see that the Minister of Marine and Fisheries had agreed to strike out the clause which gave to the Harbour Commissioners power to change at will the tariff on vessels entering the port of Quebec. The House, as in the past, would alone have the right to arrange the tariff, and he hoped that it would take advantage of it to amend the present tariff, which, he was sorry to say, was far from giving satisfaction. By virtue of the 18th clause of the law of 1873, which was still in force, small craft and barges, from 25 to 100 tons, were obliged to pay \$1 each time they entered the port of Quebec, while those over 100 and up to 250 had to pay \$2. This was the clause in question:—

“On schooners and barges of from 25 to 100 tons, for each time the vessel uses the harbour of Quebec, one dollar, or on each vessel for the season, five dollars. On schooners and barges from 100 to 250 tons two dollars per trip or ten dollars per annum.”

Thus the owner of a vessel of 100 tons burthen had only \$1 to pay, while the proprietor of a vessel whose tonnage exceeded that number, though but by a single ton, must pay double the rate just mentioned. This he considered very unjust, and he believed that the House would share his views and recognize the fact that it was but right to establish a more equitable relation as to the dues paid on such vessels as

Mr. MILLS.

were of about the same tonnage. He also considered that the charges exacted from the owners of small steamboats were too high, and ought to be lowered. The Minister of Marine and Fisheries would perhaps say that if his amendment were adopted it would have the effect of considerably diminishing the revenues of the Harbour Commission. He did not doubt that this was a very important point, but he also thought that before thinking of increasing these revenues there was another more important matter to be done—to render justice to whom it was due. He would have greatly desired that vessels of 50 tons and up to 100 tons should be exempt from the payment of this charge, but as he saw that this was impossible he was prepared to accept the charge of \$1 made on vessels of 100 tons. When exceeding this tonnage, he believed that the most equitable and satisfactory way of arranging the tariff would be to charge one cent per ton for each ton above 100; consequently, he would propose the following amendment which he hoped would be accepted:—  
“That the 8th paragraph of the 18th clause be struck out and replaced by the following:—

“On schooners and barges of from 25 to 100 tons, for each time the vessel uses the harbour of Quebec, one dollar, or on each vessel, for the season, five dollars. On schooners and barges from 100 to 250 tons, one dollar for the first 100 tons, and one cent for each ton over 100 tons, or ten dollars per annum.”

Mr. SMITH (Westmoreland) said he could not accept the amendment.

Mr. DE ST. GEORGES gave notice that he would move it on the third reading of the Bill.

Bill, as amended, *ordered to be reported.*

*House resumed.*

*Bill reported.*

*Amendments read the first and second times, and agreed to.*

### INSPECTION OF PETROLEUM BILL.—[BILL No. 112.]

*(Mr. Laflamme.)*

#### SECOND READING.

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

## SUPPLY—PACIFIC RAILWAY.

XII. PUBLIC WORKS AND BUILDINGS—  
CHARGEABLE TO CAPITAL.

House again *resolved* itself into Committee of Supply.

78. Pacific Railway ..... \$1,524,000

MR. MACKENZIE: Mr. Chairman, in moving the item concerning the Pacific Railway, it is but proper that I should say a few words regarding the present position of the undertaking, the principle or scheme upon which it has been conducted up to the present time, and the course which the Government propose to take for the future. I shall not, Sir, at all events not in the initiation of the discussion, refer to any of the party political considerations which have been necessarily associated with this project; but shall simply discuss it in its business aspects, and invite the co-operation of the House in the consideration of those matters which have yet to be dealt with in connection with the carrying out of the scheme for the building of this railway. I shall only refer to the original obligation entered into, in whatever spirit or as to whatever modifications it may be looked at by different minds, as one that is obligatory upon the country to the extent of our capacity for carrying that object practically into effect. The late Administration, in entering into the agreement for bringing British Columbia into the Confederation, had an express obligation as to the building of the railway across the continent from Lake Nipissing on the east to the Pacific Ocean on the west, within a specified number of years. When the present Administration acceded to power, they felt that this, like all treaty obligations, was one which imposed upon them certain duties of administration and government which they had no right to neglect, and that they were bound to carry the scheme practically into effect to the extent that I have indicated. The whole effort of the Administration, from that day to this, has been directed to the accomplishment of this object in the way that would seem to be most practical and most available, considering

the difficulties to be encountered and the cost to be incurred. The difficulties were necessarily of a two-fold kind. One of the difficulties was contemplated by the proceedings of Parliament at the Session when this obligation was assumed. That difficulty was the one of cost, it being felt that, although Parliament at that time gave its assent to the project, it ought only to give that assent in a certain modified way, and this modification was embraced not in the usual express Parliamentary manner, but rather by a resolution which indicated the prevailing opinion of the public mind and the opinion which undoubtedly prevailed in this House at that time. Of course such an extra-parliamentary utterance as this was one to which all parties—the parties immediately concerned as belonging to British Columbia and parties on this side of the Columbia boundary—attached such a meaning as might suit their own particular views to the question of the original obligation and the manner of carrying that into effect. I have always looked upon that resolution as undoubtedly qualifying the original bargain morally, although legally it would have no practical effect in setting aside an express parliamentary stipulation, engaged in and arrived at by the consent of the three branches of the Government:—"Kings, Lords and Commons"; and, while this view had necessarily to be taken by the Government of the day, we never failed to express to the Government of British Columbia and to the Government of England, when we had occasion to address it, or to the public in general in our country and elsewhere, the view that we accepted as being embodied in that resolution. It will be remembered, Sir, that, at the time this obligation was entered into, I myself took a very strong view as to the course that was to be pursued. I believed that the course then pursued by the then Administration was one which could lead to no result of a practical kind; that it must inevitably fail; and that its failure must necessarily produce some new scheme, in order to give effect to our promises and engagements with British Columbia. I

believed that the project of giving this undertaking to a merely speculative financial company who had no intention of becoming contractors, *bond fide*, but merely to use it as a stock-jobbing operation which might result in personal profit to themselves—I believed that this was a course which was not consistent with the proper manner of letting out great contracts of this kind, even if it should not be associated, as this was, with great political considerations fraught with much of great importance to the country, either of misery or of political disintegration, or with political considerations of other than a national character—in other words, of a party character. Taking that view of it, Sir, this Administration devoted itself, in the first place, to perfecting the measures for having a complete survey made of the territory which the line had to traverse. In the Act of 1874, known as the Pacific Railway Act, provision was taken for having the contracts executed in a certain way, which will be found embodied in that enactment. It was provided, in short, that the Government should avail itself of the provisions of the previous enactment to some extent, by having the work let as fast as the country was surveyed, with certain conditions governing the sale of lands to be given in part payment of a specific sum of money per mile, which conditions would be found expressed in that Act. That Bill, I may say, passed through Parliament with unanimous consent. It was quite evident, at the time that the change of Administration took place, that it was impossible to fulfil the engagement entered into; indeed, it might be said to have been broken before that time, inasmuch as the time had elapsed within which the surveys were to be completed and the work of actual construction commenced. We felt, nevertheless, that it would have been utter folly to begin the works of construction until we had a general plan perfected of the whole country, until it was fully explored, and that route adopted by the Government which would be to the greatest possible advantage, not merely to particular parts of Canada, but to the greatest possible advantage, looking

at the line as a great interprovincial and international highway from the east to the ocean on the west, and to the public at large. I need not refer to the many difficulties which were encountered in prosecuting these surveys. We have been fortunate enough, within the last few days, to be able to present to the House a complete synopsis of the engineering work, and of the engineering difficulties and engineering results in Mr. Fleming's last report. The publication of this report, therefore, would relieve me from the necessity of referring to many matters which I would be bound otherwise to refer to for the information of the Committee before asking the consent of Parliament to the appropriation that is now in the Estimates. But, at the same time, it is impossible for me to avoid discussing, to some extent, the route itself and the engineering difficulties which were encountered, as well as the reasons which led the Government, acting on the advice of the engineers, to take the steps they did towards the work of construction. I have found myself on several occasions subjected to a great deal of adverse criticism upon statements made on previous occasions like the present about certain portions of the road; and I desire to guard myself, as I have done before, against being committed to any statement regarding particular localities made at the time upon the best information available of an official character. In reference to particular localities, to particular difficulties and to particular lines, it is quite evident that a Minister who has never been over the ground, who is simply the political head of the Department, can have no possible knowledge which would justify him in expressing an individual opinion, and it is, therefore, upon the opinion of the Engineers and their reports that all my utterances are based, so far as this particular branch of business is concerned. As to political considerations, of course, the Government are wholly responsible. As to the mode of carrying on the work, we are also wholly responsible. As to the course for the future, we are wholly responsible, and I don't desire for a moment to evade any criticism or any proposed

amendment which may be offered on either of these branches of the subject. Our object in the first place was, as far as it was possible to do it, to carry the Province of British Columbia with us in our mode of prosecuting the undertaking. We thought it but right to endeavour to satisfy the people of that Province and to show that we were sincerely desirous of doing all that lay in our power to implement the engagement, however improvident, to the extent that our ability financially would enable us to do so. Acting in accordance with that view, we took an early occasion, after acceding to power, to communicate officially with the Government of British Columbia. The result of that communication was ultimately a compromise, which gave us an additional amount of time and other modifications to which I need not further refer at present, and some of which, owing to the action of Parliament, we found afterwards incapable of being carried out. We have, nevertheless, lost no time in prosecuting the work as far as we have had the power to prosecute it in those parts of the country where circumstances enabled us to do so in a manner which we felt we could justify to this House. It will be quite evident that, if any value is to be attached to the lands in the great North-West, we must have a ready access to those lands, and any step taken with a view to allow the entrance of contracting companies, of the public, and of immigrants into that country in advance of letting the main contract, was a step exceedingly to be desired, especially as the introduction of a large population into the prairie country would affect not merely the construction of the railway at a very early period, but would affect beneficially the general prosperity of the country. The Dominion owns these lands, and even if the lands were owned by some of the Provinces, it would not lessen the benefit to be derived from having a large population thrown in where there is no population at present. Special efforts were therefore directed at an early day to open communication as speedily as possible between the waters of the eastern system of lakes and the western system; in other words, be-

tween Winnipeg Basin and Lake Superior. The Government decided that it would be a waste of public money at present to prosecute the construction of this railway from the western end of Lake Superior and Lake Nipissing, through a country totally uninhabited, a country, so far as we know, almost all unfit for habitation. I do not say that there may not be some tracts of land which may sustain human life in various parts of that vast rocky wilderness, but I do say that the general characteristic of the country bordering Lake Superior and advancing very nearly to the borders of Lake Huron and Georgian Bay is unfavourable. That seemed to be a portion of work which might fairly stand until the circumstances of the country or some new developments regarding that territory would make it advisable for the Dominion to prosecute the work in that particular quarter. On the other hand, it was exceedingly desirable, if we were to make as direct a line as possible at present between Lake Superior and the western country, that a line should be built upon a route which would be the best for an all-through railway, as rapidly as that could be achieved, and that in the mean time it would be desirable to have direct communication with the Eastern Provinces through the Province of Quebec, up the Ottawa Valley to Georgian Bay; so that, taking land and water together, the shortest possible line from ocean to ocean would be achieved by passing up in a direct line from the seaports on the St. Lawrence, which are connected now with seaports on the Atlantic by the Intercolonial Railway, to the nearest port of Georgian Bay, whence the water would be used all the way to Fort William. Acting upon this general scheme, which had, it will be observed, for its object and intention to utilise the lakes and rivers lying contiguous to the main line of railway, until such time as the increased financial power of the Dominion, or the increased local necessities of the districts would justify the Government in having even those barren parts traversed also by a railway system, we therefore obtained the assent of Parliament to this scheme, and we commenced sur-

veying from the lakes—I need not say we commenced, for the surveys were commenced west of Lake Superior before we succeeded to office. At that time, it was supposed that the basin of the Nepigon River, known as Nepigon Bay, would probably be the nearest point on Lake Superior from which to start the line, with the intention in the future that, instead of passing with the main line to the north of Lake Superior, it should turn sharply to the south-west after it turned the corner of Long Lake, ascending by a long sweep to Lake Ellen, the little lake behind Nepigon Lake, and Nepigon Bay on Superior, and from that point take the shortest line available to Keewatin, or Rat Portage, as they formerly called it. The engineering difficulties, however, from the mouth of the Nepigon, and the fact, which was also ascertained, that Nepigon Bay would be late in opening in the spring, and probably earlier in closing with the ice, and also the fact that steamers from the east, traversing Lake Superior by a direct route would arrive very nearly as soon at Thunder Bay as at Nepigon Bay, and the further fact that we found a country much easier of access, and much more easily surveyed, where the work would be very light comparatively, led us to abandon the Nepigon line, and to make, at present, the start from Fort William on the Kaministiquia, which falls into Thunder Bay. I may say that we have some reason to believe that we will find a favourable line from the immediate vicinity of the south side of Dog Lake, situated from 20 to 30 miles from Fort William; as near as we can ascertain at present, it will be a comparatively easy line from that point to Nepigon, where it is thought advisable to have the continuation made eastward.

Mr. TUPPER: How far is that from Thunder Bay?

Mr. MACKENZIE: I said it was between 20 and 30 miles. We are not sure of the precise distance. I may say that, between the line at present being constructed and Nepigon Bay, we have only made an exploratory survey, and that, exploratory survey has had such results as to lead us to believe that

there will be no difficulty experienced in obtaining a very favourable line in that quarter. The line that was originally projected and the instrumental survey from Nepigon Bay ascending the Sturgeon River, a somewhat tortuous stream, passes through an extremely rocky country, and showed us that the country there was very difficult for railway building; on the other hand, we found that the country from Thunder Bay westward was extremely favourable. It was first surveyed by Mr. Murdock, who was sent there early in October, I think in 1873, and was continued afterwards by Mr. Hazlewood. The original location made by Mr. Murdock was set aside by the Chief Engineer afterwards, as he found that the country had not been properly examined; but Mr. Hazlewood succeeded in locating a much more favourable line, shorter in distance and very much cheaper in construction, and with easier grades. Now, Sir, acting on the principle I have indicated as governing the Government, contracts were let with the assent of this House between Thunder Bay and Selkirk on Red River, and it would be well, perhaps, to give, in a short summary way, the exact results of the contracts that were let in that quarter. It may be premised that, except at the two ends, there were no settlements anywhere; that country was a complete wilderness. Although the line traverses considerable tracts of tolerably good timber land, pine, red and white—a great deal of which has been destroyed by fire—and although there are occasionally small parcels of land, yet the country generally is of a very rough character, except close to Thunder Bay, in the valley of the Kaministiquia, where there is a considerable quantity of excellent or passable land; some of it is very good and some is of a fair character. It is estimated by various writers at from 20,000 to 30,000 acres of the best land; there is, of course, very much more than that of the same character of land in the counties of Lanark, Pontiac and Ottawa, on the river here; and land which will be available, no doubt, for settlement, to a very much greater extent than is at present supposed. The first contract that was let was to reach the neighbourhood of Lake Shebandowan.

Mr. MACKENZIE.

The Chief Engineer then expressed his belief that the best route would be found to traverse the north side of Lac des Mille Lacs. The line was afterwards turned slightly to the northward, after passing Sunshine Creek, in order to reach the north shore of the lake. The first contract was let for 45 miles, that is No. 13, and the total amount was a little over \$400,000 for the 45 miles. This, however, did not embrace the track-laying, ballasting or the rails, but simply the grading and bridging and making everything ready for the track-laying. From the point at which the divergence was made to Thunder Bay, in consequence of the change to the north side of Lac des Mille Lacs, the distance was about thirty miles; so that we only took two-thirds of that contract as the distance upon which we would carry out the original plan. I estimate that the 30 miles, at two-thirds of the amount, would make altogether for contract No. 13 a sum of \$270,793. Contract No. 25 overlapped this one. The contractors had to do the ballasting and track-laying upon Sec. 13, and to carry the railroad further west a distance of eighty-six miles; that is, they had eighty-six miles of complete railway to build including the track-laying and ballasting, and they had the track-laying and ballasting for the thirty miles embraced in contract No. 13. The contract was taken for the sum of \$1,037,000; that, therefore, makes 116 miles of railway from Lake Superior westward, without any break, at a cost of \$1,307,793.

Mr. KIRKPATRICK: That is without the road-bed?

Mr. MACKENZIE: It includes track-laying and ballasting.

Mr. KIRKPATRICK: But not the rails?

Mr. MACKENZIE: Not the rails; I will come to that presently. Section No. 14 is the one beginning at Selkirk on the Red River and passing in as direct a line as possible towards Keewatin or Rat Portage. The distance or length, I should say, of this contract was seventy-seven miles, and that also was purely for grading and brid-

ing and making the road ready for tracklaying and ballasting, the sum being \$402,950. Section No. 15, which was let comparatively recently, was for the building of 35½ miles between contract No. 14 and Keewatin, thus completing the distance between Winnipeg River and Red River,

Mr. TUPPER: That is at Cross Lake?

Mr. MACKENZIE: Keewatin is at the crossing of Winnipeg River.

Mr. TUPPER: What is the other point?

Mr. MACKENZIE: From Selkirk to Red River, and Keewatin on Winnipeg River.

Mr. TUPPER: The 77 miles run eastward?

Mr. MACKENZIE: Yes.

Mr. TUPPER: What is the point?

Mr. MACKENZIE: We call it Cross Lake.

Mr. TUPPER: These 35 miles run from—

Mr. MACKENZIE: Cross Lake eastward. That completes the distance of 112½ miles between the two systems of water.

Mr. TUPPER: Across to Keewatin?

Mr. MACKENZIE: Yes, across to Keewatin. Contract No. 15 embraces not only the construction of the 35½ miles, but also the track-laying and ballasting on the 77 miles immediately eastward of it, so that when this contract is completed the whole 112½ miles will be ready for traffic between Selkirk and Winnipeg River. The total sum embraced in these four contracts amounts to—

Mr. TUPPER: You did not give us the sum for the 35 miles.

Mr. MACKENZIE: Oh, no. I should say that the sum for Section 14 was \$1,591,825. This will make the total amount of the four contracts which I have briefly described, \$3,302,568. To this has to be added 228½ miles of steel rails, 90 tons to the mile, at a cost upon the ground of \$1,385,775; and we take the estimated cost of engineering at \$1,500 per mile on this quarter,

and add therefor \$342,750. I assume that the cost of rolling stock, to stock it very fairly for quite a heavy traffic, would be \$2,000 per mile. This would add \$457,000 to the estimate that I have made. The probable amount required for the right of way where the lands are owned, chiefly at Fort William, on Red River, we have put at \$65,000, and an allowance for ordinary station buildings on that distance of road of \$50,000. This would make the entire cost of 228½ miles \$5,603,093, or an average cost per mile of about \$24,521. The Committee will, no doubt, be anxious to know whether this is a fair estimated cost of the balance of the road yet to be built between the extreme western point of the eastern contract and the extreme eastern point of the western contract. I am not able to say that the average cost of what we have done would be sufficient for the remaining part. I think not. It is scarcely possible that it could be so, because it is more remote from supplies, more difficult of access, as a matter of course. We have reason to know that some thirty or forty miles of this distance will be of a pretty heavy character—that is, the thirty or forty miles nearest to the Winnipeg River. The total distance yet to be built is 183 miles. It may be perhaps shortened by a mile or two, but it is not likely to be lengthened in any possible way. The curvatures are not excessive anywhere, nor are the grades excessive anywhere. But I do not refer to that particularly, as the Committee will find, in the report that has been made, the extent of the high grades and the low grades and the exact curvature that is to be overcome at various points. In no place is there anything so serious in the way of curvature as there is on almost any of our railroads in the older districts of the country, nor are there any grades that so far exceed 1 in 100 or 52:80 ft. per mile. The highest grade on the Intercolonial, I think, is about 64 ft., or 12 feet to the mile more than the highest grades to be overcome in this district. The grades and curves will be found on page 80 of the report, from which it will be seen that the shortest curve we have is a radius of 1,433

feet; and, in order that a comparison may be instituted between the curves upon this line and those upon older lines, I may say that some of the curves near Halifax on the Intercolonial are on a radius of a little less than 700 feet—that being a very sharp turn indeed, and far in excess of anything we have to encounter here. But I think it would be better for the hon. gentleman to refer to the page of the report for the particulars regarding the radius and ascent per mile than for me to attempt to give it in a form which would be put down rather inaccurately in any report. Those particulars will be found *in extenso* in the report of the Engineer, and will cover the ground more satisfactorily than I could do. After referring for a moment to the comparative cost of other lines I shall pass to another branch of the subject. It is known now that the actual cost of the Intercolonial Railway will be as nearly as may be, embracing all the rolling stock which is essential to its working, \$48,000 per mile, or, as near as can be, double the cost of the 228½ miles which we have under contract. There is this, however, to be said regarding the structures on the Intercolonial. The bridges are somewhat extensive and are of the very best description. With that exception, the road built in the West as part of the Pacific Railroad will, in every respect, be equal. The steel rails are practically of the same kind, although on the average in greater length, and if anything somewhat better than the original rails obtained for the Intercolonial Railway. It was thought advisable in letting these contracts to venture upon expensive permanent works of construction, the object being in the first place to get into the country as speedily as possible, as the letting the contracts for the whole line must be determined to some extent by the facilities to be obtained in getting easy access to the prairie country, which must be the seat of a large population, and where the lands must be more or less valuable.

Mr. TUPPER: I want to know if I am accurate in understanding the hon. gentleman as saying that, with the exception of the bridges on the Intercolonial Railway being more expensive

and numerous, the general character of the country is about the same, as far as regards the construction of a railway.

Mr. MACKENZIE: The road will be about the same.

Mr. TUPPER: That is the road-bed of the Pacific Railway will be equally as good as that on the Intercolonial?

Mr. MACKENZIE: Yes.

Mr. TUPPER: You don't refer to the character of the country?

Mr. MACKENZIE: No; I may say there have been no very serious bridging obstacles to be overcome. There are a great many water-courses, but they are of small size, except the Red River at Selkirk, and the Winnipeg River at Keewatin. These are the only formidable bridges that are being built, and neither of them are embraced in the present contract, I may say. I was proceeding to say, with reference to the general plan, that I had formerly stated to the House, that the plan of the Government was this: To prosecute the surveys as fast as possible over the whole territory to be traversed, but not to wait until the surveys were completed everywhere before doing any work of construction anywhere. It was acting upon this view that we sought the assent of Parliament to let the four contracts I have mentioned. The survey has now been completed all the way to Bute Inlet and also to Dean Inlet. And it is proposed during the present season to complete the surveys, already partially made, from Tête Jaune Cache to the mouth of the Fraser River, at Burrard Inlet. Until that is completed, which we hope will be done in the course of the summer, it is not intended that the Government shall definitely fix upon a point where the Pacific Ocean shall be reached. I shall not deal very extensively with the difficulties encountered in reaching the Pacific Ocean on the several routes. I will merely say in brief that the northern routes seem to be the best, as hon. gentlemen will find if they look at Mr. Fleming's report, as to distance for the Asiatic trade, if that is looked on at all as an element to be considered. The route by Dean Inlet is about the same as that

by Burrard Inlet in length, or fifty miles less than the route to the head of Bute Inlet, with this advantage, that you reach Dean Inlet much easier from the sea than is possible to be done by Bute Inlet. It will be observed, from the reports of the naval authorities, that they consider the only possible route to the ocean from the head of Bute Inlet will be through the Gulf of Georgia and the straits of San Juan.

Mr. DECOSMOS: No, no.

Mr. MACKENZIE: I know there is another way to get to the ocean, and I know that one of the authorities, but only one of those who have been invited to express an opinion, says that a passage can be found to the northward. But, assuming the bulk of the naval authorities to be correct, it will be found at Bute Inlet. From the head of Bute Inlet a vessel must sail all the way to opposite Burrard Inlet before the voyage to the open sea would be any more advanced than it would be at Burrard Inlet by the southward route. In other words, the distance is much further from Bute Inlet than from Burrard Inlet to the ocean. Besides, there are 52 miles additional of railway to build. On the other hand, it is tolerably evident that climatic difficulties will interfere with some of the northern routes. When Mr. Gamsby examined the country immediately bordering on the head of Gardner Channel, he found that the average depth of snow at that quarter was 28 feet, and he was told by some of the Hudson Bay people that this was one or two feet less than usual. There is no doubt, I think, but what Gardner Inlet would be seriously incommoded by ice during the winter, and in Dean Inlet also, during most of the season. We have no reason to believe that there is much ice to be found in the winter season in Bute Inlet, and in Burrard Inlet there is no ice at all. The only other points, southward or northward, which might be looked to ultimately as a fair terminus would be at Port Essington, or at Howe's Sound, near Burrard Inlet. Port Essington is still further north, indeed further north than any of the other points, while access can be had very readily to the

open sea—and for the Asiatic trade, undoubtedly the northern routes are the most favourable as to the mere distance of mileage. But it is fair to say, in reference to these northern routes, that the distance to the Asiatic coast depends practically upon the ocean currents, which I had no means of ascertaining the strength or direction of in that particular quarter. In other words, an ocean current might make a distance to the Straits of San Juan quite as favourable as the distance would be to a northern point, although the mileage might be much longer. Upon that particular matter we have still to obtain some information which will be utilized before any further step is taken in deciding upon the point to be reached. In favour of Burrard Inlet there is this much to be said, that the works of construction could commence at Yale, the river being navigable for the whole or greater part of the season for a certain class of vessels, and a communication could therefore be had with that point without any serious difficulty. This would enable us to strike a line to that point, which saves nearly 150 miles, as compared with reaching the head of Bute Inlet.

Mr. DECOSMOS: Please explain how it is navigable the whole season.

Mr. MACKENZIE: I mean steamers could ascend the river.

Mr. DECOSMOS: Some cannot.

Mr. MACKENZIE: I understand they can all ascend. I speak as to particular localities, as I have already indicated, subject always to correction, because I depend wholly on information from others. At all events, for the greater part of the year it would be accessible on the lowest parts of the river, and the whole of the river for the remainder of the year. There is no doubt that the bulk of the population of the mainland of British Columbia is settled in the Fraser Valley, and materials could be obtained cheaper there than on the northern routes, and that construction would be, therefore, a certain percentage less on that than on the other routes. On the other hand the terminus at Burrard Inlet is very near the United States frontier, and for

the distance of some 100 miles lies parallel to that frontier within a comparatively short distance. I don't look upon that myself as an insuperable objection; but, while I don't consider it an insuperable objection at all, I think it would be desirable if we could obtain a route for our principal railway as near as possible through the centre of the country. That would be productive of more local, if not more general, benefit. That, however, I merely mention in passing as to the general results of the examinations of the country during the last few years. We know we have a practicable route to Dean Inlet, and we know we have a practicable route to Bute Inlet; at both places we have difficulties to encounter such as I have indicated. The grades on both these routes, as will be found on reference to Mr. Fleming's report, will be pretty high towards the ocean, in passing through the Cascade Range—ranging from 80 feet to 110 feet per mile—while on the Fraser River route the grades will all be easy. There need be none there, I am assured, in excess of 52.80 feet per mile, one foot to the hundred. On the other hand, the works are considerably heavier on the Fraser route for some distance than on any of the other routes; and, although the distance is shorter, the cost will be somewhat greater, the excess being caused by the extra work on the canyons of the Fraser. At the same time, if a safer anchorage, a safer ocean port is reached, one open at all seasons, and if the distance is less, the saving in freight and rates of passage for all time will be very considerable; and the saving on easier grades will also be very great. That, however, we will know more about when the coming season's operations are finished. I now propose to refer to the general plan proposed to be pursued when the contracts for the eastern end were undertaken. The Railway Act of 1874 provides that 20,000 acres of land should be given absolutely as part consideration for the contract, and \$10,000 per mile of actual cash—the land to be subject to certain regulations as to two-thirds of it which are provided for in the Act—and that tenderers

Mr. MACKENZIE.

should be invited to state the additional sum, if any, upon which a guarantee of 4 per cent. should be given by the Dominion for 25 years afterwards. It was proposed, or rather, I should say, it was intended, that the whole expenditure upon the contracts now being executed should be charged against the subsidy of \$10,000 per mile to any parties who took the contract from Lake Superior to the ocean, and that the money should in this way be replaced, they retaining possession of that as part of their own contract, and paying back the Government by having this charged to their cash subsidy. I mentioned last year, in introducing this item to the Committee of Supply that we had then advertised or proposed to advertise—I forget which—in English and Canadian papers, that we hoped, about January, 1877, to be able to advertise for tenders and to supply complete profiles of the line.

Mr. TUPPER: At what time was that advertisement published?

Mr. MACKENZIE: Well I am not absolutely certain, but it was very early in the summer.

Mr. TUPPER: Early in July?

Mr. MACKENZIE: I think so. I think quite early in July, or earlier. I think it must have been in June. At all events, we desired to send that advertisement to the public in order that it might invite intending contractors to visit the country for themselves. I was personally satisfied that an examination of the prairie countries, if not the country east of the prairies to Lake Superior, would show to intending contractors, in the first place, that there was a large quantity of good land, and, in the second place, that the physical difficulties to be overcome were not so serious as people might reasonably anticipate to exist in the centre of the Continent. I do not think the advertisement produced very much of that particular result. Some parties, I believe, have visited the country; the agents of some English companies have visited Ottawa; some have visited the agency of the Government in London, with a view to examine the plans and profiles, and the

Railway Act under which the contracts will be let; but the season was an unfavourable one in consequence of the difficulties attending railway enterprise all through the world, and can perhaps, be fairly considered as one not very fortunate for issuing or proposing the prospectus of a huge enterprise like this, in a comparatively unknown country, or, I might say, a wholly unknown country. The Government were not able, as I stated, to have the profiles all ready in January. They were, however, despatched in sections as soon as they could be completed, from the railway office to London. They have been on exhibition in the railway office here for many months, and the whole of the profile from Lake Superior to the Western Ocean is, I presume, either completed or very near it, at the present moment; that is, taking the two routes already completed through British Columbia. The Government propose, as soon as these are entirely completed, to have advertisements issued calling for offers, giving ample time, so that tenders that are received may be received shortly before the opening of Parliament at its next Session, in order that Parliament may have an opportunity of deciding upon whatever scheme may be then proposed by the Government under the offers to be received.

Mr. TUPPER: Can the hon. the Premier, in this connection, give any estimate—approximate, of course—of the cost of the remaining section from Red River westward? The profiles being ready, it would be interesting to know if an approximate estimate could be given of the cost westward through the prairie country and the Cascade Range.

Mr. MACKENZIE: The hon. gentleman must remember that any statement made by me, as the head of the Department of Public Works, might attract undue attention, and I do not think, therefore, it would be wise or prudent for me to make any statement of that kind. I may say, however, that the branch from Winnipeg to Pembina was graded completely, except building a bridge over the Rousseau River, at a cost of something over \$3,000 per mile.

Mr. TUPPER: How many miles?

Mr. MACKENZIE: About 65. The cost was not more than \$3,500 a mile, and I have no doubt the balance of that branch, if we should see fit to build it, from Winnipeg to the crossing at Selkirk will be built at a little less, or no more in any case.

Mr. TUPPER: The balance will be how long?

Mr. MACKENZIE: About 22 miles, I think, from Winnipeg to the junction with the main line.

Mr. DECOSMOS: Is it the intention of the Government to call for tenders to build the line west from Selkirk, or do they propose to build it as a Dominion public work?

Mr. MACKENZIE: We will call for tenders under the Act, which the hon. gentleman can examine at his leisure. I think tenders might be accepted and considered in almost any shape he might choose to put them, but we will ask for tenders under the provisions of the Act.

Mr. DECOSMOS: Ask for tenders both ways.

Mr. MACKENZIE: That might be, but that is a point we have not considered at present. Oh, yes, the hon. gentleman was asking me about the cost. I have merely to mention a well-ascertained fact with relation to that, and to say that a considerable portion of the line west of this is of a very favourable kind for the construction of a railway. There are some difficulties—as will be found by reference to the report—even in the best part of the prairie country. If hon. gentlemen will refer, for instance, to page 45, they will find that there is a very large number of what is known as coulees, or dry ravines of a very extraordinary character. Two of these call for heavy works; the Grizzly Bear Coulee, situated 668 miles west of Selkirk, has a depth of 160 feet below the ordinary prairie level, and a width of about 1,400 feet; and Buffalo Coulee, situated 690 miles west of Selkirk, is 100 feet in depth and about 1,400 feet in width. There are three others, averaging 390 feet in width and 45 feet in depth. On

Mr. MACKENZIE.

the other hand, it will be seen on the same page that the bridging is, on the whole, extremely favourable for such districts, there being on Red River four spans, of 400 feet each, and 42 feet in height above the water, a very easy bridge compared with those on some railways. On the South Saskatchewan there are five spans, of 200 feet each, and 90 feet above the level of the water. At Battle River there are four, of 100 feet each, and 60 feet in height; and on the North Saskatchewan there are five spans, of 200 feet each, and 110 feet in height. The other rivers to be crossed are the Pembina, the McLeod, the Athabaska, and the Assiniboine—not the Eastern Assiniboine, but the Assiniboine in the vicinity of Leather Pass and Snare River,—making altogether nine bridges, none of which can be considered very formidable.

Mr. MITCHELL: Is that near the mountains?

Mr. MACKENZIE: This is wholly in the prairie country. I allude to it to indicate that, although it is a prairie country, it is not free from certain difficulties, and that for a considerable distance east of the Rocky Mountains the country is very rough. It is woody and swampy, and somewhat rough in its profile also, especially in the neighbourhood of the Athabaska River where we have had to follow the windings of the river to skirt the edge of the mountain and get into the pass. The difficulties in which we will be there involved seem to be a little more serious than was at first supposed, although not one of them can be considered very difficult at all. We propose, therefore, as I have stated, or was proceeding to state, when the hon. gentleman behind me asked the question—as soon as the engineers report themselves in a position to give us complete information—to issue notices, which have to be carefully prepared, for tenders, and in which we propose to state explicitly what we desire. There are parties who have been entertaining peculiar views as to railway contracts who have communicated with us directly and indirectly, and who evidently desire to be allowed to send in tenders on some plan of their own.

Of course, it would not be well to discourage anything of that sort, although we will provide for nothing but what is provided for in the Act in our tenders. I thought it well, early in the summer, in order to procure for intending contractors a compendium of information, as it would be difficult for any contractors to give time to the searching up of books of travel and information of all kinds respecting the country, to publish a volume containing a summary of all the information that could be obtained. This volume has been sent to London and copies of it will be placed at the disposal of those who intend to tender for the work. It gives a description of all the Northwest country as closely as we could give it—by means of extracts from the writings of Sir Alexander Mackenzie, who first, at all events—if he did not discover it—explored the Peace River section, and from the works of all other writers from that time down to the present time, private and official, embracing all the information we possess concerning the geological formation and the flora and the fauna of that country. This volume, of course, will enable parties who do not choose to visit the country to get a tolerably fair idea of what it is, and what value might fairly be attached to the land which they would become possessors of if they became contractors. With regard to the land which we own by the terms of union in British Columbia, I am afraid that no great value can be attached to the greater portion of it. It depends to some extent on the route to be taken. There is one in which, following the Fraser Valley route at the distance of perhaps half way between Tête Jaune Cache and the sea, we come across a coal bed, the only one I know of in the interior. Passing down the Fraser River from Fort George by the northern route, there is a considerable quantity of lignite, which might be made available for economic purposes, but it will never be so servicable, of course, as true coal, even if it could be used at all. Various parts are claimed to possess excellent timber for railway construction, and probably on all the routes there will be found sufficient for all, these purposes; and whatever

route we take in British Columbia there will be a considerable amount of bridging and difficult work to perform. That is inseparable from the general topographical features of the country. I think it is well now to pause before making any further remarks that may be found necessary by the Committee or by any member of the Committee in the way of giving such information as I have in my possession in reply to remarks that may be made. The single object, as I stated, which the Government have in view, is to carry on as far as possible the obligations entered into, consistently with due provision for guarding the interests of the rest of the country. It will be quite apparent to any one that it is a most alarming undertaking for this country to get deeply in debt for the prosecution of this work, which for many, many years to come can yield not only no profitable results, but also must of necessity be a greater or less burden in its maintenance on the rest of the country. I do not think that the Government would be justified in proposing to Parliament any scheme which would involve an immense amount of debt, as the inevitable inheritance of the scheme. Everything, therefore, that is proposed to be done must be subject to the condition which this House attached to the vote in Supply last Session: that it shall not be considered as binding the country to increase the existing rate of taxation. I have no doubt, myself, that a very large proportion of the road can be built if any substantial value is attached to the land, and I have no doubt, myself, whatever, of the desirability of obtaining the construction of the road, and I have a firm conviction in my mind, which I have often given expression to, that it would be a most dangerous thing for this country to launch into an immense amount of debt even to secure the construction of this road. I shall not enlarge upon that point, as our views have been already sufficiently expressed; but the Government determined last Session to adhere to the expression of the views of Parliament as given in the total vote in Supply for this particular purpose. On the other hand, I think that Parliament and the

Government and all parties should exert themselves as far as possible in doing everything that is reasonable and just and fair to carry out the obligations which were intended to be carried out, and if that can be done consistently, with the proviso that has been inserted in all our Acts, and which has been repeatedly reiterated in Parliament as one of the conditions to be observed, it will, of course, be a great public benefit and good, but we must always act consistently with the means which we have at our disposal, and do nothing that will prevent us maintaining the financial honour and credit of the Dominion at a future time.

Mr. MASSON: Will the hon. gentleman, before he resumes his seat, give us explanations about the most important point in question; this relates to the Georgian Bay Branch of the Pacific Railway, and to the surveys which must have taken place or which probably will take place on the portion of the line to be built in the future between Fort William, passing by Nepigon and Deep River, to the terminus of the eastern end of the Pacific Railway?

Mr. MACKENZIE: We have had no new surveys east of Nepigon, except an exploratory one in as direct a line as possible from the proposed crossing of Red River; 40 miles of that distance are yet to be traversed. But I may say that we have had, in the first place, a location survey—an instrumental survey—for 120 miles east of Nepigon, chiefly following the lake shore. That survey shows a somewhat difficult country, but a practicable one. From that point, leaving the lake at Pic River and taking almost a direct line to the crossing of French River, the country has been pretty well examined. There is no serious difficulty until you reach the neighbourhood of the Michipicotin River, or its affluents. It will be observed by those who know anything of the country, that the height of land is very close to Lake Superior at that point, which indicates a rapid descent of the Michipicotin and its affluents into the lake. The result is the line is very rough where the line would traverse that particular part, perhaps the most difficult part east of

Lake Nepigon. From that point eastward the country is fair; and from French River westward there is no serious difficulty for the distance that has been examined. I think, from the head of the Thessalon River eastwards, some 45 miles of which we were unable to go over last year, that part is not expected to be very serious. This is, practically, all the information I can give about the district east of the Nepigon. I have stated already that, from Nepigon to the line near Dog Lake, the country is supposed to be tolerably fair. Mr. Bell walked over it, and he reports it very fair. With regard to the east of the French River, the Georgian Bay Branch, the surveys partly done by Mr. Foster, the contractor, have been completed by one of the engineers, but his report has not yet been presented. But that section has been surveyed sufficiently well to know the general character of the country, and the various gradients of the line.

Mr. TUPPER: Was there any response to the advertising for tenders?

Mr. MACKENZIE: We have not asked for tenders. We have to decide upon other matters—the navigation of French River, and the exact point of the crossing; and, as the contract was annulled, we thought we would be in a better position after a complete survey. There has not been time to get exact knowledge, and I am now merely giving general results.

Mr. MASSON: For a year or two up to the present moment we have had an item of \$1,000,000 in the Estimates for the Georgian Bay Branch, which is taken off this year. The hon. gentleman knows that, in certain parts of the Dominion, there is great anxiety as to the policy of the Government in regard to this branch; and I would like to know if the evidence is of such a character as to place the Government in a position to tell the House whether it will be proceeded with or not. That is the point I wish to arrive at.

Mr. MACKENZIE: I have already stated what our general policy is, and that embraced the railway in the Ottawa Valley. Our policy has not at all changed.

Mr. MACKENZIE.

Mr. TUPPER: There is one point I would like to call the attention of the hon. the Minister of Public Works to now, and that is in relation to the surveys of the coming summer. The hon. gentleman told us that he proposed to continue the exploration of the Fraser, with a view to settling the question whether the line should go to Bute Inlet or some port in that neighbourhood, or to Burrard Inlet. I did not quite understand the policy of the Government in that respect, because the practicability of the line in that direction had already been definitely settled. But, although the work is known to be heavy, the survey has not proceeded to a point to enable estimates to be submitted with any accuracy. The hon. gentleman called attention to a serious difficulty which has been raised, and that is the proximity to our southern frontier; and it is, no doubt, a question of great political importance. I would like to ask the hon. gentleman whether, in connection with some other statements which he made, he proposes to settle that question, and put the line under contract, with the assent of Parliament.

Mr. MACKENZIE: Certainly not. I think I stated that we hoped to have the tenders submitted to Parliament next Session.

Mr. TUPPER: I do not mean to put the line under contract without submitting tenders, but to submit the subject for the approval of Parliament, or to enter into contracts without the question of the road being definitely settled by the Government. I take it that matter will remain open so that it could be fully considered.

Mr. MACKENZIE: That precise point the Government have not considered.

Mr. TUPPER: It is a serious one.

Mr. MACKENZIE: I know it is a serious one; and it will be considered seriously. We may not ask assent to the precise location of the line. The late Administration chose to do that by Order in Council.

Mr. TUPPER: Yes; and we have been reminded of it since.

Mr. MACKENZIE: I simply pointed out the fact that it is quite possible to do that; but whether it is advisable is another matter.

Mr. TUPPER: There is one other matter to which I wish to call attention. The very greatest importance is, I think, to be attached to the necessity of securing a line through the most painful section of the country to be settled. I have been informed, and have reason to believe, that for something like 500 miles from Edmonton to Fort George along the the proposed road the country is very unfavourable for settlement. I draw the hon. gentleman's attention to that point at this moment, because, from a report made by Mr. Silliman and by the general exploratory survey of the country to the north of that, there is reason to believe that a line may be found from Edmonton, by the Pine Pass, to something like the same point, running through what is called the Ominica country. This is a remarkable country, exceedingly fertile, and one of the most magnificent grazing countries in the world, and richer, probably, in mineral resources than any other portion along the line, it containing also valuable deposits of coal and silver. I would suggest that surveys be made over this territory, as it seems to me it could be done at very little expense and with the loss of very little time.

Mr. DECOSMOS: Hear, hear.

Mr. MACKENZIE: I am glad to hear these cheers about the country from the hon. gentleman behind me (Mr. DeCosmos). It indicates a willingness to have another year lost in surveying another route.

Mr. TUPPER: I press this because, according to the hon. gentleman's own statement, no loss of time will be thereby occasioned.

Mr. DECOSMOS: The hon. the Premier appears to be very witty at the present moment, but he was not so when I asked him for information.

Mr. MACKENZIE: I think I always gave the hon. gentleman all the information I could. It might not be much, but I gave what I could. You

will admit it takes a long time to get information about that country. With regard to the remarks about the nature of the country to be traversed, they are undoubtedly true, not exactly so from Edmonton, but from a short distance from Edmonton westward, nearly the whole way, until you get to Fort George, there is not much good land. With regard to what is known as the Peace River Pass, it is not really a pass at all. The Rocky Mountains have flattened out there. There are scarcely any hills; the highest one is 1,900 feet above the general level. The country, therefore, is quite suitable for railway construction, except that, in crossing the Smoky River and the small rivers falling into it, the prairie is hollowed out to an immense depth. The valley of the Peace River in some places is 600 or 800 feet below the ordinary level, and the smaller rivers in proportion, and they are exceedingly difficult to cross. There is no doubt, however that the Peace River country is, perhaps, the best part of the whole of the North-West. The best route to be taken there would perhaps be across the Northern Saskatchewan, about Fort La Corne, thence past Little Athabaska Lake, reaching the Pine River Pass; and then proceeding downwards, either to the north or south of Stewart Lake, and thus reaching the Ocean either by Gardner Inlet or Port Essington. At the same time it would be easy to connect Fort George with a line to Bute Inlet. I have no doubt that it traverses a larger amount of fertile land in the North West, say of the 110 degree of longitude. East of that, I dare say we have a better country upon the route on which we are engaged. But upon the West I have no doubt there is a better quality of land and more available for settlement than anywhere else. But it would be a very expensive operation to send a party out there to get such information as would really be of any value. Mr. Selwood's party, which the Government sent over in that direction two years ago, produced a great deal of very valuable information regarding the topography of the country, its products and its adaptability for railway purposes generally as well as for

Mr. MACKENZIE.

those of settlement; and there is no reason to doubt that a tolerably favourable route to the ocean could be had that way. But whether it is advisable at present to commence a survey which must necessarily take two years to make, and which must extend over 800 or 900 miles at the least, is somewhat a serious question. The surveys which we propose to make on the Fraser River will take five or six parties, and perhaps seven, the whole of this season, although the country is already tolerably well-known, and there exists a good route for a considerable distance, while there is a trail for getting supplies to almost the head of the North Thompson, where we begin the work to the east end of this portion. For this survey I have placed in the Estimates \$100,000. And it is a serious matter whether it will be advisable to devote two more years to traversing the country to the north, although it may possess some advantages. I have no reason to believe that Pine River Pass would be much more favourable for getting through the mountains than the Yellow Head Pass. It might be slightly, but not materially. It is after we get through the Rocky Mountains that we have to get through a more difficult country, and a country which is much less favourable to settlement.

Sir JOHN A. MACDONALD remarked that it was certainly a serious matter to make the surveys, but he thought it was a matter of great importance that this country should be surveyed, and he would urge upon the Government the expediency of having exploratory surveys of the country by the Pine River Pass. That country was the finest portion of the North-West, and rich in mineral wealth, including a mineral peculiarly grateful to Scotchmen like himself—sulphur. Even if the line were not adopted, he thought the cost of the survey would be money well spent.

Mr. MITCHELL asked if the vote would cover the cost of any rolling stock on the railway in the Thunder Bay District.

Mr. MACKENZIE said it did not; it was merely the estimated expenditure upon construction. The Govern-

ment did not propose to place any portion in running order till next season.

Mr. MASSON asked if the Government had surveyed the country between Pic River and Sault St. Marie.

Mr. MACKENZIE said the only Government that had made that survey was the Administration of the right hon. member for Kingston.

Mr. MASSON said he wished to know if the survey had been made and with what result.

Mr. MACKENZIE said it was made years before.

Mr. MASSON: Have you abandoned it?

Mr. MACKENZIE: Yes; I think so.

Mr. ROSCOE said he was afraid from the mode in which the surveys had been conducted that, after a survey had been made of the Fraser River route this year, should favourable accounts be received from the Smoky River country, it would be held that further surveys might be made of that route. The delay which had taken place in surveying the Fraser River route was quite unjustifiable. During three years the Government had told the House it was unnecessary to further survey the Fraser route, and that the northern route was preferable. Even the map of the railway which had been published proved that the Fraser route had been practically abandoned. There was, indeed, no excuse to be offered in behalf of the Government for having delayed to the very last the survey of that route; the route to Bute Inlet might have been surveyed three or four years ago. It now appeared that the opinion of naval and other officers was to form an important element in determining the route. The question could, however, have been asked three years ago, and it was desirable to know whether the advice of the Admiralty had led the Government to abandon a route on which hundreds of thousands of dollars had been expended. The hon. the Premier had told the House that the Canadian Pacific for many years would yield no revenue. He begged to differ with the hon. Minister on that point, especially as regarded the British Colum-

bia portion of the road. He believed the construction of a railway through any portion of that Province would so increase the population that the increased revenue derived thereby would go far to the payment of interest on the money borrowed for the building of the railway. The hon. the Minister of Public Works had given no explanation in reference to the telegraph line in British Columbia, which was now contracted for, and no doubt the Committee desired to receive explanations. The location of the telegraph lines under certain contracts indicated that the Fraser route had been completely abandoned. He had examined the Chief Engineer's report, but had failed to find the grounds which had led to a change of opinion on the part of the Government in regard to the route of the railway. The hon. the Premier had told the House that it was an engineering question, but there was an impression abroad that it was not going to prove to be such, and that the hon. gentleman had reasons for selecting a particular route which should not exist. There was an impression held in British Columbia, and especially in his constituency, that the people on the Fraser, having shown great objection to the Carnarvon terms, should be punished by not having the railway carried to Bute Inlet. He trusted that idea was too absurd, and that, as the railway was not to be built in consideration for a handful of people in any section, but for the four millions of people in Canada, and for future generations, such considerations would not have the slightest weight. They were told that one consideration to be weighed in connection with the Fraser route was the comparatively large population there, and that the railway could be built at less cost by that route because the supplies could be had more cheaply. That was, however, a very small consideration, because if the population was larger and the country settled there would be less land available to be given to the contractors, which was an important matter. He did not wish to be understood as objecting to any particular route; he had always maintained, as representing the town of Victoria, that the selection of route did not much

affect Victoria, although his constituents thought it would be an advantage to have the railway carried to Bute Inlet, an opinion which he did not share. If the railway were taken to Burrard Inlet it would be only a short distance from the American boundary line, and the Americans would probably tap the road and construct a railway to open up connection with a good port on one of the islands in Washington territory. It would be seen that any steamer or ship sailing up the De Fuca Straits would be much nearer the ocean than by running around the island and Burrard's Inlet; and it would yet be found that the actual terminus of the Canadian Pacific Railway would be on the American Continent and not at Burrard's Inlet at all. A town of 700,000 inhabitants would yet be built on the island, while there would be but a small town at Burrard's Inlet. He would repeat what he had already stated about the Smoky River route, and he did hope that the Government would, at all events, have some surveys made this year, and not have an excuse to give for not doing so next year.

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

### After Recess.

#### NORTHERN RAILWAY COMPANY BILL.—[BILL No. 62].

(Mr. Macdonald, Centre Toronto.)

#### CONSIDERED IN COMMITTEE.

House *resolved* itself into Committee of the Whole to consider Bill (No. 62) Respecting the Northern Railway of Canada.

(In the Committee.)

Mr. OLIVER said that, when the Bill with reference to the Northern Railway was before the Committee on Railways, he had taken exception to a matter which he thought ought to be in it, and he placed the clause, which, in his opinion, should be inserted, before the Committee. The Government had stated that they would take it into consideration, and he had given

Mr. ROSCÖE.

notice, a few days ago, of the amendment which he proposed to move. His reason for doing so was this: When this railway was first promoted, they purchased from the Government a tract of land which extended from the western limits of the city of Toronto to Brock-street, for which they agreed to pay a certain sum of money. He was led to believe that this amount had never been paid; but the Government, in a Bill passed in 1860, reserved to itself certain powers over the track and station grounds, which powers were contained in the amendment of which he had given notice. He might state that the object which the Government had had in view was simply this: that other railways were being promoted for the purpose of connecting the west with the City of Toronto; this piece of land, as he understood, was about 110 feet in width, and from one mile to one and three-quarters of a mile in length; and it was reserved not only for the Northern Railway, but also for the use of any other railway coming to the City of Toronto from the west. It was desirable, in the interests of the City of Toronto, and certainly in the interests of the railways which were being promoted in the western section of the Province, that entrance to the city should be obtainable on this piece of land which properly belonged to the Government. It was not his intention to move his amendment now; but, when the Minister of Justice was in his place, and at the third reading of the Bill, he would move the amendment of which he had given notice. He was confident that there was a sufficient quantity of land included in the part mentioned, from the western limits of the City of Toronto to Brock street, to accommodate one or two other railways. This was a valuable strip of land, and one that belonged to the Crown, and which was never paid for by the company. If the company desired to have full control over it, as the House knew very well, they had ample means to pay for it. The Northern Railway was one of the richest railways in the country at the present time; they had lavishly expended their money, and they surely ought to pay for land which belonged

to the country. Without further remarks he would state that he would move the amendment in question at the third reading of the Bill.

Mr. PLUMB moved an additional clause to give the shareholders two representatives on the Board of Directors.

Mr. MACDONALD (Centre Toronto) said he hoped the hon. gentleman would not press the amendment. He appealed to his sense of fairness whether it would be a fair amendment. Already two directors represented the shareholders, and it would be most unfair to the bondholders to introduce two more.

Mr. PLUMB said he thought the hon. gentleman (Mr. Macdonald) had unintentionally misrepresented the case. The two directors referred to were elected because they happened to be members of the respective corporations of North Simcoe and the city of Toronto; and they could not be expected, from their peculiar position, to take an active part in, or supervision of, the management of the road. He thought the shareholders were entitled to the representation he sought to give them, and with this slight concession they would still be in a minority on the Board.

Mr. HOLTON said the position of the matter, as he understood it, was briefly this. There were, originally, ordinary shares in this company amounting to \$400,000, one half of which was substantially held by the two municipalities of Toronto and North Simcoe, and each of those municipalities had had, from the inception of the road, a representative on the Board. The private shareholders, amounting to about £50,000 more, had no representation in their capacity as shareholders. They had a reversionary interest, and a very important interest in this company. All the bonds had been given precedence to them, and it appeared to him that this strong reversionary interest ought to have a representation, but that representation should not be excessive. If the hon. member for Niagara (Mr. Plumb) claimed two directors out of the twelve, the municipal corporations having already two members, he claimed more

than the House would be disposed to grant. He thought one representative for the shareholders would be fair.

Mr. PLUMB said he had no doubt the hon. member for Chateauguay (Mr. Holton) considered his proposition a fair one, but he could not quite agree with it. The bondholders had a very sluggish and very remote interest in the absolute management of the company, and it was asking very little to give the shareholders one-sixth of the representation on the Board.

Mr. GUTHRIE said he thought the shareholders should have a separate representation on the Board. The management by the bondholders was certainly not calculated to advance the interests of the shareholders. It was to be borne in mind, however, that four of the twelve directors had to be resident in England, and if two representatives were given to the shareholders, as proposed, these two, along with the representatives of the municipalities, would constitute half the Board. That would be altogether an undue proportion of representation for the shareholders, and he, therefore, thought the suggestion of the hon. member for Chateauguay should be adopted.

Sir JOHN A. MACDONALD said he quite agreed with the remarks of the hon. member for Chateauguay and those of the hon. gentleman who had just resumed his seat, and he hoped the hon. member for Niagara (Mr. Plumb) would amend his motion so as to give the shareholders one director.

Mr. PLUMB said, although he did not quite fully concur in what had been said, he would amend his motion as suggested.

Bill, as amended, *ordered* to be reported.

House resumed.

Bill reported.

## CANADA TRAFFIC COMPANY BILL.—[BILL No. 100.]

(Mr. Workman.)

### THIRD READING.

Bill considered in Committee of the Whole, reported, read the third time and passed.

## SUPPLY—PACIFIC RAILWAY.

Committee of Supply resumed.

Mr. MASSON said the hon. member for Victoria had agreed to allow him an opportunity of setting himself right before the hon. the Premier on a question which he put to him before recess, and to which he received no satisfactory answer. He asked the hon. the Premier to tell the House the result of the surveys between the Pic River and Sault Ste. Marie. Instead of answering, the hon. the Premier spoke of the action of the hon. member for Kingston respecting the Sault Ste. Marie survey, and stated that the explorations were made two years ago. He got no satisfactory answer. He would read to the House from *Hansard*, in order to show that there was an exploration last year, and that he had a right to enquire as to the result :

“From Fort William by the Pic River (the new line) the distance is about 620 miles. Then if the line were to deflect from the Pic southward, so as to follow the general outline of Lake Superior, to reach the Sault, and there traverse the borders of Georgian Bay to Lake Nipissing, the distance from Fort William would be about 720 miles, as near as can be ascertained. A party was sent out by the Chief Engineer to examine the country between the Pic River and the Sault. That work is not yet complete, nor is it in such a state as would justify us in giving any positive opinion upon it.”

If the Government were not to pass by that place, it was useless for them to enter into the explorations. He thought he had a right to ask the result of the explorations.

Mr. MACKENZIE: The explorations between the Pic and the Sault were made, not last year, but two years ago. I told the hon. gentleman that before.

Mr. DECOSMOS said he had thought that, at this Session at least, a solution of the difficulties that had arisen between British Columbia and the Dominion Government would have been found. It appeared, however, that no solution had been found. It appeared that this Government had resisted any such thing as a solution, and by some mysterious means, he knew not what they could be, they had induced the Imperial Secretary of State to join with them. He did not

Mr. PLUMB.

know whether these means were through an agent of the Government in Great Britain or through private and confidential despatches of a certain noble person who had been sent to British Columbia. Another delay had occurred, and that delay had been taken into consideration by his constituents and the representatives of his Province, and they had agreed most generously to grant the First Minister and his colleagues another year, so as to complete the obligation they ought to have performed three years ago. The hon. the First Minister had endeavoured to persuade the House that there was no such portion of British Columbia as Vancouver Island. He made this remark because he discovered that the hon. gentleman had not even made mention of that important part of British Columbia and of the Dominion. The extraordinary blunder was made by the hon. gentleman of putting the statement in the hands of his ambassador (Mr. Edgar) that, if the people of Victoria behaved themselves, they might get the railway from Esquimalt to Nanaimo. It appeared they were not willing to concede to the hon. gentleman all he desired, and perhaps that was the reason the hon. gentleman had for excluding all considerations of Vancouver Island from the discussion. He would call attention to another fact: A number of questions were submitted to the officers of Her Majesty's Navy, and printed in the organ of the Government within his (Mr. DeCosmos') own constituency, which had entirely excluded any reference to the harbours of Vancouver Island. He would ask whether this was fair to the people of Vancouver Island, when questions were asked as to the harbours on the mainland. He believed it was purely a matter of design. Because the people of Vancouver would not bend “the pregnant hinges of the knee” to the hon. gentleman “that thrift might follow fawning,” he had, therefore, endeavoured to crush them. He was going to institute a survey from Tête Jaune Cache to Burrard Inlet this year at an enormous expense, and in the same breath he told the House that the whole line from the Kaministiquia to Bute Inlet had been located. He (Mr. DeCosmos) could not

conceive what was meant by this. The hon. gentleman stated that the valley of the Fraser was the most populous portion of British Columbia. He (Mr. DeCosmos) only wished it was. But it so happened that it was not, and that the valley of the Fraser from Tête Jaune Cache through Yale to Burrard Inlet was more sparsely populated than any other great section of British Columbia. He would refer to the Sessional Papers of the Legislative Assembly of that Province in proof of this statement. In the whole district that would be traversed by a railway from Tête Jaune Cache *viâ* Kamloops to New Westminster, there would be no more than 731 votes. There was a small population in the whole Province, although it paid half as much revenue as New Brunswick, more than Prince Edward Island, and much more than Manitoba. North of the Fraser district was the Cariboo district, in which there were 601 voters, and this was not reached at all by the railway. In his own district and Vancouver Island district there were nearly 1,800 voters, and added to those of Cariboo, there were nearly 2,500 voters, and yet his hon. friend had the misfortune, he would not say the audacity, to say that the Railway *viâ* Kamloops to Burrard Inlet would pass through the most populous district in the Province.

Mr. MACKENZIE: The hon. gentleman knew I referred to the mainland and not the island.

Mr. DECOSMOS said in British Columbia there was a great distinction as to the meaning of "the mainland" from the meaning attached to it in the other Provinces. In New Westminster and Yale in British Columbia, it meant the country through which the proposed line of the railway passed between Burrard Inlet and Tête Jaune Pass. But it stretched many degrees north of the point indicated by the Premier. There were 1,500 miners and sometimes 2,000 miners in the Cassiar country in 58° to 60° north latitude. The mainland would also include Omineca or West Peace River country, Cariboo, Yale and New Westminster. Having shown these errors of the First Minister, he would refer to one other thing: That, were the two lumber mills

burned down to-morrow at Burrard Inlet, and not rebuilt, one half of the population in Yale and New Westminster districts would go to the American side, to Puget Sound. The First Minister had referred to the valuable land on Fraser River. As a fact, however, there were not perhaps over 400 square miles or 256,000 acres of valuable arable land along the whole river, from Yale to the mouth of the Fraser. In farms and population there they did not exceed the farming population in his own district, and were far behind that which existed in the district of his hon. friend from Vancouver (Mr. Bunster); but what was there from Yale to the mouth of Burrard Inlet to support a railway? There was nothing in the district to support a railway so far as at present known; and when they reached the Yale Canyon there were 60 odd miles of canyon to get through, which was nothing but a vast ditch, cut by the water coursing through for ages; there was nothing there unless mineral wealth was found in the mountains, which were walled up on each side. Next, they had to go 40 miles beyond before they found anything but some high grazing land, and away down in the bottom, along the Thompson, some patches of land that could only be cultivated by irrigation. After 40 miles more, at the end of Kamloops Lake, they found a high rolling grazing country and a few farmers. The population of that country had not increased 50 per cent. within the last ten years. When they reached Kamloops, they found a delightful point from which open lands, but narrow, stretched along the north fork of the Thompson for 20 miles beyond; it was comparatively worthless and, unless mineral wealth were found from Tête Jaune Cache to that spot, it could not be considered as sufficient to invite the Government to construct a railway in that direction. If the Government were determined to bring a railway by Tête Jaune Cache and Kamloops to Burrard Inlet, he alleged, not only from a Dominion point of view, financially speaking with respect to the cost and receipts of the railway, but in the interests of commerce, in the interests of the industry of their Province, that the line of railway could not be made a

success by the best Administration of the country. The sole and whole reason was that they could not make a way traffic. It was simply following a ditch or ditches through the country, and was not calculated to make a way traffic or aid in the gaining a large share of transpacific traffic. Supposing that they started at Yale and went down the river with their railway, when they got about 40 miles above Burrard Inlet they reached the Sumass prairie, and from that about 60 miles would take them across a level tract of country to Holmes' Harbour, Washington Territory, which could be reached by the Straits of Fuca without tugs. The consequence would be that a branch line from the American side would tap our railway, and make the actual terminus in American territory. The Engineer said there would be necessary 70 miles of steam-tugging from St. Juan De Fuca to Burrard Inlet, therefore people would prefer to go by Puget Sound instead of going to Burrard Inlet. He drew the attention of hon. gentlemen to another point: That, as a matter of defence if we were to remain a Canadian people, if we were to build up a Canadian nationality on this continent, if we were to look forward to troublous times, we must regard this railway not only as an implement of traffic, but an implement of defence; and if so it should not be carried along the line of the Fraser and down to Burrard Inlet, for in case of war with the United States they could easily cross the frontier and interrupt our communications. In the report before this House they found that vessels approaching Burrard Inlet by way of St. Juan must be brought under the guns of the enemy. He asked whether a Government, to whom was committed the defence of our country, would be justified in building an expensive line of railway that in case of war with our neighbours to the south (a thing which he hoped would never occur) the terminus—the very point of all others which we ought to command—would be thus placed within the control of our enemies. He, for one, took occasion on this which he believed to be the altar of his country to denounce any such doings. And, further, he be-

Mr. DeCosmos.

lieved that the amount of money which the Government was prepared to spend this year in surveying the route from Tête Jaune Cache to Burrard Inlet, would be a waste of public money, it would be public money uselessly wasted in order to gain a year's delay, and then consult the people of the country at a general election whether they would build the railway or whether they would not. His hon. friend the First Minister had stated that he (Mr. DeCosmos) had cheered the hon. member for Cumberland (Mr. Tupper) when he spoke of the year's delay. He had not done so; he had cheered the hon. gentleman when he stated that there was more agricultural land and more mineral wealth contiguous to the northern than the southern route. He believed there was no earthly necessity for delay in the commencement of the construction of the Canadian Pacific Railway any more than there was last year or the year before, or any year since the hon. gentleman had entered the Government of the country. With respect to the Bute Inlet route, the next route north, the hon. gentleman, in referring to it, took great care, it might be by way of accident perhaps, not to mention Frederic Arm. What! did they not find in the report that it was desirable to examine Frederick Arm as a port on the main land after coming down Bute Inlet, to see if they could not have a ferry from there to Otter Cove, a distance of 15 miles? Why did not the First Minister mention that fact, and suggest the utilizing of that ferry, as ferries were utilized throughout the world. He asked the House to examine this report—this emasculated report, this report without the appendices. Because he believed that, if it were full and complete, they would find statements in the appendices, in all probability, that would give somewhat different ideas to the House and country than this defective report was calculated to give. He might refer to the visit of a noble personage to his country. He should judge, by the despatch of Lord Carnarvon, that this noble personage, among others, had been instructing His Lordship as to Bute Inlet, and unfavourably to Waddington Harbour as a harbour. The captain of the steamer

*Sir James Douglas* had told him (Mr. DeCosmos) that, with little trouble, he could place eighty line-of-battle ships in Waddington Harbour. He (Mr. DeCosmos) naturally inquired whether the noble lord had been to Waddington Harbour, but he was sorry to say that he did not visit it within four miles. It might be possible, with a powerful glass, to discover all the advantages of a harbour four miles off, yet it was a fact that he did not visit it, though, from his latest utterances in Victoria before his departure, he appeared to be unfavourable to it, and he supposed that the noble Lord the Secretary of State for the Colonies had received some cue from that quarter, or it might be from other quarters, and so they had that harbour tabooed; and had it said that Burrard Inlet was the finest harbour in British Columbia. On page 70 of the report they read:—

“That as far as known, Burrard Inlet, an arm of the Strait of Georgia, is the best harbour and the easiest of approach from the ocean.”

Any one unacquainted with British Columbia would read that statement and form the conclusion that all the harbours of British Columbia had been passed in review before that statement was made, yet this was not the case. But, instead of this harbour being the most easily approached from the ocean, the Engineer himself told them at page 67, “That there was 70 miles of towing from Esquimalt to English Bay, Burrard Inlet,” while there was no towing at all to reach Esquimalt or to reach Uchucklesit, at the mouth of Barclay Sound. Yet here was the statement that this was the harbour most easy of approach in British Columbia, though to reach it they must pass under the guns of St. Juan, Stuart and Patos Islands, and through crooked channels, through tide rips, through strong currents, and through tides of which even the best hydrographer in Her Majesty's Navy was unable to make a tide table. In order to enter this harbour they would have to pass off Esquimalt, go through the Haro Canal, be towed for 30 or 40 miles through a number of islands, then enter the Strait of Georgia where they would have a sand bank off the mouth of the Fraser, and when they

got up to English Bay they would find that no full rigged ship or schooner could go in there at certain times unless the tide and wind were favourable. The tide at the Narrows flowed in and out at the rate of six to nine knots an hour. He had been on board steamers passing in when they had careened over at an angle of 30 degrees. This was the port which hon. gentlemen proposed to make the terminus of the Pacific Railway. If they compared it with Esquimalt or with Barclay Sound, any gentleman who had no political object to serve would see that this was not the place at which to terminate a vast railway which would cost the Dominion from \$80,000,000 to \$100,000,000. What was the whole story about Waddington Harbour, Bute Inlet? It was only, he believed, proposed to be used as a temporary stopping place, a temporary harbour, until the Dominion Government found itself wealthy enough to construct a railway along the north side of the Inlet to Frederick Arm to reach Vancouver Island by a ferry. The route had this advantage: that, while the Burrard Inlet route had no advantage whatever but the great disadvantage of playing into the hands of Americans, the Bute Inlet route would take a central position, would strike into the central parts of Vancouver Island and would enable the Government to construct a railway 200 miles nearer to China than the southern route, and reach Quatsino at the north end of Vancouver Island, or go to Alberni Canal on the west side of the Island, and it would also enable them to extend their line to Esquimalt and would so place us outside to the westward of our American friends when competing for transpacific trade; more than that, by reaching that point, it would be easier for steamships. He observed something else in the report with which he disagreed; it was stated that the approach to Bute Inlet by the north of Vancouver Island was more hazardous and objectionable than that to Burrard Inlet *via* the Gulf of Georgia. But the northern approach to Bute Inlet was not as hazardous as the approach from the south to Burrard Inlet, because the channels were open and straight, and being so, were much

more easily navigated than channels which were tortuous, and which contained other impediments to navigation. Besides, he remembered the fact that far more vessels engaged in the coal and lumber trade from the ports Nanaimo and Burrard Inlet had been shipwrecked than had occurred in the Straits of Fuca, or in navigating Puget Sound, shewing conclusively the danger of navigation in that quarter. The moment they reached Vancouver Island *viâ* Bute Inlet, they found coal and iron, and various other economic minerals; the climate there was better, he believed, than that of any other portion of the Dominion. There, forests could be turned into a marketable commodity; there were several channels for the distribution of merchandise; there was abundance of fish around the coast, and there was a great extent of land fit for cultivation and settlement; and, if the route was run by way of Bute Inlet, it would come into that portion of the Province which was most accessible for immediate settlement; and the portion that one day or other, no matter who ruled in the country, would be the ruling section of the west coast of the Dominion. Let them follow up the route—from Bute Inlet they ascended the valley of the Homathco. There might be found as good land for cultivation at some portions of the Fraser; but, so far as his information went, what did they imagine occurred last year? During the freshet, in Fraser River, along the route which it had been suggested that this railway should traverse, and on the survey of which a large amount of money was to be expended this year, the water rose 100 feet above its ordinary level. The melted snows of the mountains had gathered in the gorge of the river, and its waters so rose 100 feet. What was the case on the Homathco? He was informed by engineers and persons who had been there during the summer that the Homathco did not suffer greatly from freshets. By the Bute route a better means of escape from freshets and “wash-outs” was afforded than along the valley of the Fraser River, unless the railway route were carried up the mountain side to a very great height. After they passed through

**Mr. DeCosmos.**

the great canyon of the Homathco, that is, through the Cascade Mountains, they reached a plateau of fine grazing land—as fine as there was in any other portion of British Columbia. Where the river of this plateau fell into the Fraser there was good cultivateable land, and to the northward wheat grew. This had been successfully tried there thirty or forty years ago by the Hudson Bay Company. They had heard the testimony of Prof. Selwyn cited, as to the excellent character of the country stretching northward from Fort George; and they knew that, in the neighbourhood of Fort James, and far north, the Hudson Bay Company had never housed their horses during the winter. Timothy, wheat, oats, etc., grew here, and the land was as good as it was in this country. There was no comparison between the northern and the southern route. The latter was a vast gorge, and, being so, he took it that their true course was to select the route best calculated to prove advantageous to the country. The First Minister had apparently taken it for granted that he was to have a year's delay, and \$100,000 he (Mr. DeCosmos) presumed to spend. The hon. gentleman said they had lost no time in completing these surveys; but he believed that the Government had lost time, and, if this was not the case with regard to the prosecution of the surveys, it was certainly the case with reference to the commencement of the Pacific Railway. In 1874, the First Minister stated through his mouth-piece, Mr. Edgar, that he (Mr. Mackenzie) would commence the Pacific Railway from Esquimalt to Nanaimo; the hon. gentleman told Lord Carnarvon the same thing; and also the House in the Session of 1875. If the hon. gentleman could do all this then, he could do it as well now. As far as the surveys were concerned, the hon. gentleman said that the survey of a portion of the route from Tête Jaune Cache to Burrard Inlet had been made last year, but it was a notorious fact that this line had been surveyed, he believed, in 1872. The hon. gentleman also stated that there was one advantage about the Yale route: it could be commenced at Yale

and 100 miles of river navigation saved, and people could descend to New Westminster during the whole season. He had corrected the hon. gentleman at the moment, for the fact was that a section, 100 odd miles, of the Fraser, west of Yale, was often closed up by ice during one, two or three months of the year. Steamers that carried freight and passengers between Victoria and Fraser River country, had to go to Burrard Inlet in consequence of the ice; and hence it would be useless on the part of the Government to construct a line of railway there. The Premier had stated that the Yale line was rather easier of approach. It might be shorter, for aught he knew, but what were a few miles in comparison with the Bute line, which gave more commercial facilities, and opened up a better country. The hon. gentleman said that the land of British Columbia was of no great value. He would admit that a large portion of its land was not suited for agricultural purposes; but he did maintain, with Prof. Selwyn, the head of the Geological Survey, that the Province of British Columbia had more mineral wealth in it than all the other Provinces put together. It possessed more mineral wealth than all the other Provinces, and under these circumstances, he asked whether their lands were not valuable. The whole Cascade Range, from where the Fraser River broke until it reached Bute Inlet, was argentiferous. Those who had visited the Centennial might have seen bricks of silver from British Columbia, which had been taken from this section. In addition, there was not a stream in that country from the bed of which one could not get the colour of gold; and in many instances this was the case to 60° north, a distance of 600 miles. Then, again, they had the best coal in the Dominion. In the analysis of coal as shown in the report of the Geological Department, a higher percentage of carbon was given to British Columbia coal than to the coal of any other portion of the Dominion. The bituminous coal of Nova Scotia was rated one or two per cent. below it; and it was said that this land, which was rich in gold, and silver, and coal and other minerals,

was worthless. The Province also possessed fine grazing land. The Premier further had mentioned the statement that they could not increase the rate of taxation in order to build this road, but the rate of taxation had been increased this year, and he took it that this was really done to fulfil the first obligation and lien on the Dominion, entered into before the hon. gentleman acceded to power. It was one of the first liens on the Treasury of the country; and it provided for the construction of the Pacific Railway. In two distinct instances, and possibly more, the tariff had been raised and the taxes increased; and yet they had been that day told that the Government did not intend to raise the rate of taxation. He would take another opportunity to draw the attention of the House to some other points in this regard; and more particularly to the transpacific and transcontinental railways.

*Vote agreed to.*

79. Pacific Railway Survey and Engineering..... \$100,000

#### II. CHARGES OF MANAGEMENT.

1. Charges of management... \$69,100

#### IX. IMMIGRATION AND QUARANTINE.

56. Towards assisting immigration and immigration expenses, including estimated expense of transport of Mennonites..... \$110,000

Mr. MASSON asked the reason for the decrease.

Mr. CARTWRIGHT said they thought this sum would be sufficient for all purposes. It was not likely there would be any large immigration to the several Provinces; there might be some to the North-West.

Mr. MASSON said he thought the same reason would apply to the preceding item.

Mr. CARTWRIGHT said nearly \$40,000 of the preceding item was for quarantine and expenses in regard to measures for protecting the public health.

Mr. BLANCHET: Perhaps the hon. gentleman can answer the question I put yesterday, in regard to the physicians.

Mr. CARTWRIGHT said the hon. the Minister of Agriculture would take steps to remedy the evil complained of

In answer to Mr. POPE (Compton),

Mr. CARTWRIGHT said the Chicago and Detroit agencies would be dispensed with, but it was the intention of the Government to continue the agency at Worcester, Mass.

Mr. POPE (Compton) said he did not think the expenditure for sending immigrants back to France ought to have been charged to this vote. It ought to have been charged to "unforeseen expenses."

Mr. CARTWRIGHT said some small sums in other years had been charged to the immigration vote. He regretted the expenditure, as it was not in our interest that we should pay for the return of immigrants.

Mr. MITCHELL said he thought more was paid for the salaries of agents than was required. There was no reason, for instance, for an agent in Prince Edward Island, which was thoroughly settled. He would go further and suggest that the list from Quebec downwards should be gone through and reductions made.

Mr. DYMOND said he thought it would be most unwise to accept this proposition. The time of depression was only of a temporary character, and soon there would be as large an influx of immigrants as before. The cost of the agents was but trifling, and not one of them received a high salary. In fact, an addition was made to the salary of one of them because it was not considered sufficient.

Mr. MITCHELL: But they are only temporary officers.

Mr. CARTWRIGHT: That can hardly be said. Many of them have been in the service for 15 or 20 years. The travelling agents were in a different position.

Mr. MITCHELL said some of the officers could be dispensed with. For instance, there was no necessity for an agent at Prince Edward Island and Halifax.

Mr. WRIGHT (Pontiac), enquired whether the appointment of the agent

Mr. BLANCHET.

at London was considered a permanent one. He understood it was temporary.

Mr. CARTWRIGHT: He was sent there on the resignation of Mr. Jenkins. What may be done is under the consideration of the Government.

Mr. JONES (Halifax) agreed that there was no necessity for an agent at Halifax. All that the agent did last year was to write a report of three lines. The Province had its own Emigration Agent.

Mr. MACKAY (Cape Breton) also agreed that there was no necessity for an agent at Halifax, and hoped that the item would be expunged.

Mr. POULIOT said, before the resolution was passed, he wished to make a few observations. He would, in the first place, reply to the invitation extended to him a few days previous by the hon. member for Terrebonne. To hear the hon. gentlemen opposite, one would believe that they had a specific remedy and a veritable panacea for all evils. If anything was spoken of, which they believed should or should not be done in the interest of the country, these hon. gentlemen had always a remedy to offer, and always said: "Unite with us, and give us your seats on the right of the Speaker, and all will then go well." Judging from the debates during the present Session, he had reason to believe that the hon. member for Terrebonne considered himself heir pure and simple, and not without *benefice d'inventaire*, of the estate of his friends who had been in power for such a length of time, when these hon. gentlemen did not act as they should have done with regard to the colonization of the country; and now these hon. gentlemen did not take up this matter to favour colonization, but rather for political purposes, and with a view to affect the approaching elections. During the few years which preceded Confederation, when he had the honour of representing the county he represented to-day, and when the friends of colonization demanded that this question should be properly treated, he solicited the opening of roads in his county, and if something in this respect was granted much more

favour was shown to the neighbouring county, Kamouraska, though there was hardly any land fit for settlement. During these few years Kamouraska received for its roads only, besides considerable sums for the opening of the Taché road, \$26,000, while only \$15,000 was bestowed upon Temiscouata. Nevertheless, what was the result? During the same period of time, two additional parishes were formed in Kamouraska, while twelve were organized in Temiscouata. There was something in addition to be stated, showing that the hon. gentlemen opposed colonization solely for political purposes. Pressed by the true friends of colonization, who demanded that moneys so expended should be properly employed, the late Government sent one of its officials to learn what better could be done, and to inspect the Taché and other roads in the county of Kamouraska. This gentleman reported not only that there were no lands fit for settlement, but also that one of the roads, on which work was asked for, was absolutely useless; that it would have to be made over again, and that trees had again grown upon it. Despite this report, though the statement was almost incredible, \$600 was at once sent from Quebec to be expended on this road. This was necessary, as it was on the eve of an election in the county, and it was well known how numerous had been the electoral contests in Kamouraska during many years back. If the hon. member for Terrebonne would give him his attention, he would make him (Mr. Masson) the same offer which he had made to the hon. gentleman who now sat in another chamber, the Hon. Mr. Archambault, when at the head of the Department of Colonization in the Province of Quebec. He would accompany the hon. gentleman (Mr. Masson) over the roads opened in Temiscouata and Kamouraska, and let him see for himself how the moneys voted for colonization purposes had been expended. If they once passed the parishes established on the St. Lawrence in Kamouraska, no more good land would be found except where a small parish had been begun in rear of St. Alexandre, near Temiscouata. This was what the

friends of the hon. gentleman had done for colonization when in power. He was glad to be able to say that the Local Government in the Province of Quebec seemed to desire to act otherwise, since a township for repatriation purposes had already been established in the county of Temiscouata. As to the resolution before the House, he would say that the sums expended on European immigration were spent almost uselessly, producing no good effects, at all events for the Province of Quebec. Though they contributed their share under this head, they saw the immigrants pass them by and go for the most part to the United States, while others went to Ontario and the North-West Territories. These people did not remain in the Province of Quebec. He would mention a fact in this relation: Some years ago, Mr. McNeider, Seigneur of Metis in the county of Rimouski, brought out a number of Scotchmen and gave them lands and all that was necessary for their support; but what happened? Nearly all these persons, after having remained there for some years, left the country. Only a few who had married Canadian women remained; and everywhere throughout the Province this was the case. From the Eastern Townships, European immigrants went to the United States, while many who lived in the Eastern States left them to settle in the Western States. The extraordinary fertility of the lands in the North-West was loudly vaunted, and pamphlets in this regard were distributed among them; but he would say frankly—and he was not alone in this opinion—that he did not place absolute faith in these writings, for persons, whose veracity they could not doubt, did not make these flattering statements regarding that part of the country. This expenditure might be advantageous to Ontario, but this was certainly not the case with the Province of Quebec, though here were vast regions capable of receiving a considerable population. If Europeans did not wish to settle in this Province, many of their countrymen in the United States asked for assistance to return; and something should be done not only in this regard, but also to keep those in

the Province who desired to leave it. There was room in the Province for over a million of additional population. The county of Temiscouata contained 1,333,000 acres. The uncultivateable land amounted to 200,000 acres, and there remained 1,133,000 acres, and allowing 18 acres for each person, this would admit of a population of 74,000. The present population was about 22,000, and, consequently, there was room for 52,000 more. The county of Rimouski contained 3,156,000 acres; uncultivateable land 400,000 acres; there remained 2,736,000 acres, capable of sustaining a population of 152,000 souls; present population 27,000; additional possible population, 125,000. The county of Bonaventure contained 2,106,000 acres; uncultivateable lands, 600,000 acres; remainder, 1,506,000 acres, which was capable of supporting 83,000 people; present population 16,000; consequently there was room for 67,000 more. The county of Chicoutimi alone could support as large a population as British Columbia—it included 15,200,000 acres; uncultivateable lands, about 11,000,000; there remained 4,200,000 acres, which could sustain a population of 233,000. The present population was about 17,000, and consequently there was room for 216,000 more in this county. The counties he had mentioned could receive a population of half a million, without considering the other parts of the Province such as St. Maurice, the Eastern Townships, &c., which could receive as many more. In view of these facts, it was evident that something should be done in this relation for the Province of Quebec. The other Provinces in turn had obtained their better terms, but they did not ask for so much—they demanded that they should at least be placed on the same footing with these Provinces. He hoped that the members from the other Provinces would not refuse to grant this request; if it were otherwise, he did not believe that any Government could long remain in power. Some one, a few years ago, had declared that the French Canadians were an inferior race. Far from admitting this to be true, he held that they were inferior in no respect to the inhabitants of the other portions of the Do-

**Mr. POULIOT.**

minion. He hoped that the representatives and the people of Quebec would be as wise as the representatives and the people of Ontario, when Confederation, which was to benefit that Province, was proposed. They then abandoned their party strife to secure Confederation, from which Ontario so largely benefitted. It was very true that the hon. members from Quebec, amongst whom was the present hon. member for Charlevoix, favoured Confederation, but the reason why was known; they told the people that, Confederation accomplished, everybody would become rich; but the people saw in what position they were to-day placed. He hoped that the Government would do justice to the Province of Quebec. If it did not, it should be aware of the approaching elections. The members and the people of the Province should unite together and see that, in the future, a portion of the sums voted for immigration purposes was expended to secure the return of French Canadians from the United States, and to retain in the Province those who wished to leave it.

Mr. JONES (South Leeds) said he did not think the salaries of the agents should be lessened. If there were any reductions they should be in the direction pointed out by the hon. member for Halifax. There were only two classes of immigrants encouraged to come out now, agricultural labourers and domestic servants. Of the former there seemed to be a surplus in the country already, while the supply of domestic servants was not equal to the demand. It would not be wise to reduce the appropriation, as in all probability the immigration would soon be as great as it had been before. He would enquire why there was no appropriation for an agent at Belfast.

Mr. CARTWRIGHT replied it came under the head of expenses for travelling agents.

Mr. TROW highly commended the speech of the hon. gentleman for Temiscouata in advocating the return of the French Canadians who were now in Massachusetts. He (Mr. Trow) thought it highly desirable that some effort should be made in this direction. Quite a little colony, some 230 or 240 went

to Manitoba last year. They had sent letters to their friends stating that they were exceedingly well satisfied with the country. No doubt if inducements were offered many thousands of French Canadians would return to Quebec or Manitoba. But he must say that he did not approve of the statements made by the hon. gentleman with reference to Manitoba. The hon. gentleman's own countrymen, who had recently emigrated there, were well satisfied with their lot. The seasons in Manitoba, according to the most reliable information, were preferable even to those in the Province of Quebec. Last year they commenced sowing ten or fifteen days earlier than they did in Quebec.

Mr. POULIOT: I excepted Manitoba in my references to the North-West.

Mr. TROW said nobody could speak otherwise of Manitoba. It was probably the best Province in the Dominion to which to encourage immigration. He would instance the Mennonites. The crops were a total failure during the first two years in consequence of the grasshoppers. They had only one good crop, and yet they were satisfied with the country, and were trying to induce their friends to join them. There were some 6,700, who were doing a great deal to develop the resources of Manitoba. There were upwards of fifty small villages, of the style they had in Southern Russia, each containing from sixteen to twenty houses. They did not isolate themselves, as was supposed by some, but were prepared to mix with other classes, although retaining their own ideas and customs. 50,000 Mennonites in Southern Russia were anxious to come over, their crops having been an utter failure there for two years, and they required some aid to enable them to reach Manitoba. He did not like to hear anyone discouraging immigration. In the European market, agents of the respective fields for emigrants were striving against each other, and inducements were held out on behalf of the Western States, Australia, New Zealand, Brazil, and other places. Hon. members should be careful of making unguarded statements in the House, as they were seized

upon by agents of rival countries, to the disadvantage of Canada. Some years ago an hon. member stated that there was no more land in Ontario fit to be settled upon; and since that time a million and a half acres of land had been settled upon, and between 50,000 and 60,000 settlers had gone into the Free-Grant Territory; and there was room enough for ten times as many more. If the Georgian Bay road was carried on, it would be the means of colonizing millions of acres. In Manitoba and the Great Saskatchewan there were 50,000,000 acres of good arable land which was of no use now because it was not developed. For the year ending July last, New Zealand had expended \$1,500,000 to encourage immigration; and during the last year over \$500,000 were expended. Although we had greater resources, we only appropriated \$284,000. According to the best authorities, each immigrant was worth \$1,000; and, therefore, instead of decreasing the appropriation, it ought to be increased to \$500,000. If proper enterprise was shown, many thousands would go from the United States to the North-West Territory. He had recently received a letter stating that from forty to fifty persons were going from Almonte to Manitoba, and many were going from the county of Oxford. The immigration of Canadians into that territory was certainly worth more than that of Europeans, as they were acquainted with the ways of the country. He was sorry to hear the Finance Minister make the remarks about Manitoba which he did the other evening, in reference to the grasshopper plague. A few years ago the Government had to assist Nova Scotia, and even Ottawa county, on account of fire destroying the crops. The Local Government gave \$25,000, and the Dominion Government gave something. It was impossible to speak as to the future, but there was the best reason for saying that Manitoba would not be again annoyed with grasshoppers for a quarter of a century. In 1872, 89,186 immigrants arrived in Canada; in 1873, 99,109; in 1874, 80,022; in 1875, 44,458; and in 1876, 36,549. Of these there remained in Canada, in 1872, 36,578; in 1873, 50,050; in 1874,

39,393; in 1875, 27,382; and in 1876, 25,633. Thus, during these five years, 179,000 settled in Canada. On the calculation that they would be worth \$1,000 each to the country, their total worth to the Dominion was \$179,000,000. Last year \$284,065 was spent in bringing out immigrants, who were worth \$25,633,000 to the country.

Mr. MACKAY (Cape Breton): How can this amount be realized?

Mr. TROW said the immigrants became producers as well as consumers. The policy of the Government should be to make innumerable homesteads, and not to centralize. There was too much centralization in large blocks of land. Even in Manitoba there was a large portion of the Province shut out from actual settlement. There were railway reserves, Half-breed reserves, Hudson Bay reserves, and school reserves, the latter, however, being proper. Non-resident settlers did not contribute much to the development of the country, they building no roads, and thus retarding settlement. He hoped that the Government would cause good reliable information to be prepared and distributed in Europe. If that was done, and the agents were instructed to spread themselves about the country parts instead of in the cities of Europe, a good class of immigrants would be introduced.

Mr. POPE (Compton) held that the money spent in encouraging immigration had not been wasted. It was estimated that the British immigrant brought, on an average, \$70 a head, but, calculating that the average was only \$30, it would be found that the immigrants brought into the country about three times as much money as was spent in introducing them. As an example, he might mention that in 1872 the expense was \$261,953, while they brought into the country \$928,000. That was a matter which he thought should be taken into consideration when the question of immigration was being discussed.

Mr. SCHULTZ said that the matter had been so thoroughly discussed in the able and exhaustive speech of the Chairman of the Immigration Committee,

(Mr. Trow) that there was really very little to be said on this subject, and having had an opportunity of speaking when this item was under consideration by the Committee before, he would take up the time of the Committee only to comment somewhat on the statements made by the hon. Minister of Finance in closing the discussion on this item, when it was before the Committee last week. If he had correctly understood the hon. gentleman on that occasion, he stated that, in view of the fact of recent grasshopper ravages in Manitoba and the uncertainty of that country being able, in consequence, to support a farming population, he could not consent to the encouraging of any large number of agricultural immigrants, at least this year. Now a statement of this kind was calculated to injure the North-West particularly, and our immigration interests generally, to a very great extent. A statement of this sort, involving a doubt of whether we had a desirable country to offer to the immigrant, coming from a Minister of the Crown from his place in Parliament, might do very great injury indeed. Pointed to by the agents of countries whose interests were competitive or hostile, it might be made to weigh much with the emigrants of Europe. To him (Mr. Schultz) it seemed a suicidal policy, and one fraught with the worst possible results to the country. While the Minister in this House who represented the Minister of Agriculture was declaring in his place his want of confidence in the region we had to offer immigrants, the agents of the Australian Colonies were using their utmost endeavours to secure additional population; our attention was called to this fact by our agent in London, who, in his report printed in that of the Minister of Agriculture for this year, said:

“The Australian Colonies continue to show great activity in the work of securing emigrants. First among them stands Queensland, which employs a number of agents and lecturers, who, when addressing audiences in the agricultural districts, constantly deprecate emigration to Canada, advocating, of course, their own colony as a farmer's paradise. South Australia has likewise been very energetic, and its agents in the south of England, Ireland, Scotland, North Germany and the Austrian Tyrol have met with fair success. Western Australia has only

Mr. Trow.

recently entered the field as a competitor with other colonies for its share of emigrants; its operations have hitherto been conducted on a small scale, but I am advised that a very large sum of money has recently been voted by the Parliament of that colony for this purpose."

The House had heard from the Chairman of the Immigration Committee an estimate of the value of an individual emigrant to the country, and he had shewn what it had cost Canada to secure this class. He (Mr. Schultz) believed that there was one class of emigrants which we did not want, but the scum of the cities who used to emigrate so largely seemed to have ceased, and it so happened that the immigrants whom we now could get were just those that we wanted. Mr. Klotz stated in the Minister of Agriculture's Report that the Mennonites of last year who took ship at Hamburg brought with them \$175,000. These estimates, made by the Chairman of the Committee, showed that we get those immigrants, who were shown to be anything but paupers, at a cost of a very few dollars per head. It seemed to be possible to get those Mennonites but only till the year 1880, when their permission to leave Russia ceased; and this was why he felt so deeply concerned at the policy of the Government in this matter. He trusted that even now, after having heard the statements of the Chairman of the Immigration Committee, and of others who had given the subject thought and consideration, the Ministry would place an amount in the Supplementary Estimates which would make this vote, at least, as large as last year.

Mr. DECOSMOS said he had observed, during the Session, that pamphlets pointing out the advantages of immigration to Manitoba had been freely distributed. He wished to draw the attention of the Government to the fact that no such pamphlets respecting a better Province—British Columbia—had been circulated. If the Government were not in possession of the requisite facts for the preparation of such pamphlets, he would suggest that the Secretary of the Province would, no doubt, furnish all information required.

Mr. TROW said, if the hon. member for Victoria examined carefully the pamphlets to which he referred, he would find that one-fourth of their contents were taken up with British Columbia. The Committee on Immigration had recently sent a circular to prominent individuals in British Columbia so that they might send reliable information or appear before the Committee next Session. The Committee desired to give as much attention to that Province as to others.

*Vote agreed to.*

#### XXXI. DOMINION LANDS.

194. Surveys of land, North-West (including Commission and Staff)..... \$60,000  
Resolutions *ordered* to be reported.  
House *resumed*.  
Resolutions *reported*.

#### SUPPLY—CONCURRENCE.

Resolution 97 (reported April 14th)  
*read the second time and agreed to.*

Resolutions 98 to 123 and 125 to 132  
(reported April 17th) *read the second time and agreed to.*

On Resolution 82, Welland Canal,  
\$2,000,000, (reported April 13th),

Mr. McCALLUM said he did not wish to oppose the item, but wished to point out in what respects, as it seemed to him, an improvement could be made in the works. He was in favour of any reasonable amount of expenditure of money for the improvement of our canals, if it would have the effect of giving us the trade of the West. The people of this country could well afford to appropriate a liberal sum for this object. But the question was whether twelve feet of water on the St. Lawrence and the Welland Canals could secure this western trade. He doubted very much whether it would. But he was satisfied that fourteen feet of water would do so. If the Welland Canal were pushed forward to completion at as early a day as possible, it would be a great advantage to vessel owners, shippers and all those engaged in the carrying trade, and enrich those living in the cities, villages and towns along

the route, besides being a great advantage to the country generally, as at present our vessels were shut out of the coasting trade of the United States. The more we could increase the trade from American to Canadian ports the greater benefit would it be to us, as we could employ more Canadian tonnage. We had enterprising competitors for the great trade of the West, the State of New York being the principal one. The St. Lawrence route, by the Welland Canal, was the shortest, say from Chicago and Milwaukee, which were the principal inland ports of shipment in the United States. By that route there was less canal to travel over in order to reach tide-water, by over 200 miles. But the State of New York used influences which this Government and the Canadian people would do well to take into consideration. In 1870 the State of New York lowered the rate of toll on the Erie Canal by one-half; and while business on the Welland Canal was at a standstill, so far as the Western trade was concerned, the American canals had increased in business largely, with the exception of this last year. It might be said that railways would carry the bulk of the products of the west to tide-water, but he disagreed with this—he believed that all heavy freights must be carried by water; and besides this there was a greater wear-and-tear on railways than by water routes. The Government of the State of New York had presented the West with a million of dollars a year since 1870, in the shape of tolls taken off the Erie Canal, and he was sure before they would lose that trade they would remove the tolls altogether, and the moment they did that, although we had superior advantages, the trade would all go that way, by the Erie Canal and the Hudson River. But if our canals were deepened to 14 feet of water the trade was bound to come by the Welland and St. Lawrence route, which was the natural channel. All the large lake ports, such as Chicago, Milwaukee, Cleveland, Toledo and Buffalo, had a depth of 14 feet of water, while the depth of water in the Welland Canal was at present only ten feet. The following was the amount of produce from the Western States

shipped at Buffalo to tide water by the Erie Canal:—

	Barrels of Flour.	Bushels of Wheat.
1865.....	142,018	10,202,141
1866.....	52,325	7,772,217
1867.....	15,468	10,109,718
1868.....	5,774	10,369,030
1869.....	51,923	16,463,480
1870.....	76,471	16,738,613
1871.....	47,731	19,028,316
1872.....	5,172	11,601,069
1873.....	13,616	24,569,088
1874.....	49,182	21,672,048

These figures showed an increase in the number of bushels of wheat of 11,469,907, and a decrease in number of barrels of flour of 92,836. Grain was being carried by rail within the last few years, but it was carried at a loss, and that trade must soon cease. The return of the Canal Board to the Assembly of the State of New York, in 1874, showed that in 1865 there were collected on the canals of that State, on 4,729,654 tons, tolls to the amount of \$3,839,955, while in 1874 there were only collected, on 5,804,588 tons, tolls to the amount of \$2,637,071, being a decrease of \$1,202,884. The whole cost of transportation on the State canals, for thirty-eight years, from 1837 to 1874, was \$253,902,985, and the State Board, after paying for repairs and working expenses, received \$73,511,078 in tolls, or say \$1,934,502 per annum, to pay interest on cost, and they would still rather sacrifice this large amount of tolls than lose the trade which increased and enriched the population and brought prosperity to the cities, towns, and villages along the route. The Hon. Israel T. Hatch, formerly a member of Congress in the United States, who was admitted to be a good authority in trade and commerce, said, when addressing the Chamber of Commerce of New York:

“If the ambitious views of our people in the North-West, originating in Chicago, its commercial centre, and in New England, with Boston its commercial centre, could be realized, the signal flags of your line of splendid ships would be floating in the ports of your rivals, Montreal and Boston, for you would have to send them there to get freights. The North-West aims at direct trade with Europe, and Boston believes that if the St. Lawrence Canals can be enlarged, they can bring their largest class of propellers up the lakes now engaged in carrying trade from Chicago to

Ogdensburg, and then by rail to Boston, through the St. Lawrence to Boston, and so become respectable rivals to you in the inland commerce of this country. Schemes to accomplish these objects are now pending, and I do not hesitate to say that I believe, as certainly as that the waters of the St. Lawrence will continue to flow to the ocean, that this commercial experiment will be tried to change the channels and outlets of the inland commerce of this country."

Mr. Hatch was well aware of what that trade was worth, and he said that we would be making an effort to take it away. If we were going to be successful in that, the Government must spend a large amount of money; and, while the hon. the Minister of Finance had stated the other day that he expected to get a large amount of increase from the Welland Canal (something like a quarter of a million dollars), he (Mr. McCallum) believed that if the Government would give them fourteen feet of water they might double that amount, but, if they did not, he doubted if they could get any more than they did at present, as all the large vessels would go to Buffalo, because they could go there drawing two feet more water, carrying a larger cargo, and carry at a less rate of freight, which would operate against the Welland and in favour of the Erie Canal. The people of Buffalo, who appreciated that trade, said, in 1869, through their Board of Trade:

"It would be folly to ignore the fact that a great increase has taken place in the trade of Canada with Europe in breadstuffs. The route *via* the St. Lawrence leads almost in a direct line from the grain-growing regions of the west to those nations of Europe whose people are, and will be, the chief consumers of grain exported from this country. By a liberal canal policy we may arrest this diversion of trade and restore the traffic of very many important articles which seek other channels through lower rates of transportation. The observer of last year's statistics has doubtless noticed that the trade of Chicago with the Dominion has largely increased, both in imports and exports. The Canadians hope to establish a large direct foreign trade by way of the St. Lawrence, to and from the west, exporting wheat by the vessels used in the trade, returning with salt, hardware, glass, crockery, carpets, drugs, dyes, etc., and the estimated value of such imports alone foot up to \$40,000,000. Would not a reduction of tolls on the canal somewhat disarrange this programme?"

They had had that reduction in tolls, and it had disarranged our programme,

and it had decreased the trade in the Welland Canal so far as breadstuffs were concerned; the tonnage was as large as ever, but it was all in heavy goods and not in breadstuffs. The Buffalo Board of Trade said:

"The plan proposed for receiving the trade of the great West by the Canadians is to enlarge the canals around the rapids of the St. Lawrence, and to increase the capacity of the Welland Canal to a degree whereby vessels of large tonnage can pass direct to and from the Upper Lakes."

He (Mr. McCallum) saw, on looking over the Public Works report, mention made of the moneys spent on the River Detroit in removing some rocks in that river; and, to show how well the Americans were aware that they were our competitors at Buffalo, he might mention that they had done no less than pass a vote of thanks to the hon. the Minister of Public Works for his action in the matter. He did not know whether the hon. member (Mr. Mackenzie) was aware that, when he was spending this money, it was directly against the interest of the people of this country and in favour of Buffalo; because it did not look reasonable that we should want 14 feet of water in the Detroit River to enable American vessels to load wheat at Chicago and go to Buffalo, when they could not go into the Welland Canal, drawing 10 feet of water. Further, the expenditure on the canals, especially the Welland Canal had paid, he believed, 1 $\frac{3}{4}$  per cent., and, if the Government would give them 14 feet of water and they could get the trade to go that way, he believed the Welland Canal would pay as a commercial undertaking. It was laid down in 1862 by good authority that the trade of the inland waters of North America was estimated at 50 millions of money, and that for fifteen years the trade going through the Erie Canal by Buffalo was estimated at \$350,000,000. They had the advantage of us because they could use large vessels in the carrying trade. Last year wheat was sent from Chicago to Buffalo at 2c. per bushel. So long as they had two feet of water the advantage of us on the lakes and in their harbours they would get the trade by the Erie Canal

and Hudson River to New York. As to the progress of the work on the Welland Canal, he had a complaint to make against the Government.

Mr. HOLTON: Only one?

Mr. McCALLUM said he had more than one, he had several; but they were not very serious. The principal one was that the Government had not prepared the canal for 14 feet of water. He made these complaints only in a spirit of kindness. He wanted to have the matter attended to a little differently from the way in which it had been done. He believed that the Minister of Public Works had stated, in 1875, that he would have the enlargement of the Welland Canal finished this year. He (Mr. McCallum) had said, in answer to him then, that he would do well if it were finished by 1880. He thought the hon. gentleman was really then referring to that portion of the work from Port Dalhousie to Mallette's Pond. The people were looking to this because the moment the canal was enlarged it would revolutionize the whole of the carrying trade on the inland waters of the country, and so the people were looking to every word spoken by the Minister of Public Works on the subject. He thought that he should be more cautions in his statements than he was last year. So far as the work from Port Dalhousie to Mallatt's Pond, which was above Thorold, was concerned, he believed it was under contract, and he had no fault to find with that work. He believed it would be a credit to the country and to those engaged in it, but at the same time he was exceedingly sorry that the Government did not give that portion of the canal 14 feet of water at once. It could be done 30 per cent. cheaper now than it could be hereafter, and he was satisfied that we would never get the trade of the West until we had 14 feet of water. He admired the tenacity of his hon. friend the First Minister in sticking to anything he undertook, but he would really beg him to consider this matter carefully in the interests of the country. From Mallatt's Pond to Allanburg they were going to make a new cut altogether, and he thought the Government should pre-

pare it for 14 feet because they could do it much more cheaply and easily now than afterwards. They had 14 feet at Port Dalhousie; they were preparing for it at Port Colborne; they were going to build a new aqueduct and were preparing that for 14 feet; they had very little left. He believed the new cut from Mallatt's Pond to Allanburg for 14 feet of water was to cost \$850,000. So far as this rock cutting at Port Colborne was concerned, if they looked at Mr. Page's report they would see that he said in 1870 that it would take more, or as much, to remove the water from the rock as to remove the rock itself. If the Government did not do it now for 14 feet they would have to do it hereafter, as their policy evidently was, if he rightly understood his hon. friend, to make the Welland Canal 14 feet deep. He would quote from Mr. Page's report in 1872, with respect to the expenditure on the feeder. Of course it was intended, in the first place, to allow the business of the canal to go through by the feeder for one continuous year, in order to allow them to do this rock cutting in the summer. That work had been abandoned after spending something like \$150,000; and the work was all completed except about six culverts to be lowered down in order to give two feet more to the feeder. He knew that some members of the House had disapproved of it; but he had never said that this was Mr. Page's fault. Mr. Page was mistaken in this respect. He did not think it was the fault of Mr. Page, but the fault of the Government, who had not sustained Mr. Page in carrying out the work. To save the paltry expense of \$15,000 or \$20,000, two feet of water for 21 miles of navigation was to be lost. He was aware, of course, that this could not be done next summer, but next winter, and if such was the intention he hoped that it would be done at an early day. If they were to receive \$250,000 additional revenue from the canal enlargement, the sooner the work was completed the better it would be. His hon. friend the Minister of Public Works had said they might use the old aqueduct with alterations; but he trusted that the Government would do nothing of the

Mr. McCALLUM.

kind, as it would be only throwing money away. This canal should be prepared for fourteen feet of water. Mr. Page said, in reference to the rock cuttings and improvements on the feeder:

"To enlarge and deepen the rock cut below Port Colborne, will take at least three winters, if confined wholly to winter work, during which time this portion of the canal must be unwatered. This would not, however, interfere with that part of the canal below the junction, as it would, as usual, receive its supply from the feeder.

"In regard to your enquiry as to whether a scheme can be suggested by which a sufficient quantity of water can be introduced into the canal to guard against a scarcity such as was experienced during the past season, I beg to submit, for the consideration of the Department, the following remarks:

"Although the Grand River has failed, in periods of great drought, to afford the full supply for all the requirements of the present canal under existing arrangements, there is, even at these times, a large area of deep water above the dam at Dunville, from which it is quite probable the necessary quantity could be drawn, if the bottom of the feeder were at such a level as would permit of this being done.

"It is therefore proposed to deepen the feeder about two feet from the junction to the Port Maitland Branch at Broad Creek; thence continuing upwards to Dunville, where the additional depth would be fully 18 inches.

"All slips or accumulations found along the lower parts of the banks to be removed—the rank growth of weeds that partially obstruct the channel to be cleared away, and generally all such work done as may be found necessary to secure as free and uniform a flow of water as possible. This, if done, would doubtless afford the means of passing an increased supply at ordinary times; whilst at low water it would admit of a greater relative surface inclination, without materially diminishing the present sectional area, which, at such times, would, of course, greatly augment the flow.

"It is therefore believed that, were this suggestion acted upon, the recurrence of such difficulties as have hitherto been experienced in very dry seasons would, to a great extent, be avoided by a simple and practical remedy, the benefits from which might be secured at a reasonable cost, and without entailing any outlay whatever for future maintenance.

"There is also another advantage that would result from the carrying out of this scheme, the importance of which can scarcely be overrated when viewed in connection with the question of canal enlargement.

"The widening and deepening of the rock cut below Port Colborne is of itself a work that, under the most favourable circumstances, cannot fail to be attended with great difficulties, and these will be very much

greater if the operations are confined solely to the winter months.

"In the latter case the work would have to be unwatered in sections, and the dams constructed for that purpose in the fall must be removed in the spring; at each recommencement of the operations that part of the canal to be proceeded with would have again to be entirely emptied by pumping.

"There is no other means of obviating this than to turn the navigation through the Port Maitland route, as was done when the present works between the junction and Port Colborne were in progress. This, the deepening of the feeder would admit of being carried out, in case the Grand River would supply the necessary volume of water.

"Hitherto there has been, in ordinary wet seasons, an abundance of water for all purposes connected with the present canal, with the feeder as it now is; but were it deepened two feet throughout to Port Maitland Lock, there would be at such times not only the means of admitting the supply, but also of passing vessels of the full dimensions and draught of those in use in the existing canal.

"The arrangements necessary for this purpose under the circumstances above mentioned, it is believed, could be effected without any serious inconvenience to the trade.

"To enable the time to be fixed when the route could be temporarily changed, the height of the Grand River would require to be noted and careful observations made of rain-fall during the early part of the summer which would doubtless enable a tolerably correct opinion to be formed as to when it would be judicious to close the line leading to Port Colborne.

"If a wet season were to occur within two years after the works of enlargement were commenced, and the route could be changed in the early part of July, it might reasonably be concluded that by proper arrangements nearly one year's uninterrupted work on the improvements would be secured.

"This would enable the operations between the junction and Port Colborne to be urged forward more expeditiously, and at less cost, than if they were protracted over a series of winters.

"There is reason to believe that the difficulties which might be anticipated in navigating the comparatively narrow channel of the feeder, would, to a great extent, be obviated by the formation of additional passing places.

"It must be evident that, were this route brought into use for a time, the execution of the new works would be greatly facilitated, and in this way the pressing demands of the trade met at a much earlier period.

"The cost of deepening and cleaning out the feeder as proposed, would be about \$70,000, to which should be added \$20,000 for additional passing places, or in all \$90,000.

"I therefore advise that the necessary authority be obtained for this expenditure, so that arrangements can be made for the commencement of the work immediately after the opening of navigation next spring.

"By adopting this course the benefits to be derived from the improvement will be realized with the least possible delay."

Of course, the work would have to be done in winter, as in summer it would interfere with navigation. He did not think that it could be done in one or two years, but it would take several years; and this would give sufficient time to prepare the balance of the canal for fourteen feet. He was not as much interested in the canal enlargement as the members for Montreal, Kingston, Toronto and Quebec, who were deeply interested in its improvement; and he called upon them—especially those who were Ministerialists—to use their influence with the Government to secure the deepening of the canal to fourteen feet; and he was perfectly certain that, unless this was done, the expectations as to revenue would not be realised. If the Government did not change their policy in this respect, they would live to see that they were wrong, and that their policy was not in the interests of the country. Besides, if the depth was now increased to fourteen feet, the labour could be done 30 per cent. cheaper than would be the case in a few years; and the extra two feet of rock cutting could be done 100 or 200 per cent. cheaper than it could be done if the rock had to be again unwatered. There was every reason that this work should be pushed forward to completion without delay.

Resolution read the second time and agreed to.

Resolutions 133 to 145 (reported April 18th) read the second time and agreed to.

On Resolution 146, for Indians, Quebec, \$2,200,

Mr. LANGEVIN said he hoped that the Government would not forget the present unfortunate condition of the Indians in the Province of Quebec. They were badly in need of additional aid; and they had been deprived of their fishing rights.

Mr. MACKENZIE said that since the recent discussion on the question they had not had time to look into it.

Mr. McCALUM.

He thought, however, that it would be better in the meantime to restore to these Indians their fishing rights.

Resolution read the second time and agreed to.

On Resolution 168, Canada Gazette, \$40,000.

Sir JOHN A. MACDONALD said he wished to call the attention of the First Minister to the report made by the Boundary Commissioners. Major Cameron's report had never been brought down.

Mr. MACKENZIE said that this report had not been made to them but to the Imperial Government. A printed copy had, however, been sent them.

Sir JOHN A. MACDONALD: Have you any objection to bring it down?

Mr. MACKENZIE: Not in the least.

Resolution read the second time and agreed to.

Resolutions 147 to 167 and 169 read the second time and agreed to.

On Resolution 170, unforeseen expenses, \$50,000,

Sir JOHN A. MACDONALD said it was of importance that this vote should be applied simply to expenses which were unforeseen. For instance, the expenses of His Excellency in British Columbia had been charged to this fund. It was known that His Excellency was going to visit that Province and there ought to have been a vote to cover the expense.

Mr. CARTWRIGHT said he felt the general justness of the hon. gentleman's remarks. It was not definitely known that the visit referred to would be made by His Excellency, owing to circumstances which he could not state.

Mr. MILLS said he had found on inquiry that the \$5,000 expended for the British Columbia Indian Commission was taken out of the Indian appropriation for that Province, and not out of the unforeseen expenses as he at first stated.

Resolution read the second time and agreed to.

Resolutions 171 to 186, and 188 to 192 read the second time and agreed to.

On Resolution 193, Post Office, \$1,769,800,

Mr. LANGEVIN asked whether the Government intended to increase the Postal Service between the West Indies and Canada.

Mr. MACKENZIE said the hon. gentleman would remember that two years ago the Government invited tenders for that service, more with a view of ascertaining the practicability of establishing a steamship line—ostensibly to carry the mails. The lowest tender received was \$100,000 per annum, and they felt this was an amount which the country could scarcely afford. Since then the Government had been making inquiries about the trade which might be established with the West India Islands, which was a very difficult one to estimate. Very little of our national products could be established there with advantage. The people of those islands consumed a great deal of grain and flour, which they had been able to obtain cheaper, and in one respect better, from a market much nearer to them than ours. Our flour would not keep in the West Indies; it soured in a short time, and some new process for grinding would have to be adopted before we could trade in that article with the islands. There was also another difficulty. The most lucrative trade would be with Cuba, which was in a chronic state of insurrection, and therefore difficult to have any commercial dealings with. The other islands which were best for the purposes of trade were Havanna and Jamaica. But the whole question was surrounded with a great many difficulties, and while they had not given up the idea of establishing some new trade with the West Indies, the Government did not feel justified in asking for a vote for the purpose just yet.

Mr. JONES (Halifax) said he had no doubt the hon. the Premier had accurately estimated some of the difficulties in opening up a trade with the islands, but the House would admit that if we were to have an increase of trade with that part of the world it could only be done by obtaining more information on the subject. It might not be amiss if, during the recess, the Government would collect information in regard to the articles which could

be exported to the West Indies—the quantity consumed, etc. Last autumn he directed his attention to this subject, and he sent some 30 or 40 circulars to parties in the islands, enclosing a list of 60 or 70 articles of our production, and asking for a return as to the quantities consumed and the season at which they were required. He had received a great many replies, and he would be glad to place the information thus acquired at the disposal of the Government if at any time they thought it would be of service. Of course we could only have a successful trade if we could import in return.

Mr. MACKENZIE said the Government would be glad to get the information the hon. gentleman possessed, and they would endeavour to collect such other information as would perhaps justify some action next Session.

Mr. LANGEVIN said he referred especially to the postal service, which must accompany the trade. If that service was not effected our commercial relations with the islands could not very well be increased. He knew that letters took a month and a month and a half in coming from the West Indies, and he knew of a case of a gentleman in Ottawa whose correspondence from those islands had taken two months to reach him.

Mr. JONES (Halifax): Oh, no.

Mr. LANGEVIN: Perhaps it was sent to England before it came here.

Mr. MACKENZIE: It takes a long time to reach the West Indies, even from New York, as there is only one boat a month.

Mr. JONES (Halifax): Boats are leaving every week.

Mr. LANGEVIN: With a postal service of that kind, we cannot increase our commercial relations with the West Indies. As several of the Gulf steamers have stopped running on account of the railway competition, I think one or two of them might be given a subsidy to run to the West Indies and carry the mails.

Mr. JONES (Halifax) said he did not undervalue the importance of rapid communication with the West Indies.

If a subsidy were granted, the steamers could only go as far as St. Thomas. There was nothing for a steamer to carry on that route excepting the mails, and therefore it could obtain nothing except the Government subsidy, which would not be sufficient. There was a monthly mail from Halifax to the Bermudas, but it was so uncertain that they preferred to send their correspondence *via* the United States. Steamers ran to and from between the West Indies and New York, Charleston, S.C., New Orleans, Philadelphia and Baltimore. Sometimes they could not connect with the mail steamer at St. Thomas.

Mr. FORBES cited an instance where correspondence had been detained at St. Thomas a month. If the steamer from below was late, the other steamer would not wait at St. Thomas to connect.

Mr. DOMVILLE said the whole difficulty lay in the two steamers not connecting at St. Thomas. This happened once a year, and occasionally twice a year. Unless letters were sent to consignees at Philadelphia or Baltimore, they would probably be delayed several months.

Resolution read the second time and agreed to.

#### POWERS OF LOAN COMPANIES BILL.—[BILL No. 114.]

(*Mr Cartwright*).

SECOND READING.

Bill read the second time.

House adjourned at  
Twenty minutes before  
One o'clock.

#### HOUSE OF COMMONS.

*Saturday, 21st April, 1877.*

The Speaker took the Chair at Three o'clock.

#### ORDNANCE AND ADMIRALTY LANDS BILL.—[BILL No. 111.]

(*Mr. Mills.*)

SECOND READING.

Order for second reading read.

**Mr. JONES.**

Mr. MASSON said this Bill gave enormous powers to the Government; it, in fact, put into their hands the disposition of all the lands belonging to the Ordnance, so that they could sell them by private sale to private individuals just as they chose. It was true that the Bill provided that only No. 2 class should be sold, but there was a proviso which made it optional with the Government to take any of the lands from one class and transfer them to the other. There should be some provision to restrict the powers of the Government in that respect, as otherwise they might be subject to pressure to force the sales.

Mr. LANGEVIN said the Bill divided the land into two classes, Nos. 1 and 2. Those in the first class were retained for the country and would not be sold, but the others could be sold the same as other land. All the fortifications and strategic points the Government possessed were included in those lands, and only those not required for military purposes should be disposed of. He thought the classification should take place during recess, and that the list should be submitted to Parliament for approval before any sales were completed. A great principle was involved in this question, and if great care was not exercised a blunder might be made which would be regretted for all time to come.

Mr. BLAKE said power was vested in the Governor in Council to sell a large portion of those lands. This measure would divide them into two classes—one of which would be retained for defensive purposes and the other would be sold. He went a considerable distance with the hon. gentleman (Mr. Langevin) in this matter. There was no doubt that the various forts ought not to be disposed of without the express sanction of Parliament, nor was it to be presumed such a thing would be attempted. They had found it very difficult to make a classification, and it was not possible to prepare a schedule of the two classes which would be made to present to the House this Session; he might say, however, that this would be attended to before next Session. It might be advisable to insert a provision to the effect that any sales made during

recess should not be binding until they were submitted to Parliament. That appeared to be the best plan of giving a certain measure of elasticity, at the same time reserving Parliamentary supervision over the question of policy.

Mr. LANGEVIN said he thought the suggestion of the hon. the Minister of Justice was a good one.

Mr. BARTHE said there were a great many of those lands at Sorel which formed part of the county he represented. He approved of the Bill, as he thought the lands ought to be sold; but he would like to have seen a clause in the measure providing that the sale should be by public auction, except when the land was required for some public purpose, and then the Government should have a certain amount of discretion. It was in the interest of the Government and the public to prevent speculation, and selling lands publicly would prevent anything of that kind. It was also in the interest of the localities that the lands should be sold, as they would pay taxes and so help on the towns.

Mr. MILLS said there would be some difficulty in carrying out the suggestion not to make any sales until sanctioned by Parliament. He would promise to bring down a schedule next Session showing what lands were in the first class and were not to be disposed of by the Government, but to be retained for military purposes. He quite agreed with the hon. member for Sorel (Mr. Barthe) that there should be no private sale, except in a few cases. In some instances, the land was of comparatively little value, and he thought compelling the sale by public auction would not work satisfactorily in regard to such lands.

Sir JOHN A. MACDONALD said he thought that this property, whether of small or of large value, should be sold by public sale. When this property was transferred by Her Majesty's Government to the Government of the old Province of Canada, the Government of the day had always drawn a clear distinction between this property and the other public lands of the Crown. In this regard they had no discretion; the Government were appointed trus-

tees for the sale of the land, and a positive pledge was made by the Canadian to the Imperial Government that these lands should be sold to the best advantage, and that the price obtained should be vested for the support and defence of this country. The hon. gentleman would find that a special account had always been kept of the sale of these lands which were sold on valuation and at the highest possible price. The Government thought that they had no discretion, and that they could allow of no other consideration than that of actual value to intervene. It seemed to him it would be well that the land should be sold, and the Government rendered free from all responsibility in connection with the sale. In their day, and no doubt it was the case now suggestions were made and combinations formed here and there for the purpose of purchasing particular lands.

Mr. MACKENZIE: Such as the Sarnia lands?

Sir JOHN A. MACDONALD said that the hon. gentleman could tell all about the Sarnia lands. He did think that, for the comfort of his hon. friend with respect to these lands, they had better be sold by auction. The small parcels could be advertised with the other parcels, and then they would have no trouble about it.

Mr. HOLTON said he wished to say a word as to the policy of making concessions at nominal prices to municipal bodies or the public in this relation.

Sir JOHN A. MACDONALD: You cannot do that with respect to these lands at all.

Mr. HOLTON said he was entirely opposed to this policy, and for this very simple reason, they had taken over these lands from the Imperial Government in consideration of undertaking certain duties with respect to the defence of the country and the maintenance of the militia. Now the price paid for this land was paid by the whole country. The valuable portions of the lands were chiefly situated within the limits or in the neighbourhood of the principal cities, as Quebec, Montreal, Kingston, Ottawa, Hamilton, Toronto, London, &c., and if these

lands, which were of very considerable value, were to be donated to these communities, the general body of the tax-payers outside of them had to pay the price, and more than their share of it, in the shape of taxation for the maintenance of the militia and the defence of the country. It might be, he thought, fairly assumed that the residents of these cities were in as good a position as the average tax-paying population of the country to meet their own burdens, embellish their own towns, and acquire land for any public purpose whatever; and the policy, therefore, of donating or conceding at mere nominal prices considerable tracts of these Ordnance lands to municipalities was, in his opinion, a vicious one, founded on an erroneous principle, and unjust to the general body of the taxpayers outside of these cities.

Mr. PLUMB said that some of these lands might have a value which was not altogether apparent, such as being desirable for sportsmen, when situated along the shores of the lakes. They, consequently, might command high prices for various reasons. There was a large reserve of some 300 or 400 acres in the town of Niagara; and it was proposed to deal with about 64 acres of it, located at the mouth of the river. It would be, he thought, entirely unadvisable, under any circumstances, even though certain lands might not be very valuable, to sell them by private contract. He hoped that the sales would be left open to public competition, preventing the suspicion that anything unfair could be done by combinations or anything of that character.

*Bill read the second time.*

#### QUEBEC HARBOUR ACT AMENDMENT BILL.—[BILL No. 105.]

(*Mr. Smith, Westmoreland.*)

THIRD READING.

Order for third reading *read*.

Mr. DE ST. GEORGES moved:

“That the Bill be not read the third time, but that it be referred back to the Committee of the Whole with instructions that they have power to amend the same by striking out paragraph 8 of clause 18, and to insert the following instead thereof:—On schooners

Mr. HOLTON.

and barges of from 25 to 100 tons, for each time the vessel uses the Harbour of Quebec, \$1, or on each vessel for the season \$5; on schooners and barges from 100 to 250 tons, \$1 for the first 100 tons, and one cent for each ton over 100 tons, or \$10 per annum.”

Mr. SMITH (Westmoreland) said that he had communicated with the Harbour Commissioners, who were opposed to the amendment. At present, from the vessels referred to in the clause in question, a revenue of \$2,200 was obtained; and the expenses of collection amounted to \$725, leaving \$1,475 of clear revenue. The result, if the amendment were adopted, would be to reduce the revenue by about \$1,000, and as the expenses of collection would be the same, the revenue would be lowered to about \$475.

Mr. MITCHELL said he did not think that they should disturb the arrangements made by the Minister of Marine and Fisheries. If a clear revenue of \$475 was all that would be obtained if the amendment were adopted, he thought that, in that case, these vessels might as well be admitted free. He would oppose the amendment.

Question *put* and amendment *negatived* on a division.

*Bill read the third time and passed.*

#### PROVINCIAL GREAT SEALS

BILL.—[BILL No. 115.]

(*Mr. Blake.*)

THIRD READING.

Mr. BLAKE said he did not propose to go into any lengthened details regarding the Bill, as the correspondence which had been laid on the table itself gave the history of the events that had led to the present difficulty. It would suffice to say that, shortly after Confederation, suggestions or directions were made for seals for the four Provinces as well as for Canada. In the 136th Section of the British North America Act, express provision was made empowering the Lieutenant-Governors of Ontario and Quebec to alter, from time to time, the Great Seals of these Provinces; but no such provision was extended to the Provinces of New Brunswick and Nova Scotia. The matter so stood for a number of years, until the question

was raised in Nova Scotia, in a case before the Courts, as to whether or not the old seal was valid. Upon this question, although the case was disposed of on other grounds, the majority of the Judges of the Supreme Court seemed to have come to the conclusion that the new seal was the proper seal. Much excitement appeared to have been aroused for a time, as, of course, if this proposition was correct, the old seal, which had been used for so many years, was not the Great Seal, and any proceedings held under it would be void. The consequences, under these circumstances, would be serious. It appeared from the papers brought down, that the Local Legislature of Nova Scotia had taken several steps with the view of adjusting the difficulty. Amongst them were two Acts on the subject. The first vested in the Lieutenant-Governor in Council the power to alter the Great Seal; and the other recognized the validity of the Acts executed under the old seal. The third action taken by the Local Legislature was the passage of an address praying the Imperial authorities for power to alter the seal and to validate the acts executed under the old seal. The papers lately laid on the table would show that it was the opinion of the Law Officers of the Crown,—and his own opinion was consonant therewith—that the Local Legislature had power to pass an Act to fix and change from time to time the Great Seal of the Province. It was their opinion, however, that the Dominion Parliament had better pass an Act validating these Acts executed under the old seal, and giving the Lieut.-Governors in Council of Nova Scotia and New Brunswick the same powers in this respect as had been given to the other Provinces of Ontario and Quebec. He did not introduce the Bill without considerable reluctance. He presumed that the opinion of the Law Officers of the Crown was that the Governor-General occupied the same position to the Lieut.-Governor as Her Majesty did to the Governor-General, and that, as Her Majesty had the power to appoint the Great Seal for Canada, so His Excellency the Governor-General might delegate the power to the Lieut. Governors of the Provinces in

Council to appoint the seals for the Provinces. He confessed that it was a serious question whether this Legislature had the right to interfere, and that it would require the strongest possible evidence to show that any of the rights which, unquestionably, belonged to two of the Provinces did not belong to the others. He thought that the intention of the Imperial Act upon the subject was manifestly to place all the Provinces upon the same footing. Owing to the exceptional circumstances under which the Provinces of Nova Scotia and New Brunswick had been created, the recognizing power had been rendered necessary before the Executive Council could be appointed. It would seem, therefore, that the power to alter the Great Seal was rather recognized than given at that time. The power was implied to exist, but the British North American Act, which united them as a part of the Dominion and then disunited them into two Provinces, clearly, in his opinion, gave the respective Lieut.-Governors in Council power to alter the seals. As the Law Officers of the Crown suggested an Act of the Dominion Parliament, validating the acts executed under the old seal, and giving the Lieut.-Governor in Council power to alter the seal, could do no harm, while it might prevent any doubt in judicial proceedings.

Sir JOHN A. MACDONALD said the hon. the Minister of Justice had acted, very properly in bringing down this Bill, as the judicial consequences from any delay or doubt might be very serious. He, therefore, thought that the adoption of the suggestion of the London law office was very judicious. He quite agreed with the interpretation of the British North America Act given by the hon. the Minister of Justice. He had been always of the opinion that the power given to the Lieut.-Governors of Ontario and Quebec had also been given to the Lieut.-Governors of Nova Scotia and New Brunswick. However that might be, it was quite right that this legislation should take place to prevent any mischief.

*Bill read the second time, considered in Committee of the Whole, reported, read the third time and passed.*

## SUPPLY—CONCURRENCE.

On Resolution 48, to meet expenses in connection with the consolidation of the Laws, \$8,000 (reported February 27th),

Mr. BLAKE explained that he proposed to employ for the most laborious part of the work some young practitioners as secretaries, but he had not made any definite arrangements. He had arranged, however, to secure the services of Messrs. McPherson and Langton, who had been engaged on the work of consolidation of the Laws of Ontario. There were many difficulties in the way, and he had had to postpone the work.

Resolution read the second time and agreed to.

## SUPPLY—PACIFIC RAILWAY.

Mr. CARTWRIGHT moved:

“That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply.”

Mr. TUPPER: Mr. Speaker, in rising to make the motion of which I gave notice to the House, I may say, at the outset, that I intend, so far as possible, in the remarks I shall have to make in reference to this very important question, to endeavour to pursue the course which the hon. the First Minister marked out for himself in the observations he addressed to the House on this subject yesterday. He said he intended to deal with the subject, apart from considerations of a party or political character. Now, I am afraid it will not be in my power altogether to pursue that course; but in dealing with a question of such magnitude as the policy of the Government in regard to the great national work of the country, I will confine myself, as much as I can, to a statement of the facts in regard to the course pursued by the Government as they present themselves to my mind, and, so far as may be possible, without drawing into the consideration of the question anything calculated to turn the attention of the House aside from the real merits of the subject under discussion.

Sir JOHN A. MACDONALD.

It is fortunate that, at the outset, both parties are able to agree as to one point—that is, not only to the importance, but, I may add, the necessity of the construction of the Canadian Pacific Railway. The hon. the First Minister has himself, on more than one occasion, given to the House his own emphatic opinion that the construction of this work was a matter of the gravest public necessity. It is quite impossible for any person to look at the position that Canada occupies without arriving at that conclusion. We had obtained possession of a vast and magnificent country—the fertile prairies of the North-West—and it became at once apparent that if that boundless field for cultivation and for settlement, a country in extent and fertility not to be surpassed by any country on the face of the globe were to be utilized and made to subserve the interests of Canada as it ought to subserve them, means of rapid and easy intercommunication between the old and settled portions of Canada and that fertile section of country, the prairies of the North-West should be established as early as possible. Then, when we came to look at the position which British Columbia occupied, the necessity became still greater. The importance of adding British Columbia to the consolidated British North American Provinces comprised in the Dominion of Canada, requires no argument at my hands. It was only necessary to look at the position of British Columbia occupied, extending along a considerable portion of the Pacific coast, and lying in proximity to our neighbours to the south of the line, to see that, if we were to derive the advantages desirable, that if this country was to obtain the consolidation that was necessary, it was certainly necessary that, at as early a period as possible a line of railway should be established from one end of this country to the other, uniting and consolidating it. It was under that impression that the construction of a Canadian Pacific Railway became a part of the policy of the late Government. It is quite true that measures had been suggested, and suggested by parties from that Province, which,

while involving the necessity for the construction of the Canadian Pacific Railway, deferred to a more remote period the accomplishment of the work; but when the Government came to examine and investigate the whole of that question, they came to the conclusion that the most economical mode—the mode most advantageous to the interests of British Columbia, as well as of all Canada—would be to enter upon that work, and, if possible, secure, as far as the means of the country would permit, the construction of that railway as promptly as was possible. A great deal has been said with regard to the arrangements made on that occasion. It would not have been necessary for me at this time to direct the attention of the House for a single instant to the legislation which has taken place, or to the proceedings in Parliament in reference to this question, but for a statement, which, I am sure, was inadvertently made by the hon. the First Minister on a former occasion,—that down to 1873 no scheme for the construction of the Canadian Pacific Railway had been propounded. The House will remember that on the 1st of April, 1871 (and I will only turn to public records in regard to these matters, if hon. gentlemen should question the statement I am making to the House), the address containing the terms of Union between British Columbia and Canada was passed in this House. Hon. members will remember that during the progress of the discussion on the question of the terms upon which British Columbia should be admitted as a part of this Dominion, great exception was taken to the undertaking, that the surveys for the railway should be immediately commenced, vigorously prosecuted and the road itself constructed within ten years. After a good deal of controversy in regard to this matter, the late lamented Sir George Cartier, who was then leading the House in the absence of the right hon. member for Kingston who was then in Washington, with a view to set at rest all doubts on that point, and to remove from the minds of every person any misapprehension or fear that the financial position of the country would be too seriously in-

volved by undertaking to carry out so great a work, moved a resolution defining the terms and limiting distinctly the engagement we were undertaking. That resolution declared that the road should only be constructed as a private undertaking, that all the Government had to do was to provide a grant of money and of land such as the ability of the country would enable it to give, and that the construction of the work should not involve an increase in the rate of taxation. I will read the resolution to the House, in order that its terms may be distinctly understood. It is as follows:—

“That the railway referred to in the Address to Her Majesty, concerning the Union of British Columbia with Canada, adopted by this House on Saturday, the 1st of April, instant, should be constructed and worked by private enterprise and not by the Dominion Government; and that the public aid to be given to secure that undertaking should consist of such liberal grants of land and such subsidy in money or other aid, not unduly pressing on the industries and resources of the Dominion, as the Parliament of Canada shall hereafter determine.”

Now, although a good many points were the subjects of controversy between the two sides of the House between the late Government and hon. gentlemen who were in opposition to that Government, this question was not one of them. The policy propounded in the resolution submitted by Sir George Cartier commended itself not only to the judgment of the supporters of the Government, but to both sides of the House, without a single exception. The only objection taken by hon. gentlemen opposite to the resolution, which seemed to be sufficiently distinct in its terms, was, not any doubt as to the policy proposed, but it was held that the terms were not strong enough in declaring that the road should not be constructed by the Dominion Government; and Mr. Dorion, then a member of this House, moved in amendment to add to the motion, not to alter a word in it to change any part of its terms, the words “and not otherwise.” The object was to make it stronger. We held that the resolution which declared that the railway should not be constructed by the Dominion Government,

but that it should be constructed by a private company, aided by a grant of land and money, was sufficiently strong, and rendered it impossible for any Government, without the express sanction of this House, to endeavour for a single moment to depart from these terms. The hon. the First Minister has characterized the engagement made by the Parliament of Canada, as stated by me to the House, in very strong terms. He has, as will be seen on reference to the debate in 1876, used the following language:—

“Let me say, so far as the work is concerned, that I have always been an advocate of the construction of a railway across the continent, but I have never believed that it was within our means to do it in anything like the period of time within which the hon. gentleman bound Parliament and the country.”

I am glad to be able to establish that point which will be conceded by every one, that the hon. gentleman had always been a strong advocate of the construction of this railway across the continent. So as to the main question regarding the necessity of the work, it will be found that both sides of the House agree. The hon. gentleman continued :

“I believe the bargain was an act of madness—of utter insanity, and an evidence of political incapacity that has had no parallel in this or in any other country, that I am aware of.”

The language contained in that statement is very strong, and it will become my duty in a few moments to turn the attention of the House to the position which the Government occupied on that question, which the hon. gentleman felt himself warranted in characterising as an “act of madness and utter insanity.” It will be remembered that the address passed the House on the 1st day of April, and on the 11th the resolution which I have just read was passed, preventing the Government undertaking to construct the Pacific Railway until they could obtain a private company, who, with such a grant of lands and money as the country could afford, without increasing the taxation of the people, would undertake the work.

MR. TUPPER.

That last clause might, on the surface, seem somewhat unreasonable, but I will call the attention of the House to this fact: That, during the first seven years of Confederation, as the hon. the Finance Minister was able to prove by public documents in London, we had not only carried on liberally the public service, and reduced the rate of taxation \$2,000,000 per annum, but we had also contributed something like \$16,000,000 to capital expenditure, including the sinking fund, causing the reduction of the public debt to that amount from the surplus revenue. If hon. gentlemen will remember that, they will see that it was quite within the power of the Government to undertake the work without increasing the rate of taxation at all. I may be asked “What reason have you to suppose that the prosperity of the country would continue?” In reply, I will ask any hon. member what he believes the result of the accomplishment of the scheme of the late Government would have been in relation to the financial condition of Canada to-day. Suppose the late Government had succeeded in doing that which they endeavoured to accomplish—floating that scheme in London for the construction of the railway upon the terms stated—I would ask any hon. gentleman what the result would have been of bringing such an enormous amount of foreign capital into the country, giving early, complete and rapid communication with the great fertile prairies of the North-West, and pouring an enormous tide of immigrants into that country to become taxpayers with ourselves, and to lighten the burdens which now rest upon our own shoulders. I think that there is not an hon. member in this House who would not be ready to believe that, had it been possible to accomplish what was proposed under this scheme, and to secure the construction of this railway on the terms stated, that the steadily rising tide of Canada’s prosperity would not have stopped, or, at all events, that we should have maintained the position which we then occupied. But I may be told that it was on the first of April that the Address was passed, and that it was not until the 11th that it was

qualified by this resolution. The House must remember that we were not dealing with a foreign Power or with parties who were prepared to take any rigid or technical advantage of the Government; but we were dealing with those who were to be a portion of ourselves, who would have a common interest with ourselves in having the work prosecuted in the way most advantageous to the country, and who would be deeply interested that the financial credit of Canada should not be imperilled, or that any result should follow which would be injurious to the country to which they had irrevocably linked their own fortunes. But I have still more conclusive evidence in relation to that matter. It will be remembered that when the Address was passing the House we had then present in Ottawa some of the delegates from British Columbia, who had been authorized to represent the Province in those negotiations, and prominent among them was Mr. Trutch, the late Lieutenant-Governor of British Columbia. I will trouble the House for a few moments by reading an extract from the speech he made at the banquet provided for his entertainment. He said:—

“We from British Columbia were prepared to accept the amendment of the scheme, and we accordingly proceeded to calculate the time it would probably take to build the railroad, and we agreed upon an estimated period of ten years. If it had been put at twelve or fifteen years, British Columbia would have been just as well satisfied, and if the estimated period had been reduced to eight years, she would scarcely have been better pleased. But some definite period for the completion of this work the *British Columbians* insisted on as a necessary safeguard to our colony in entering into the proposed union. To argue that any other interpretation will be placed upon the railway engagement by British Columbia than that which I have given to you as my construction of it, to argue that she expects it to be carried out in the exact interpretation of the words themselves, regardless of all consequences, is a fallacy which cannot bear the test of common sense.

“The case stands thus: British Columbia is about to enter into a partnership with Canada, and one of the terms of the articles of partnership is, that we are, under the partnership, to construct a railroad upon certain conditions. Is British Columbia going to hold her partner to that which will bring ruin and bankruptcy upon the firm?

Surely you would think us fools indeed, if we adopted such a course. I would protest, and the whole of British Columbia would protest, if the Government proposed to borrow \$100,000,000 or \$150,000,000 to construct this road; running the country into debt, and taxing the people of British Columbia as well as of the rest of the Dominion, to pay the burden of such a debt.”

I will not occupy the time of the House by reading further, but the speech is much longer, and has a great deal more in it to the same purpose. What I have read, however, contains the point of the case. Well, Sir, the Minister of Finance in introducing his Budget Speech in 1874, also alluded to this question; and as a great deal has been said by the First Minister who has used the terms “madness, insanity and utter incapacity” in connection with this act on the part of the late Government, I may, perhaps, be excused for taking up a little of the time of the House in meeting and, I think, disposing of at once and forever, I trust with all reasonable men, any charge based on such terms as those. In referring to this resolution, which qualified this engagement, the Minister of Finance said:

“So very strong was the feeling that it was afterwards determined that a certain resolution should be placed on the Journals of the House, which, indeed, was actually done, and by which it was declared that, although we had committed ourselves to this claim, it was only on condition that the road should be made in a certain fashion, and that no excessive burden should be placed on the resources of the country.”

It would be difficult, Sir, to find language more appropriately or more lucidly conveying exactly what the action of the late Government and of Parliament in this matter had been. He also says:—

“I have also been informed that the British Columbia delegates were themselves assenting parties to this resolution.”

“That, however, I do not know of my own personal knowledge. This I do know, that I myself called the attention of Sir George Cartier, the then Minister of Militia, to this extraordinary provision, asking him if he had communicated it to the Legislature of British Columbia. Some one of the delegates was then sitting near the chair of the Speaker, I am not sure which of them, but I think it was Governor Trutch.”

Sir George Cartier's reply was that :

"There was no need to do so, because the delegates were fully cognizant of the whole matter and were assenting parties thereto. And, although I do not say we can or will dissent from the consequences of our legal obligations, I do say that at any rate the people of British Columbia had very fair notice of what the intention and meaning of this House was when these obligations were undertaken."

I give this, Sir, as the testimony—I will not say of a hostile witness—but of an hon. gentleman, who was disposed himself to criticise, with a great deal of severity, the course which the late Government had pursued in entering into this engagement. Then we had recess at six o'clock, and the hon. gentleman returned at 7.30 o'clock and resumed his speech. He had investigated the matter in the meantime, and he then made some further observations which I will read to the House. He says :

"Before I proceed further, I desire to correct an error that I fell into with regard to the resolution of April, 1871, passed after the treaty with British Columbia was agreed to. I had been under the impression that that resolution declared that the Pacific Railway should be built without unduly increasing the taxation of Canada. The actual text is stronger still. Sir George Cartier moved and Mr. Tilley seconded a resolution setting forth that the railway referred to in the Act concerning the union between British Columbia with Canada, adopted on Saturday, the 1st of April, should be constructed by a company formed of private individuals, and not by the Dominion Government; that the company building it should be assisted by liberal money subsidies and liberal grants of land, provided always, that no increase of the then rate of taxation should hereafter be determined on in consequence."

The hon. gentleman, in revising his speech, has very properly put the words "no increase" in italics, it being the strongest feature of the resolution. The hon. gentleman continued :—

"That, Sir, was the resolution placed upon our Journals on the motion of Sir George E. Cartier, seconded by Mr. Tilley. It was of value for the reason I have alluded to, because it was represented to us at the time it was passed that the delegates from British Columbia were assenting parties thereto."

Mr. TUPPER.

Now, Sir, I think that I am not required to take up much more time on that feature of the subject, but I may say that following up the resolution meeting the engagement which the late Government assumed, and which Parliament assumed in relation to this matter, it became the duty of the Government to bring before the House what they considered a liberal grant of land and a sufficient aid in public money in order to accomplish this work without increasing the rate of taxation; and, Sir, we submitted to the House resolutions which will be found on the 145th page of the Journals of 1872, declaring that this House would grant \$30,000,000 and 50,000,000 acres of land for that work; and we also provided, in addition to this, that the Pembina Branch should be embraced in the resolutions, and should have a subsidy of 20,000 acres of land, and that the branch connecting the line with Lake Superior should have a subsidy of 25,000 acres of land per mile. Now Sir, we may leave the Lake Superior branch out of consideration altogether, for this reason: it was then supposed that it would be absolutely necessary to go north of Lake Nipigon in order to obtain a line at all, but by subsequent surveys it has been found, and on both sides of the House it has been agreed, and both the late and present Governments were quite agreed on the question, that, as matters now stand, whenever the main line is constructed, at whatever time that may be, that a fair, passable line has been found skirting the shores of Lake Superior within some ten miles of Lake Superior, and, therefore, this disposes altogether of this question of branches, with the exception of the Pembina Branch. We therefore committed the House and country distinctly to the undertaking of providing \$30,000,000 and 50,000,000 acres of land for any company found possessed of sufficient means and resources to undertake the construction of that work. The First Minister has again and again referred in very strong terms to the inadequacy of that appropriation; but, Sir, I think I may draw the attention of the House to the fact that we have better evidence than that of any opinion the First Minister is

capable of giving on this question. The First Minister is a gentleman of undoubted talent and ability and of high standing in the country; and although I do not suppose that he is at all wanting in appreciation of his great powers, I am quite certain that he will not himself undertake to put his judgment, on a purely commercial question against the opinions of many other gentlemen who are to be found in the country; and when I tell him that the very ablest men—I am not speaking of gentlemen connected with the late Government or having political sympathies with it—who have shown by their successful commercial enterprises, and by their great financial ability, they had been able to acquire vast fortunes for themselves, thus giving the best evidence to the country of their ability to judge on commercial questions—were most eager to obtain acts of incorporation to enable them to undertake the construction of this work on the terms proposed, when I state that, I shall give the House better evidence than any opinion of the First Minister, that the scheme was not a bad scheme, that there was no insanity in the proceedings, and that, in fact, it was one which at that time and in the light of information then obtained in this country upon this subject, was regarded by the first commercial minds of Canada as an eminently practical scheme. When I give the names of the Hon. Mr. McMaster and the Hon. David Christie and, also the present hon. Minister of Customs, who shows himself possessed of financial ability as far as investing money and the transaction of business goes, I give hon. gentlemen the best evidence that it was not a wild visionary scheme, but that it was a practical scheme which commended itself to the judgments of those best able to form an opinion in relation to it. What were the consequences to the late Government? Was this proposition to give 50,000,000 acres of land and \$30,000,000 in money regarded as utterly inadequate? No; the late Government was destroyed in a desperate struggle between the first commercial men of all parties in Canada to obtain posses-

sion of the Charter on those terms. I do not require to occupy the time longer to show that we were not open to the charge of proposing anything visionary or illusionary. It was a solid substantial project which, if carried out, would have accomplished untold benefits to the country. Hon. gentlemen opposite will all admit that the greatest boon which could be conferred upon Canada would be the construction of the Canadian Pacific Railway upon those terms. They were all agreed upon that. We are all agreed upon the desirability of this work, which would be of such immense advantage to Canada, being secured under the terms which Parliament was induced to grant for that purpose. The scheme was defeated. I am afraid if I were to go into that branch of the question I should be doing what I said I would not do, namely, that I would not say anything that could be understood as directed by party feeling or political sentiment, and that I would not for a single moment divert the attention of the House from the question under consideration. But I believe the time will, if it has not already come, when it will be regarded as the greatest misfortune the country ever suffered that that scheme was defeated, and that hon. gentlemen should have—I am afraid I must say in the interest of party—adopted measures to defeat it, which not only prevented its accomplishment by those who had then undertaken to deal with the work, but had thrown almost insuperable obstacles in the way of their successors or of any other Government. However, it was done, rightly or wrongly, justly or unjustly. The late Government were defeated, and hon. gentlemen opposite were charged with the important duty of governing the country, and one of the greatest and most important duties that devolved upon them was the construction of the Canadian Pacific Railway. I am bound to say that it is deeply to be lamented that party considerations ever entered into this question. It is a question so gigantic in its proportions, and of such enormous interest and importance to the country, that it demanded then, as it demands now,

that party considerations should be left entirely in abeyance; and that men of all parties and of all classes should unite, and endeavour to assist, whoever may be the Government of the day, in any wise or judicious measures that are calculated to accomplish the object. I may not be able to look dispassionately upon questions in which the Government are concerned, but, as far as I am able to do so, it is my desire, as it ought to be of every hon. member of this House and every patriotic man of whatever party, to assist any Government in carrying forward any wise or judicious measures, by which a work so important may become accomplished. And now came the great test of finding out whether hon. gentlemen in power carried out the views they held when in Opposition. Hon. gentlemen were called upon to deal with this question, and I am bound to say, that they have not maintained in power the principles they professed when they sat upon the Opposition benches. I have shown that the hon. Mr. Dorion moved a resolution on the matter, and that the House was unanimous upon the question as to how the road was to be constructed. But, not satisfied with the clear, unqualified declaration that the road was not to be built by the Dominion Government, he wanted to add a "rider" to declare "and not otherwise," so as to make it impossible for the road to be built except by a private company, aided by a grant of land and money from the Government. I think the hon. member for Chateauguay seconded that resolution; but, at all events, I am able to say that the gentlemen sustaining the present First Minister voted a solid and unanimous vote with Mr. Dorion in reference to that question. This gave to the country the most unqualified and solemn pledge that public men can give to a people, that if they obtained power they would carry out the policy to which they had thus committed themselves. The hon. gentleman now at the head of the Government was called upon to form an Administration, and he had to present himself before his constituents. The late Government had, before that, appealed to the country, and their policy had been sus-

tained. The hon. gentleman, when he went before his constituents, without any sanction from the members of the House, without Parliament having been consulted, constructed a new platform and declared his intention of building the road as a Government road. The reason he adduced was that the profits which would go to the contractors under the original scheme would go to the people. I will read the words of the hon. gentleman from the organ of the Government, and an organ which the hon. gentleman will hardly be able to repudiate, because upon the testimony of an hon. member of this House, it was an organ to which he had himself contributed a very large sum of money, in order to buy it over from an Opposition paper into an organ of the Government. I refer to the *Times* of this city, which reported the hon. gentleman as follows:

"It will be the duty, as I think it will be the desire of the Government, to develop any plan by which these results are to be accomplished. \* \* \* Any profit, Sir, that would have come to the share of the company will ultimately fall, under our scheme, to the share of the country. \* \* \* It may be necessary for us to let the work out in contracts, under our own superintendence, but, at any rate, we shall take care that our attention is given to the interests and money of the country."

True to the course the hon. gentleman stated there, he introduced a Bill providing for the construction of this work by the Government, giving the Government power to deal with the whole of this work from end to end as a Government work. The hon. gentleman says that measure passed the House unanimously. He is hardly candid, Sir, in making such a statement to this House, if he means the House and the country to believe that it met the concurrence of all the members of this House. He must remember, or, if matters of too great importance have rendered him forgetful of it, I remember that the Bill was rushed through this House at a late hour of the night, the Government refusing, when the Opposition entreated them to give them more time, to delay it and give time for further consideration. He knows that, under the *Saxby gale*, under the great tidal wave of political

Mr. TUPPER.

excitement which swept over the country in 1874, the Opposition were under great disadvantage; he knows that we were taunted, as, happily, we cannot be taunted now, with being a corporal's guard, and I admit that we were not strong enough to protect the interests of the country as an Opposition is bound to protect them, and as, I am happy to say, we are able to protect them in this House to-day. When the hon. gentleman says, however, it was unanimous, he makes the statement in face of the fact that I myself spoke in my place in the House—spoke much longer, no doubt, than was pleasant to the hon. gentleman and many of his supporters—against the enactment of that measure, and declared that I regarded the undertaking to build this Canadian Pacific Railway by the Government, apart from the policy previously sanctioned by Parliament and the people, as one which could not commend itself to the House, and would be fraught, I was afraid, with disastrous results to the country. There was, at all events, a very strong feeling on the part of the Opposition that the hon. gentleman was taking a step from which he was precluded by his past policy and pledged action in the House, and which, in our judgment, at all events, the public interests did not sanction. But the hon. gentleman also superadded to that the Georgian Bay branch. Let me say a single word in reference to that measure: It is known that I strenuously opposed in this House the proposal for the construction of the Georgian Bay Branch. Why did I oppose it? It was because I regarded the abandonment of the policy of securing at an early day the construction of a direct line of railway from Nipissing to the great prairies of the North-West, as a great misfortune for the people of this country. I regarded carrying a line of railway to a lake which would be frozen six or seven months in the year as involving a large expenditure without the country ever receiving any commensurate advantage. I did not oppose it on its own merits, but in contrast to that route for which I felt the valley of the Ottawa had been intended by nature. If anyone looks at the configuration of this conti-

ment, if anyone looks at the position of this Dominion to-day, if anyone will regard the four millions of Canadians who are settled in this portion of the country, and the great fertile prairies of the North-West that would require the construction of, perhaps, a thousand miles of railway to bring us in connection with them, he must feel that we are throwing away perhaps one of the greatest possible advantages to be derived from the construction of this great national highway, if we adopt any expedient by which we should relegate to the remote future completion of a direct line of railway to the valley of the Ottawa, bringing us the products of the North-West, inhabited, as it would be at no distant date, by millions of intelligent, thrifty, industrious people. But the hon. gentleman felt, Sir, that the construction of the Georgian Bay Branch was a matter of such vital necessity that we could not afford to wait a moment, that, notwithstanding his pledges and all his declarations that parliamentary government required that every appropriation of public money should be first sanctioned by Parliament, he must take *carte blanche* to construct that work without the formality of submitting the contract to Parliament, and he obtained the sanction of his supporters to carry it on in that way, and a large sum of money was placed at his disposal to carry out that policy. And, Sir, his policy embraced the subsidizing of lines of railway both in Ontario and Quebec. A good deal of controversy has arisen as to what he meant by his declaration in his manifesto that he purposed to subsidize lines of railway in Ontario and Quebec to connect the Georgian Bay Branch with the system here. We all know now that the subsidy to the Canada Central is the prominent feature in connection with that policy, but I took the opportunity of asking the hon. gentleman when making his statement in 1874—he was good enough to allow me to interrupt him by asking: "Are you to subsidize one branch or two branches?" Are you to connect with the railways from Toronto as well as with the railways in this section of the country? And his answer was: "Two branches." So whatever policy he may have

adopted afterwards, his policy then was to give subsidies to connect with the Toronto system, as well as with the Ottawa system of railways. I only make allusion to that in passing. But, as I have stated, the matter of the Georgian Bay Branch was considered so pressing and of such vital interest that the hon. gentleman took power to exempt the contract made in regard to it from the control of this House. The hon. gentleman has also undertaken the construction of a railway from Thunder Bay to Red River. I hold that was a contravention of the Act, and I will tell the hon. gentleman briefly why. The Act for the construction of the Canadian Pacific Railway provided that it should be divided into four sections. The Act read :—

“The whole line of the said railway, for the purpose of its construction, shall be divided into four parts; the first section to begin at a point near to and south of Lake Nipissing, and to extend towards the upper or western end of Lake Superior, to a point where it shall intersect the second section hereinafter mentioned.”

Now, where is that point. The hon. gentleman told us yesterday—he did not require to do so, because Mr. Fleming in his report has pointed it out, as will be seen by reference to the 55th page—that it is not the intention that the commencement of the line at Thunder Bay shall be any other than a branch. Mr. Fleming says :—

“A practical route, without excessively heavy works, is reported, establishing the fact that the trunk line from the prairie to the eastern terminus in Ontario may, in the future, be carried in a direct course, without making a detour to Thunder Bay. The line now under construction to Fort William will then constitute a short branch from the main line to the navigation of Lake Superior.”

The hon. gentlemen provided by his Act, by the construction of two branches—the Georgian Bay Branch and the Pembina Branch. That was all; the rest were to be the four sections, and in the Act it is declared that the first section shall run to the point where it intersects the second section running on to Red River. The hon. gentleman told us this would be a branch from Thunder Bay of 25 or 30

miles. Those who have looked at Mr. Fleming's map will see that if anything is to be judged from the configuration of the country from the line traced there that it would be near sixty or seventy miles, certainly much nearer fifty miles than 25 or 30 miles. I hold, therefore, that the hon. gentleman, in departing from the policy to which he was committed by his speech introducing this subject, in which he spoke of Nepigon as the particular point of intersection, has made a mistake, and that the construction of that branch is without authority, and that there is no appropriation of public money which can legally be used for that purpose. The hon. gentleman admitted himself yesterday that the bay where the trunk line would approach Lake Superior near Nepigon Bay, would be easier of access from Sault St. Marie, from the objective point, than Thunder Bay. We all know that very elaborate evidence was submitted in the report of the Chief Engineer to establish the fact that there is no point except Nepigon Bay which would have been equally beneficial to the country, and avoided altogether the construction of this branch or any detour to run in that direction. Therefore, in that respect, the hon. gentleman has acted without law, and constructed what has been done without appropriation from Parliament. But I now come to a much more important feature of the policy of the hon. gentleman than any which I have yet criticised—the terms made by the hon. gentleman with Lord Carnarvon—the solemn treaty entered into between the Government of British Columbia, and binding the Government also to the Imperial Government. I have shown that every step taken by the House up to the change of Government, was taken under the guard provided in the resolution—that the road should be constructed by a private company, aided by grants of land and money; and that all obligations we had incurred in relation to British Columbia or the Imperial Government, or anybody else, were all limited by the open and avowed policy declared by that resolution. I may say that the effect of that resolution could not be better

illustrated than by the fact the hon. gentleman himself, when he found it necessary in his own defence to quote that resolution, quoted it as an unanswerable argument to British Columbia. I will now refer to a Minute of Council passed December 20th, 1875, which says:—

“It must be borne in mind that every step in the negotiations was necessarily predicated upon and subject to the conditions of the resolution of the House of Commons passed in 1871, contemporaneously with the adoption of the Terms of Union with British Columbia, subsequently enacted in the Canadian Pacific Railway Act of 1872, and subsequently enacted, after a large addition had been made to the rate of taxation, in the Canadian Pacific Railway Act of 1874; that the public aid to be given to secure the accomplishment of this undertaking should consist of such ‘liberal grants of land, and such subsidies in money or other aid, not increasing the then rate of taxation, as the Parliament of Canada should thereafter determine.’”

One of the complaints made against the hon. the First Minister is that he is inclined to be an autocrat. One of the complaints is that while courting the sweet voices of the people he spoke of the necessity of a Ministry having the authority of Parliament and the sanction of the people for every important act in which they were engaged but that no sooner did he get the high position which he now fills than he seemed to throw off all Parliamentary restraint, and to regard his own *ipse dixit* and the opinions of the Ministry with which he is associated as the only power to be recognized, or the only one to which he required to pay any attention. The hon. gentleman made an engagement, which will only occupy a moment in reading, and which will be found extended at length at page 511, *Hansard*, 1875. This engagement was made in November, 1876, during the recess of Parliament, after the Session in which he obtained power to deal with the whole question as a Government work, taking it entirely out of the category of a private enterprise. But still we had, as the hon. gentleman admits, re-enacted the clause providing that the work should not be proceeded with any faster than could be done without increasing the existing rate of taxation.

I myself have a strong opinion as to the extent to which that resolution was qualified by the clause the hon. gentleman caused to be inserted in the Act of 1874, and where the terms of the resolution itself was departed from by taking power to construct the railway as a Government work which the resolution required could only be done by a private company. The hon. gentleman engaged to expend two millions per annum in British Columbia and to commence the railway the moment that the surveys were completed, and if the hon. gentleman has determined to spend another year in additional surveys, and surveys with reference to points, as far as the location of the route is concerned, which I stated yesterday, appear to me to be uncalled for—some little consolation for that state of things may, perhaps, be found in the fact that he was bound under those terms and is bound under those terms, to expend two millions per annum on the road immediately on the completion of the surveys in British Columbia, and it was just possible, in the existing state of things, that the hon. gentleman does not feel himself quite prepared to engage in the expenditure of two millions per annum in British Columbia, in the present condition of public affairs. These terms, which are of a very extraordinary character, are detailed substantially as follows:—

“Lastly, that on or before the 31st of December, 1890, the Railway shall be completed and open for traffic from the Pacific seaboard to a point at the West end of Lake Superior, at which it will fall into connection with existing lines of railway through a portion of the United States, and also with the navigation on Canadian waters.”

Now, Sir, the hon. gentleman, as I have stated, first took power to construct this work directly by the Government and then made a solemn binding treaty with British Columbia and the Imperial Government, that by 1890 this work should be constructed and completed from the Pacific coast to the shores of Lake Superior. What is the distance between these points? It is something like, according to the Chief Engineer's statement, 2,022 miles over which the road was to be built;

and the hon. gentleman made this engagement without the slightest qualification or the slightest provision that it was not to increase the existing rate of taxation. He made a binding, solemn treaty, and the good faith of the Government of this country was pledged as far as a Minister—and a Minister has power to pledge it to a great extent—could pledge it without consultation with the House; and, without the knowledge of the House, the hon. gentleman entered into this engagement. In inviting his attention to it I would like to ask him whether the act of the late Government in engaging to subsidise with \$30,000,000 of money and 50,000,000 acres of land a Company to construct the Canadian Pacific Railway, was a madder scheme, a more insane scheme, or a scheme exhibiting greater incapacity than was this scheme proposed by an hon. gentleman holding the views which he did in reference to the character of that work, as stated by himself. Sir, over his own signature previous to the appeal made to the people, he published a manifesto containing the views and opinions of the Government in relation to this matter, and giving his opinion as to the cost of this work. He stated, Sir, in that manifesto, in January, 1874, his views in reference to this work at some considerable length:—

“In the meantime, with a view to obtain a speedy means of communication across the continent, and to facilitate the construction of the railway itself, it will be our policy to utilize the enormous stretches of magnificent water communication which lie between a point not far from the Rocky Mountains and Fort Garry, and between Lake Superior and French River on the Georgian Bay, thus avoiding, for the present, the construction of about 1,300 miles of railway, estimated to cost from sixty to eighty millions of dollars, and rendering the resources of the country available for the prosecution of those links.”

Now, Sir, in this statement, and I shall draw the attention of the House to it by-and-bye, the hon. gentleman estimated the saving of the 600 miles between Nipissing and Nepigon, and between Red River and the remaining 700 miles westward—because these were the water stretches and the only water stretches he covers in his mani-

festos—he estimated that 1,300 miles of railway, 700 miles of it through the prairie region, at from \$60,000,000 to \$80,000,000. That 1,300 miles of this road, and that, not the most unfavourable portion of it, more than half being prairie country, was going to cost between sixty and eighty millions of dollars; and in the face of that declaration, which I presume he would not make without having gone into some calculations with reference to it, the lowest calculation involving an enormous expenditure of money, this engagement was made by the hon. gentleman without any reserve, and without the slightest qualification as to whether the resources of the country would admit of it. Now, as we stood up to that period, we had a safety valve, and a clause exempting the country from being plunged headlong into a ruinous expenditure, but this was all swept away by the hon. gentleman who presented himself to this House with the declaration that this was a binding treaty which he had made, not only with a portion of ourselves, with our fellow citizens in British Columbia, but also with the Imperial Government, which was solemnly called on to take part in the negotiations effecting that arrangement. Now, Sir, I would draw the attention of the House for one moment to this question as one of great importance, because it has involved the most serious charge against the hon. gentleman and his Government that was ever made, or that ever could be made against any Government; it has involved the charge of bad faith. I hold, Sir, that serious as were the financial arrangements and great as were the pecuniary difficulties with which he surrounded this question, that by this arrangement, even that sank into insignificance compared with the question of having the good faith of the Government of Canada challenged, not only by the Province, and the important Province of British Columbia, a portion of ourselves, but also, Sir, broadcast throughout the world, through Great Britain and wherever the name of Canada was known. Up to that hour, Sir, no spot, no stain could rest on the reputation of the Government of Canada with

**Mr. TUPPER.**

relation to any engagement that it had ever made; but, I say that the charge of bad faith was brought against, and has been sustained against, the hon. gentleman, by arguments and by evidence so conclusive as to involve great trouble and great difficulty, I am afraid, on his part, in order to extricate himself from it; and as, Sir, there is no advantage to be gained in concealing from ourselves the true nature of the case, and as it is the painful duty of the surgeon, occasionally, as the first step towards the cure, to probe a wound to the very bottom, I feel myself called upon, for a few moments, to touch upon and examine that most important feature of this question. I may be told that I have had my answers, and that, too, from a very high quarter;—that His Excellency the Governor General, who has the best, and the most intimate means of judging of Ministers, has, in distinct and unqualified terms, exonerated, at all events, the Prime Minister from any charge of bad faith in relation to this matter. I cannot allow that, Sir, to prevent me dealing with the subject, but I shall touch on that point as delicately as possible, as I feel that the distinguished gentleman who rightly enjoys the confidence of the people of this country as few Governor-Generals have done before, that men of all parties, and men of all classes recognize in him a gentleman who has devoted himself, heart and soul, to the best interests of Canada; and because no person will question his entire honesty in making the statement which he did, in reference to this matter. I will not discuss the question, Sir, of its constitutionality; but I say that it is one of the most serious charges against this Government, that they should render it necessary for the representative of the Crown to come down from the exalted position he holds, and take part in the discussion of political questions that agitate the country. Now, Sir, I say that the evidences of the breach of faith that have been raised on the part of the people of British Columbia, have not, in my judgment, been raised without a good deal of foundation. It will be remembered that the hon. gentleman who is

now Minister of Justice, then occupied an independent position in this House, and a very independent position at that moment; put a question on the notice paper. It was a very serious question, and it appears in the Votes and Proceedings on the 4th of March, 1875:—

“Mr. BLAKE—on Monday next—Enquiry of Ministry—Whether the Government intend to propose to Parliament any measure on the subject of the readjustment of the Terms of Union with British Columbia?”

Now, Sir, it is known that the hon. gentleman had, in addition to engaging to construct this railway, the 2,000 miles of railway which the Government had power to build as a Government work, and which, by the period of 1890, he was to have completed, also engaged to add to that, outside of this work altogether, the construction of the road from Nanaimo to Esquimalt, sixty-eight miles of additional road. The Minister of Justice put this significant question on the notice paper, and what was his answer? The answer was given in the true spirit of the autocrat. The hon. gentleman said— but at that time, I suppose, he felt stronger than he did afterwards:—

“With respect to the question raised by my hon. friend from South Bruce, I may say I have nothing to ask from Parliament. We have no authority to obtain, but have merely to communicate this decision and rely upon the House supporting us in accepting the terms that have been made through the intervention, or intermediation, of Lord Carnarvon, and that support, I do not doubt, will be cheerfully accorded.”

So the hon. gentleman had made an unqualified engagement with British Columbia and with the Imperial Parliament, to spend \$2,000,000 per annum in British Columbia—build 68 miles of railway from Nanaimo to Esquimalt, and finish the line from the Pacific to Lake Superior, 2,000 miles, by 1890. Yet his answer was that from Parliament he had nothing to ask. But he altered his mind. Some significant divisions took place in this House. The present Minister of Justice, then sitting on the Independent benches, voted against the hon. gentleman on the Bill for the Nanaimo and Esquimalt Railway; and on a most impor-

tant question, in which the legality of the proceedings of the Government in reference to the Canadian Pacific Railway was involved, the hon. gentleman put on his hat and walked out of the House, accompanied by another gentleman, whose assistance the Government felt it necessary since to obtain on the Treasury benches as Minister of the Interior. The hon. gentleman had, before the Session was far advanced, some pretty strong hints that the position he had assumed, in which he undertook to deal with the most important financial interests of this country, and involving the most onerous obligations—obligations to which anything undertaken by the late Government seemed insignificant—was such that he was not as strong in the support of the House as he had led himself to believe. What occurred? The Bill was passed by this House by a large majority. This Bill provided for building the Esquimalt and Nanaimo Railway in addition to the rest of the Canadian Pacific Railway. I may be told that we contemplated building a road on Vancouver Island. We did. We had fixed upon a terminus at Esquimalt, but every person knows that that did not involve the additional cost of a dollar, as far as the financial resources of the country were concerned. The stipulation required that the parties obtaining the charter of the Pacific Railway should build this road, the subsidy to be the same as far as money was concerned. But the hon. gentleman changed his base. He, who to-day had nothing to ask from Parliament, to-morrow found it convenient to introduce a Bill for the purpose of constructing the Esquimalt and Nanaimo Railway. He passed this Bill through the House despite the opposition of the present Minister of Justice and other leading members of the Opposition. The Bill was lost, however, and significantly lost in the Upper House by the votes of two of the warmest and strongest friends the hon. gentleman had in that branch of the Legislature. I am not going to say that it was lost at the instance of the First Minister, but I may say that his colleagues in the Upper House did not exhibit great enthusiasm in trying to obtain a majority. But the

Mr. TUPPER.

Bill having passed by a considerable majority in this House, was abandoned. This was a case in which the hon. gentleman could say: "The good faith of Canada is pledged; we are bound to the British Columbian and Imperial Governments to carry this out; I ask you to re-affirm the policy." The hon. gentleman could have used those efforts of moral suasion which are always in the power of a leader of the Government. But, no! He abandoned his policy, and an extraordinary occurrence presented itself. The hon. gentleman who was most hostile to the construction of this branch was taken into the Cabinet, as the result of a bargain that this road should be sacrificed. That statement may seem a strong one, but I will sustain it by a speech delivered by the hon. Minister of Justice himself at Walkerton, in which he said that he would not enter the Cabinet until the Government had made up their minds to abandon their policy in this respect. The hon. gentleman said, as reported in the *Globe*:—

"He would now touch upon a question with respect to which he had not been in entire accordance with the gentleman who was conducting the affairs of the country. He referred to the settlement attempted to be made through the Earl of Carnarvon with British Columbia. He had been of opinion that that settlement was more onerous to the country than it was advantageous to agree to, and he was happy to be able to say that, previous to his accepting office, discussions had been entered upon which had resulted in an agreement upon a policy satisfactory to himself. He would not tell them that they might hope for as satisfactory a settlement of the dreadful burden imposed upon them by their predecessors as they would like, but he had every reason to hope that matters would be placed in a more satisfactory position than at one time they could expect they would be."

And what was that policy proposed by the present Minister of Justice? It was to dip their hands into the public treasury of Canada and hand \$750,000 over to the people of British Columbia for local works. The hon. gentleman seemed to think that all that was necessary in case of any embarrassment that such a sum of public money should be paid as might meet the emergency. But the hon. First Minister, who had thus abandoned his policy, said to the people of British Columbia that he was defeated in the Senate, and that the Government were

compelled reluctantly to abandon the construction of the Nanaimo and Esquimalt Railway. My right hon. friend from Kingston and myself supported the Government in that proposition, and we voted for the second reading of the Bill. But when the hon. gentlemen refused to agree that the contracts should be submitted to Parliament, we voted against the third reading, and our friends in the Upper House voted entirely in harmony with us. The great substantial element of the policy of the Government, as arranged with Lord Carnarvon, regarding the construction of the Pacific Railway, was still left intact. Although the Government were not going to build the Nanaimo and Esquimalt Railway, they were to carry out the rest of the terms as to the Pacific Railway. The terms were onerous. I am not surprised that hon. gentlemen began to be alarmed. The hon. gentleman who had said that all the resources of the British Empire could not build the Pacific Railway in ten years had agreed to build 2,022 miles, from the head of Lake Superior to the Pacific Ocean, in thirteen years from this time, that is, by 1890.

Mr. CAUCHON: That is three years more.

Mr. HOLTON: The question is whether it would be easier to do the work by 1890 or 1881.

Mr. TUPPER: I say this: that the obligation on the part of Canada to give certain aid to a company which would find the capital to build the railway, and although the engagement was to finish it in ten years, yet, as has been shown by Mr. Trutch, if it could not be done in the ten years the time would have been extended, provided honest, straightforward and conscientious efforts were made to fulfil the obligation the Government incurred, that obligation was vastly superior, as none knew better than the hon. member for Chateauguay, than that the Government should proceed with the road as a Government work, taking every dollar of the money required from the public exchequer, and by a loan and debt placed on the shoulders of the people of the country build it by 1890. There

is no comparison between the extent of obligation incurred in the two cases.

Mr. HOLTON: The two points are quite distinct. The relative advantage of the two modes of constructing the road, and the possibility of building the road within a given time. The latter was the point to which the hon. member was addressing himself when I ventured to throw across the floor the slight interruption. I say that, whereas, he agreed to finish the road by 1881, my hon. friend the First Minister proposed to build, not the whole but a considerable portion of the line by 1890, and the hon. member for Cumberland was denouncing him for undertaking an impossible task.

Mr. TUPPER: The hon. member for Chateauguay will see this—and he will see it very readily—that the essence of the objection was, there being a time bargain in the first instance. We were told by the delegates that they would not hold us to the ten or twelve years, but that we might have whatever time would reasonably be required in the construction of the work. But the great assault made was that it was a time bargain, although it was made with a portion of ourselves. But here is a bargain to which the Imperial Government became parties, made after hon. gentlemen have had further time for consideration, made to construct that portion of the line which will involve the longest time, viz., through the Cascade range and Rocky Mountains, made without any qualification as to whether the resources of the country will permit it.

Mr. HOLTON: Were the Imperial Government parties to the original engagements? Was it not in the address which formed the basis of union?

Mr. TUPPER: The Imperial Government were parties, in so far as they were willing—for that was all they had to do—that British Columbia and Canada should unite on the terms we had mutually agreed upon. Here is a case in which the Secretary of State for the Colonies had come to accept the position of arbitrator in the carrying out the agreement made between Canada and British Columbia, to which the Imperial Government were parties.

Mr. HOLTON: Was not the ground of that interference of the Imperial Government that they were parties to the original agreement made by hon. gentlemen opposite.

Mr. TUPPER: The colony of British Columbia felt they were entitled to go to the Imperial Government to complain in regard to any violation by Canada of the terms mutually agreed upon. But to return. The main feature of the policy was still left, all except the railway on Vancouver Island. Did the Government maintain good faith as to that? The First Minister came to Parliament and proposed a vote—a moderate vote—to carry on works connected with the railway. What happened? If hon. gentlemen would turn to the *Hansard* for 1876, they will find the record of a very extraordinary procedure. They will find that the hon. First Minister, having become wise in his generation, found that he had committed himself to this unqualified engagement—a point not noticed by many members of the Opposition on the inception of the matter—that his solemn pledge was unrelieved by any action of the Senate, the pledge to construct the road from the shores of the Pacific to the shores of Lake Superior, over two thousand miles, by 1890. What happened when that item came up for the construction of the railway? What did the hon. member for West Middlesex (Mr. Ross) do? That hon. member is not a very recalcitrant supporter of the hon. the First Minister. I will not say he is not an independent member, but among the hon. gentleman's followers he has none more devoted than the hon. member for West Middlesex; there is no hon. member who will make a greater effort to act in accord with the First Minister, and, I believe, the hon. gentleman on more than one occasion showed the hon. the First Minister that he was prepared to make a sacrifice in order to meet his views. What did the hon. member for West Middlesex do? He moved a vote of want of confidence in the Government. We had been voting them the Supplies. We, like a loyal Opposition, had been endeavouring, as far as possible, to promote the interests of the country; but submitting to the fact that we were

Mr. TUPPER

a minority, and must accept the general policy of the Government, and on many occasions vote them larger sums than we thought necessary in the interests of the country, or demanded by the necessity of the case. We recognised the obligation to assist the Government in carrying the Supply Bill. The hon. member for Middlesex, however, moved his vote of want of confidence, refusing to vote one dollar for the construction of the railway until the House had adopted the motion, which was in these terms:

"But, while granting this sum, this House desires to record its view that the arrangements for the construction of the Canadian Pacific Railway shall be such as the resources of the country will permit, without increasing the existing rates of taxation."

The moment that resolution was moved the hon. the First Minister was bound to rise in his place and state that he would sacrifice his position as First Minister before he would accept it, because it involved an act of bad faith, he had made a binding obligation with the Imperial Government and British Columbia, that a certain work should be constructed in a certain time. It was impossible to proceed with the work at all if the resolution were passed. I can show the House that the Government of the day are, in the face of that resolution, violating the constitution by spending one dollar in connection with the railway. What was the state of things when the resolution was passed? It was this: three millions of additional taxes had been levied on the Canadian people, as the hon. the Minister of Justice had stated in one of his speeches; that British Columbia had nothing to complain of, for Parliament had provided three millions of additional taxes for the purpose of constructing the road. The money was all gone, and to say that under these circumstances the Government should not be permitted to spend that vote until they had accepted that resolution, was to say that they should not spend another dollar in connection with the railway. The hon. the First Minister was bound to have thrown himself on the House, not on one side but on both sides, and to have said: "The good faith not of the Government alone, but of Canada, was pledged by the head of the Government to carry

out the railway, and I call on the House to vote down the motion." It is said that the resolution was drafted by a Minister and offered by a Minister to another gentleman in this House a month before, and he refused to move it, and that resolution, moved by the hon. member for West Middlesex (Mr. Ross) was voted for by the Government and all their supporters; and when they did that, they placed themselves in a position from which, I believe, with all their ability and special pleading, they will find it difficult to extricate themselves when arraigned by British Columbia, or by the Colonial Minister, or any person in this country, on the serious charge of having been guilty of bad faith in relation to this matter.

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

### After Recess.

Mr. TUPPER resumed his speech. He said: When the House rose for recess, I was dealing with the position in which the Government were placed by the resolution passed at the close of the last Session, and I had taken the ground that any expenditure made since the passage of that resolution by the Government was not only unconstitutional but illegal—that, in fact, they were bound by the resolution to stop at once any expenditure upon the Canadian Pacific Railway. The resolution which I read provided that the vote for the construction of the road should only be given to them under the obligation that no portion of it could be expended which would involve increasing the existing rate of taxation. Now, what was the position in which the hon. gentlemen found themselves placed the moment that resolution was placed upon the Journals of this House? Three millions of new additional taxation had been imposed upon the people of Canada, and, which was admitted by one of the hon. Ministers to be mainly for the purpose of constructing the railway. Parliament met, and the Government were obliged to admit, as the hon. the Minister of Finance has admitted, during the present Session, that he went to Eng-

land to negotiate the late loan last autumn because it was known that a large deficit existed. Now, the Government have admitted this Session that the deficit was about \$2,000,000, that the \$3,000,000 of additional taxation which was imposed was all expended, and that that being done the ordinary expenditure of the country exceeded the whole revenue by \$1,900,000; and, as an examination of the figures shows, the hon. the Minister of Finance considerably understated the amount of the deficit which existed. The Government have asked the House to impose \$500,000 of additional taxation this year in order to meet the expenditure of the year over the amount which the \$3,600,000 of previous taxes had enabled them to meet. Under these circumstances, I want to know if this resolution is not waste paper, what it means. I want to know how the Government can, without violating the principle of Parliamentary Government, expend a single dollar of public money for the construction of the Canadian Pacific Railroad with the admission of the hon. the Finance Minister that the taxation of the country was increased, must be increased, and that additional taxes must be imposed in order to meet this expenditure—that he was unable to meet the existing cost upon the revenue without new taxation. I say they were completely prohibited and precluded from the expenditure of a single dollar without the violation of the constitution. I have another very grave charge to make against the Administration in relation to this work. Every person who has given the subject any attention knows that, regard it from what point of view you may, the moment you have declared the expediency of constructing the Pacific Railway, the moment you have gone the length that the hon. the First Minister has gone in admitting its absolute necessity, that moment you are bound to adopt every possible means in your power in order to promote the construction of that road. What means have the Government adopted? I shall show the House that from the moment they were placed in the responsible position they occupy, they had steadily, persistently, and enormously exagger-

ated the cost of that work. And what would be the effect of that? The effect of exaggerating the cost would be to prevent any capitalist at home or abroad from investing a dollar, and to compel the Government of the country to find all the money required to be invested in the work. And if I can show the House, as I am confident that I can, that they have steadily exaggerated and done all that they possibly could, in the high positions which they occupy, to deter any person from assisting in the construction of that work, and damaged the financial position of the country by declaring that it had assumed an obligation to construct a work enormous in its cost and unproductive in its results, I think I will show that the Government have pursued a course the most inimical to the interests of the country that can be conceived. The hon. the First Minister gave a proper answer to a question which I put across the floor of the House last night. I asked the estimated cost of the Pacific Railway, and the hon. gentleman gave us some very interesting, and, I may frankly say, some encouraging statements as to the cost of the work. In order to draw out a statement which would be still more encouraging, I asked what the estimate was. His answer was judicious and proper. It was to the effect, that in the position that he occupied, and in relation to the fact that they were about to ask for tenders at no distant day, it would perhaps be unwise for him to commit himself to a statement as to the expenditure it would involve. I regret that that wise and judicious policy was not always pursued by that hon. gentleman. I need not go back to the period of the general election, when the country was made to ring with the most exaggerated statements of the cost of this work, and the intolerable, or to use the expressive language of the hon. the Minister of Justice since he became a member of the Government, the "dreadful burden" that was upon the country. The statements to the country have been precisely of that character, and coming from persons in the position occupied by hon. gentlemen opposite, rendered it impossible to draw a dollar of money

into the service of the country in connection with this work. Now the hon. the Minister of Public Works, in the most authentic manner, over his own signature, in a well and carefully considered manifesto at the general election, estimated the cost of 1,300 miles, of certainly not the most difficult portion, at from \$60,000,000 to \$80,000,000—no portion of this was in the Rocky Mountains of British Columbia. He stated, as I have said, that he proposed to avoid the construction of 1,300 miles of this road, some 600 miles of it from Lake Nepigon and the remaining 700 along the water stretches of the Saskatchewan, saving to the country and avoiding for the present the construction of about 1,300 miles of railway, which was estimated to cost from sixty to eighty millions of dollars. Now, Sir, if 1,300 miles of this road—and certainly not the most difficult portion of it, for we all recognized as being the great difficulty, the line permeating the Cascade range and the Rocky Mountains—would cost from sixty to eighty millions of dollars, I would ask what estimate commercial men, intelligent men and capitalists would form of the amount of money that would be required to construct this 2,000 miles from the Pacific to Lake Superior. Well, Sir, we have that followed up by the statement, quite as authentic, and on a financial question quite as weighty, published as we knew, broadcast, and sent to every part of the country, and not only here, but in Great Britain, by the Hon. Minister of Finance. Some comment I believe, Sir, has been made with reference to the expenditure involved in the publication of the Budget Speeches of the Minister of Finance; but, Sir, I do not intend to raise any question as to the propriety of a document so important as that being widely spread over the country, though I will ask for what reason should you spend a great deal of money when you have a great work like the Canadian Pacific Railway in hand,—in sending abroad and in Great Britain a statement such as that which I am now going to read on this subject from the Budget Speech in 1874, of the Minister of Finance. He said, following up the authentic statement of the First Minister:—

"In order rightly to understand the real nature and extent of the burden we would be required to take upon ourselves, it must be remembered that the lowest estimate for building this road to the Pacific is something over one hundred millions of dollars, and this too on the supposition that a very much longer time would be given for the construction."

"I entertain no doubt that if it were incumbent upon us to push the line through within the time specified (if this were possible), the expense would be enormously increased, and that a moderate estimate would reach one hundred and fifty or one hundred and sixty millions of dollars. Every hon. gentleman who has had experience in these matters know that the cost of construction of a work of this kind is largely enhanced if it be required to carry it to completion in a certain limited time. They well knew, too, that there is great difficulty in carrying such a work through an unprotected country, much of which, looking particularly at two sections of it, is a desert, at least for arable purposes."

"Were we to undertake such a burden as this, I would simply say that our national debt in seven years would be, relatively to our population, just one-third greater than that with which the United States emerged from their great civil war, and, if measured by the rate of interest required, it would be one-third greater than the huge national debt of England."

Now, Sir, the First Minister stated in his manifesto to the country that he hoped, in connection with this work, to be able to attract an immense amount of immigration to the country, and every person who knows anything of this question, the building of the Canadian Pacific Railway, knows that one of the most important features in connection with it is the opportunity its construction would present of bringing a great mass of immigrants into this country; and how admirably are these words of the Finance Minister calculated to bring people into Canada when people throughout the world are told, from so high and so authentic a source as the Minister of Finance of the Government of Canada, that the debt of this country is to become greater than that of the United States when emerging from the civil war, and one-third greater than that of England. In other words he goes on to say:—

"That if we undertake to fulfill this project according to the letter of the law, the burden we would require to ask you to lay upon yourselves for this purpose alone would be equal to a new debt of seven hundred and fifty millions sterling imposed on the people of England."

He is determined, Sir, that they shall understand the enormous taxes

they will have to pay if they venture to come into Canada. He continues:—

"Having regard to population and the rates of interest we would respectively have to pay, for this is an important consideration, were it the pleasure of the House to decide that the Canadian Pacific Railway must be completed in that time, it must also be prepared to take into account the sums required to be borrowed for other public works, and to redeem certain portions of the public debt; and, at a moderate estimate, over \$200,000,000 would be needed for all purposes. In other words, we would be compelled to go to the London market—for this is the only market practically open to us—as borrowers of \$30,000,000 every year for seven successive years. There may be hon. gentlemen in this House who think we would be able to do this; but, if so, I envy them their faith in the future of the Dominion. Now, Sir, I say that such a project, involving such a charge is ludicrously absurd."

Then, Sir, he returned to the subject, and he said:—

"Now, Mr. Chairman, I spoke before the recess at some length upon the extraordinary deficiency arising from the working of the Intercolonial Railway and the other railroads of the Dominion, chiefly in the Maritime Provinces. The deficiencies arising from these sources are reported as likely to amount to the extraordinary sum of about a million and a quarter dollars. I desire to call the special attention of the House to one point which must be clear to every hon. gentleman. These railways ran for the most part through a country which has been settled for the last fifty or sixty years. I cannot refer, of course, to the fact that these railroads entail such an enormous expenditure, without its becoming apparent to the House, that the cost of the maintenance of a railway, nearly 3,000 miles in length, and passing through a country which is almost entirely uninhabited, must be of necessity very much greater. For a very long time, even after the actual construction of this railway, an enormous charge must be levied upon this country in order to keep it in full working order and repair, and this fact must be steadily kept sight of in considering the real character of the project."

So much, Sir, for the manner in which the Minister of Finance endorsed the statements of the First Minister; of course, they are qualified to a certain extent by his speaking of the effect of the construction of that road within a certain time, but the hon. gentleman applied no such limitation to this estimate. He says that the lowest estimate is one hundred millions and yet, Sir, strange to say, these gentlemen—I will not say with madness or with recklessness to use the strictly parliamentary expressions of the First Minister because I wish to confine myself to extremely moderate terms in characterising the acts of the hon. gentleman opposite; I will not use any of these terms, although having such

an authority for them, in connection with this subject, they naturally rise to one's lips; but I do say that these statements were not, in my judgment, calculated to promote the construction of the Canadian Pacific Railway, either by a company or by the Government. In the first place, they would be calculated, in the mind of every commercial man and capitalist abroad, to lead to the conclusion that the construction of the Canada Pacific Railway was one of the maddest and most unquestionable measures that any Government or party ever engaged in; and in the second place, they would lead to the conclusion that the Government that were saddling a country with such a liability, and had undertaken to carry out such an obligation, would be in a position that would render their credit at no distant day, a very doubtful matter. I have given you the statement over the signature of the First Minister and his manifesto to the country; and the endorsement of that by, and the statements of, the Minister of Finance; then, Sir, we come to the introduction of the Act, and hon. gentlemen will remember—because the subject was too important rapidly to fade from recollection—that when the First Minister went, as he was bound to do, into a very exhaustive explanation of what the cost of this work would be, he drew his illustrations from a variety of sources, as to what railways cost in other places, and showed that railways running through a prairie country cost not less than \$48,000 a mile. He told us what the Intercolonial was costing, and he led the House and country to believe that, in his estimate of 1,300 miles, costing from \$60,000 to \$80,000, he was not very far astray. He stated that the country must find all the money. That the project was so hopeless as a commercial undertaking that it was simple madness to look for any assistance from capitalists, and that the people of the country must make up their minds to bear the burden themselves, without any aid from capitalists. He favoured the House with an estimate of the working expenses. He showed that the life of an iron rail was only eight years, a steel rail

Mr. TUPPER.

however lasting some years longer. He undertook to show that when the road was in working order it was hopeless to expect anything like fair returns until millions of people were thrown into the North-West; and he estimated that there would be an annual deficit on the working expense of \$6,000,000 per annum. This was the view hon. gentlemen were putting forward to the country at the very time they were taking power to construct the whole of the road as a Government road, and making a solemn engagement to construct, in 13 years from the present date, some 2,000 miles, and that embracing some of the most difficult portions of the road. I am charging the Government with doing that which, if they could be justly charged with, certainly shows an amount of incapacity in dealing with this matter which was extraordinary. I say that the Government were bound to present it in the most favourable light to the country, especially if they had the most remote idea that the time would come when they would invite capitalists to tender for its construction. Last night the hon. the First Minister gave us the information that 228 miles of the railway from Thunder Bay to English River, and from Selkirk to Keewatin, would be completed and fairly equipped with rolling stock at something like \$24,500 per mile, and that 65 miles from Pembina to Fort Garry had been graded at a cost of \$3,500 per mile, and that this latter amount was to be considered as something like a fair estimate of the prairie sections.

Mr. MACKENZIE: No, no.

Mr. TUPPER: I suppose then that the hon. gentleman intended to confine his estimate to completing the line from Fort Garry to Selkirk?

Mr. MACKENZIE: Yes.

Mr. TUPPER: I understood the hon. gentleman to apply that estimate to the whole of the prairie section. But the country must be exceptionally favourable in that part of the route.

Mr. MACKENZIE: Of course it is.

Mr. TUPPER: But I am certain the House heard with pleasure the hon. gentleman state the amount

of money which practical experience had shown the road could be constructed for, and I would like to ask him, in the light of the experience he has had, whether he is not prepared to revise his statement as to the "insanity" of building the road on a subsidy of \$30,000,000 and 50,000,000 acres of the finest land on which the sun shines on in any part of the world. (Hon. gentlemen: Oh! oh!) Yes, I say you can select by the Pacific Railway Act 50,000,000 acres of the finest land in the world upon which the sun shines. Nothing on the face of the civilized world exceeds it in fertility, and as a grain and grazing country; and I do not think that the hon. the First Minister will be prepared to controvert that statement. At Whitby, in the Riding of South Ontario, the hon. gentleman said we might as well offer \$10 to build the road as \$30,000,000 and 50,000,000 acres of land. This was the language by an hon. gentleman whose every word was weighed, as he now seemed to appreciate. After spending three years in denouncing this undertaking, and exaggerating in every possible and conceivable manner the cost of this work, diminished as had been "the dreadful burden" by the interposition of the Minister of Justice, the *finale* was, that the hon. gentleman was, at the moment he was making the above remarks at Whitby, publishing a notice to capitalists and contractors to be prepared on the 1st January, 1877, to tender for the construction of this road. After undertaking the work as a Government work, and spending large amount of money upon it as such, in constructing some of the least productive portions of the road, after having exhausted all the power the Government possessed, in pointing out the utter impossibility of any person touching this matter, without being involved in the most utter financial ruin, he caps the climax by, adopting the policy of the late Government, publishing notices for tenders to contractors upon the basis of \$10,000 and 20,000 acres of land per mile, or at the rate of \$27,000,000 and 50,000,000 of acres of land, and asks the amount they will take, in addition to that, to build and own and operate the road. The hon. gentleman

mentioned last night to the House; he took us into his confidence so far as to say that there had not much result obtained from that advertisement, that the capitalists of the world did not seem in a hurry to invest their money or their means in the construction of a Pacific Railway for Canada. Is it any wonder, after three years spent by this Government in exaggerating, as the hon. gentleman proved last night, in enormously exaggerating the cost that would be involved by the construction of this work; that when he comes back at last to the policy of his predecessors, the hon. the First Minister finds that what capitalists were eagerly prepared to engage in at a former period, they now shrink from touching. The statements of the hon. the Minister of Finance that this 3,000 miles of unpeopled country, that two sections of this road are two great Saharas, two great deserts from which nothing is to be hoped, could not certainly be expected to cause a great rush of capitalists to construct the Canadian Pacific Railway, and the Government stands to-day charged before the people of Canada with having failed in their duty to the people in their dealing with this question after they had voluntarily assumed this obligation. Instead of saying: "The late Government engaged to give \$30,000,000 and 50,000,000 acres of land to any capitalists who were prepared to construct this road; we are prepared to do that, and to act in good faith, to go thus far but not beyond it," they maintained that it was incumbent upon them to assume that they must carry the work to completion, although they did it with public money and as a public work. I have already told the House that the Government have undertaken to do this under the Railway Act, providing that it should be constructed as under the Public Works Act. It is not to be done by Commissioners, but directly by the Minister of Public Works. I now pass from the general question of the policy of the Government in relation to this matter to the course they have pursued in carrying out that policy. Before going further, I desire to remind the House that these gentlemen were not free to deal in the autocratic matter,

regardless of parliamentary control and popular opinion, that they seem to have imagined and that they certainly have practised. When they were seeking to obtain power, they gave the people of this country to understand the principles which would govern them after they attained power, and prominent among those principles was that which was stated by the Prime Minister in a speech delivered on the 5th July, 1872, in Montreal, the commercial capital of the Dominion. He said :

“The policy of the Liberal Party is to make the parliamentary government supreme, to place the Cabinet directly under the control of Parliament, to take from them all power to use any part of the people's money without a direct vote for each service. I might point out, as an instance of the course the Liberal Party will pursue, that in Ontario, when the Reform Government came into power, they repealed a portion of the Act granting aid to railways, so that all grants had to receive the sanction of the House before a farthing could be paid.”

I could multiply instances in which the hon. gentleman pledged himself to the same principle, and promised that if he was entrusted with the management of public affairs, “parliamentary government should be supreme,” and that no public money should be touched without a direct vote for the purpose. Let us see how, in carrying the law out, the hon. gentleman has succeeded. I may say, further, that, when he introduced the act giving him power to construct this road in the Department of Public Works as a government work, the hon. gentleman renewed the pledge, and told the House that, if they passed the Act—as will be seen by the report of his speech in the *Toronto Globe* newspaper—not a single cent of the people's money should be expended except after a direct vote for the purpose. And, Sir, the House will remember that one of the leading features of the Act was, that no work should be performed on it except under contracts, and that these contracts must be given by public tender. I now come to a very unpleasant feature in connection with the administration of this great question, and that is to the purchase of steel rails; and, I may say at once, that, consistently with what I stated when I rose to-night that I would endeavour to avoid touching any question that would, in the least degree, lead

the House away from the mode in which the Government had dealt with the question, I shall, on the present occasion, carefully abstain from touching anything in reference to this matter except its purely business features, as a transaction for which the House have a right to hold the Ministry directly responsible. Now, the hon. gentleman has brought down a statement of the cost of the steel rails which were purchased without a vote of a dollar being passed by this House. It has been said elsewhere that there was a vote, that before the money was paid a vote was taken. The hon. gentleman knows it is trifling with the intelligence of the country, and I believe I am correct in saying it has never been attempted so to trifle with the intelligence of Parliament as to draw a distinction between a binding contract being made by the Government of Canada, not subject to the vote of Parliament, and the money being paid. The fact that the tenders and the contracts were laid upon the table of the House before the money was paid does not touch the question at all. Had the contracts been made subject to the approval of Parliament, there might have been a difference; but they were absolute, leaving no option to Parliament, without being charged with bad faith in not carrying out an arrangement made by the Government of Canada, and that is an alternative which I am sure the hon. gentleman would not say left it open to the House at all. The hon. gentleman, who had pledged himself that parliamentary government should be supreme; that, if we passed the Act, not a cent should be spent without a vote, startled the House and the country by the statement that he had made contracts, binding contracts on the Government, for the purchase of 50,000 tons of steel rails. We have now ascertained something like the cost of the rails delivered in the country. The return shows the dates of the payments that were made and the charges that were made upon them. I have had the interest carefully calculated. I find, by the return brought down by the Government, that \$2,925,896 was paid for these rails, delivered in Canada, including the

cost of freight and the inspection. The interest on that sum at 5 per cent. would of course be \$146,294. And the meantime at which that interest became payable—because those amounts of money were paid at different dates—but the meantime at which the whole interest became payable was the 5th November, 1875. So that from that moment we have been paying interest amounting, at 5 per cent., to \$146,294 per annum. On the 5th day of May, which will be here in a very few days, we will have a year and a half's interest accumulated, \$219,441. To show the price to which rails have since fallen—I may say that I was prepared to produce testimony of an authentic character on this question, and would have done so if it had been convenient to call the Committee on Public Accounts together—I speak on the authority of a gentleman well qualified to judge, who had made a purchase of steel rails of the best quality, and had them delivered at Prescott Junction during the past year, at a cost of £7 15s. sterling—that is \$37.71 per ton. The freight from Montreal to Prescott I assume to be, and I am told it is within the mark, \$1.71. Deduct that, and you have the cost of the best steel rails that can be made, and by parties who were ready to supply any quantity of rails upon the same terms, at about \$36 per ton, laid down in Montreal. Now, the House will see that 50,000 tons of steel rails and fastenings, laid down in Montreal, cost us, according to the return laid upon the table of the House by the hon. the First Minister himself, \$2,925,896, and the price at which the same description of rails were laid down at Montreal, within the last six months, was \$36 per ton. The cost, therefore, of the 50,000 tons, if purchased within the past six months, instead of when they were purchased, in 1874, and paid for at a mean date of November 5, 1875, and from which date we have been paying interest on the whole sum, would have been \$1,800,000, showing a dead loss on the cost of the rails, compared with what the same quality could be purchased to-day, of nearly a million dollars. Now, add to that the interest payable before they can be used, and

the dead loss to the country in relation to that transaction alone, will exceed a million and a half dollars. I do not, as I said before, intend to touch any question outside the purely business nature of this transaction, because I have abundant ground for the motion I am submitting to the House without introducing any collateral issue; but I must call attention to the fact that, in relation to a part of this purchase, no tenders appear to have been asked. I notice that 5,000 tons were bought without tender, and the freight to Vancouver Island seems to have been arranged on the same private principle and not by tender. This bears on the point I am charging against the Government, that they have systematically violated the binding obligation of the law, and their own repeated pledges, that everything should be done by contract in relation to those works. The charge of \$223,884 for inland transportation must be a mistake, and for this reason: We are told by the Public Accounts, we have been told by the speech of the hon. the First Minister, that it cost \$15 per ton to convey the rails from Duluth to St. Boniface, near Fort Garry. The public documents on the table show that nearly 13,000 tons of rails have been deposited there, and the House will see at once that on that transaction, carrying these rails that portion of the distance by the Red River Transportation Co., must be something in the neighbourhood of \$200,000. I am told that was not done by public tender and contract. Now, Sir, what was the necessity of buying these rails at all. Why should they be purchased? What did the Government want with 50,000 tons of steel rails? We have, in a public document laid on the table of the House, a statement as to the condition in which the Pacific Railway works were at that date; and what do they show? Why, Sir, they show that the contract was made for the first section, from Fort William to Sunshine Creek, a distance of 32½ miles—the line ran originally from Fort William to Shebandowan, but it was afterwards altered—on April the 3rd, 1875; nearly six months after the purchase of these 50,000 tons of steel rails was made, the

first contract requiring their use was entered into; and, Sir, we are told that on the 1st of January, 1877, more than two years after this purchase was made, that 25½ miles, requiring 2,295 tons of the 50,000 are used; and therefore that is all of these 50,000 tons of steel rails purchased at a cost of nearly \$3,000,000 involving an interest of over \$140,000 per annum, which, at the end of this period, these hon. gentlemen with all their anxiety—and I have no doubt that they have pressed these works forward, for they had reason to press them forward as far as it was possible to do so, for the purpose of getting these rails out of sight—yet, with all their efforts, all they have been able to accomplish has been to use 2,295 tons of rails, and that, too, not on a portion of the Pacific Railway, but on a branch, unauthorized by Parliament, and built without the sanction of Parliament or the vote of Parliament. Also, on April 3rd, 1875, they made a contract, from Selkirk to Cross Lake, 77 miles; and on the 7th of June, 1876, they made a contract from Sunshine Creek to English River, 80 miles more. As to both of these contracts, the first have the same date, April 3rd, 1875, from Fort William to Sunshine Creek; and April 3rd, from Selkirk to Cross Lake, 77 miles; and, on the 7th June, 1876, with all the despatch and every effort they could make, they were enabled to put 80 miles more under contract, from Sunshine Creek to English River; and on the 9th of January, 1877, from Cross Lake to Keewatin, so that, at this moment, there are 226 miles under contract, 37 miles of which were put under contract this year, and 80 miles of it only on the 7th of June last; yet, Sir, we have the purchase made, as I say, in November 1874, of no less than three million of dollars worth of steel rails, or 50,000 tons. Now, Sir, I may be told,—but you have failed to credit us with 11,160 tons for the Intercolonial Railway—but I would like to know how they came on the Intercolonial Railway. I stand in the presence of Parliament and I am open to correction, and I ask the attention of my hon. friend from Chateaugay to the point which I am about to make, when I say that there is no graver violation

of constitutional law—there is no graver violation of Parliamentary principle, than the appropriation of the public money, voted for one object, to another; I am open to the correction of the House, if I am right or wrong in that statement; and I say that the Government that would dare to take public money voted for one purpose and apply it to another a thousand miles away from the place for which it was voted, and for which Parliament gave the vote, has violated the Constitution and ignored the fundamental principles of parliamentary Government. I say that the power that Parliament has over the Government of the day, is that sound constitutional maxim which deprives the Government of the power of spending money unless they have the authority of the House for it. I say that grant the principle that you can take 11,000 tons of rails, bought for the Canadian Pacific Railway with a vote for the Canadian Pacific Railway, and take them away and put them to another purpose totally different, and I say that the Government can carry on the government of the country despite the power of Parliament, because it can use any vote for the Canadian Pacific Railway for the ordinary expenses of the country, or for the payment of their own salaries, or for anything of that kind—I am giving perhaps, an extreme illustration, but it is because I want to draw the attention of the House to the matter. It appears that the First Minister, who claimed the confidence of the people over and above all men in this country, because he was going to carry out the principle of parliamentary Government, has become totally oblivious to his duty to the House and his duty to the country in reference to the expenditure of public money. I ask the House if we have ever been asked to authorise a change of that appropriation? I ask the House if any authority was ever given by it to the Government to change a dollar of that appropriation for the Canadian Pacific Railway to the Intercolonial Railway? I am open to the correction, but I am not aware, and I do not believe, that the Government have ever considered it to be their duty to ask Parliament to grant any such authority. If it has

not, then I say, Sir, that one of the gravest charges made in connection with this whole transaction, and which stands against these hon. gentlemen, is undertaking to so deal with public moneys, and appropriating public moneys for purposes for which it was never intended by Parliament and never voted. I wish also to draw the attention of the House to the fact that the hon. gentleman purchased these rails in a falling market. He may say: "I had no knowledge of that," but he cannot say that, because I have under my hand the advice given to him by a gentleman well conversant with these questions, and a gentleman in whom that hon. gentleman has great confidence, in every possible way, of which he has given evidence to the House—I mean, Sir, the Superintendent of the Provincial Railways, Mr. Brydges—made a report to that hon. gentleman, and he used these very significant terms; and this was on the 31st day of October, 1874, at the time when this subject was under consideration. He says, in a letter addressed to Hon. A. Mackenzie, dated 31st October, 1874:—

"There is no doubt whatever, that at the close of 1873 and the beginning of 1874, the steel rail market in England was well known to be in a declining condition, and no prudent man would buy rails at that time unless he actually wanted them for immediate delivery."

Now, Sir, I do not, as I dare say the House knows, always regard that gentleman as a supreme authority. I believe this is pretty well understood; but, I do say that it is not open to the hon. gentleman who leads the House, to take that position because he has confidence in him. He has shown it in every possible way, that one man can show that he has confidence in an individual; and he knew that Mr. Brydges was conversant with this whole question, and he had under his hand that letter at the very time he was entering upon this purchase. Now, Sir, what answer does the hon. gentleman give to the House when he is charged with taking three millions of the public money without the authority of Parliament, and without one dollar of it being voted, and making a binding contract for its expenditure for 50,000 tons of

steel rails, which, at the end of this long period of time, he admits himself it is impossible to apply, and he gives no prospect to the House of being able to use them for long years to come. I have shown the dates when these contracts, which are now under construction, were let, and you know the difficulty of going through a large portion of the country in question, and its remoteness from supplies; and I have shown that with all the public money the Government could spend, and all the pressure the Government could bring to bear, as the Minister of Finance says, in an open and settled country, it has taken seven long years to accomplish the construction of the Intercolonial Railway; and hon. gentlemen will see what time must elapse before it could be possible to use 50,000 tons of rails on the Canadian Pacific Railway. Why, Sir, the Leader of the Ministerialists, a member of the Government in the Upper Branch, says they only expect to be able to get the road through from Thunder Bay to Red River in seven or eight years; and the hon. the Finance Minister admitted last night, or, at all events, recently, that it must be at least four or five years before that portion of the road can be made. And yet these rails are lying and rusting and deteriorating in value quite as much as if they were moderately used.

Mr. MACKENZIE: Oh, nonsense.

Mr. TUPPER: I may be wrong, and I am open to correction. But if it is nonsense, it is nonsense shared in by nearly all experts connected with railway matters in the world. This question of the oxidization of rails had attracted the attention of scientific men generally. It has attracted the attention of scientific men, who had devoted their whole life and great abilities to the question of railways, and there was no more interesting question than this of the oxidization of rails. Some attributed the protection from oxidation to a certain amount of electrical action caused by the passage of the cars over the rails, others held that when the rails were piled up the wet accumulated and the rust was more rapid than otherwise. But the fact remained that rails deteri-

orated more rapidly when piled up than when moderately used.

Mr. MACKENZIE: Would the hon. gentleman name any of these experts.

Mr. TUPPER: I did not suppose that a fact so generally known would be contravened. But I will undertake to look up for the hon. gentleman a very elaborate statement on the subject, which, I trust, will satisfy him. I hear an hon. friend saying that "If the rust don't eat them up the interest will."

Mr. DYMOND: Would the hon. gentleman be able to give us his authorities before he asks us to vote for his motion.

Mr. TUPPER: I think I shall be able to convince, if not to convert, even such an incorrigible supporter of the other side as the hon. member for North York, without my being able to quote that specific authority upon that point; and will give an opportunity to the hon. gentleman to show his independent position. The hon. gentleman says Mr. Fleming advised him. I have no hesitation in saying that I consider the authority of the Chief Engineer, on a great many questions connected with such a work, as quite sufficient to absolve the Minister of Public Works, whoever he may be, from any blame whatever. If the hon. gentleman can show one single line signed by Sandford Fleming to him, stating that at a certain time the road would be in such a state of forwardness as to require a certain amount of rails, however mistaken Mr. Fleming may be, I will at once acquit the First Minister of any blame in the transaction, because he would give the House an authority which any reasonable man would be satisfied with. But I deny that Mr. Fleming is a special authority on this question. There are ten thousand men in this country just as able, and thousands of them more able, to advise the First Minister in relation to a purely commercial and business question, than Mr. Fleming, with all his engineering knowledge. If it was a question in which the hon. gentleman had required Mr. Fleming's professional knowledge, I should say his opinion was sufficient. But we have to remember that all the authority brought here from Mr. Fleming furnished was after the trans-

action was over. And this authority was given incidentally and verbally. This was only a paltry matter of 50,000 tons of rails, an insignificant matter of \$3,000,000, and it was not considered worth a sheet of paper to make a report upon. In passing, the First Minister asked Mr. Fleming, verbally, whether it would be a good thing to secure a large quantity of steel rails.

Mr. MACKENZIE: I never asked anything of the kind.

Mr. TUPPER: So much the worse. Then the hon. gentleman has no right to quote Mr. Fleming on the subject as an authority. But supposing Mr. Fleming had given him, in writing, the most elaborate report, which, however, he did not give, I question the propriety of the hon. gentleman procuring an *ex parte* statement for the purpose of justifying an action for which he himself was responsible. I do not presume to question the strict accuracy of every statement of Mr. Fleming, but I claim that the Government ought not to require from a subordinate officer, however high his position, a justification of acts of which they were responsible themselves alone to Parliament, unless they show that prior to the Act, they had some evidence, in writing, as to the necessity of the transaction. But who would suspect that the First Minister would have justified a transaction of this kind by quoting Mr. Fleming. I can show that he has no confidence in Mr. Fleming's judgment, even in a question where engineering entered largely into consideration. On a question on which he had devoted years of his life, and had expended enormous sums of public money, the hon. the First Minister had treated the report of Mr. Fleming as unworthy the paper on which it was written. A great deal of controversy had arisen in respect to the route of the Intercolonial Railway. Mr. Sandfield Macdonald's Government appointed Mr. Fleming to make an exhaustive survey for the purpose of locating the line of the Intercolonial Railway. That duty was vigorously discharged for years; and afterwards Mr. Fleming was called upon to give his advice. He says on page 84, in a work published by the First Minister and paid for by the country, I presume:

Mr. TUPPER.

"When Mr. Fleming entered upon the survey in 1864, his instructions on this point were very plain. He was not called upon to select what he held to be the most eligible line; indeed, as he read his instructions, he considered it to be his duty to withhold all indications of preference. His own opinions were, however, explicitly and directly expressed, when it became his duty to place them on record. In March, 1868, he was requested by the Government to report on the route he held to be the best. \* \* \* The Chief Engineer, after examining the arguments advanced in favour of each route, placed on record his opinion that, beyond a doubt, the line by the Bay of Chaleurs was the route to be adopted."

And yet, after that declaration, made in a way to carry all the weight of authority Mr. Fleming could throw into any document, the hon. the First Minister treated it then as he treats it now, as so much waste paper, and said that the Government were throwing \$8,000,000 into the sea in adopting the route that the Chief Engineer, after surveying five years, and, when called upon to express his opinion deliberately declared was infinitely the best.

Mr. MILLS: It was your colleague, Mr. Macdougall.

Mr. TUPPER: Mr. Macdougall was never my colleague. I had not that honour. If the honour of the originality of the expression is to be attributed to Mr. Macdougall he has been most servilely copied by a good many hon. gentlemen opposite, with the fact before them that Mr. Fleming had made a report in the most authoritative manner in which it could be made, in favour of that route; and this on a question on which his opinion was certainly entitled to respect. The hon. gentleman has not shown that he consulted any commercial men, though there were some of his friends engaged in the trade, whose disinterested advice, if taken, would have pointed to the fact, as I showed in the House when the transaction was first announced, that an enormous public loss was going to occur to the country in consequence of that ill-advised purchase. We have now the fact that this country is to be saddled with that enormous burden, that the legacy, the monument which the hon. the First Minister would leave behind him, when I trust, at an early day, his monument as Prime Minister will be erected, would be that transaction by which not less than \$75,000

annually for ever out of the public purse was lost to the people. I ask the hon. member for North York (Mr. Dymond), unbelieving as he is, if that is not sufficient ground, without being able to give the authority of an expert, that rails become oxidized by lying on the ground unused, to warrant any independent member in saying that the hon. gentleman has violated the first principles of parliamentary government by expending that money without the authority of the House, and, owing to this ill-advised and unfortunate purchase, he has sunk over a million and a half of dollars of the people's money, never to be recovered, involving an annual charge of \$75,000 on the public treasury. Now, Mr. Speaker, I am glad to leave so unpleasant a subject, because I feel that I cannot deal with it, that I cannot discharge my duty to this House and the country temperately, as I am endeavouring to discharge it, without reflecting not only upon the hon. the First Minister, but upon the Parliament of Canada and the people of this country. I will exculpate the people because, until they have the opportunity of passing their own verdict upon it, we must absolve them from blame, but this Parliament stands before the world and the people of this country as prepared to sustain a Prime Minister who forgets what he owes to Parliament, to his own public declarations and to the laws on the Statute-book in this transaction, independent of the enormous amount of pecuniary loss which has been entailed. I now come to another matter in which the law has been violated in the most direct and glaring manner. I speak of the expenditure of money for the Canada Pacific Railway telegraph. The law provided that a line of electric telegraph shall be constructed in advance of the said railway and branches along the whole extent so soon as practicable after the location of the line should be determined upon. No law could be more easy of construction. It did not require an appeal to the Minister of Justice of the day, the predecessor of the present Minister (we know what his construction of the law would have been), it did not require a reference to

any legal mind to say what the construction of that law was. It became my duty to bring this subject of the Canadian Pacific Railway Telegraph before the House when, in 1875, the hon. the Premier again, in his truly autocratic fashion, stated to the House that he had entered into contracts to the extent of over \$700,000 for the construction of that telegraph line. I directed the attention of the House to the illegality of the proceedings; I challenged the propriety of this work being so carried out, and claimed that it could not be done under the law. My action was followed up by my late lamented friend, Mr. Hillyard Cameron, the member for Cardwell, who joined in that opinion, and the hon. member for Frontenac (Mr. Kirkpatrick) followed by moving a resolution condemning the act as illegal, which was seconded, I think, by the hon. member for Cardwell. The House will remember the short discussion which took place on that occasion, to which I intend briefly to call the attention of the hon. the First Minister. I may state that on November 10th, 1874, a contract was made with Mr. F. Barnard to construct a telegraph line from Cache Creek to Edmonton, 550 miles. That contract required the telegraph to be completed on October 2nd, 1876, and yet, on April 20th, 1877, the hon. the First Minister in his place in this House last night, admitted that he did not know within one hundred or two hundred miles of that point where the Canadian Pacific Railway would go. Yet he made a contract, knowing that he had not a particle of authority in law or a vote from Parliament, to spend one dollar on the construction of a mile of telegraph, except as the railway line may have been located; nevertheless, he made a binding contract with Mr. Barnard, to construct 550 miles of telegraph from Edmonton to Cache Creek, which, according to the hon. gentleman's statement last night, would not be within 200 miles of the point where it is most probable the railway will go.

Mr. MACKENZIE: I did not say a word about that.

Mr. TUPPER: I am open to correc-

Mr. TUPPER.

tion if Fort George is not between 100 and 200 miles from Cache Creek.

Mr. MACKENZIE: I did not say that the road would go to Fort George.

Mr. TUPPER: No. But I will show the hon. gentleman and the House that he had decided that it should go to Fort George; that after the matter was discussed in the House, that after the vote was taken as to the illegality of the proceedings, the present Minister of Justice, the Minister of the Interior and Mr. Justice Moss having refused to vote with the hon. gentleman, that it was not illegal when attacked in his most vital part—those gentleman, including two of the most able legal minds in the House, refused to support him. A few days afterwards the hon. the First Minister telegraphed to Mr. Bernard to stop work, and he endeavoured to transfer the construction of the telegraph from Edmonton to Cache Creek to Fort George, showing he had then decided that was to be the railway line. The contract was not merely for the construction of a telegraph; it was for to aid the construction of a railway as well, because it was given out by the hon. gentleman in his statement in the House that he had contracted with the telegraph constructor to clear the road for 132 feet, which would be so much work done towards the construction of the road itself. Yet all this was done, when the hon. gentleman, according to his own statement last night, confessed he did not know within 200 miles where the road was to be. The hon. gentleman was very much mistaken in the statements he made to the House on that occasion. I will not say more than that, because I do not wish to be supposed to bring a charge of wilful misstatement against the hon. gentleman.

Mr. MACKENZIE: Of course not.

Mr. TUPPER: If I did wish to give it an unpleasant turn, I could submit a great deal of authority for the statement I will lay before the House. I do not wish, however, to be so understood. I know the hon. gentleman's mind is burdened with an enormous amount of work, and one of the reasons why he has so signally failed in administering the important

department of Public Works is because the hon. gentleman is altogether over-weighted in undertaking that which no man, however great his powers can discharge, viz: to fill the position of Premier with efficiency and vigour, and at the same time discharge the laborious and almost overwhelming duties devolving upon any Minister of Public Works. I feel on this, as on other occasions, that the hon. the First Minister cannot carry in his mind all the statements necessary in order to meet charges which may be brought against his Ministry. To-day it is our duty to bring charges against hon. gentlemen opposite. To-morrow, no distant to-morrow, I believe, it will be their duty to criticise our acts, and I trust, when the time comes, that we will be judged in the same lenient and kindly spirit in which I have endeavoured to judge the hon. gentlemen who now occupy the Treasury benches. Well, Sir, the question arose, and it was charged that this contract was made and that the telegraph was being constructed contrary to law, without the authority of law, and in opposition to the Act, because no line had been located. On page 1013 of *Hansard* of 1875, I find the following :

"Hon. Mr. MACKENZIE said the line had been located where the contracts had been let, and he conceived the Government were acting according to law."

I have shown that this contract was let to a point that the hon. gentleman was unable to tell us whether it was on the line or within 200 miles of it; and that is six months after the time fixed for the completion of the contract.

An HON. MEMBER: There is no contract let.

Mr. TUPPER: No, not for the railway; the line is not located. The report proceeds:

"Mr. SCHULTZ said the only portion of the work that had been done was that under contract of the Pacific Railway to be useful in the construction of that work. He wished to know if the route of the railroad had been so far established as to admit of the contract of Messrs. Glass, Sifton & Co., about 23 miles, and that had not been placed where the line was completed by any means. No location had been made then, and so far as he (Mr. Schultz) could understand, no location was intended to be made where that line was put up.

"Hon. Mr. MACKENZIE said the hon. gentleman's statement was incorrect.

"Mr. PLUMB said the line must be put up along the route of the location of the telegraph line, or were the contractors to locate the line for the Government.

"Hon. Mr. MACKENZIE said he had already stated the line was to be put up where the road was to be located (these being the Engineer's instructions based upon his original suggestion) and he did not know that a single mile of telegraph line was being erected anywhere except on the line of the road.

"Mr. KIRKPATRICK asked the Premier if he could tell the House whether the line was erected from Fort Edmonton to Cedar Creek. Unless this had been done, and it was known definitely where the line of railway was to run, the contracts had been improperly given out.

"Hon. Mr. MACKENZIE said these contracts were given out in accordance with the very letter of the Statute, and the House has voted money to carry them out.

On the 31st March this motion was made in the House, and this discussion took place, and there is a very significant commentary on what took place. According to this document brought down and laid upon the table of the House by the Government, the following significant message was sent to the contractor, Mr. Barnard:—

"OTTAWA, 9th April, 1875.

"Discontinue building of telegraph line, British Columbia, under contract with this Department. You will not be called upon to proceed with the work for some months. At what price would you erect telegraph, say forty-five (45) miles from Quesnel on old telegraph trail, clearing twenty (20) feet wide?"

(Signed), "F. BRAUN,  
"Secretary."

So that the gentleman who had a binding contract to finish his work by October, 1876, is told to stop his work, and is coolly asked not to send in a tender in accordance with the provision of the Act that no work shall be done except by open public tender, but to put in a statement as to what he would erect 45 miles of telegraph line for. Mr. Barnard's reply is a very significant one:—

"I had completed 50 miles of the line, with the exception of erecting the poles and attaching the wire (which can be done at a small cost) receiving a certificate for \$8,000, which has been paid."

So that at the time when the House was informed by the hon. gentleman that no work was being done, except where the railway had been located, \$3,000 had been paid to the contractor for work done at a point which it is not known to-day whether it is within 200 miles of the line or not; and Mr.

Barnard shows that he had then involved himself in engagements in trying to fill this Government contract to the extent of \$43,720. The Public Accounts show a payment to Mr. Barnard to the 31st December on this work of \$18,284. Now I think that the most incredulous, the most critical gentlemen on the Government side of the House will have some difficulty in relieving himself from the responsibility of saying that a Government who would thus undertake, in violation of a Statute, to expend money contrary to, and in open defiance of the law, and to involve the country in a large amount of utterly useless expenditure in connection with this work, are not fairly chargeable with being open to public censure. Now, Sir, I have drawn attention of the House to the mode in which the Government have failed in their duty in reference to the purchase of steel rails. I have drawn the attention of the House to the mode in which they have failed in their duty in carrying out the railway in connection with the telegraph line; and I have shown that in both cases a large amount of public money has been sacrificed as well as all Parliamentary practice and principle ignored. I will now briefly turn the attention of the House to the mode in which the Government have carried on the contract for the construction of the Georgian Bay Branch. As I have stated before, they declared that this was a question of such vital urgency and hot haste that they must go forward, notwithstanding the remonstrances of the hon. gentlemen in opposition that no instrumental survey had been made, and that the Government had no means of informing themselves in relation to the nature of country or the character of the work. The hon. gentleman made a contract for the construction of the Georgian Bay Branch. That was in February, 1875, during the time that Parliament was sitting. It would have been better, under the circumstances, considering the extraordinary character of that contract, although he had obtained authority from the House, it would only have been wise to take the House into his confidence before the contract was made. That was not done; nor was the approval of Parliament asked

Mr. TUPPER.

for that contract. I myself put a motion on the paper to condemn the Georgian Bay contract, but the First Minister, by adjourning the House, prevented its being reached. I am not now going to say one word touching the desirability of the work; but one thing is obvious, Sir, that if the work was a mistake, then there is no justification for the step they have taken. If it was a matter of such vital urgency as the First Minister declared to the House, how is he going to justify himself for folding his hands at the end of a couple of years, in relation to this work, which he declared to be so vitally necessary so long ago as November, 1874, two years and a half ago? How did the hon. gentleman discharge his duty to the House and the country in relation to the contract itself. The law was plain. The law declared that he was precluded and prohibited from giving that contract to anybody unless they could satisfy him, and give conclusive evidence, that they possessed a capital of \$4,000 per mile. Now, Sir, I draw the attention of hon. gentlemen to this fact, that the amount I am stating is far below the sum required by law, for this reason: instead of having 85 miles, according to Mr. Foster, it is 105 miles, and, according to Mr. Fleming, it is 103½ miles; a pretty striking illustration, I think, to the House, of the mode in which the Government plunged blindly and contrary to the remonstrances given them from this side of the House, into the undertaking of this contract at all; but I say that there is a law which precludes the Minister of Public Works from letting one mile of that contract until he had satisfied himself that Mr. Foster possessed the capital of \$340,000 according to his own estimate of the distance, under the Act. Now, Sir, what was Mr. Foster's position? The hon. gentleman has been asked, what evidence had you of Mr. Foster's ability to carry on this work; and he was obliged to answer—none; and this with regard to a contract, concerning which the law obliged him to have satisfactory testimony before he let it, that Mr. Foster had a capital of \$340,000; and, that is only an insignificant portion of the capital which was

required. The hon. gentleman did not take any means of ascertaining whether Mr. Foster was worth a single dollar; and we all now know that he was not worth a dollar; and that when the contract was let, it was a matter of notoriety, that he had involved himself by the purchase of the Canada Central Railway. He was then bound to the payment of interest which he could not begin to pay at all; and, in fact, no man in the country stood in a more embarrassed condition than Mr. A. B. Foster at the time when the contract was given him. The following telegram, from a daily paper published a few days since, says:

“The financial storm which has overtaken Hon. A. B. Foster, the railway contractor, is due to the following causes:—In 1871 he bought the rights of Mr. Bolckow in the Brockville and Ottawa and Canada Central Railways, on the understanding that he was to pay a certain sum for them in ten years, and to commence paying instalments of the purchase price at the end of five years.”

I stated it was no secret that he was struggling with difficulties with this gigantic load of debt around his neck, at the very moment when the contract was given him. It further says:

“The price was large, and in addition he bought from Mr. Bolckow a million and a quarter dollars' worth of iron rails, which he never paid for. The price of the interest in the railways and rails was over two million dollars. He has paid some small amount of interest on the railway purchases, but nothing on the rails. The railway companies have also instituted several suits against Mr. Foster in Ontario, and proceedings have been taken to foreclose on the bonds held by Mr. Bolckow. Several bills of defendant's now running have not yet been sued on. Messrs. O'Halloran, Q.C., and Edward Carter, Q.C., counsel for Mr. Foster, are contesting the writ of attachment on the ground that the affidavit is irregular and insufficient, and also upon the merits charging that the Brockville and Ottawa Railway Company, plaintiffs, have no claims whatever against Mr. Foster. The contestation was presented at Sweetbary to-day.”

Now, I say, Sir, that the First Minister is called upon to justify himself to this House, and say why he let this contract in the face of the law, and contrary to law, ignoring all its provisions, and treating Parliament as if they were his creatures instead of being what Parliament always ought to be, the masters of the Government of the day. Parliament always should hold the position of requiring the Government to fulfil the law, or vacate the position that such non-fulfilment shows that

they are not worthy to fill; and I say that the hon. gentleman has to justify himself to this House, under these circumstances, for making this enormous contract with Mr. Foster, and making a contract to build a line of railway which they did not know the length of within 20 miles at the time; and upon which no survey had been made, and concerning which no estimate had been prepared. The hon. gentleman violated the law if he has built this work under the Public Works' Act. What does this Act say? It declares that:

“It shall be the duty of the Chief Engineer to prepare maps, plans and estimates for all public works, which are about to be constructed or repaired by the Department.”

And yet, Sir, without a plan, without an estimate, without anything whatever, without even a recommendation from the Chief Engineer, this work is entered upon; and that without a survey, without the slightest means being taken to ascertain what ought to be done with reference to a work which was considered of such vital importance that it must be rushed through without Parliament having permission to pass on the contract at all. It was thus undertaken, and a binding contract made by the Government. Well, Sir, that law also was violated; and where are we to-day? Why, to-day we are told that \$41,000 of public money have been paid. Why paid? How paid? Upon a certificate of the Chief Engineer? The hon. gentleman has never received such a certificate. The Chief Engineer of the Canadian Pacific Railway never signed a certificate for a dollar of this \$41,000; and, Sir, it was not only paid without such a certificate, but also without proper vouchers. Read the document brought down in relation to this matter! Let the attention of this House be drawn for a moment to the paper—the extraordinary paper laid on the table of the House in connection with this most extraordinary contract, and what will it show? Why, Sir, it will show that we have \$41,000 paid on the Georgian Bay contract. It will show, Sir, that we have the contract cancelled; and, Sir, this most extraordinary document will show the mode in which the public work is

carried on. I think that this document will hold a very remarkable position. On November 27th Mr. Foster says:

"We will have the profile of the Canada Central Railway in readiness to submit to the Department in the course of three or four weeks, and the remainder to French River in about two months."

On the 20th December he asks for important modifications. On December 23rd Mr. Fleming advises an extension of time for one year, and that the substitution of 26 miles of navigation would be reasonable. On the 8th of February Mr. Foster says, that his total outlay amounted to \$63,000. On the 9th of February, Mr. Fleming says:

"That the proportion payable on an expenditure of \$38,864 would be \$9,716, less 15 per cent. to be retained under the 9th section of the contract."

One would suppose that the Government would respect a declaration of that kind from the Chief Engineer, but it appears that this was not the case. It seems that the hon. Minister of Public Works, as I stated before, delights in showing Parliament that he recognizes no authority here or anywhere else, and that anything contained in the Statute-book, or any respect for Parliament is not worth a moment's consideration. On the 28th February a Minute of Council was passed on the recommendation of the Minister of Public Works, advising that this contract be cancelled, and that the \$83,000 which the law required should be deposited as a security for the fulfilment of the contract, should be returned. This deposit belonged to the people of Canada, and it ought not to have been returned, without the sanction of Parliament, to Mr. Foster. That Minute of Council said that:—

"The amount claimed by Mr. Foster to the 1st instant is \$38,862.28, \$20,000 of which may be safely paid."

On the 28th of April, Mr. Fleming says:

"I find by the accounts furnished by Mr. Foster, that there are only receipts for about \$20,000. Accordingly, I would advise that he be called upon to furnish complete vouchers, and that the whole be placed in the Audit Department for examination."

I think that this was a very reasonable and very practical suggestion, and in this the House will quite agree with me.

Mr. TUPPER.

But instead of that being done, instead of the suggestion of the Chief Engineer being carried out—although the First Minister is so ready to fall back on that gentleman to support himself whenever he can do so—it appears it was treated with contempt, and the answer is an Order in Council dated the 6th May, recommending the payment of \$36,838.15, and that the balance on the \$50,996, the total sum claimed, be paid on the production of vouchers, and this was done, although Mr. Fleming had shown that only \$9,716, less 15 per cent., could be paid under the contract.

Mr. MACKENZIE: When did Mr. Fleming say that? Mr. Fleming said in his letter dated February 9th:

"The proportion, therefore, payable on an expenditure of \$38,864.28 would be \$9,716.07 less 15 per cent. to be retained under the 9th section of the contract."

The difficulty of readily finding these three statements is, that the return is put together in the most extraordinary manner: one half is backwards, and the other half, I was going to say, is upside-down. In the Order of Council, of the 28th of April, Mr. Fleming says:

"I find, of the accounts furnished by Mr. Foster, there are only receipts for about \$20,000. Accordingly I would advise that he be called upon to furnish complete vouchers, and that the whole be placed in the Audit Department for examination."

On the 6th of May, a few days afterwards, without any such audit, the Minister of Public Works recommends that \$36,838.15 be paid, deducting the sum of \$20,000 already paid.

Mr. MACKENZIE: That is not the balance of \$50,000.

Mr. TUPPER: He further recommends that he be authorized to pay the remaining accounts to an extent not exceeding in the whole the said sum of "\$50,966.27, as soon as such vouchers are presented as shall be satisfactory."

Mr. MACKENZIE: Does the hon. gentleman call that a balance?

Mr. TUPPER: I said the balance on \$50,000—that is, the balance remaining on \$50,000. The hon. gentleman misunderstood me.

Mr. MACKENZIE: I did not understand the hon. gentleman. He

said there was a balance of \$50,000, and when I called for him to show where that balance was stated he looked for it but could not find it. Now he makes out that he did not mean that. The amount referred to is made up of the following items:—Buildings, &c., at mouth of French River, \$9,494.83; survey, 31,838.15; head office expenses and fees to consulting engineer, \$5,000; contingent expenses at ten per cent., \$4,633; total, \$50,966.27. So that instead of there being a balance of \$50,000, that is the sum total of the claim of Mr. Foster, and which the Ministers recommended should be paid as soon as such vouchers were presented as were satisfactory, first as to the character and usefulness of the work at French River; and, secondly, the actual payment of the several sums for purposes defined in the Order in Council of February the 5th, 1876.

Mr. TUPPER: If the hon. gentleman understood me to say there was a balance of \$50,000, after the \$36,838 were paid, he misunderstood me. I meant that the value, \$50,966, was the whole amount claimed by Mr. Foster. I do not want to detain the House while I read the whole amended Order in Council. I said that Mr. Fleming stated that he could only find receipts for \$20,000; and that Mr. Fleming advised that Mr. Foster be called upon to furnish complete vouchers, and that the whole be placed in the Audit Department for examination; but, instead of that, as far as any evidence given to the House shows, no such audit took place. The hon. the Minister of Public Works recommended that \$36,838.15 be paid, and also that the balance on \$50,966.27 be paid on production of vouchers. I trust I have made myself clear to the hon. gentleman. It does not require the slightest exaggeration in order to make the case sufficiently strong, as I think I have convinced the hon. gentleman. We come now to the case of the Canada Central Railway. I have shown to the House the mode in which Mr. Foster is dealt with. That a contract is made with him without his showing that he had sufficient capital to carry it out; that he entered upon the work; and that he got a certain amount for that work.

And if the House wants to know more as to the character of that work, it can refer to Mr. Ridout, who had been appointed by the Government in charge of that work, and who, a short time before these payments were made, gave a most remarkable history of the mode in which the work was proceeded with. On the 22nd of Nov., Mr. Ridout, who had been sent to examine the work, says that Mr. Foster's engineer, Mr. Harris, was unable afford him any positive information of the result of their surveys so far as made, having only in his office a few rough pieces of profiles and maps of portions of the early surveys in a very unfinished state, no proper profiles or map having as yet been made. If the House will turn to the Journals for 1875, they will find the terms on which the Government was authorized by this House to make a contract in relation to the Canada Central. What were they?—

“That the Company shall, within one month from the ratification of this Order in Council, by the House of Commons, satisfy the Minister of Public Works that they have entered into a *bona fide* contract or contracts for the building of the railway, and have provided sufficient means, with the Government bonus, to secure the completion of the line on or before the 1st day of January, 1877, and also that the company shall, from the date of such contracts, make continuously such progress as will justify the hope of the completion of the line within the time mentioned.”

Now, there is the basis on which the Government alone could make a contract, and the terms upon which alone they could make any payment. In the first instance I want to know with whom they made the contract? They are obliged by law, they are compelled by the action of the House to ascertain that this Company have sufficient means with that bonus to complete the work by the 1st January, 1877, and they are only permitted by their Order in Council to make a contract with parties who proved beyond peradventure they had the means. Whom did they make it with? They made it with Mr. A. B. Foster, not content with giving the contract for the Georgian Bay Branch, in which they were required by law to have proof that he had a capital of \$340,000. They gave another contract for the Canada Central to the same man with-

out the slightest evidence that he possessed a single dollar, or had the means of doing anything whatever. It is then apparent that this contract was made in the teeth of the Order in Council with a party that the Order in Council excludes from making such contract at all, limiting, as it does, the payment to a person who had made the contract and was not making such continuous progress as would complete it within the time. Yet \$68,000 of the public money of the country has been paid over to this Mr. A. B. Foster, in violation of the express terms of the act of this House, and without the evidence that he was doing anything at all except these imperfect surveys, which are treated with much contempt by the Government Engineer who was sent up to see what he was doing and on what pretext he was claiming to be paid. He was paid all the money he professed to have expended on his surveys, and that without vouchers or audit; without the authority of law, and in opposition to express terms of his contract, then he was paid \$68,000 on the pretext that he had deposited a lot of iron rails somewhere. The line is not located, the surveys have not been finished according to Mr. Fleming's statement and Mr. Ridout's statement. No one knows where the line is to begin, whether twenty miles from Renfrew or not, because the estimated eighty-five miles from Burnt Lake to the Georgian Bay, turned out to be 105 miles; so that from the vicinity of Douglas to Burnt Lake it would not, probably, be 140 miles if the same in accurate estimate was made. So they do not know if these rails, what few are left of them, are now within twenty miles of where the line was to commence. These iron rails were shown to be of the most worthless character, but they were valued by Mr. Foster, during the past season, at \$48 a ton and he was paid \$68,000 on them at that rate. That is not the worst, it will probably turn out that these rails are owned by parties in England, but if they are of no more value than we have reason to suppose, it is of very little consequence what became of them. It is said that what were used for ballasting were worn out, they

were so utterly worthless. After Mr. Foster is paid \$68,000 in violation of the law, in violation of the Order in Council, which required him to be going on continuously with the work and showing that he could complete this contract, he coolly asked the loan of 100 tons of those rails; and this good-natured Government, this Government which seems to be owned by Mr. Foster, say very well, but you must deposit some security, so he deposited some South Eastern Railway bonds; and when we asked the First Minister, who had no more authority to take and lend that 100 tons of rails than to lend money out of the Treasury, after paying more than twice as much as they were worth, what security did you get?—he says South Eastern Railway bonds. We asked if he knew whether they are worth anything; No! he says he is unable to say that they can be sold at all, and I believe for the best reason, that they have, as far as I can ascertain, no marketable value. Then, Sir, when gentlemen in opposition, patient and enduring as we are, ready to pass over almost anything that is not of such a grave nature as to compel us to do our duty to the country, when we call attention to it, and it is a matter of investigation what turns out to be the fact? Why that instead of 100 tons being gone, there are 227 tons gone, and without any authority, without any security, without any pretence, without even the formality of asking for the last 127 tons. I do the Government the justice to say that I believe they were ignorant of the fact; that this property which had been paid for, that this property which belonged to the country was being used by Mr. Foster as if it was his own private property. That is the condition of things on which I think we are justified in asking the House to say it cannot agree to endorse the policy of the Government, or the mode in which the Canadian Pacific Railway has been carried out. I must say something about a most remarkable transaction, that is, a report brought down, I believe, to the Senate—at all events, it is a public document—showing what is going on at the interesting section of the country called

Mr. TUPPER.

“Thunder Bay.” I said before, that I would carefully guard myself against using a word or throwing out insinuations which might be construed into a personal assault or anything outside of the necessary criticism of this work as a public transaction.

Mr. MACKENZIE: Do not spare yourself.

Mr. TUPPER: I wish I could be spared, I believe the Minister of Public Works—unlike me—is incapable of appreciating the pain it gives me to be compelled to criticise the conduct of any public man as my duty obliges me to criticise his. If he knew the pleasure it gave me to say, as I did two years ago, that I believed there was no man in this country better able to fill the office of Minister of Public Works than himself, he would appreciate the pain with which I am now forced to admit that I was no prophet, and that the administration of his department has obliged me to reconsider that compliment which I was so happy to be able to bestow, in this House, upon the hon. gentleman. But Sir, I have shown that this railway line was taken down there, and this branch commenced without the authority of Parliament. There is no law for the construction of the Thunder Bay branch. We have been told that this is an economical Government. Well, we have had a specimen of their economy in this connection. But when I tell the House that the Return brought down shows that over \$51,000 have been paid for about a mile of right of way at Kaministiquia, that wild and unsettled country, they can form some conception of how the Government are expending the public money. Here is a country which has been described—and I need not describe again—by the hon. the Minister of Finance as a road running through an unpeopled desert, and which \$51,000 would almost have bought the fee simple of a few years ago. No doubt the value of property has risen from the fact of the Government locating the road there, but it is an important question for discussion, why it should have gone to that point instead of to Prince Arthur's Landing, or why it should have gone to a place which lengthens the road.

Mr. MACKENZIE: It shortens the road.

Mr. TUPPER: Any person looking at the map distributed to the House, will find that the one line is curved, and the other almost direct. But I believe I am right in saying that private enterprise is building a line to Prince Arthur's Landing, and that the Government of Ontario have subsidized the line to the extent of \$2,000 per mile to make this connection. I believe that returns brought down to the House proves that Mr. Ballairge has shown that there are forty-three days more of navigation to Prince Arthur's Landing than to the point where the Government are making the terminus of the line. I am now quoting from the report brought down by the Government. Mr. Ballairge is a gentleman of high attainments, a gentleman who has been long in the Public Works Department, and who was sent up specially to examine into this question, and this is his report. It may be worthy the consideration of the House or it may be not.

Mr. MACKENZIE: It cannot be correct.

Mr. TUPPER: If the hon. gentleman says it is not correct he is correcting his own return submitted on the authority of his own Engineer. I do not want to detain the House, and will, therefore, pass over that without taking time to turn over authorities; but whenever the accuracy of any statement I make is challenged, I think I shall be just as likely to give as decisive testimony as I have given now.

Mr. MACKENZIE: Where is that report?

Mr. TUPPER: It is the report relating to the Port Francis Locks or Canal.

Mr. MACKENZIE: Perhaps the hon. gentleman will allow me to correct him, because I do not think he deliberately intended to mislead the House. The date the hon. gentleman quoted has no reference to the river or Thunder Bay at all; it is the chain of lakes away in the interior, 200 miles from this.

Mr. TUPPER: I will show the House that if any person is to blame it is the one who made the report. The hon. gentleman calls Kaministiquia the present terminus of the Canadian Pacific Railway, and I assumed, as this return says: "River Kaministiquia, the present terminus of the Canadian Pacific Railway," and puts the words: "opening 25th May, and closing 20th October opposite," that it applied to the Canadian Pacific Railway.

Mr. MACKENZIE: The figures are not opposite.

Mr. TUPPER: The hon. gentleman will see if I am inaccurate in the statement that inaccuracy has followed the extraordinary way in which this return has described the terminus. Mr. Ballairge has put down navigation as opening on the 25th May and closing on the 26th October. He may not have meant that, but it is certainly calculated to give that impression, and I am glad the hon. gentleman has called my attention to it.

Mr. MACKENZIE: The return will not read that way at all.

Mr. TUPPER: I read it in that way, and I am glad if there is any error, that the hon. gentleman has drawn attention to it because I can assure him I am most anxious to avoid the slightest error of statement in criticizing these matters. But at all events, there is a considerable difference between the opening and closing of navigation at the two points.

Mr. MACKENZIE: No.

Mr. TUPPER: Why, even the hon. gentleman's own correction admits considerable difference, and when we take into consideration, Sir, the fact, we are building 400 miles of railway from Thunder Bay to the Red River, and that we are going to this enormous expenditure of public money for the construction of a road that is to be practically useless for something like at least six months in the year, it does become important, Sir, even to the extent of a few days as to the opening of navigation; but, Sir, I did not propose to discuss whether an error had been made or not in the selection of one point or the other; but I want to draw the attention of the House

to this point, the amount paid for the right of way at Kaministiquia. Now, Sir, it is perfectly obvious that the location of a railway enormously increases the value of land; but I deny that speculators—and these people are declared to be speculators; it is so stated in this document which has been brought down by the Government—and persons who have gone in to purchase land on speculation at a mere nominal figure, have a right to be paid by the Government the increased value of their land owing to the location of the railway there. When the Intercolonial Railway was located, the principle observed by the Government and by the Commissioners in the payment for right of way, was the rational principle of paying the amount that the land would have been worth if the railroad had not been located there, because it is perfectly obvious that this was all the parties owning it were entitled to.

Mr. BOWELL: That is all the Act allowed.

Mr. TUPPER: Yes; that is all the Act allowed; and all it ought to allow, because it is perfectly apparent that the Government would pay, otherwise, twice the increased value of the land and that when the parties are in most instances only too glad to give the right of way. It is true that this appears on the papers to have been a town, but it was a town without any houses. I believe that after they made up their minds to sell to the Government, a rough shanty was erected on it to give it additional value, but all the streets and everything else about it existed only on paper and in the imagination of these wise and prudent speculators who managed to pocket the people's money without giving any equivalent consideration for it. Now, Sir, what do you suppose was paid by the Intercolonial Railroad Commissioners for the right of way on 500 miles, in round numbers, of the line of the Intercolonial Railway? and this was not through a wild and unsettled country like Kaministiquia, but it ran in many places through the finest, the most arable and the most valuable land to be found in the Provinces of Nova Scotia and New

Mr. MACKENZIE.

Brunswick and Quebec—only about \$273,000; and, Sir, I may say that eighty miles of right of way, with station grounds, gravel pits and everything Government required in connection with the construction of the road, through Nova Scotia in the splendid counties of Cumberland and Colchester, through the town of Truro, and through the village of Amherst, including damages to buildings and for buildings, and for everything else, cost only about \$3,000 more than for this mile of right of way at Kaminstiquia. What will the House say when I tell them that, according to the rate paid for the roadway at Thunder Bay, the Government have paid at the rate of nearly three millions of money more than for the whole cost of constructing the Intercolonial Railway with all the appurtenances, and with all the rolling stock, and with everything else on it; and that, in fact, these 500 miles, according to the rate paid at Thunder Bay, would have cost instead of \$272,420, which was the entire cost of 500 miles through Nova Scotia and New Brunswick, and Quebec, \$25,709,500 for the right of way alone; such would have been the cost, had the owners of land on the Intercolonial been paid at the same rate as these speculators at Kaminstiquia, who have thus been permitted to pocket the people's money, Sir, I only need to draw the attention of the House to these figures to show that the most wasteful extravagance in the use of the public money has been exhibited by the Government in relation to that matter.

An hon. GENTLEMAN: Who got it?

Mr. TUPPER: An hon. gentleman asks me who got it; but to answer that would take me to another branch of the subject, which, as I stated at the outset, I wanted to avoid; I must, therefore, decline to say anything with reference to that enquiry. But, Sir, I now come to another matter in connection with this work, and that is—the Fort Francis Locks. I will not refer to it at length, and I will not occupy much of the time of the House with it, because it has been laid before the House previously; but I must say this, Sir, that the policy of the Govern-

ment was stated in very distinct terms in 1875 by the Minister of Public Works, and it was this:—

“In addition, therefore, to the railway surveys from Lake Shebandowan to Lake Superior, a distance of 45 miles, and from Red River to Rat Portage, a distance of 114 miles, we have felt it desirable to make correct surveys, during the season, of the intervening distance. The entire distance from Red River to Lake Superior is, in round numbers, 430 miles by the Dawson route, of this we have surveyed and asked for tenders for 155 or 160 miles. This leaves a distance between the two points of 270 miles, of that distance we will be able, by constructing two cheap wooden locks at Fort Francis, to obtain from Rat Portage uninterrupted steam navigation for a distance of nearly 200 miles to Sturgeon Falls at the east end of Rainy Lake.”

He further says:

“We hope within two years, or two and a half at the outside, that we will have a railway finished at the eastern and western ends, and, with these and the locks at Fort Francis, we expect that the distance altogether may be traversed in four or five days at the outside, that now takes on the average from nine to twelve days.”

That was the policy of the Government as avowed in 1875; and I may state that the policy announced in the speech of the hon. gentlemen in submitting the Railway Act of 1874, was the immediate construction of a through line of railway from Lake Superior to Red River. In 1875, a year afterwards, that policy was abandoned, and it was proposed to substitute for it a mixed route of land and water—270 miles of navigation with a short line of railway at each end. The attention of the hon. Minister was drawn in forcible terms, from this side of the House, to the fact that as on the United States side there was a line from Duluth to Red River, it was utterly impossible to suppose that we could compete by 150 miles of Railway at the two ends of the route, and half a dozen or eight portages to cross, and 270 miles of navigation; and that all the money expended on it would be thrown away. The hon. gentleman then revised his policy and again changed it, undertaking to construct a through line of railway from Thunder Bay direct to Red River. When, Sir, that was done, it was assumed that this expenditure, which would have been thrown away in any case, and utterly useless, if a direct line of railway was made, would be abandoned, and that no further expenditure of money should take place on it. It appears, however, that, while

undertaking to construct as rapidly as the location of a through line of railway would permit, a through railway, the Government have at the same time expended over \$100,000 of public money, not on any portion of the Canadian Pacific Railway, but on these locks at Fort Francis, and in that direction. Now, Sir, I have said that this report, in reference to Mr. Foster, was a marvellous report, but it is in fact rather thrown into the shade, if anything, by the Fort Francis Locks report. What do we find? We find that, although the Public Works' Act says, that the Government must have the specifications of the engineer in all works constructed by that Department, they had no specifications, and that a Mr. Sutherland—who he is I know not—of Orillia, is called in hot haste to go and take charge of the work, and actually commence excavations without an estimate, without a plan, without engineering, or anything else. A more astounding series of statements, except for gentlemen who are conversant with these papers, which have recently been brought down, could scarcely be presented to the House, than these papers which are before us at present. Why, Sir, they show that there were no tenders. The law says that the Government must have tenders. The vote is for the Canadian Pacific Railway. Every dollar expended is expended under that Act, or under no Act at all. If they have expended it under the Canadian Pacific Railway Act, then, as my right hon. friend has stated, they are acting contrary to law, for they did it without tender; and if it was expended under the Public Works Act, then it was contrary to law, because they have no vote for it and no authority. Sir, it will be seen by the Public Works Act that, in that case, they would be violating the Act. It says:

“Nothing in this Act shall give authority to the Minister to cause expenditure not previously sanctioned by Parliament, except for such repairs and alterations as the interest of the public service shall require.”

Sir, in that case, whether it was expended under the Pacific Railway Act, or under the Public Works' Act, the Government cannot proceed without estimates, without plans, and without surveys by the

**Mr. TUPPER.**

Engineer; and yet you find that you have, as in the other return, to read this book backwards, and that when you have got to the end of the chapter, after the money has been spent, you get an estimate, and that after the Government has expended over \$100,000, they find that it is desirable to have an estimate, and send a gentleman up there to furnish them with one. On the 11th May, 1875, Mr. Braun writes to Mr. Sutherland that:

“Pending the arrival from Ottawa of such instructions, you will proceed with the excavations first of the whole of the earth-work, and afterwards of such portions of the work as must necessarily be taken out.”

On July 24th Mr. Sutherland is informed:

“Full instructions have been sent to Mr. Hazlewood to proceed to Fort Francis and prepare a full and complete design for the whole work.”

On the 2nd August following, Mr. Hazlewood wrote to Mr. Braun:

“DEAR SIR,—Your communications, Nos. 31,203 and 31,204, with enclosures, are to hand. I shall give the canal question at Fort Francis my best attention. I have brought Mr. Mortimer down to work upon the plans, and as soon as they are ready I shall not lose a moment in forwarding them to Ottawa. In the meantime I may state that I approve of the location selected by Mr. Mortimer for the canal at Fort Francis.”

**Mr. MACKENZIE:** On the 11th May Mr. Braun had written to Mr. Sutherland:

“On reaching Fort Francis you will see Mr. Mortimer, resident engineer, who will be at once instructed to take soundings with a view to determine the exact points at which it would be most desirable to construct the canal locks at each, and you will then as speedily as possible ascertain the nature of the rock and the depth of various points, so that Mr. Mortimer can make a section.”

And on the 5th July—a month before the hon. gentleman said he had been instructed to go there—wrote:

“According to instructions received from Mr. Hazlewood, I have made the necessary profile, and have laid out the ground for the locks on Rainy River at this place.”

**Mr. MACKENZIE:** Now, does the hon. gentleman mean to mix up these dates with the view of misleading the House?

**Mr. TUPPER:** I will now read from the document brought down by the hon. the First Minister himself. The first thing to be noticed is the extraordinary statement that:

"In the return prepared for the House in the matter of the Fort Francis Locks, there is wanting the report of Mr. S. Hazlewood, giving an estimate of the cost of the works. The report is mislaid, but Mr. Hazlewood has been written to for a copy of it."

I believe among all the documents with reference to an important public work that perhaps is the most extraordinary statement that could be found. On May 11th, a letter was sent to Mr. Sutherland, signed by Mr. Braun, stating:

"When you reach Fort William you will see Mr. Walter Oliver, and, if he has finished the work entrusted to him, he will accompany you to assist in taking charge of the men. Mr. James Macdonald and Mr. Oliver will act as foremen under you, either in the woods or at the works, as you may deem desirable."

An HON. MEMBER: What Mr. Oliver is that?

Mr. TUPPER I don't know. This Fort Francis Lock appears to have been a happy preserve for the needy friends of the Government, who could be shipped up there out of the reach of any one. Did any one ever hear of a resident engineer being the person to prepare plans and to authorize the construction of a public work? What does the hon. First Minister take the House for? Does he not suppose that we know that a resident engineer is generally a person with—merely sufficient knowledge of engineering to enable him to carry out the instructions of his superior officers. Long months afterwards it was found that Mr. Mortimer's information was all wrong, that he had not the proper depth of the locks or anything connected with it; and that was the best evidence that Mr. Mortimer was not a competent engineer. On the 24th July, Mr. Sutherland is written to as follows:

"These instructions necessarily include the re-examination of the line recommended by yourself and Mr. Mortimer, and should Mr. Hazlewood conceive it necessary to make any change in the location, you will defer to his opinions, and carry on the work on the amended line he may trace out, should he conceive that course to be necessary."

Now, I ask, in the history of Canada, was ever a public work proceeded with in such a manner as that? I do not think there was. At all events it was done in deliberate defiance of the Public Works' Act, and without any sufficient authority. Everything like

law and precedent, and everything that savours of Parliamentary Government were thrown to the wind because the hon. the First Minister decided that the work should be commenced at once. Every person knew that the engineer in charge should have control and power over the work. But Mr. Hazlewood was written to as follows:—

"As the site where Mr. Sutherland will commence his excavation has been recommended by Mr. Mortimer equally as by himself, there is fair reason to look forward to the line selected by them being approved by yourself."

I have never heard of such instructions given to an engineer. It was a direct hint to him how to make up his mind. Would it be supposed that, under such circumstances as those, the work of excavation should have been ordered by the hon. the Minister of Public Works on the 11th May? On the 18th April, 1876, nearly a year afterwards, Mr. Braun wrote to Mr. Sutherland:—

"Sir,—I am directed to forward you herewith a copy of plan of lock at Fort Francis, prepared by Mr. Page, which has been approved of by the Minister. I am to authorize you to resume work on the said lock by day labour, and to request that you will submit to the Department an estimate of the probable monthly expenditure for the next twelve months."

This letter was sent, although the work had been commenced nearly a year before under the direction of the Minister of Public Works. And yet the hon. gentleman would insinuate that I was not doing justice to these statements, because I did not read them in detail. We at last get something practical. It is the report signed by Mr. Baillairge, who had been instructed on the 30th August to proceed to Fort Francis. Mr. Baillairge said in effect that all the money had been thrown away, and that the work was practically useless unless a great deal more money was spent upon it; and showed that the work had proved an utter delusion. He said:—

"The object for which the Fort Francis Canal is being constructed cannot be obtained unless Rainy River is improved so as to ensure the requisite draft, and the ascent of vessels against the current in the rapid."

He goes on to speak of the mode of improvement, and says:—

"No definite scheme or estimate can, however, be submitted, unless the necessary levels, soundings and measurements are taken along the entire line of the proposed navigation."

It is thus shown that about a year after this work was in progress an Engineer of the Public Works Department was sent up to the locality and found the Government had not taken the first preliminary step required to be taken before the money was expended. But he gave on 1st September, 1876, a very remarkable statement. He said:

"SIR,—Having been instructed on the 3rd ult., by the Hon. the Minister of Public Works to examine the Fort Francis Canal, now under your charge, and to give such directions as I may deem advisable, I herewith enclose for your guidance a specification of the work to be done according to the revised plan with which you have lately been furnished.

"This plan was prepared from somewhat limited information, and is based on the high and low water levels originally observed by the engineer who first laid out the work; the low water levels have since been found to be fourteen inches lower at the lower end than represented on the plan. I have, therefore, appended to the specification a list of levels, showing the elevation of the main portions of the work, so as to suit the highest and lowest water levels observed up to the present time."

So we have, in regard to this work upon which the excavations were commenced on 11th May, 1875, a statement made by Mr. Baillairge on 1st Sept., 1876, that they were mistaken as to the first principles and initial steps necessary to the very inception of the work. Mr. Baillairgé continues:

"As it is important to ascertain the extent and nature of the obstructions, and the cost of removing or overcoming the same, you are hereby requested to examine the sections of the channel referred to, and such other points as may appear doubtful, during the season of lowest water, and to furnish the Department with a report thereon, together with an estimate of the probable cost of improving the channel for the required draught from Rainy Lake to the Lake of the Woods."

I hope I have satisfied the hon. the Minister of Public Works, and in reading the text of this remarkable document, I have given the House the best evidence that the work was undertaken without any knowledge of the subject, and after \$100,000 were expended an engineer was sent to investigate and report on the work, showing, in the most conclusive manner, that the information which the hon. the Minister of Public Works was bound to have obtained before entering upon the undertaking was not fully obtained until one year and a half after the work was commenced; and, in fact, a more reckless, illegal, unjustifiable expenditure of public money had never

Mr. TUPPER.

been made by any person in this country. In the report of the hon. the Minister of Public Works, on page 26, what do we find? We find that at this place where Fort Francis Lock is being constructed with seven feet of water on the sills, for forty miles there is a depth of only four feet and a half; yet the public money is used without plans, specifications, or authority of the Chief Engineer; or without any recommendation under which one dollar could be expended, and the hon. gentleman makes an expenditure of \$100,000, which unless followed up by an expenditure of half a million more, will not accomplish the object proposed. But suppose the works would be completed, what then? Does any one suppose that with a railway from Duluth to Red River, a single ton of freight would be carried by that route? As regards the transportation of rails, by this route there would be eight portages, involving sixteen times loading and unloading, putting the rails into waggons and taking them out again; and the most insane Minister of Public Works would not undertake to transport one ton of heavy freight of any description by any such line. Yet, the hon gentleman adhered to the policy he had presented before he had undertaken to construct a direct line from Thunder Bay to Red River, and went on with this expenditure. But the amount was not charged to current expenditure, as, under the late Government, all expenditures in connection with the Dawson Route were charged. I draw the attention of the hon. the Minister of Finance to the fact that, when he is comparing the expenditure of 1873-74 and subsequent years, all such expenditures under the late Government were charged to current revenue, and not chargeable to capital under this Government. All these expenditures are made in connection with the Canadian Pacific Railway, and thus hundreds of thousands of dollars were expended without having any more connection with the railway than if it was spent in Nova Scotia or New Brunswick. I am happy to say that the duty I have laid upon myself is drawing to a close. I think I have given to the House sufficient reason in relation to the

policy of the Government, and the mode in which they have carried out that policy, for passing a moderate censure, the moderate censure that I propose—that this House cannot approve of the policy of the Government. We cannot approve of it, because Ministers have violated their principles and their pledges; because the men who declared to the Canadian public that the railway never would be built by any other mode than by a private company, aided by a grant of land and money, had, so soon as they obtained power, trampled the principles propounded and the pledges given to the people, under their feet, and shown that what they meant was that no other Government should, in this way, handle the public money, and be able to deal with the public requirements, but themselves. The moment they were entrusted with power, in consequence, I suppose, of their high purity and independence of character, they thought it would be safe to change the whole policy, and to take the work into their own hands, although it would involve an enormous direct expenditure by the Government. I ask the support of the House to the amendment because the Government have violated their pledges given to the people, that if power was conceded to them it would never be abused, and the great cardinal principle of their policy would be that not one dollar would be expended without a direct vote of Parliament. I have shown that millions have been expended, I may say millions wasted, without having a vote of Parliament for a single dollar. I am justified in asking the House to pass this censure upon the Government, because their proceedings have been unconstitutional and illegal, and they have violated the law under which they are constructing this work, with respect to the declaration that public tenders must be invited, and the work performed by contract. They have expended public moneys without tenders. I have shown that they have, in an unconstitutional manner, because, without any vote of Parliament, they have undertaken to pledge the good faith of Canada to the payment of millions, and by a reckless purchase have saddled the country with

a dead loss of over a million and a half, involving an annual charge upon our treasury of \$75,000 for ever. I have shown that, in addition to their vacillating policy,—a policy changing from hour to hour, a policy of a mixed route one day and an all-rail route the next, of carrying on the works by a private company one day and by the Government the next, and now they propose to revert to the former when they have destroyed all chance of success. I have shown that even in dealing with the small matter of the right of way in an unsettled and unpeopled district at Kaministiquia, the payment made was such that it applied to payment of the right of way for the Intercolonial, which passed in large sections through a settled country, many sections passing through most valuable lands, the amount would have been more than the whole cost of the Intercolonial by something more than three million of dollars. I have shown you that their policy was a breach of faith, because they have pledged themselves to British Columbia; they have pledged themselves to the Imperial Government, to construct a railway on Vancouver Island, and to construct a railway from the shores of the Pacific to the shores of Lake Superior by 1890, without any qualification or restriction whatever, both of which they have abandoned. I have shown you that their expenditure during the past year was in contravention of the decision of the House, as arrived at by the resolution of the hon. member for West Middlesex (Mr. Ross), because the hon. the First Minister knows that he cannot say it is not increasing the taxation of the country. With the \$3,000,000 of additional taxation, levied when they first obtained power, gone, with an admitted deficit of \$2,000,000 during the past year, with the demand upon the House this Session for \$500,000 more to meet the ordinary expenditure of the country, I defy the hon. gentleman to say that every dollar he expends on the Canadian Pacific Railway does not increase the existing rate of taxation. And, if it does, I say the resolution, prepared, as I believe it was, by the Government, and put into the hands of the hon. member for West Middlesex, and sustained, as it was, by them, was a complete

breach of faith of the solemn, binding obligation the Government had made with British Columbia, and with the Imperial Government, that they would proceed with and construct the road within the time stated. The hon. the First Minister stated, in his manifesto to the country, in reference to the connection of immigration to this work :

“We shall endeavour to make these great works auxiliary to the promotion of immigration on an extended scale, and to the settlement and development of these rich and fertile territories on which our hopes for the future of Canada are so largely fixed.”

Is there a man in Canada who did not concur in the sentiment propounded there? Is there a man in Canada, who knows anything of the great and fertile country spoken of, who does not think that the future hopes of Canada are, to a large extent, necessarily fixed on that country? And, yet, what has been the record of the hon. gentleman? Dealing with the public money with unstinted hand—for Parliament has been ready to place anything demanded in the hon. gentleman's hands—what has been done? Instead of making his Canadian Pacific Railway policy accomplish what every person believes might be accomplished in connection with the settlement of that country—every one knows that one of the prime considerations in connection with this great work was that it would afford the means of giving valuable, remunerative employment to the immigrants brought into the country to people that magnificent territory—yet the Government have done absolutely nothing towards that end. Was there ever a Government in the position this Government was in, with this matter in their hands, with a support in Parliament such as few Governments have ever possessed, and with the opportunity of advancing the interests of the country in that way without measure and without bounds. And, yet, what is the record to-day? The record of Votes and Proceedings of yesterday shows that the number of immigrants brought to this country in 1873, when not a mile of this road was under contract, was three times as great as during the past year; that while the cost per head of bringing immigrants to the country has been enormously increased, we stand in the

position, that instead of the construction of this great work bringing a tremendous immigration and advancing the interests of Canada in the way the hon. the First Minister held out to the country when he made this address to the people, those expectations have utterly failed; and that notwithstanding all this expenditure in connection with the work, it has not been attended by increased influx of immigrants, but, on the contrary, a large and rapid decline has taken place. I have referred already to the violation of law, the utter disregard of Parliamentary authority, and the enormous payments of money connected with the Georgian Bay Branch and the Canada Central Railroad, in violation of the one and contempt of the other. The whole policy of the Government, as propounded by the hon. gentleman, has been utterly delusive, and to-day we find ourselves without any advance, without anything accomplished, but minus a large sum of money which has been paid to parties, who, contrary to the law, were entrusted to carry out contracts. I am sorry that I have been obliged to trespass on the indulgence of the House so long, but I think I have adduced sufficient to support the motion which I now have the honour to move. I have endeavoured, and I think the hon. the First Minister will agree with me in the statement, to avoid every question that could raise an unpleasant topic of discussion between the occupants of the Treasury Benches and ourselves. Notwithstanding the great temptation that was presented as I proceeded in this discussion, I have carefully endeavoured to give a simple statement of facts presented by the Government themselves, as brought down in public documents; and if I have not established successfully that the Government have failed in their duty to the country, and that the course they have pursued on this great question has been detrimental to the interests of the country, then I have no grounds on which to ask for the support of this House. But I feel that the case that has been presented is one which entitles me confidently to ask your support, and if I do not obtain it from this House there is an equally

independent tribunal in this country to which I can confidently look for the affirmation of this motion which I have now the honour to offer. Thanking the House for their indulgence at this late period of the Session which they have kindly given on the ground of the vast importance of the subject, and deeply regretting my own physical inability, under the circumstances in which I was compelled to address the House, to deal with the question as vigorously as the interests of the country demand, I beg leave to offer the following resolution:—

“That Mr. Speaker do not now leave the Chair, but that it be Resolved, That this House cannot approve of the course pursued by this Government with respect to the Canadian Pacific Railway.”

Mr. MACKENZIE moved that the debate be adjourned, the hour being eleven o'clock, and that it be the first Order of the Day for Monday.

Motion agreed to.

House adjourned at  
Ten minutes after  
Eleven o'clock.

## HOUSE OF COMMONS.

Monday, 23rd April, 1877.

The Speaker took the Chair at Three o'clock.

### THE SEAT FOR ST. JOHN.

#### MOTION TO REFER.

Mr. DOMVILLE said that before the Orders of the Day were called he desired to read a statement as follows:—

“That it appears from the accounts laid before the Select Standing Committee on Public Accounts of this House in the Session of 1875, that the firm of I. & F. Burpee, of St. John, New Brunswick, at divers times between the 20th November, 1873, and the 24th September, 1874, agreed to supply, and did supply for the Government of Canada, divers goods and merchandize to be used for the purposes of the Intercolonial Railway and the Government Railways in Nova Scotia and New Brunswick, amounting in all to a large sum of money; that such supplies consist of railroad spikes, cut spikes, refined iron, telegraph wire, boiled oil, Colza oil,

English iron, ingot copper, cast steel, cut nails, white lead, blasting powder, and other wares,—and that he is credibly informed, and believes he can establish that the moneys paid to the said firm of I. & F. Burpee were so paid under contract and agreement made between the said firm and the officers of the Government charged with the construction and maintenance of the said railway, and that the Hon. Isaac Burpee, a member of this House, was, at the time when the said contract and agreement was entered into and the said payment made, a member of this House for the Electoral District of the city and county of St. John, in the Province of New Brunswick.”

He therefore moved :

“That it appears from the accounts laid before the Select Standing Committee on Public Accounts of this House in the Session of 1875, that the firm of I. & F. Burpee, of St. John, New Brunswick, merchants, at divers times between the 20th of November, 1873, and the 24th of September, 1874, agreed to supply, and did supply for the Government of Canada, divers goods and merchandize, to be used for the purposes of the Intercolonial Railway and the Government Railways in Nova Scotia and New Brunswick, amounting in all to a large sum of money; that such supplies consisted of railroad spikes, cut spikes, refined iron, telegraph wire, boiled oil, Colza oil, English iron, ingot copper, cut nails, white lead, blasting powder, and other wares, and that Mr. Domville, a member of this House, has stated that he is credibly informed, and believes that he can establish that the moneys paid to the said firm of I. & F. Burpee, for such supplies, were so paid under contracts and agreements between the said firm and the officers of the Government charged with the construction and maintenance of the said railways, and that the Hon. Isaac Burpee, a member of this House, was, at the time when the said contracts and agreements were entered into and said payment made, a member of the said firm and also a member of this House for the Electoral District of the city and county of St. John, in the Province of New Brunswick; it be Ordered, That the matter herein stated be referred to the Select Standing Committee on Privileges and Elections, and they be required to inquire into the facts, to search for precedents, and to report the result of their enquiries, and whether the said Hon. Isaac Burpee has vacated his seat.”

Mr. BURPEE: Before the motion passes, I may say I have no objection to going before the Committee on Privileges and Elections; I have no desire to sit here one moment in my place in this House if anything has been done amiss or wrong by me. I am willing to abide by the decision of the Committee. I am willing to vacate my seat at any moment, and I assure

the member for Kingston that this would be no great sacrifice to me at any time. I was very largely interested in this firm at St. John, but I retired from it and left them my means and name, and instructions to settle up my affairs. I have no interest in any profits that may have arisen from the business with the Government or otherwise from the 1st of January, 1874, until now. I have received nothing; nor did I know of any contract at any time entered into by them with the Government. If any were entered into by any members of the firm it was quite unknown to me. I have never seen the accounts referred to. I have no knowledge of them whatever. I have no more to say, I think, on the matter. When I heard the hon. member for King's give notice that he was going to move against me I sent to my brother at St. John for all the information he could give me about it, as I do not know the particulars of the charges made. The information I have not yet got, but I expect it in a day or two. I do not think it worth while to say anything more on the matter now, but I will leave it to the Committee. I only wish to add that, so far as any transactions with the firm and the Government from the 1st January, 1874, are concerned, until now, I have had no interest in them whatever.

*Motion agreed to.*

Mr. DOMVILLE moved :

"That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into and report upon the allegations of Mr. Domville, a Member of this House, in his place this day made, that Isaac Burpee, a Member of this House for the Electoral District of the City and County of Saint John, was a member of the firm of I. and F. Burpee, who entered into contracts or agreements for supplying certain materials for the Intercolonial Railway, and that public monies were paid to the said firm for such materials supplied, that he, the said Isaac Burpee, at the time of the making of the said contracts or agreements and the said payment, was a Member of the said firm and of this House; and to report whether the said Isaac Burpee had vacated his seat, should be examined on oath."

*Motion agreed to.*

Mr. BURPEE.

ONTARIO MARITIME COURT  
BILL.—[BILL No. 41.]

(Mr. Blake.)

SENATE AMENDMENTS CONCURRED IN.

Amendments made by the Senate read the first and second times and agreed to.

INSOLVENT ACT AMENDMENT  
BILL.—[BILL No. 60.]

(Mr. Blake.)

SENATE AMENDMENTS CONCURRED IN.

Amendments made by the Senate read the first and second times and agreed to.

THE SEAT FOR RESTIGOUCHE.

MOTION TO REFER.

Mr. ROSS (West Middlesex) read the following statement :—

"That he was credibly informed and verily believes, that George Moffat, while a Member of this House for the Electoral District of the County of Restigouche, in the Province of New Brunswick, received on the 15th September, 1873, for services rendered in connection with the construction of the Intercolonial Railway, the sum of \$454.37; that on the 11th December, 1873,—the said George Moffat did also receive for the transportation of Rails and other services, in connection with the Intercolonial Railway the sum of \$637.15; that on the same day—namely the 11th December, 1873, the said George Moffat did also receive, for the transportation of Rails and other services in connection with the Intercolonial Railway, the further sum of \$314.25; that on the 17th December, 1874, the said George Moffat did also receive, for the transportation of Rails and other services in connection with the Intercolonial Railway, the sum of \$3,567.50; that the said George Moffat did also receive on the 25th March, 1876, for the transportation of Rails and other services in connection with the Intercolonial Railway, the sum of \$708; that he was credibly informed and believes he can establish, that the monies paid to the said George Moffat were so paid under contracts or agreements between him and certain officers connected with the Intercolonial Railway Branch of the Department of Public Works; and that the said George Moffat did not ignorantly or unwittingly enter into such contracts or agreements with the Public Works Department, as is shown by the following telegram, signed by Robert Moffat, through whom most of the said contracts were made and receipts for the payments in connection therewith given, viz :—

“ ‘DALHOUSIE, June 2nd, 1875.

“ ‘To Peter Grant, Civil Engineer :—

“ ‘Mr. Moffat wants to know what he has done wrong in connection with taking iron to Campbelltown last year, that contract for doing so should be let to another. This (year?) he made no preparation for doing so, but can. At same time wants to be aware of his fault before doing so.

“ (Signed) ‘ROBERT MOFFAT.’ ”

He therefore moved :

“ That Mr. George William Ross, a member of this House, having stated in his place that he has been credibly informed and verily believes that, in the last half of the year 1873, the sum of \$1,405.77 was paid by the Intercolonial Railway Branch of the Public Works Department to George Moffat, who was at that time a member of this House for the Electoral District of the county of Restigouche, in the Province of New Brunswick, for the transport of rails and other services in connection with the Intercolonial Railway ; that he believes and can prove that the said George Moffat was also paid by the hands of William H. Stephenson, from the Department of Public Works, on the 17th December, 1874, the sum of \$3,567.50, for the transportation of rails and other services in connection with the Intercolonial Railway ; that he believes and can prove that the said George Moffat, on the 17th December, 1874, was paid by the Intercolonial Railway Branch of the Department of Public Works, for the transportation of rails and other services in connection with the Intercolonial Railway, the sum of \$708 ; that it would appear from a telegram, sent as follows :—

“ ‘DALHOUSIE, 2nd June, 1875.

“ ‘To Peter Grant, Civil Engineer :

“ ‘Mr. Moffat wants to know what he has done wrong in connection with taking iron to Campbelltown last year, that contract for doing so should be let to another. This (year?) he made no preparation for doing so, but can. At same time wants to be aware of his fault before doing so.

“ (Signed), ‘ROBERT MOFFAT.’ ”

“ That the said George Moffat deliberately and knowingly entered into a contract or agreement with the officers of the Department of Public Works, under which agreement the before-mentioned sums were paid ; be it therefore *Ordered*, That the matter be referred to the Select Standing Committee on Privileges and Elections, and that the said Committee be directed to enquire into the facts, search for precedents, and report the result of their enquiry to the House, and whether the said George Moffat has vacated his seat.”

Mr. MOFFAT : Mr. Speaker, I never had a contract for the Intercolonial Railway in my life, to the best of my knowledge and belief. I know nothing

about this, and I deny the whole of it. I have never obtained a cent of money from that railway, either for contracts or anything else. I have never sought a contract and never got one.

Motion agreed to.

## THE CANADIAN PACIFIC RAILWAY.

### ADJOURNED DEBATE.

Mr. TUPPER : Before the Orders of the Day are called, I wish to make a statement previous to the hon. the First Minister making any reply to the statement I made to the House on Saturday night. I am told that, in relation to the permanent cost to the country of the loss which, I maintained, was caused by the purchase of steel rails, I stated the permanent loss per annum at \$175,000. The House will at once see that I have stated the amount of loss, as at present estimated, at \$1,500,000, or thereabouts ; and at 5 per cent., I assumed the permanent charge resulting therefrom would be \$75,000. I wish, therefore, to correct that statement by saying that the amount which I claimed to be the permanent loss was \$75,000, not \$175,000.

Order for resuming the adjourned debate on the proposed motion of Mr. Cartwright, that Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply,—and the motion of Mr. Tupper in amendment thereto, and which motion was, “ that Mr. Speaker do not now leave the Chair, but that it be resolved that this House cannot approve of the course pursued by this Government, with respect to the Canadian Pacific Railway,” *read*.

Mr. MACKENZIE : Usually, Mr. Speaker, a motion of want of confidence is a somewhat solemn or grave matter to be discussed in the House of Commons ; but such motions have become so common of late during this Session that it scarcely causes a ripple of surprise when such a motion is made. We have had them for breakfast, dinner and supper lately. It is scarcely possible for the Government to make a motion of any kind without some one of the hon. gentlemen on the

opposite side responding with a motion of want of confidence. Well, we are getting used to them at all events, and, if hon. gentlemen opposite are gratified by the progress that they have made, I am sure we have no reason to complain. This motion is one which I might perhaps fairly complain of, because it embraces several questions upon which votes of want of confidence have already been proposed; and now there is a general aggregation of all the particular charges, just in the same way that boarding-house people, who, having used the joint of meat warm, serve it up as cold hash next day. The speech that the hon. gentleman delivered, the statements which he recapitulated, repeated, and reiterated were a fair representation of what is understood by that well-known dish. Before proceeding, Sir, to notice some of the particulars which the hon. gentleman ventured to condescend upon, let me deal for a few moments with the general subject. Three years and a half ago, it would have been a matter of surprise to almost any person in Canada if the hon. gentleman or any of his colleagues would have uttered the words Canadian Pacific Railway, unless they were forced to it in a Court of Justice. Three years ago when Parliament met, and when it became necessary for the Government to adopt a policy and introduce a Bill, the hon. gentleman who leads the Opposition ventured upon no remark; the hon. gentleman who moves this resolution now, ventured upon no attack. There was no doubt a mild criticism; but there was no attempt to divide the House; there was no attempt to establish any particular claim on behalf of their own discarded, broken-up plan; nor was there any attempt to say that the scheme which we proposed for the approval of Parliament was one which was open to any serious objection. It is true, Sir, that the hon. gentleman has since avowed some hostility to that. It is true that he has criticised adversely, during the last Session and this, some parts of that policy resulting from the original great blunder in 1871. I have to ask the attention of the House for a moment to the position which this Administration found itself in, when it assumed office

in 1873. It will be remembered that I opposed, in common with those who formed the Opposition in 1871, the plan which the Government then existing proposed for the admission of British Columbia. We pointed out that the terms which they proposed to make were so extravagant that it was quite hopeless to expect that Canada would be able to fulfil that engagement. We pointed out, day after day, with the greatest earnestness, that the difficulties which we were voluntarily incurring, the obligations we were about entering into were such as must of necessity either be broken or bring financial distress, if not ruin upon the country. We found that the Government of the day had a comparatively small majority it is true, but still a majority, with which to carry their measure through, and it was carried through. No one could comprehend at that time why that Administration chose to force through Parliament a measure so disastrous, even in its conception, and far more so in its inevitable consequences. It was very clear that it was not necessary to secure Confederation with British Columbia. It was quite clear to them then, as it is to everyone now, that the undertaking must be one of enormous cost. The people of British Columbia did not ask the terms that were forced upon them. They simply made a very modest demand that certain conditions should be observed as to making a road, as to proceeding with the surveys for the railway, and that, when those surveys were completed, a certain amount (\$1,000,000) should be spent each year upon the construction of the road. This was all that they ventured to ask of the Dominion of Canada. And no doubt, as this was the maximum of their demands or expectations, a very considerable modification of these terms might fairly be expected, as it was quite evident that they were as anxious as we were that the whole of the Canadas should be united under the Dominion flag. But, notwithstanding this was pressed upon the Administration of the time, they resisted every attempt on the part of the Opposition to modify the conditions they were thus forcing upon the country; and so, Sir, the Bill passed, and Canada be-

came bound by this obligation to construct a railroad from Lake Nipissing to the Pacific Ocean within ten years from that date. So that, in July, 1881, if the road were not constructed over that vast distance of 2,700 miles, the terms of union would be broken. So secure was the Administration in its faith in its own scheme that it also bargained that the surveys should be completed within two years. Am I wrong?

Sir JOHN A. MACDONALD: My hon. friend has unwittingly made that statement several times. If he looks at the Treaty he will find the work of construction should be commenced within two years, and that the Government should secure the completion of it in ten years.

Mr. MACKENZIE: Then, Sir, I am quite right, after all.

Sir JOHN A. MACDONALD: No.

Mr. MACKENZIE: Then, Sir, if I am not right, the hon. gentleman means to say that the road should be built before it could be surveyed.

Sir JOHN A. MACDONALD: No.

Mr. MACKENZIE: I think so.

Mr. MASSON: You are doing that at the present moment.

Sir JOHN A. MACDONALD: Yes, before the surveys are finished.

Mr. MACKENZIE: We know that the Province of British Columbia, shortly before the hon. gentleman left office, was obliged to protest against the conduct of the Government in not having these works of surveys completed and the work of construction actually commenced. However, it matters not as to the statement. There is no doubt the Government were bound to commence the construction within two years, but it was not commenced four months after that, when the hon. gentleman and his Government went out of office. Nay, more, at the time the hon. gentleman went out of office their scheme had entirely failed. They resisted all attempts made on the part of the Opposition in the then House to have the contracts let in the regular manner. We insisted that the country should be surveyed before the

contracts were let, and that the contracts should be let by open competition, and that no members of Parliament should be members of any companies entering into that competition. All these demands were resisted, to use the language of the hon. gentleman in another speech, "systematically and continuously." It was determined beforehand, it seems, that this work should be given to a mere speculative financial company, composed of Sir Hugh Allan and his associates, while an hon. Senator was kept dangling at the end of a rope, hoping that he might obtain the coveted prize, and have some hand in the carrying out of the agreement in regard to the building of the road. But the latter arrangement fell through, for reasons which we came to know in 1872, because the hon. Senator was not able to offer the same inducements that hon. gentlemen opposite were able to obtain from another person, Sir Hugh Allan. And after the engagement was entered into, in 1872, with Sir Hugh Allan and his company, that gentleman, with some of his associates, went to England. During the Session of 1873, in the early part of 1873, we were assured that these gentlemen were succeeding in England. I recollect very well asking the hon. member for Cumberland across the floor of the House if he could tell us what success was attending the efforts of the delegation, and he was proud to assure myself and the House that they were meeting with most gratifying success. I congratulated the hon. gentleman upon this fact, as I had not anticipated success. But it turned out that the hon. gentleman's statement was not borne out by the facts and the results, for the delegation utterly failed in obtaining any offer whatever to build the road upon the terms proposed. These terms are known to every one, and I will not therefore refer to them. But the hon. member for Cumberland, in his speech of Saturday, seemed to think it a great achievement to have a bargain made to build the road for \$30,000,000 and 50,000,000 acres of land; and he maintained that this was not only a bargain, but that there was a possibility and a probability of carrying out that bargain. Then, Sir,

why was it not done? How was it that these gentlemen came back here and were obliged to report that they were utterly unable to carry out the arrangement, and to report that they found no financial party in England who was willing to enter into any arrangement or find the means. They came back here, and they at once asked to be relieved of the bargain. They were so relieved of the bargain, and the million dollars which had been deposited as security for the fulfilment of the bargain was restored to each of them without any recognition of the intention to do so by Parliament or any sanction from Parliament. Now, Sir, it may be said, as it was said the other night by the hon. gentleman, that this scheme of theirs was defeated on account of some opposition or other given to it by parties in this country. I recollect, on a former occasion, that the hon. gentleman declared it was the opposition of the Grand Trunk and the then Parliamentary Opposition in this country—that it was through their efforts that the scheme had broken down; and the hon. gentleman said that we were responsible for all the consequences that would result from the scheme breaking down. It was also said that the scheme broke down because of the expenses connected with the heavy advances of money made by Sir Hugh Allan to hon gentlemen opposite to carry on the election of 1872. But it had completely broken down before that, and any one who will consult the dates and the statements made by that delegation, will find that they were utterly unable to obtain any offer whatever in England upon which to base any commencement of the work which they had taken in hand. Nay, Sir, during the whole Session of 1872, at the very moment when hon. gentlemen opposite were assuring us of the success of their friend, Sir Hugh Allan, in London, they were asking for heavy appropriations for the purpose of conducting the survey; and I myself pointed out upon the last item asking for that service that, if the country was successful in launching the scheme, the Government had no grounds whatever for proposing a vote of money for carrying on the surveys for a year afterwards. But the

vote was taken, nevertheless. And it was well that it should be taken, if the surveys were to be prosecuted, for it turned out afterwards that they had no reason for the assurance they gave to the House that Sir Hugh Allan was meeting with great success in London. Under these circumstances, the present Administration came into power. We were met at the very outset by a complaint from British Columbia that the terms were already broken. We knew, Sir, well, as well as we did before, if not a little better, that it was already hopeless to expect to be able to carry out the engagement the Government had entered into; and one of the first matters which engaged the serious attention of the Administration was the consideration of the course that should be adopted with regard to British Columbia and the building of the road. After various deliberations we decided to open a communication with the British Columbia Government, with a view to obtaining a relaxation of the terms. We all felt that, this solemn engagement having been entered into by the Government of Canada, it should not be lightly broken by a succeeding Administration, and we endeavoured in that spirit to approach the Government of British Columbia. Though we met with very little success at first, we afterwards did enter into an agreement with them for a certain set of modified conditions. I need not refer to these now, because they are sufficiently well known to the House. They are known in British Columbia as the Carnarvon terms, and are generally discussed under that name. Whether those terms were wise or unwise, whether they were extravagant or moderate, is not a question that I would discuss at the present moment. But I take this ground, that, situated as we were, we were obliged to do not what we would have done if we had had to originate the scheme. We had not the option of choosing for ourselves what course we should take. If the whole scheme had been thrown overboard, British Columbia released from any obligation under the terms of Union, and her autonomy re-established as it was before the terms were proposed in 1871, then the Administration would have been at liberty to consider what

method, if any, should be adopted in order to secure a re-admission of British Columbia, or a continuance in the Union of British Columbia, had she chosen to remain without going out. There could be no question of this, that, if any arrangement could not be made, British Columbia would be entitled to leave the Union, and to a restitution of the position she had previously occupied. Now, Sir, I confess to having a good deal of anxiety for many years to have the Confederate system of Government established all over British North America. I confess I have repeatedly sacrificed some of my own individual views, and I have on occasions failed to act with some of my most cherished political associates, for the purpose of giving effect to that desire, and I would have viewed, as I view now, with a great deal of regret, any step which should be taken for the division or excision from the Confederation of any single Province that now composes the Confederacy. And, while I have this desire, perhaps stronger than many other public men, to avoid what we would consider, to a greater or less extent, not a disastrous result, perhaps, but a result to be regretted, the Government acted upon that desire, for they all felt it would be exceedingly desirable to avoid such a conclusion as would necessarily lead to one of the Provinces leaving the Confederacy. The hon. gentleman opposite (Mr. Tupper) has taunted me with having acted on the occasion inconsistently with previous discussions. He has declared that the ground I took when in Opposition in 1871 was not the ground I took as an Administrator in 1874-75-76. Why, I admit that. If I had taken the ground I did in 1871, it would simply have resulted in disaster all around, because a certain step had been taken which was irrevocable, and we were obliged, as an Administration, to consider, not what would be consistent on our part to-day, but what would be the best policy to adopt. A disastrous policy having come practically into operation, we were bound as statesmen to consider not our own individual crotchets or opinions which we fought for years before under different circumstances, but what was essentially ne-

cessary under new circumstances altogether in order to meet a great political and national emergency. Why, my opinion was that, though it was desirable to have a railroad across the continent, while I looked upon it as a political necessity at some time or other, I never believed and I never said we were in a condition in 1871 even to commence that undertaking, and if I had followed out my conviction of 1871, I would have used the power which the people of Canada had given me and my associates in order to stamp the whole thing with our disapproval, and wait till more propitious times and a more serious emergency should necessitate our undertaking a large expenditure for such a vastly tremendous undertaking. Those were the views I held. Those are the views I am bound to say that are held by nine-tenths of this House at the present moment. Those are the views which I know are entertained by the country, and those views are views which have to bear some practical fruit in our legislation and through the intervention of the Administration of the day. Why, Sir, were we to refuse to carry out the terms after this legislation had been made, after the solemn treaty had been entered into by gentlemen opposite?—a treaty I stamp now, as I have always stamped it, as one of the most insane acts of legislative madness ever known, and I say that the men who perpetrated it deserve, I might say, the everlasting political execration of the country, because they introduced an element of confusion. They knew they were deliberately undertaking a project which could not be carried into effect. The hon. gentleman opposite (Mr. Tupper) now deliberately washes his hands of the whole thing. He said that, while it is true we passed the Bill of 1871, the resolutions of union, we afterwards passed a resolution declaring that the works should only be done if we could do it without increasing taxation. Will he show me a paragraph, a sentence, a word from the people of British Columbia to say that they so understood the resolution? And why, then, was not the resolution embodied in the Minutes of Council? If it was

intended that this resolution should have the effect that the hon. member for Cumberland (Mr. Tupper) now contends for, why was it not adopted as part of the Act at the time? The resolution which the hon. gentleman took through the House, upon which the Order in Council by Her Majesty is based, is a complete governmental and legislative Act. It has no reference to any resolution. There is not a word that refers to anything as a justifying clause, and the hon. gentleman acts a disingenuous part in professing what he never did pretend before. The hon. gentleman never did take that ground until two years after his expulsion from office, and he only took that ground when he found that it would be possible to make some capital against the Administration of the day. He thought that the time had sufficiently passed away to cause the people to forget, to a greater or less extent, the transactions in which he and his associates had been engaged. He thought that now was the time to commence a new line, and to take new ground—ground which had never been taken before. Now, Sir, when the Carnarvon terms were first proposed, and were being discussed in this House, what did the hon. gentleman say in his place in the House then? He says now that they were not bound by the terms of union at all, unless they could have been consistent with that resolution. He says that we are bound by our Carnarvon terms, and that this resolution has no effect as applied to us, although he knows that we embodied that resolution in our Act of 1874; although he knows that by our Minute in Council of the 20th September, 1874, we deliberately expressed the opinion, in assenting to those terms, that it was because we believed that the concessions suggested might be made without involving a violation of the spirit of any parliamentary resolution or the letter of any enactment. Sir, if we had believed that these terms could not be carried out without a violation of that resolution, we would not have agreed to them. The hon. gentleman in discussing this question spoke as follows:—

**Mr. MACKENZIE**

“But, Sir, the fact of the engagements which the First Minister has just stated were entered into with British Columbia during the past season, set at rest and for ever any question as to whether we are in a position that would allow us to doubt and hesitate a single instant what course to pursue. I am not going to call in question the propriety of this engagement for a moment. I feel that the Ministry of the day are entitled to the support of this House and especially of the gentlemen who sit on the Opposition Benches in any measure which is required to carry out the pledge—perhaps a somewhat imprudent pledge—that was given by their predecessors in relation to this great work; and I feel that they may look with confidence to this side of the House for the most energetic support of the measures they have taken—I believe wisely taken—for the redemption of that pledge.”

Now, Sir, here, in this paragraph, he alludes to the engagements they had made as imprudent engagements, and declares that it was the duty of himself and his colleagues in Opposition, to give to the Ministry of the day their hearty support in carrying out the Carnarvon terms which, on Saturday night, he denounced as extravagant and absurd. I need hardly, Sir, have referred to this in order to show the difference of the ground which the hon. gentleman takes now and that which he took on a former occasion, but I made this quotation to show, in his own language and in his own express terms, that he considered the pledge they had given—it is a very moderate term to be sure—an imprudent pledge; and that while discussing these matters he never referred to the resolution as governing the action of the Administration in this matter, and as governing the obligations entered into by this country. Sir, I think that this resolution had some effect; I think that it indicated the opinion of this House, and I think that the delegates from British Columbia must have attached more or less importance to it.

**Mr. DECOSMOS:** No.

**Mr. MACKENZIE:** An hon. gentleman behind me says they attached no importance to it. I know that they always said so; but, Sir, there is no doubt of this—that the resolution, while having no legal effect, must have had some moral influence and effect upon those with whom we came to discuss this question afterwards. I am

bound to say that I never found the slightest inclination on the part of any British Columbian to recognize the force of that resolution, and my hon. friend behind me, the hon. member for Victoria, expresses that very strongly, but the hon. gentleman at the same time has never, as I have heard of, expressed a single word adverse to the hon. member for Cumberland, although he knew that he (Mr. Tupper) took this ground a year ago. It would be very bad ground for us to take, but it is all right for the hon. member for Cumberland.

Mr. DECOSMOS: Would the Premier allow me to make a brief remark. I will state this: that during last Session I called the attention of the hon. member for Cumberland to his statement, that the resolution respecting taxation in connection with the Pacific Railway was not part of the terms; and I also referred to the Minister of Justice as having cleared that up most satisfactorily the same evening; so the First Minister, I take it, is a little astray.

Mr. MACKENZIE: Perhaps I am mistaken, Sir, but I have no recollection of hearing the hon. gentleman say so. I think that, if he did, it must have been in an exceedingly mild way. I do not think that my hon. friend spoke with his usual energy on that occasion.

Mr. DECOSMOS: I can assure the hon. gentleman that I am not accustomed to speak in any other than a mild way, though with some hon. gentlemen this is not a common custom.

Mr. MACKENZIE: I was proceeding to show the ground that was occupied now by the hon. gentleman opposite, and, I presume, by his associates, though it is difficult to know how the hon. member for Kingston could sympathize with that. He could not possibly have believed that the terms of union were not binding as to the ten years, because the hon. gentleman, in a speech he made at Kingston, when he merely suspected us of trying to get a relaxation of the terms that he had made, openly advised the British Columbians to secede.

Sir JOHN A. MACDONALD: No.

Mr. MACKENZIE: The hon. gentleman says "No." It is true that he hid it, as he does many things, in a very clever way. It is true that he did not say: "I advise you, gentlemen, to leave the Union at once;" but he did say, and he gave the weight of his great authority in this country to the opinion—that they were entitled to secede, because we sought to obtain a relaxation of the terms; and now, Sir, the position of the hon. gentleman is simply this. Why, Sir, they would engage to build a railroad to-morrow to British Columbia, or anywhere else on this continent, if they could only get into office by making the declaration. And it is one of the noticeable features, I have observed, that there has not been a single speech made by either of the political twins opposite, during this Session, which has not either begun or ended with the expression of a desire and hope that they would soon be over here. It is the beginning and end of their day thoughts and of their night dreams, and they have got so possessed with the idea that it is impossible for them to discuss the simplest business matter in this House without expressing their anxious desire to be back to these clover-fields on this side. I am afraid, Sir, that the hon. gentleman and his associates will have to wander for a long time to come in the bare shades of Opposition, and will have to get what pickings they can.

Sir JOHN A. MACDONALD: I am afraid that the hon. member will not leave us much clover if he goes on in the way he has done.

Mr. MACKENZIE: I can only extend to them my sympathy in their bereavement, and express the hope at the same time that their parliamentary leaders may take a more manly and straightforward course in discussions in this House than to be constantly showing that they have nothing to think of, nothing in their minds, nothing in their purposes, and nothing in their language but an eager scramble to get into office by any means. My hon. friend the member for South Wentworth declared last year that, judging from his long parliamentary and political knowledge and experience of

public men in this country, he thought there was nothing he knew of in nature that showed such innate ferocity as a Tory excluded from office. He declared, Sir, that the feelings and actions of a she-bear robbed of her whelps were nothing to their feelings. Who does not remember, Sir, the long and desperate struggle that the hon. gentleman who leads the Opposition had with Sir Francis Hincks and Robert Baldwin, and their associates? Who does not, amongst old Canadian politicians, remember the extravagance of their denunciation, and the wildness and excitability which characterised all their then political speeches? We have had a reproduction, Sir, of the same spirit and the same speeches, only with a change of scene and some change in the subject; but the men are the same; and the true, genuine nature bursts out, brimming all over. I was amused the other night—and I will digress for a moment to pay the hon. gentleman a little attention—I was amused the other night when the hon. member for Kingston (Sir John A. Macdonald), standing up and assuming the gravest attitude, denounced me because I had, upon the technicality which he was urging, spent money without the express authority of Statute. I was astonished at the hon. gentleman, as I remember what his practice was. To be sure, Sir, I would not be justified in following his example, and I can only say, may all that is good forbid me from doing so. The hon. gentleman has long led the Conservative party in the country, and it is but right, on an occasion like the present, that I should refer to incidents in his career. Why, Sir, in the first days of his official position, what took place? I remember very well that, when the Hincks Government went out in June, 1854, the hon. gentleman and his associates came into office. Parliament was dissolved. The new Parliament, I think, met some time late in September, and Parliament was asked to vote money they had expended on the Lower St. Lawrence, on those piers—a sum of \$350,000 when Parliament had never voted one cent.

Sir JOHN A. MACDONALD: You are mistaken; altogether mistaken.

Mr. MACKENZIE.

Mr. MACKENZIE: I am not mistaken; I am pretty correct in my facts, as the hon. gentleman will find out. But I merely mention that as an incident, just in passing. Well, Sir, having referred to these matters, as I have done, I shall proceed with the other part of the remarks I intend to make. I was pointing out, when I made this digression, what the duty of the Government was under certain circumstances. Our duty was clear, to make the best of the circumstances in which we found ourselves—to adopt that course which we believed would be most productive of peace and harmony with British Columbia, and at the same time to save the people of this country from an intolerable burden which the country would never be able to bear. The hon. gentleman referred at considerable length on Saturday night to a disagreement between my hon. friend the Minister of Justice and myself, as to the Nanaimo Railway Bill. I will only refer to that to say that the ministerial explanations that were given at the time are quite sufficient to meet all the remarks the hon. gentleman made in that direction. The hon. gentleman, Sir, said in quoting an article from some newspaper, the *Ottawa Times*, that I could not shake off the responsibility for that paper. I shake off all the responsibility for any paper in Canada. No paper has ever been authorized to express my views on any subject whatever. The mere fact that I support Liberal newspapers requiring my support with some of my own money is no reason why I should be responsible for any of their opinions, except in so far as my own opinions are fairly reflected by articles in such papers. The Government having determined to seek a modification of the terms, and having assented to the terms ultimately proposed by Lord Carnarvon, with the saving exception that I have mentioned, that it could be done consistently with the resolution passed in Parliament, to which reference has been made, the next step was our seeking authority of a legislative kind for the construction of the railway. The hon. gentleman opposite pointed out, on Saturday, that I said in the House, in reply to my hon. friend the then member for Bruce (Mr.

Blake) and now the hon. the Minister of Justice, that the Government had no necessity for asking authority in these concessions, neither did we force the road or expect any vote in Parliament. But, with regard to the Esquimalt and Nanaimo Railroad, that was a different matter altogether. We had never recognized that as a part of the Pacific Railway, and we were bound, therefore, having entered into the engagement with British Columbia to build that 65 or 70 miles of railway, to seek parliamentary authority for it. That parliamentary authority was granted in this House. The two hon. gentlemen opposite voted for one reading of the Bill, and voted against the next on the pretext that they were not willing to allow the contract to be submitted for parliamentary ratification. But let me point out why they were not willing. We simply desired to proceed with that work as rapidly as possible, as we engaged with British Columbia it should be done, and if we had to wait another year for parliamentary authority it would be a year beyond the time. That was our reason; not because we were unwilling to submit any contract to Parliament, because in one case in which we were not obliged to do it we submitted a contract for the approval of Parliament—that was relating to the Georgian Bay Branch. The action of the Senate, Sir, destroyed that part of the arrangement, and the hon. gentleman says that, because the Senate by a majority of two threw out the Bill, I was bound to adopt the same course that I said he was bound to adopt with regard to the National Policy. If I had lost my Bill in this House, I would have been bound to adopt that course; but I lost the Bill in a House which is not responsible to the people, over which the people and myself have no kind of control. It was lost as many Governmental measures may be lost, and, when such measures are lost in a House somewhat different to it in England, the House of Peers, no Ministry thinks it necessary to resign on that account. I think we would have been subject to the gravest political censure from our political friends, and from all constitutional thinkers, if we should have adopted that course on that occasion. It would be practically saying to the

whole public: "We know we have your confidence; we have the confidence of the popular branch of the Legislation; we have the confidence of the people; but we will allow governmental action to be governed solely by the other branch of the Legislature, which has no popular element in its constitution, and which existed, without any change worth noticing, as it was when we assumed office." Now, Sir, one of the principles upon which we acted from the first, even when we were in Opposition in 1871, was this: that, until the country had been thoroughly surveyed, thoroughly explored and the route determined, it would not be advisable to enter into any contract, or to invite tenders for the construction of the road. That purpose we have adhered to from first to last. We pushed on the surveys as rapidly as possible, and, as I explained on a former occasion, the contracts that were made on the eastern end of the line were let, simply because the surveys were there completed, and because it was desirable to get into the prairie country at as early a day as possible, as entrance into the prairie country of a large population is almost an essential element to be considered in the project for the construction of a road across the continent. Now, Sir, I propose to deal for a few moments with the assertions of the hon. gentleman as to the course, because that involves the consideration of the Nanaimo and Esquimalt Branch, and it involves the discussion of the terminus at Esquimalt as fixed upon by the hon. gentleman's Order in Council. The hon. gentleman said that they proposed, by their scheme, to give simply \$30,000,000 of money and 50,000,000 acres of land. Now, Sir, if I take the hon. gentleman's own calculation as to the cost, he will not blame me, I presume. He found fault with me for saying that the omission of 1,300 miles from immediate construction would save the country \$60,000,000 or \$70,000,000, and he hoped I was now prepared to modify that statement, with my experience; but I am not prepared to modify that statement. The hon. member for Vancouver said the road would cost \$100,000,000 instead of \$50,000,000 or \$60,000,000, as I had allowed in the above calculation.

Mr. DECOSMOS: Yes.

Mr. MACKENZIE: Perhaps for convenience sake I had better deal first with the hon. member for Victoria. When the project was under discussion in British Columbia, the hon. member for Victoria calculated the cost at \$150,000,000, and then he proceeded to calculate what the amount of interest on that amount would be. But the hon. member for Cumberland declared that it would cost \$280,000,000 to build the road. Does he deny that?

Mr. TUPPER: I would like to see the authority for it.

Mr. MACKENZIE: I think that is a most reasonable request. I may say in the first place that he made two estimates. In speaking on 1st March, 1875, on Mr. Foster's contract, he declared that the land was well worth \$2 per acre. \$2 per acre upon 50,000,000 acres is \$100,000,000; and \$30,000,000 of cash given, makes \$130,000,000, according to his own calculation. But my hon. friend the member for Chateauguay said: "Why not make it \$5 an acre?" And the hon. member for Cumberland replied:

"I could safely make it \$5 an acre, provided I have the selecting of the land. The whole character of the land from the eastern limits of Manitoba to Fort Pelly is worth \$5 an acre as well as \$1, and will fetch that sum."

Now, Sir, \$5 an acre for 50,000,000 acres is \$250,000,000, and the \$30,000,000 in addition is \$280,000,000. I know I shall hear more samples of the hon. gentleman's figures. He is an eminent authority on calculating figures. He disposes of millions with the greatest possible facility. But here is his own calculation applied to his own purpose. I have shown him that, by his own scheme, he was intending to immerse this country in a loss of some \$200,000,000 over and above the \$30,000,000.

Sir JOHN A. MACDONALD: You are going to give the 50,000,000 acres of land away.

Mr. MACKENZIE: Yes; only I don't place their worth at \$5 per acre. I wish I could say they were worth \$1 an acre. The hon. gentleman, in speaking of the Esquimalt and Nanaimo

Railway Bill the other night, said that we assumed the task of completing this road upon the island, and that we were not called upon to do it. When he had to account for the fact that they themselves had fixed the terminus there, he said they required the contractors to do that without any extra cost. We know from Mr. Marcus Smith's calculation that it will take \$27,500,000 to build the road from the head of Bute Inlet to Esquimalt. But he said the contractors were to do this without charging the country a dollar. What magnanimous, rich and generous fellows these contractors are. But where are the contractors? Why, Sir, the hon. gentleman knows he failed to find a contractor that would touch it, even without knowing that the contractors would be obliged to build the Esquimalt Branch for nothing. It was not known at the time that they were going to Esquimalt. That Order in Council was never made known to Parliament until 1873; that is my recollection of it. And these people went home to England on the understanding that they were simply to reach the Pacific Ocean; but here the hon. gentleman says that they were to build 260 miles of railway after reaching the Pacific Ocean, and that they were to do this for nothing. It is the sheerest trifling with the public mind, it is the sheerest trifling with this House to say that any company would undertake to build what the Government chose to put in for \$30,000,000 and 50,000,000 acres of land. The whole thing was a huge farce. The whole scheme was undertaken quite evidently to serve a temporary political purpose; and they resolved that they would first secure that political purpose, and that then something or other would happen which would enable them to gain something in the scramble. They were utterly unworthy of the position they held, when they entered into an agreement which they knew they could not carry out, and which the hon. gentleman now tells us they never intended to carry out. And I appeal to the House and the country against that kind of political morality, which will sanction a treaty being entered into, and three years afterwards it being declared that they

never meant to carry it out. Sir, I am astonished that any public man would give utterance to such a sentiment as the hon. gentleman has admitted to be the sentiment which animated him at the time; and which governs his actions now, and that he has no other object in view but to endeavour to reach the position he is constantly telling us he is to reach very soon. Now, Sir, I shall say nothing about the sop to Cerberus or who represents Cerberus in the matter. The hon. gentleman says the money given to the island was a sop thrown to Cerberus. My hon. friend from Vancouver can deal with that, as he knows what is meant by it.

**Mr. DECOSMOS:** There was British Columbia and Imperial interests also.

**Mr. MACKENZIE:** A word as to British interests. The hon. gentleman said the Carnarvon terms, as they were known, were not only an engagement with British Columbia but with the Imperial Government. The very basis of the negotiation with British Columbia was that the Order in Council of 1871 was also Imperial in its character. The hon. gentleman knew that it was impossible to carry this out without the Imperial sanction. He knows that Columbia appealed to Her Majesty, and that Her Majesty's Government, as the guardian of those interests which were committed to them by both parties, when both parties sought Her Majesty's assent to these resolutions, were placed in this position as much as we were placed in it, by our action of being subject to the same extent to Imperial opinion, if not to Imperial control. There is nothing in the arrangement made by this Administration, through Lord Carnarvon, but what has not been accepted by British Columbia, in consequence of the failure of the Esquimalt and Nanaimo Railway Bill, that differs in character from that which was adopted by the hon. gentleman in 1871—not the slightest—so that, if the resolution as to taxation applied to govern their action of 1871, the same resolution applies to govern the plan as adopted by the present Administration, and we have always held to what-

ever moral extent it might be supposed fairly to have effect. Sir, we stated, in the first place, in 1874, in accepting these terms, that we did it because we conceived they could be carried out without violating that Parliamentary resolution. We stated in a subsequent Minute that these conditions arranged with Columbia through Lord Carnarvon were necessarily predicated upon, and subject to, this Parliamentary resolution of a certain date. That will be found in our despatch, and in the Act of 1874 we embodied that resolution. In the vote of Supply last Session, when the amendment was moved by my hon. friend from West Middlesex (Mr. Ross), almost the entire House gave its assent to that doctrine; showing that, while we admit that it had no legal effect with British Columbia, and could not and should not be dealt with as a legal rider to the Terms of Union, there was a moral effect to be attached to it, which must govern the action of this country. And I have stated over and over again, in asking for the votes to carry on this work, the purpose and intention of the Government to remain within this resolution. The hon. gentleman says we have already increased taxation. To be sure we have, because we found it necessary, apart from the Columbia expenditure altogether, in 1874 to obtain an increase of revenue. It was not on account of that, but other expenditures had increased to a great extent and there had been a great falling off in the revenue from other sources. But the mere fact that we increased taxation does not bind us to increase it any more. We are not to say that, because we have an engagement with a party and we shall not increase taxation to pay him, we shall not increase it for any purpose. Therefore we consider that our faith was thoroughly kept with British Columbia; that, in fact, we have shown an anxiety to preserve the good faith of the country to the utmost possible extent; and no taunts of the hon. gentlemen opposite, no accusations will, in the slightest degree, affect our purpose in that regard, or our policy, which is to carry out in good faith these engagements, so far as the financial condition of the country will permit us to do so.

I might, Sir, without being subject to any accusation of neglect of the hon. gentleman's speech, pass over some of the items on which he expanded very largely, because, as I have said, votes of want of confidence have previously been discussed touching upon these questions. He has embraced everything in his motion. It is a sweeping motion of want of confidence in the whole Pacific Railway policy of the Government, although we obtained the hon. gentleman's hearty assent to that policy on a former occasion, although he said that every member of the Opposition, and the whole country, were bound to give the Government support in that matter. He says now that the Government is entitled to censure, because they have done what he previously said they ought to do. But, though I might pass over these statements of the hon. gentleman, I will touch on some of them. First, as to the much-harped-on steel rails. On a former occasion, the hon. gentleman made some insinuations; and, at this time, he said there was a strong temptation to say more than he felt inclined to say in this matter. Well, Sir, I do not ask the hon. gentleman's forbearance. I invite him to formulate any charge he may have to make. I have asked him and his friends to do so several times; and I now give him and the House notice that, as they have failed to make good their statements in pie-nic speeches, it will be one of the first things with me to do next Session, to move for a Committee to enquire into these matters alone. The hon. gentleman, in order to effect a purpose, misstated the cost of these steel rails. He gravely gave the cost as \$59.09 per ton, if the report in the *Citizen* is correct. Is that correct?

Mr. MASSON: At Fort William.

Mr. MACKENZIE: Yes, adding freight through the country. That is one way to swell the thing. The actual cost of these rails delivered at Montreal was \$54.60 a ton, and at Columbia \$64.03. The total amount was \$2,777,734.97. Now, Sir, the hon. gentleman says that we bought these rails when they were not required. Well, I admit that we are subject to any fair accusa-

Mr. MACKENZIE.

tion for want of foresight, or any political blunder. The hon. gentleman has a perfect right to criticize it, and I have no fault to find with any fair criticism on that point. All I have to say about that is what I said on a former occasion, that the subject was first mooted to us by the Chief Engineer, who strongly advised that, the price of steel rails being so low at the time, it would be advisable to have a large quantity secured. We coincided in that opinion, and entered into engagements at the time by open contract. The hon. gentleman, now, Sir, says that we have lost a great deal of money, and he takes the entire quantity of these 50,000 tons of steel rails and bases his calculations upon that, although he knows well that about 11,000 tons of these rails have been delivered for use on the Intercolonial Railway, where they must have been brought in any case, if they were not given from this source. It is quite true, Sir, that the hon. gentleman said we have no right to divert these rails from the purposes for which they were originally bought. I think we had, as long as they were charged in a proper quarter. They were not charged to the Pacific Railway survey or expenditure, but to the Intercolonial; but, Sir, if this is true with regard to the rails that we asked tenders for and contracted for in the winter of 1874-5, what is the position of the hon. gentleman and his Government, who purchased immediately before that 6,000 tons without any tenders at all being asked; and while ours cost \$54.60, delivered in Montreal, their 6,000 tons cost, delivered on the Intercolonial, \$85.53 per ton; and they were bought without any tenders at all.

Mr. TUPPER: You asked me a question as to whether my statement was that the rails cost \$59 per ton delivered in Montreal, but I had not my figures in my hands. They were, in fact, in the hands of the reporter, but that is my statement; and I will tell the hon. gentleman how I make it up. I take the return brought down by the hon. gentleman as to the cost of the 50,000 tons of steel rails landed in this country, and without the \$48,000 on the freight of the portion sent to Van-

cover, the amount is \$2,946,000, and, I think, some odd dollars—I am speaking from memory, and if you divide that sum by 50,000 you will find that they cost \$59.08 per ton delivered in Montreal.

Mr. MACKENZIE: The figures are not correct.

Mr. TUPPER: The figures are according to those brought down by the hon. gentleman.

Mr. MACKENZIE: I think not.

Mr. TUPPER: I know that the expenditure was over \$2,900,000, and the hon. gentleman will find that the rails cost, delivered at Montreal, without the \$48,000 of freight on those sent to Vancouver, \$59.08 per ton.

Mr. MACKENZIE: They cost nothing of the kind.

Mr. GIBBS (South Ontario): Well, then, the returns are not correct.

Mr. TUPPER: That is according to the hon. gentleman's own return.

Mr. MACKENZIE: I was proceeding to show that immediately before we came into office this transaction took place on the Intercolonial Railway; and, if we adopt the same mode of calculation the hon. gentleman went on, and calculate what the price of steel rails is at the present time, what will be the result? He based his calculation upon the price at the present time, and he makes up the difference of a certain amount of money upon which he calculates the interest as the annual loss. Now, Sir, suppose I was to adopt the same plan with many things. The hon. gentlemen opposite purchased iron for the Miramichi Bridge—and they did not take the lowest tender either, but one \$22,000 above the lowest tender—and they had that iron bridge lying for three years before they could use it; and am I to charge interest on that for all time, and thus get the cost of their blunders? They had 12,000 tons of steel rails delivered for eighteen months on the Intercolonial before they used a rail of them, and am I to charge interest on that for all time? and so, Sir, with many other transactions all through their career, am I to charge interest upon all that? Well, Sir,

take this particular transaction. I apply precisely the same reasoning as the hon. gentleman did; and, instead of buying these 6,000 tons at \$85.53, he says that they could be bought at \$35, so that they paid \$210,000, by his mode of calculation, more for these steel rails than ought to have been paid.

An HON. MEMBER: What nonsense.

Mr. MACKENZIE: I admit that the reasoning is absurd, but I am presenting a *reductio ad absurdum* of the hon. gentleman's statement. He also went into another set of figures. He took \$50,000 paid for 100 acres at Kaministiquia River—I shall deal with this presently in another way; I merely mention the figures now—and he stated that if the land was paid for all over the Intercolonial Road at that rate, the right of way would have cost something more than the road. Suppose we apply this reasoning another way. Suppose we take, for instance, a specimen of the lands purchased on the Intercolonial. Sir, there were two acres purchased from one of the hon. gentleman's colleagues for \$16,000, which have never been used to this day. Now, Sir, if we apply this price per acre to the acreage on the Intercolonial Railway, we will find that the right of way on the Intercolonial would cost \$5,968,000.

Mr. MITCHELL: Does the Premier refer to myself as one of the hon. gentleman's colleagues?

Mr. MACKENZIE: I refer to the hon. gentleman.

Mr. MITCHELL: I say that the statement of the hon. gentleman is untrue. The land is used at this day, and the property was worth the money paid for it.

Mr. MACKENZIE: I can only say that it is not used.

Mr. MITCHELL: I assert that it is used. You know nothing about it if you say so.

Mr. MACKENZIE: Whether used or not, it never was used except for landing rails to build the road with. It is absolutely unnecessary; it is absolutely useless. In the little village of

Newcastle (N.B.) to pay \$8,000 an acre for land, will appear something a great deal worse, I should say, than buying 100 acres at \$490 an acre at Fort William.

Mr. MITCHELL: You want to make misrepresentations. What I wish to state is that \$8,000 an acre was not paid for the land alone, but in addition to the land there was a water frontage, the most valuable in the place, and wharves 300 feet long, with 20 feet of water at the end, and with facilities for landing rails from ships drawing from 17 to 20 feet of water. This could not be got in the place except there. Five ships came in at a time, and they were liable to demurrage at the rate of £15 to £20 sterling a day. They took my property away. They took it in spite of me.

Mr. MACKENZIE: To proceed with the illustration the hon. gentleman gave us on Saturday: there was paid for the terminus at Halifax \$192,000, or \$26,870 per acre; and, if we apply this sum along the Intercolonial Railway, we shall find that the right of way would have cost \$19,940,000. I know that these are very ridiculous things, but I am mentioning this to show the preposterous character.

Mr. MITCHELL: Some of the statements are very false.

Mr. MACKENZIE: I am not attacking my hon. friend at all.

Mr. MITCHELL: Why did you bring my name in?

Mr. MACKENZIE: I did not mention the hon. gentleman's name until he got up and asked me.

Mr. MITCHELL: You referred to me, and that is the same thing.

Mr. MACKENZIE: But the hon. gentleman must be responsible for administrative acts, and am I to suffer an argument of that sort to be used?

Mr. MITCHELL: But don't misrepresent.

Mr. MACKENZIE: Well, Sir, I might take another instance. There is another hon. gentleman sitting farther back, who got \$2,000 for moving a house that was valued by the valuers

of land at \$1,200. If we apply that calculation to the average for either of the routes, we will see what the result would be.

Some HON. MEMBERS: Name.

Mr. MACKENZIE. The hon. member for Restigouche (Mr. Moffat). Now, Sir, if we apply the same calculation to the Pacific Railway, we will see how absurd such figures are. I have now to say a little about the road on Lake Superior. The hon. gentleman insinuated that some serious blame was attached to me because of the selection of the Fort William terminus. I may say that the Engineer states that there are two miles of water frontage, the best water frontage on all Lake Superior, and that the terminus was agreed upon there by common consent of every person engaged in it; that I knew nothing about who owned the land, or anything in connection with it; and that when we agreed to take the land the map was sent, in the winter of 1874-5, to the proper office, as a deposit under the Act. I may say that, when we came to take possession of the lands, we applied to the Commissioner of Crown Lands in Ontario to get the name of a surveyor who was acquainted with that part of the country, who would be a suitable person to do what surveying was required. The Commissioner named Mr. Hugh Wilson, a well-known surveyor, a gentleman who had surveyed many townships in that part. With him we associated Mr. Robt. Reid, of London, whom everyone who knows him will admit to be one of the most thorough business men in Ontario. These two men valued those lands, whether high or low I am not competent to give an opinion; but the hon. member for Cumberland, with that recklessness of assertion of which he is capable, stated that there was not a shanty on those lands until it was heard that the Government had bought them, and that then someone put up the shanties. Why, Sir, I saw houses there myself 13 years ago. The township was laid out 12 years ago, and a great portion was under cultivation. The Hudson Bay Company had a farm up the river; the Roman Catho-

Mr. MACKENZIE.

lic Church had a mission on the bank opposite, which has been there for over half a century; and yet the hon. gentleman would belittle the place, its importance, and its value. The land may be valued too high; I know nothing about it. The same course was taken there as in any other place. Valuators were appointed—men of standing and capacity, and with them was left the adjustment of the price. But, in order to show the House the unfairness which is exhibited towards the Government and particularly towards myself, let me recall an instance. In 1874-75 we all expected that the terminus would most likely be at Nepigon Bay on Lake Superior. Subsequently explorations showed that it was not so suitable as Thunder Bay in any respect, and that it would be much better to go there. Well, at that time, the newspaper owned by the hon. member for Kingston (Sir John A. Macdonald) had the following article:—

“The Kaministiquia River, or Thunder Bay, is navigable for lake vessels nearly fourteen miles up, and has high banks, offering unusual facilities for the building of docks; while the Nepigon River has marshy banks, on which docks could be built only at great expense. With such a concurrence of testimony in favour of Thunder Bay as the terminus, how comes it to pass that it is deemed necessary to petition Parliament, and to make the most pressing representations to the Government, in order to prevent the unsuitable terminus of Nepigon Bay being selected? In the absence of reasonable explanations, it need not be surprising that people should say that Mr. Mackenzie and a number of political friends have strong personal interests to serve in the Nepigon country, and that such private interests are likely to override all considerations of public benefit.”

At this very time it was about decided that we should not go to Nepigon. We went, therefore, to Thunder Bay, and we were immediately told by the same newspaper and the same parties: “Mr. Mackenzie has interests at Thunder Bay, and, therefore, Nepigon is not selected.” Such is the stream of calumny and abuse which is poured out unceasingly, alike from Conservatives and Conservative newspapers, that it is impossible for any man in this country to conduct public affairs without being subjected to the grossest possible abuse. Let a political friend get a contract, and

it is stated at once it is because he is a political friend. Let a political opponent get a contract, and we are charged at once with trying to buy him over to the Government. Such is the outrageous manner in which public men are treated in this country by hon. gentlemen opposite and their organs. I know this was the custom in former years. They expect to weary out every public man; they expect to torture his life out with insinuations which they dare not mention here. There is an hon. gentleman opposite who even was gentleman enough to mention my wife's name in a speech last season. Not content with opposing me, they must carry the warfare into my family. There is no fairness in the parliamentary motions of hon. gentlemen opposite; there is no fairness in their speeches. They seem to be actuated by a determination at all hazards to mislead and to misstate even matters which could as well be stated fairly as not. How is it, Sir, that in this country it seems impossible to conduct parliamentary debates or parliamentary business as they do in England? How is it that it is impossible for any public action to be done here without subjecting the Minister of the day, or his associates, whoever they are, to this stream of obloquy and abuse. I need not say that I appeal to the House to put down this, and to testify by their votes on these occasions that they appreciate fully the evils of the course which has been adopted and carried into practice by hon. gentlemen opposite in their newspapers. Now, Sir, I mean to say very little in relation to two or three matters referred to by the hon. gentleman. I am not touching the St. Frances Lock matter because we have discussed that within the last few days. I have merely to say I am perfectly satisfied that we not only acted within the law, as I said then, but that we acted also in the best interests of the country. What motive have I to serve—what purpose has the Government to accomplish, but the general welfare of the country? It may be that we are mistaken in our policy, and I don't object to a fair discussion of our policy. It may be that it was unwise to proceed from Thunder Bay instead of Nepigon

Bay. But, while I am prepared to discuss that, and to listen to all the arguments *pro* and *con.*, I am not prepared to be misrepresented, and have it thrown up as an insinuation that I went there to benefit some particular friend. I do not know that the sale of land benefitted a single relative I have, good, bad or indifferent, and no person ever solicited me to make that the terminus for the purpose of securing a benefit to himself. And the hon. gentleman should remember that the Government of which he was a member sent the first party to Thunder Bay—it was not I. I found a party of engineers examining the country. I have this much to say, that in the ground selected by Mr. Fleming as a terminus we have two miles of the best water frontage, where no storm can touch a vessel, and where there is the best possible accommodation for wharfage; and it is the only place upon that river where we can get the accommodation. Some hon. gentleman said there was good wharfage ten miles up, but the banks of the river did not suit the grade. There is a certain grade, and we touched the river at the earliest possible point consistent with that grade. If the wharves had to be built at Prince Arthur's Landing they would cost ten times the amount that they cost where they are, and we would have had to purchase the right of way for several miles through and in the midst of a flourishing village. I am informed that Mr. Aikins in the Upper House stated that the Government owned enough land at Prince Arthur's Landing to build a terminus on; but it is not so—although we may own enough land there to build a station. We have not land enough at Halifax for the terminus of the Intercolonial, although we thought we had, and the Chief Engineer had profited by that experience. The selection and the amount paid for the site are not mine. The selection was made indifferently to the interests of particular parties, but was made in the interest of the country by the officers who were in charge of that matter. I forgot, in noticing my hon. friend's figures, to notice one remarkable figure of his last year. He told us, in spite of the information I had given him then

Mr. MACKENZIE.

and have also given him this Session, that the Pembina Branch would cost \$40,000 a mile, and he based all his calculations upon that, as he based his calculations also upon the preposterous figures as to the Georgian Bay Branch. With all these matters I do not propose to deal. I don't think it worth my while. Any statement or assertion, or argument which has anything on its face and which requires attention, I am willing to consider; but I think it would be a sheer waste of the time of the House, and of my own, to do anything more. With regard to the question which I touched upon a little while ago, of the Government having lost a great deal of money in consequence of buying rails—as is asserted, but which I don't admit—we cannot expect any more than any merchant, as to the raising and lowering of prices. We cannot at all times buy at the best possible opportunity, and have nothing on our hands which could not at a particular time be bought at a cheaper rate. When I came into office, I found a contract with the hon. member for King's (Mr. Domville)—who is not in his place—for delivering spikes at \$94 a ton. Now, Sir, we have delivered them recently for \$54 a ton. Are we to get the benefit for this difference? Are we to be praised for having saved \$40 a ton on spikes, or are we to be only censured when the price goes the other way. I find that the then Government were paying the same gentleman \$6.50 a keg for nails, while we afterwards only paid \$3.10. I find that they were paying on an average from 4 $\frac{1}{2}$ c. to 6c. per pound for iron, while we are now having it delivered at \$1.98 per 100 pounds. Are we to get credit for this, or are we not? Are we to be subject to censure because at a certain time we may have lost in our purchasing, but to get no credit when we gain? In the public works let last year, I do not hesitate to say that we let them 25 per cent. cheaper than they had been let in 1873 by hon. gentlemen opposite. I claim no credit for that, because wages and prices have fallen. That is the sole reason of the reduction. I do not pretend to claim credit for any of these things. But I ask that hon. gentlemen

should not blame me when I don't blame them. Every Minister will do the best he can for the country, if he is an honest and capable man. The hon. gentleman was pleased to say I had made a lamentable failure as a Minister of Public Works. Well, I shall leave that to the judgment of the House and the country. I don't say whether I have or have not. I shall say one thing, however—that the first year that I controlled the management of the Intercolonial Railway the expenditure was reduced by \$100,000. I shall say, also, that we have done twice the business in my Department since I have been there than was done in the same number of years previously, and we did it, Sir, at less cost. I was accused the other night in the matter of the Goderich contract of having given out a contract to a person who tendered higher than another had, and gentlemen in the Opposition voted that it was improper to have done so, and they voted to censure me for it. I have a small list which shows that in general contracts hon. gentlemen opposite, in cases where no reason was assigned, except that the contracts were too low or for other sufficient reasons to the the Government or their officers, had lost \$621,994 during the last three years they were in office, by not giving the contracts to the lowest tenderers; and on the Intercolonial Railway, applying the same principle, of \$1,411,567. I do not say they were wrong in passing over them, as there is no reason assigned. However, I proved to the House the other night that, in the matter of contracts, we succeeded, at all events, in establishing a better system. We succeeded in receiving tenders and give them to a larger number than ever before of those who tendered lowest for public works, and I may be presumed, as the hon. gentleman (Mr. Tupper) says I have made a lamentable failure in the position I have occupied in the Government, to invite the attention, at all events, of my own supporters to these statements, in rebuttal of the charges the hon. gentleman has made, and I have no doubt but that I shall receive the approval and support of those gentlemen in the course I have endeavoured to pursue. I believe at this moment the contract sys-

tem is on a sounder basis than ever it was before in this country, and, in saying this, I am not imputing blame to the hon. gentleman opposite who preceded me. I do not say he did not do the best he could, but I have this satisfaction, that I succeeded in doing a little better. I don't speak as to motives. I say simply as to results, for I can quite comprehend, as I do comprehend, the difficulties which the hon. gentleman must have had, or any other hon. gentleman who occupies the position in dealing with some parties who tender, and I say adverse criticisms should not be too readily indulged in with reference to such a matter. I can appeal to the hon. member for Charlevoix (Mr. Langevin) if I did, when sitting on the Opposition side of the House, indulge in that kind of criticism that was launched at me a few evenings ago—if he can mention any instance when I was open to such an accusation. I might have gone that length and asked hon. gentlemen opposite to look a few miles further, and have shown, as I can show, a case of a thoroughly good man whose tender was \$13,000 or \$15,000 lower than that which was accepted. Yet the Minister may have had sufficient reason for not accepting it. I don't judge him, but I simply ask that I may be judged by the same standard, and the Government judged by the same standard those hon. gentlemen have had applied to them by myself. I have little more to say. In conducting their general policy, the Government have had to encounter great difficulties. They have had to call on their supporters to make some sacrifices in relation to the voting of public money. They have to call on their supporters to support them still in carrying to a successful conclusion such negotiations as may yet become necessary with the Province of British Columbia. I have pointed out, with regard to those obligations which were not of our creating, that we succeeded at least in modifying them, and that we have endeavoured, to the best of our power, knowledge and ability, to serve the public, both in the old Province of Canada and the Province of British Columbia; and, if we have not

been so successful as we would desire, if the circumstances of the country have been such as to require us to move with caution and discretion, I am quite sure that, in that matter, every single member who has supported myself and the Government that I lead, from the first, will be prepared to make due and proper allowance. It is our interest to make this a cheap country to live in; it is our interest also to open up the vast prairies of the west, as soon as it can be done, and to do everything that our means and circumstances will permit to keep faith with our cousins across the Rocky Mountains, with those who are associated with us for good or for ill, and we hope for all time to come. In the meantime we are bound, while dealing with these matters, in consequence of the obligation imposed upon us, not to lose sight of other portions of the country which contribute the money which has to be expended in that quarter, and the great tax-paying population of this country is the population which will have to decide the manner in which this has to be done for the future; and no pressure from any quarter, however influential, must be suffered to interfere with the great interests of the country which you, Mr. Speaker, and I have alike sworn in common to protect.

Mr. MASSON said the House, in listening to the speech of the hon. the First Minister, would not realize the fact that it was made in reply to the most moderate, most temperate, most statesmanlike speech of the hon. member for Cumberland the other evening. There was not in the hon. gentleman's speech a single word which would justify the hon. the Premier in using the expressions he had to-night. Instead of being a moderate defence of his own Government, the hon. gentleman had made a violent attack upon his adversaries in the face of the fact that the hon. member for Cumberland had distinctly stated that he would not use a single word which could be considered as a personal attack. The hon. the Premier opened his observations with a gratuitous attack upon the right hon. member for Kingston and the members of the late Government, by stating that a few years ago they dared not have mentioned the Pacific

Mr. MACKENZIE.

Railway except compelled to do so in a Court of justice. Was there anything which the hon. member for Cumberland had said that would justify the hon. gentleman in using such language. It was well known that the members of the late Government would compare favourably with hon. gentlemen at present occupying the Treasury benches, and, if mistakes were committed by the late Administration, there was nothing in their conduct which warranted such expressions as had been used by the hon. the First Minister.

Mr. MACKENZIE: If the hon. gentleman understood my remark to apply to any individual, I exceedingly regret it should be so; I certainly had no intention of anything of the kind.

Mr. MASSON said he accepted the hon. gentleman's explanation. The hon. the Premier had held up the action of the late Government to the execration of the people, but he had forgotten that the project put forward by the right hon. member for Kingston and the late lamented Sir George Cartier was only the result of the policy which had been submitted to the country and adopted by Parliament, with the concurrence and approval of the hon. gentleman at present leading the Government. He (Mr. Masson) was one of those who, with the hon. member for Chateauguay (Mr. Holton), believed at that time that the annexation of the territories of the North-West might have been premature on the ground that the country was not yet sufficiently strong to annex such a vast territory with the serious obligation connected with it. The hon. the Premier, however, side by side with the right hon. member for Kingston, stated to the House that that was a suitable time to annex the North-West—he almost forced some of his followers to adopt that view—and that it was now or never that the territory should come into the possession of Canada. They had said that the American nation with the shrewdness which distinguished them saw that the time was come for them if they wanted to stop the prosperity of Canada, to encircle it as they tried to do and partly did by annexing to their own terri-

tory and purchasing the vast territory of Alaska. The intention of the Government, and their friends was to take a step in advance of the American nation and become possessed of the North-West Territories. He might have been mistaken, and the hon. member for Chateauguay, who was his leader on this question, might have been mistaken; but, nevertheless, the acquisition of these territories took place and was approved of by the hon. gentleman himself. What were the consequences of that acquisition? They were stated boldly in the House, by every Ministerialist at the time, by the friends of the hon. gentleman, and in the Press. It was held that this must be followed by the commencement of the Pacific Railway, which was to stretch from ocean to ocean. The friends of the hon. gentleman declared that this country would be a useless acquisition if a railway was not constructed to pour a numerous population into that country. The hon. gentleman said that neither he (Mr. Mackenzie) nor any of his friends favoured this project, but he could again recite the rehash—the hon. gentleman had used this word—of the opinions of the *Globe*, and the newspapers which he had in his possession, which stated at the time not only that the Pacific Railway should be built, but also that we would be traitors to ourselves if we did not build it. It must be pushed forward at any expense. This was in 1869. No restrictive clause as to whether the finances of the country would allow of it was then mentioned. The Liberal Party of Ontario, led by the Hon. George Brown and the present Premier, were the first to say that this railway should be built whatever it might cost the country. Mr. Speaker, as well as himself, knew that these vast territories would be useless, and more than useless—a burden—if they did not build this railway for the purposes mentioned. These statements, it was true, did not at the time find an echo with the Liberals of the Province of Quebec. In this, at least, he admired the conduct of the hon. gentleman who at that time never depreciated that country but pronounced it the most glorious in the world. He

held in his hands proof that not only had he been right two or three years ago, but also the hon. gentleman when he said that the vast fertile belt in the North-West was the proper abode for a numerous, thrifty population similar to ours. He held that in his hands, to which he called the attention of the Ministerialist members from the Province of Quebec, who depreciated that country on every hustings in Lower Canada; he had proof that 1,000 miles north of the latitude of Ottawa, there was a country where the finest wheat would grow. He had received that morning from a friend a grain of wheat which had come from the north-eastern extremity of the great territory of the Peace River, in the region of Athabaska Lake and Chipewyan Fort, founded nearly 100 years ago by an industrious and able North-wester. He would read what accompanied the grain of wheat:

“Wheat from the Peace Region; north-eastern and western part of it; that is to say, Lat. 58° 42’; it was sown on the 8th May, 1875, and was reaped before the 26th August, 1875.”

He would pass this to the Minister of Finance, who a few weeks since had most imprudently depreciated that country, which was, he hoped, at no distant day to become the abode of a large population. Wheat grew at the point named, weighing 68 pounds to the imperial bushel, he believed, and barley weighing 58 pounds to the bushel. The late Government had, indeed, acquired a glorious country, and the Pacific Railway scheme was not a blunder. It would have been a serious blunder and fault—as the *Globe* said—if the men at the head of our public affairs had not considered it their duty to build it, he would not say with the *Globe* “at any cost,” but at any reasonable cost. The hon. gentleman now said it was an insane project, and the greatest objection made to it was that no company could be found to build it. It happened, however, that so many companies wished to do so that the Government almost fell in consequence. There was a company from Ontario, a company from Quebec, and a company formed of English capitalists, men holding high positions, who were ready

to accept the terms proposed by his right hon. friend from Kingston. It had been stated all over the country, and in the Province of Quebec, that the building of the Pacific Railway would ruin this country. Hon. gentlemen opposite had indulged in the most extravagant calculations. Some said it would cost at least \$200,000,000; others \$250,000,000; and the present Minister of the Interior had declared he believed that it would cost \$300,000,000. This was not surprising. Hon. gentlemen opposite had said the same thing about the Intercolonial Railway, forgetting, at the same time, that it was to be to the future advantage of Quebec. Even the hon. member for Chateauguay, who was distinguished for his prudence, had said that it would cost not \$20,000,000, nor 30 nor 40, but 50 millions. The press from Quebec said that this railway would ruin the country. He held in his hand an extract from the *National*, a leading Ministerialist journal, which was a true *eteignoir*, extinguisher, and he did not believe a Liberal paper in Ontario would write after such a fashion. It ran as follows:—

“The fallen Minister asked for an impossibility. In Europe, men would think twice before constructing a line 800 leagues in length; but our great men here have gravely decided that such a railway in a desert was advantageous for a poor country. The whole scheme was a wager against common sense, and those who dreamt this insane project”—a repetition he was sorry to say of the hon. gentleman’s expression—“can only be ranked among imbeciles. \* \* \* What will we send to British Columbia? Goods which they can purchase at half the price from Oregon. And what quantity will we send to your 12,000 Columbians? Ten cargoes would provide for their wants for one year, I leave you one-half for your road—five loads a year. It is for this result that you wish to spend 250 millions of dollars! Admit that you are imbeciles.”

This was the character of the cry raised in that Province against the Pacific. But they had to-day a glorious vindication of the action taken by his right hon. friend and the late regretted Sir George E. Cartier—a vindication of their project and statement that \$30,000,000 and 50,000,000 acres of land would build this railway. This vindication was to be found in the admission made by the Premier a few

Mr. MASSON.

nights ago, when he spoke of the proposed location of the railway—he (Mr. Masson) wished to draw particular attention to this point—from Thunder Bay or Kaministiquia River to Fort Garry, which comprised one of the most difficult parts, and the Cross-Lake section, No. 15, 45 miles east of it—in fact, so difficult that the Government had had to alter their contracts. Nevertheless, the hon. gentleman had given the most favourable and delightful statement that that road, when completed, would only cost \$24,000 a mile.

Mr. MACKENZIE: My hon. friend will remember that I stated the parts under contract would cost that.

Mr. MASSON: But I asked the hon. gentleman if the rest would cost about the same, and he replied there would be no material difference.

Mr. MACKENZIE: What I said was that the other portion was in the middle and most difficult part of the country, and that it must necessarily cost a good deal more—how much I could not say. At least, that is what I intended to say.

Mr. MASSON: Well, it might cost \$25,000 to \$26,000 per mile. If the calculations of the hon. the Premier were correct, the Pacific Railway would be built for less than \$100,000,000. The hon. gentleman saw the difficulty he was in by the questions the Opposition put to him; and he tried to qualify the statement by saying that the road on the North Shore of Lake Superior would cost some \$50,000 per mile. On what authority did the hon. gentleman say that? He (Mr. Masson) had asked the hon. gentleman if he was going to present a report of the explorations going on there, and the hon. gentleman could not answer. But he (Mr. Masson) had in his possession a report of Mr. Fleming, which proved clearly that the construction of that branch would not reach more than the average cost of construction on the whole line. Mr. Fleming said:

“That it is now established beyond doubt that a favourable and comparatively easy route, considering the line as a whole, has been found from Ottawa to the northerly side of Lake Superior. This result is the most more satisfactory, as unfavourable impressions

have been created regarding this portion of the country, many having considered it even impracticable for railway construction."

He (Mr. Masson) admitted that those parts of the line to be built in British Columbia would be extraordinarily heavy, but he still thought his calculation borne out by the Chief Engineer's report was correct. The 630 miles of line from Lake Nipissing to Fort William would cost, according to all reasonable calculation, \$35,000 per mile; the 410 miles from Fort William to Selkirk would cost about \$26,000; the \$40, that part of the railway which ran from Fort Selkirk to Edmonton, which was a prairie country, would cost about \$22,000 per mile; and the 750 miles in British Columbia would cost some \$45,000 to \$50,000 per mile. Adding all this together it did not exceed \$90,000,000 for the construction of the whole railway, and would not reach 100 millions, even granting the extravagant estimate of \$50,000 a mile for the eastern section.

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

### After Recess.

Mr. MASSON resumed. He said it was evident by the above calculations, given to them by the Premier himself, that the arrangement made with Sir Hugh Allan for building the road with \$30,000,000 and 50,000,000 acres of land, was sufficient. The hon. the Premier had laid great stress upon the fact that Sir Hugh Allan failed to find the money in England. That hon. gentleman should have been the last to have reproached the late Administration on that score, as it was greatly due to the acts of himself and his followers throughout the whole Dominion, who said that the railway could not be built for anything approaching that sum of money. Sir Hugh Allan, who should have been supported by the public men of this country, was discouraged in a disgraceful manner. He would instance the banquet tendered Sir Hugh Allan before he left for England to raise the necessary funds. The Liberals of Quebec would not join in the banquet when asked to do so. They said

they wished to keep their hands out of the whole affair, so as to preserve liberty of action. They wanted to have the means of finding fault and of fighting against the company in future. And they succeeded. They were against the Pacific Railway—they could not show this better than by their action in that circumstance. The baneful influence of the Liberal leaders of Quebec was not shown in this matter only. The same men and some of their followers were opposed to the great undertaking for the construction of a railway on the north shore of the St. Lawrence. They tried to depreciate the line, and said its building would ruin the Province and that it would not be able to pay the debt incurred thereon. He was very pleased to say that the leader of the Dominion Government, however, and the leading organ of the Upper Canada Liberal party, the *Toronto Globe*, supported the scheme, and they defeated the object of the Lower Canadian Liberals. As illustrating the contradistinction between the two branches of the party he would read two extracts, one from the *Franco-Canadien* and the other from the *Toronto Globe*. The former paper said:

"Blind to the uttermost, and with flagrant want of foresight, the railway policy inaugurated by the DeBoucherville Cabinet, during last Session, already presents unfavourable points, foreseen and announced by the Opposition at the time the scheme was discussed. This purposeless policy, impeded from the date of its presentation by inevitable difficulties as to execution, will become more and more precarious as it is developed, and it will result in new checks being given to the enterprise at the price of disastrous financial embarrassment for the Province."

The *Globe*, on the other hand, said:

"Nothing is more common, but nothing is more absurd, than the habit of gauging the state of affairs in Canada, or some other new country, by a European standard. Up to the date of the recent application for a railway loan, Quebec actually did not owe a dollar above her actually available assets, her surplus and funds held by the Dominion more than covering the loan raised last year. So that for the new loan the whole resources of the Province stand as a free and absolutely unencumbered security. As to imposing on the people a disastrous burden, as the *Times* puts it, the idea is a ridiculous one. Whether as a commercial venture the North Shore Railways will or will not pay

for some time to come is not the first consideration, for one thing is certain, and it is this, which has so strongly impressed the people of Quebec in their favour—they cannot fail under any circumstance to add largely to the general measure of prosperity.”

The speech made just now by the hon. the Premier was not with his usual force, which showed that he felt that he was wrong to some extent. The question of the time limit as to building the road should have been exploded by this time. The hon. gentleman had contended that the road could not be commenced until the surveys were completed. In saying this, he pronounced his own condemnation, for the surveys were not yet completed, and would not be for some time, and yet the construction of the road was being proceeded with. The hon. gentleman had said himself that he would not go on with the building of the road north of Lake Superior for several years to come; he had, nevertheless, entered into an agreement with British Columbia to spend \$2,000,000 a year on surveys and building in that Province, in order to push the work as fast as possible, thereby admitting that the work of construction could proceed before all the surveys were completed. He (Mr. Masson) had always contended that the time limit of ten years, granted to British Columbia by Canada, was only a condition to show the earnestness of the Government in pushing on the work. The hon. gentleman had admitted that Mr. Trutch had said that, whether the road was finished in 10, 18, or 20 years, it was nothing to the people of British Columbia. All they wished at the time was to establish that we were in earnest in pushing on the work which we had undertaken. The Government had no right to accuse their predecessors of disingenuousness in this matter; but the Opposition could, with propriety, accuse the Government of being entirely disingenuous on this subject. On this question—the ten years limit—they were playing two games. In British Columbia they claimed that the ten years limit was not binding on the people of Canada, that it was directory and not mandatory, and they made use of that to prove to the people of British Columbia

Mr. MASSON.

that they could not insist on the immediate building of the road. Here was what was contained in the Order in Council of the 8th July, 1874. After reciting the expression of opinion of Mr. Trutch, the delegate of British Columbia, establishing that his Province would not demand the pound of flesh, the Order in Council read as follows:

“These expressions show very clearly that the terms agreed were directory, rather than mandatory, and were to be interpreted by circumstances, the essence of the engagement being such diligence as was consistent with moderate expenditure, and no increase of the then rate of taxation.”

Well, at the very moment when, in order to obtain delay and better terms from the people of British Columbia, they contended that the ten years limit was directory and not mandatory, that it did not bind the Dominion of Canada, but was only an indication of the time when it was probable the road would be built, they turned round on his right hon. friend, the member for Kingston, (Sir John A. Macdonald) and spread broadcast through the country that the former Government had made an insane agreement which was legally binding upon the Government, and that the Government were bound to finish the road in ten years, or to commit a breach of faith with British Columbia if they did not. By that course they had two benefits: they tried to calm down the people of British Columbia on the one hand and on the other hand they had a fling against his right hon. friend. It was a most disingenuous mode of proceeding. The late Government had fixed a limit of ten years, but they did not mean that the road must and should be built in ten years, but that, by doing what prudence might indicate, the railroad could be built in that time. If the British Columbians really wanted a railway, what would they have said if Canadians had stated that we would build it when we chose or when we could? The late Government said they could build it in ten years, and they based their opinion on what was done in the United States, where they had undertaken a railway, shorter, it was true, but far more difficult of construction than ours. They began it in 1863 or 1864, and finished it in 1869. It was said in the Committee, by an Engineer of the Government, that the Pacific

Railway in the United States had been mooted for twenty-five years before. It might possibly have been dreamt of for twenty-five years before; but he alleged that the real initiation of it dated from 1863 or 1864, and five or six years afterwards the engines—one from the East and one from the West—met in the middle of the prairies and the road was complete. The late Government, feeling that the Dominion of Canada, backed by the power and guarantee of England, could accomplish in ten years what the Americans did in five years, said they would do it. The hon. gentleman found fault with the previous Government for having fixed the limit of time, but what did this Government do? In the famous terms that were proposed by the Minister of Public Works himself—as they had heard since, it was his pet measure—he proposed to build the Pacific Railway, irrespectively of whether we would be obliged to increase our taxes or not, from the Pacific Ocean to Lake Superior in five years more than the late Government by its resolution, had undertaken to build the Railway in.

Mr. MACKENZIE: Five years?

Mr. MASSON said the hon. gentleman would see by the correspondence that Mr. Walkem and the late Government had agreed to an extension of time for four or five years. They were quite willing to do it, and that brought the completion of the road to 1885. The hon. gentleman bound himself and this country without any restriction to build the road in five years more—that would be in 1890—from the coast of the Pacific to Lake Superior. He (Mr. Masson) contended that this ten years' limit had been made a useless bugbear in this country, that the people of British Columbia never required it, and that they did not care for it at the moment.

Mr. DECOSMOS: They did.

Mr. MASSON: They did not then, because Mr. Trutch, the delegate of the Government of British Columbia, said that whether it were ten or eighteen years, all he wished was to know that we were in earnest in the matter. He (Mr. Masson) could prove by the

report of Mr. Edgar himself that the people of British Columbia did not at the moment care about the ten years limit, and never did.

Mr. MACKENZIE: I am glad to hear it.

Mr. MASSON said he had paid the compliment to the hon. gentleman that he knew everything about his Department, and especially about the Pacific Railway, but must withdraw the compliment as he ignored this. In the Minutes of Council of the 23rd of July, 1874, we read as follows:—

“It should be mentioned that, before the late Government left office, it had been distinctly understood, as one of the results of the visit to England by the Directors of the Allan Line, that an extension of time of at least four years would be absolutely necessary. Mr. Walkem, of British Columbia, quite understood this, and there is every reason to believe that it would have been assented to by all parties.”

Mr. Edgar, in his report of June, 1874, moreover stated as follows:—

“While prepared to admit that the Province would be most reasonable, and would not be disposed to insist at all upon the original time limit for completion, yet members of the Administration, looking at it from their own point of view, very naturally urged that this was a peculiarly unfortunate time to seek any alteration.”

And further on:—

“In discussing the question of the time for the completion of the railway, I elicited a very general expression of opinion that there was no great importance attached to any particular period for completion, but that serious disappointment had been felt at the failure to commence the work of actual construction by July of last year.”

This explained clearly that in 1874, when the hon. gentleman held the reins of power, the people of British Columbia did not care about the ten years limit, but that all they cared for was the assurance that the Government of the day was in earnest, as the Government of his right hon. friend the member for Kingston had been. He (Mr. Masson) could readily understand that they must have been very partial with respect to the time when the railway should be begun. They were very anxious and they manifested it, and his right hon. friend from Kingston said that the prosecution of the surveys was, in his opinion, the beginning of the work. All they cared was that the work should be begun at the time allotted. As to

the completion, they were reasonable men, and willing to wait till the circumstances of the country allowed us to finish. The whole difficulty with British Columbia was that they had no confidence in the good will—he would not say the good faith, because he would not be as severe as the Minister of Public Works had been in his speech—but in the good will of the Government of the day. They knew that, from the very inception of this work, the Liberal Party had reviled that country; that, from the moment of the connection of that territory to Canada, the Minister of Public Works himself described that country as a forbidding country, as a country not fit for settlement; and as he (Mr. Masson) said last year, the hon. gentleman had made use of the opinion of Sir Alex. Mackenzie, who had not seen the interior of the country, who went up the Peace River through the Rocky Mountains, through West Road River and to Dean Inlet, and, finding that the country he passed through was rather rough and forbidding, had stated immediately that that part of the country was not available for settlement. He (Mr. Mackenzie) at once decried the country, and would not refer to those industrious miners who had been in the country, and whose statements he (Mr. Masson) had read, saying it was a glorious country which had a great future before it. What did his hon. friend the Minister of Justice do? Why, when he went to the Province of Ontario making his famous speech against all the smaller Provinces, raising the most extraordinary sectional cry ever heard; when he held up the old Government as giving a sop to this and that Province—\$150,000 to New Brunswick for her export duties, and the better terms that had been given to Nova Scotia—he went so far as to say that this western country was an inhospitable country; how could they expect that country to believe that there was in the Liberal Party any intention of building the Pacific Railway? The Liberal press and Liberal leaders of the Province of Quebec, from the beginning to the end, had been decrying the Province of British Columbia, and how could they expect that these gentlemen, coming

Mr. MASSON.

from a small Province—and small Provinces were always more susceptible than large ones—would believe that there was any serious idea in this Government of building this railway? If they had real faith and confidence that this Government wished to build the Pacific Railway, that it was not wasting its time in useless explorations, they would immediately come to the leader of the Government and tell him: "We will give you whatever time you want to build the Pacific Railway." He thought the hon. leader of the Government, when he examined quietly his everchanging opinions relating to the Pacific Railway, would feel that he should have been more liberal, more moderate, and more charitable in the expression of his opinion as to the conduct of the old Government. If there was any gentleman in the House who had ever shown an indecision, a want of knowledge with regard to the course which it was proper for this country to follow relating to the Pacific Railway, it was the hon. the Minister of Public Works himself. Take him from the very initiation of this measure, take him from 1869—he (Mr. Masson) remembered at the time when he was quite a young member of this House hearing the hon. gentleman and his friends speak in glowing terms of that great North-West territory which we were going to acquire, and he had read the utterances of the hon. gentleman's leader in the *Globe* newspaper, speak of the advantages of a railway through that country. He remembered hearing the Premier himself telling them that he believed that a railway through British territory on this continent would be the cheapest, the best and the easiest of construction that could be made. At that time he was heart and soul for the Pacific Railway, and considered, in unison with the great part of the Liberal party from Ontario, that we must have a Pacific Railway within our border; and, further, he was in favour of having it built on the north shore of Lake Superior. What occurred in 1872? Then the Government of the right hon. the member for Kingston brought in a measure to carry out the views of the Liberal party of Ontario, to annex British

Columbia and build the Pacific Railway. Then all the fine ideas of the Minister of Public Works vanished; he then perceived that the northern part of Lake Superior was no good; that there were enormous forbidding mountains over which we could not cross; he, who had contended that the railway through British territory was the best and easiest, turned round and said that that very road was almost impracticable. At that time he made a clear sweep round and pretended that he did not want the Pacific Railway at all for the present—we should have a waggon road through the continent. In 1872, on the 7th May, when the Government had decided to build the Pacific Railway, this was his policy; and, on hearing it, the House could judge whether that hon. gentleman had a right to throw a taunt across the floor of this House, about the late Government having entered into some insane project:—

“With regard to the whole question as to the construction of this road, his views had always been that the use of the existing lines of water communication in the summer and of the American lines in winter to Fort Garry, and then—he submitted this to the judgment of the House—the construction of a good waggon road west to the Pacific would suffice for our present wants.”

He (Mr. Masson) was a good Conservative, but he was not such a retrogressionist as that; this was too conservative even for him, and might have done in the olden times of coaches and pewter jugs in England, but it would not do on this continent. They could imagine British Columbians jogging along in carts for 2,000 miles across the continent to reach Canada, consuming two months at the rate of forty or fifty miles a day on the trip; but would they submit to this long? He would submit to any hon. gentleman whether he who proposed, from a Canadian point of view, to build a waggon road across the continent, could properly throw the taunt of “incapacity” and “insanity” across the floor of the House. And when was this proposal made? At the very time when the Northern Pacific Railway Company was looking with anxiety to see whether or no the Canadian Pacific Railway would be built; then Wash-

ington was looking to Canada—no Canada to Washington. They saw that, if this was built, the Northern Pacific line was for ever ruined; and then the Minister of Public Works advised the construction of this waggon road, giving thereby a helping hand to the Northern Pacific. All knew that a short line of about 150 miles in length, could have been built from a point of the bay south of British Columbia, Olympia, to tap the great American railway. This was just what the American company wished. Then the hon. gentleman practically advised them to force the British Columbians to use the American line. If this policy had prevailed, the Confederation would have been destroyed. From the moment that the British Columbians found that their interests were bound up with the Americans, they would have demanded annexation, because, whenever a people felt that their commercial and pecuniary interests were allied to a certain people, their political feelings would soon and unavoidably turn in that direction also. In 1874, however, on his accession to power, the hon. gentleman, feeling the importance of framing a policy, paused for a moment, considered the whole question, and what did he do? This famous waggon route was cast to the winds. It had become ridiculous; and the hon. gentleman proposed a scheme which he would not call ridiculous, but inexplicable. He proposed to utilize the water stretches, not only between Fort William and Fort Garry, but also on the Saskatchewan, in order to secure communication with the West. They could imagine British Columbians starting in flat boats or in steamboats for this country, and passing along the windings of the Great Saskatchewan. Had the hon. gentleman, like himself, visited the North-West, he would have seen how preposterous this scheme was. Between Moorehead and Red River the distance was only 200 miles by land; it was 600 miles by water, on account of the interminable windings of those rivers. This proposition was most preposterous. Nevertheless, it was made; and the hon. gentleman had to carry the elections, especially in the Province of Quebec, with it. He was

now touching on rather delicate ground. He knew how important it was for public men in this country to examine public questions on broad grounds and broad principles. He quite understood that they should not be sectional. Hon. members would, nevertheless, admit with him, that peace and tranquility could only exist in this country while the different Provinces felt that they had an equal share of the benefits flowing from the policy of the Government. Otherwise, it would be sheer hypocrisy to say that a Province could be systematically set aside in such relation, and, nevertheless, be systematically satisfied. The hon. gentleman, in 1874, was obliged to force the country to swallow a difficult pill, that of abandoning the great policy introduced by his right hon. friend and the late Sir George Cartier—a noble policy, just to all, which had for its purpose the sending into the old Provinces the advantages accruing from the expenditure of large sums of money in the North-West Territory. The hon. gentleman had to justify to the country the abandonment of the line north of Lake Superior; which, if to any, was advantageous to the old Provinces, that were furnishing the money to build this great railway. Why were they endeavouring to create a great nation in, and spending money in sending immigrants into, the North-West? It was in order that the wealth and prosperity that this population would accumulate and produce would conduce to the prosperity and wealth of the older Provinces; and how could this be done unless the traffic from that country passed in a direct line to Ontario and Quebec? What did the hon. gentleman then do? He made his famous Lambton speech, propounding his new policy. The hon. gentleman told the people of the Province of Quebec they would lose, it was true, the great advantages secured for them by Sir George Cartier, but they would obtain a compensation. The terminus, placed as a compromise where the late Government had fixed it, would not be changed, but, as a road was not to be built north of Lake Superior to pour the wealth of the North-West into the

old Provinces, and Quebec particularly, railways and water communication would be provided between Fort William and Fort Garry, and the Georgian Bay Branch to the mouth of French River would be constructed to the terminus fixed by the former Government, from which point two lines would be subsidized, one running through Ontario and the other through Quebec. When the hon. gentleman desired to secure the votes of the electors, and especially those of the Province of Quebec, he said:

“This will involve the construction of a short line of railway from the mouth of French River to the southeast shore of Lake Nipissing, and a grant to aid in the extension to that point of existing and projected lines in Quebec and Ontario.”

This policy was never accepted in Quebec, but they had submitted to it. They desired to have the policy of the late Government followed, but they expected that eventually a line would be built north of Lake Superior, as at first agreed to. What was the result? The Government carried the elections all over the country, and particularly in Quebec. He had, and still believed that the policy then propounded should have been binding on the Government; and for this he had no less an authority than the Minister of Justice, who held to that opinion, two years ago; and who, moreover, declared that the part of the policy which related to the Georgian Bay Branch should have been maintained. The elections were carried, and there was great triumph among the Liberals. The Liberal press of Quebec said that of the Conservatives of Quebec a small band of sixteen incapables only remained; but the policy of the Government had been such that, since the beginning of this Session, they had never been able to secure a majority among the members of Quebec, for this small band had so grown that they had obtained majorities of four and five and eleven on votes taken during the Session. In 1875, after the elections, the hon. gentleman broke his pledge; and the interests of Quebec were sacrificed. They, who promised that the terminus should remain at the south-east corner of Lake Nipissing, by a stroke of the pen determined that it should be

changed and placed forty miles to the southwards. They, who carried the elections by declaring that two roads would be subsidized, resolved that only one should be subsidized, and that it should not run through the Province of Quebec. The people of Quebec protested, and he was a member of a deputation that interviewed the Premier on the subject. They told the hon. gentleman that Quebec had acquired rights, and that if only one line was to be subsidized it should run through Lower Canada. They had not acted in a selfish or sectional manner. They informed the hon. gentleman that the route by the Matawan was the best, and they supported this statement with the evidence of an Engineer of great capacity. They proved that the grades on the Ontario line were far greater than on the Quebec route, and reminded him that eminent engineers and others had been near the sources of the Madawaska and Bonnechere Rivers, and had found their level 700 feet higher than the Matawan. The Engineer further established that the Quebec line could be built for \$30,000 per mile, while the other would cost some \$40,000; but the hon. gentleman said that the Engineer did not know what he was talking about. They then brought the Premier before a map of the country and asked him whether, in the face of the fact that no explorations or instrumental surveys had been made, it was not according to common sense and what people knew of the country, to admit that the sources of rivers sprang from high rather than low land. They asked whether it was not madness to adopt the line before instrumental surveys had shown whether or not the construction of the line was possible? The Premier simply turned his back upon them, and told them that they did not know what they were talking about. They were obliged to submit; but, nevertheless, they asked a very reasonable thing. It was this: "Sir, you know nothing about that country; you admit it; you have no surveys, no explorations of it. Will you grant one favour—that, before deciding against us, and declaring that we shall lose the line, you will have a survey made of the line you propose compared with

ours." The Premier replied that he did not wish to have any surveys, and that he knew all about the matter. This was not all. The Legislature of Quebec, in which Liberals and Conservatives acted in accord, the leader of the Opposition uniting with the Premier on this subject, petitioned the Government, asking that the question should not be decided before surveys were secured, and that the terminus should not be changed. What occurred? A month after this petition had been forwarded he (Mr. Masson) spoke about it in the House, and discovered that ever since it had been lying in one of the departmental pigeon-holes, unnoticed. And in the meantime the voice of the whole Province of Quebec was demanding justice, and was not listened to. But there was quite a change of opinion among the Government in 1876, when the hon. the Premier came down and told the House that they had made a great mistake, that there were difficulties in the way, and that the line could not be made to the mouth of the French River, and that, consequently, they would have to bring it 26 miles up the river. But that was not all. In 1877 what did the Government do? From 1874 up to the present an item of \$1,000,000 for the Georgian Bay Branch appeared in the Estimates; but this year, the omniscient Government that knew everything, and did not want advice, declared that they did not want any money at all for this Branch, and implied that it was through a mistake that they obtained money for it in the first place. The hon. gentleman said he would not follow the hon. member for Cumberland in his arguments that he used in criticising the general policy of the Government; that the House had voted upon some of the matters referred to; that the hon. gentleman himself (Mr. Mackenzie) had been whitewashed by a majority of the House, and did not wish to go again into those questions. He could tell the hon. gentleman that he might have been whitewashed in regard to the Fort Frances Locks, but before many months had passed the hon. gentleman himself would admit that he had made a great blunder in reference to that work, and his follow-

ers who supported the position taken by the hon. member for Wentworth would exert such a pressure upon him that he would be glad to abandon the work. This work was quite sensible and comprehensive in 1874 when the hon. gentleman said he wanted the benefit of the water-stretches between Thunder Bay and Fort Garry, but from the very moment the hon. gentleman abandoned the idea of using those water-stretches he should have stopped the construction of the Fort Frances Locks and Canal. The hon. gentleman should have come down to the House and stated there had been a certain amount of expenditure on that work, but he would throw himself on the judgment of the House and support of his friends, who had also altered their minds on the subject. If the hon. gentleman had adopted that course, he might have thrown himself on the good will of his followers, and have been excused. But although the hon. gentleman had altered his policy, he, nevertheless, continued this expensive work, which could only be useful in connection with the abandoned scheme of utilizing the water-stretches. The hon. gentleman could not fall back upon his friends and say he had been absolved, as even his friends knew he was wrong, but acted upon the advice of the hon. member for Wentworth, and said they would stand by him. In defending his policy, the hon. gentleman said the Fort Frances Locks were required for the purpose of transporting supplies. That was the most extraordinary policy that he had ever heard; it was not a reason but a pretence for continuing the work. No man would believe that a work which cost three-fourths of a million, and could not be used for two years yet, was necessary to take supplies for a railway which would be completed in four or five years. At the present moment there were more rails out there than were required to build the whole railway from Fort William to the English river. That branch was only 116 miles long; but there were, at Thunder Bay, sufficient rails to build 155 miles; and at St. Boniface, the other end of the line, a sufficient quantity for 130 miles more. The hon. gentleman had said a few words

Mr. MASSON.

about the Kaministiquia lands. It was pretended that Mr. Fleming recommended that transaction; and he (Mr. Masson) would like to know if the Engineer-in-Chief was continuously to be made the scapegoat for the faults of the Government. It was determined in 1874 that Kaministiquia should be the terminus of the road, and it was the duty of the Government then to acquire the necessary lands; but, if hon. gentlemen would consult the return which had been laid on the table, they would find that the deeds of sale only passed in August, 1876, that was to say, ample time had been given to speculators to buy the land, at cheap rates and to sell them to the Government at a large advance. Land which could have been purchased for \$2,000 or \$3,000 in 1874, was sold to the Government in 1876 for \$50,000. The hon. gentleman might say what he chose, but he could not relieve himself from this grave responsibility, this serious dereliction of duty. The complaint had been made in bitter tones by the hon. gentleman that the business of the Opposition and of the Conservative press had been to malign and destroy his reputation. It should be remembered, however, that, during this Session, the most bitter and cruel accusations had been made by the leaders of the Government against the hon. member for Kingston—a man who stood second to none in this country, a man whom many hon. gentlemen opposite declared to be a noble-minded, noble-hearted man. That hon. gentleman (Sir John A. Macdonald) had been hunted down, pursued and maligned not by the followers of the hon. the leader of the Government, but by the men who sat beside him on the Treasury benches. And those were the gentlemen who reproached the Opposition for maligning them. He could tell the hon. gentlemen he would never be found uttering a word against the personal honour of any hon. member. The reputation of our public men was the inheritance we should wish to transmit intact to our children, no matter to what party they belonged; and he would be proud to see the hon. gentleman, when he left office, take a high position in the country in the same manner that he was proud to see

the hon. member for Kingston, notwithstanding the maligning of hon. gentlemen opposite, stand high, not only in the estimation of his friends, but in the estimation of gentlemen opposed to him politically. Now, with regard to the steel rail question, he did not believe the hon. gentleman was personally dishonest; but the hon. gentleman had no right to shield himself behind the personal opinion that people entertained on his account. He did not impugn the hon. gentleman's personal motives, but he would say, and he knew it was the opinion of a great many of the hon. gentleman's friends, that this was an unfortunate transaction. The Government were the agents of the people. If an agent made a good bargain, he had the right to enjoy the credit for it; but, if he made a bad bargain, he must submit to the reproaches which his imprudence would bring upon him. The hon. gentleman was bound to submit cheerfully to criticism. If the Government had made a good bargain, the hon. gentleman would have been the first to come to the House and tell his followers not only to support, but to glorify him on that account; therefore, he should not complain when, having made a bad bargain, they told him he had made a mistake.

Mr. MACKENZIE: He has not made a mistake.

Mr. MASSON: The hon. gentleman injures his own cause in saying that, because he knows that even his own friends think he has made a mistake. If the hon. gentleman frankly admitted that he had made a mistake he would be in a better position with his friends and the country than he is at the present moment. The hon. gentleman says he has made no mistake.

Mr. DOMVILLE: No; he has made a good thing.

Mr. MASSON: My hon. friend says he has made a good thing. Fourteen thousand tons of those rails are now rusting at Fort William. Does the hon. gentleman mean to say that they are required at present?

Mr. MACKENZIE: Yes.

Mr. MASSON: Does the hon. gentleman mean to say they were required last year?

Mr. MACKENZIE: Yes.

Mr. MASSON: I suppose they were required to make an experiment to see whether they would rust more in piles than singly. The rails at Fort William were sufficient to build 155 miles of railway. The hon. gentleman had given out only 116 miles of railway in the present contracts, and that distance would only be finished in one or two, and perhaps three years from the present time. Then, what was to be done with the 3,500 tons of rails remaining at Fort William, after those two years? At \$64 a ton—for they cost that delivered at Fort William—they cost the country \$224,000. The hon. the First Minister, not knowing what to do with his 50,000 tons of steel rails, had sent 5,000 tons to Vancouver Island uselessly, as had turned out, over 12,000 tons to St. Boniface and 14,000 tons to Thunder Bay, and the balance he had sent to the Lower Provinces. When the hon. member for Cumberland stated that the oxidization of rails occurred much quicker when they were piled up than when they were being moderately used, the hon. the First Minister, with his usual dogmatic tone and usual infallibility, laughed at the hon. gentleman and said the statement was "nonsense." He (Mr. Masson) would give the hon. gentleman an authority on that point, and an authority which he would not dispute. He referred to the *Scientific American*. That paper on December 5th, 1874, said:

"At the recent session of the American Association for the Advancement of Science, Professor Haldemand read a paper on this subject, showing that railway rails when in use oxidized but very little, but when not in use were subject to rapid oxidization. In fact, disuse for one day, for example, Sunday, resulted in a visible increase of rust of the track rails. This, in the opinion of the author, would indicate that, in chemical combination, vibrations may interfere with the molecular arrangement of the elements. In the discussion which followed, Professor Van der Weyde took the same view, and thought that molecular relations tended to prevent rust. But other speakers combatted this view, and it was suggested that possibly the oil employed upon the locomotives might be more or

less spread in a thin film over the rails in use, and thus prevent their oxidation.

"Professor Robert Mallet, of London, had his attention called to this discussion, and in a recent note to the *Engineer* states that some thirty years ago he was requested to examine and report upon the same matter on behalf of the British Association for the Advancement of Science, a grant of money being allowed for that purpose. He made a variety of experiments and examinations, all of which were duly reported. He found, in brief, that one of the reasons why rails when used corrode less than the same rails when not used, is because the vibration of the used rails tends to shake off the rust formed, so as to prevent its prolonged contact with the metallic iron from accelerating the corrosion of the latter."

When the hon. member for Cumberland made this statement, the hon. the First Minister should have made himself familiar with the subject before he stigmatized the statement as "nonsense." The hon. gentleman said that rails for the Intercolonial cost \$85 a ton. The question was not whether the late Government gave more or less for their rails than the present Government—this had nothing to do with the matter under discussion. The price of rails was regulated by the price of iron. When iron was four cents a pound, it stood to reason rails could not be purchased as cheaply as they could now, when iron was only two cents a pound. The hon. gentleman himself, a short time ago had made use of this argument to support his own case, and he should not use two bushels to measure with. The question for consideration in relation to the purchase of rails for the Intercolonial Railway, was whether the old Government bought the rails at the ordinary rate then. The hon. gentleman had purchased the rails that were sent to Fort William, on the suggestion of the Engineer-in-chief. But this, being a mere commercial transaction, was not within the domain of an Engineer. As to the Nepigon and Thunder Bay location, he (Mr. Masson) contended that the proper place to put the terminus was at Nepigon. The opening of navigation was about the same time. It was not controlled by the breaking up of the ice at either place, but by the opening of the Sault Ste. Marie Canal. If the terminus had been placed at Nepigon, the

Mr. MASSON.

First Minister would not have placed himself in the position, as he had done, of building an unauthorized branch of the railway, a branch of from thirty to thirty-five miles, at a cost of \$1,000,000, which was unnecessary. The hon. gentleman, to put himself in accord with the Statute, would be obliged to build a road about 70 miles long from the south part of Dog Lake to Nepigon Bay. This road would in the future be the main road, while the road from south of Dog Lake to Thunder Bay would only be a branch road. He would ask what right had the hon. gentleman to construct this branch of the road, to bring it to Thunder Bay, if he had no intention of making the terminus there. He (Mr. Masson) would now refer to the Georgian Bay Branch. No hon. member would contend that this road was not undertaken rashly, and carried out, so far as it was, with much incapacity. There was no instrumental survey of the railroad made. A simple glance upon the map would have shown that that route should not have been adopted. The hon. the First Minister said that the difficulties as to building the Georgian Bay Branch were entirely fallacious, and that there were, in fact, no difficulties in the way. If such were the case the hon. gentleman should see in what an awkward position he had placed himself with regard to the Hon. Mr. Foster. But he (Mr. Masson) would take his part and show him there were difficulties in the way, and that the hon. gentleman had an imperfect memory. Mr. Walter Shanly, the Engineer of Mr. Foster, reported as follows:—

"With respect to the former, the levels already run, extending from the mouth of the river to the 'Nipissing Road,' a distance of about sixty miles, show, beyond all question, that the maximum gradients and curvature limited by the contract, namely, 26 feet per mile ascending east and 52 feet on the westwardly ascent, are not obtainable on or near the line laid down on the contract map.

"The easterly survey presents a fair profile for some 50 miles from Douglas westward, the required grades and curves being obtainable; but about the 52nd mile a narrow gorge or canyon of the Bonnechere River affords the only practicable line for a distance of about four miles, the country on either side being high and mountainous. Some seven or eight miles further on, near the point designated on the map as the 'Village,' a somewhat similar gorge is met with, and is again the only feasible pass.

through which the line, as laid down on the map, can be carried.

"In both these gorges, the work to be done to obtain grades of from 70 to 80 feet in the mile, even in curves of six degrees, would be heavy.

"In view of the above facts, and facts they undoubtedly are, it seems absolutely necessary to ascertain immediately one of two things. Will the Government entertain the idea of modifying the contract in respect of gradients or alignment, or will such latitude in surveys be permitted as will allow of the best obtainable section, or profile, being sought for, however far it may lie to the north of the line laid down in the contract map.

"Judging from the ascertained elevation of the interior waters on the still unsurveyed portions of the line, and from the contour and watersheds of the country generally, I am very strongly of opinion that it will prove impracticable to obtain any line whatsoever from any point on the Bonnechere to any point on the French River that will admit of such a low maximum of gradient as, on the eastern ascent, is stipulated for, by the contractor."

The hon. gentleman might put his opinion against that of Mr. Shanly, who was second to none in his profession, and who had reported that it was impossible to find a proper route within the contract; but he (Mr. Masson) would ask him whether he did not in reality abandon the Georgian Bay Branch on account of difficulties unprovided for and unforeseen. The hon. gentleman, in order to clear himself, should admit that he had made a grave mistake, and that he was bound in honour to relieve the Hon. Mr. Foster of his contract and to indemnify him for the same. But the hon. gentleman, on the contrary, said all the accusations brought forward and statements made by Mr. Shanly and others, are false, and the route was a very easy one. If that was so, why did the Government abandon the route by the contract. The hon. the Premier knew that the character of his former relations with Mr. Foster were such as to make it his bounden duty to be more strict with him than with any other contractor. The hon. gentleman knew very well that public opinion had its eyes upon him, and the statement was made broad-cast that Mr. Foster obtained the railway contract on account of action taken by him before the fall of the late Government. Whether that report was true or false—and he was ready to believe it was false until it was proved to be true—what was the duty of the Government? Surely it was to be more strict with Mr. Foster than with any contractor.

On the contrary, the hon. the First Minister was more improvident with Mr. Foster than with the Georgian Bay Branch Railway. He made a great blunder with regard to the railway, but in dealing with Mr. Foster he made a greater mistake still; he made such a grievous mistake as would compel the hon. gentleman to show that the accusation brought against himself and his party was entirely unfounded. When the hon. the Premier gave the contract to Mr. Foster, with whom he was on such intimate terms, did he take the precaution of enquiring whether Mr. Foster was able to carry it out? Did he remember that in the authority given by Parliament to make the contract it was provided that the Government should not award the contract to any person unless he was in a position to spend \$4,000 per mile, and there was a condition in regard to the Georgian Bay Branch that the contractor was obliged to show that he was worth \$340,000. The hon. the Minister of Public Works did not take those precautions, as had been candidly admitted before the Committee on Public Accounts. When asked as to whether he knew Mr. Foster would be able to carry out the work, the hon. the Premier said he believed so; he thought he would. When asked as to whether he obtained any information on the point, he replied that he had not obtained any particular information. The hon. gentleman was asked as to how he arrived at that conclusion; to which he replied, from Mr. Foster's general reputation, that he was a great railway man, interested in many lines, and that he was a strong and able man. The hon. the First Minister, by some other person, was asked to this effect: "Did you not gather the information as to Mr. Foster's ability a little from himself?" to which the answer, he thought, was that he did so. The Georgian Bay Branch contract was the most amusing affair which had yet been before Parliament. Mr. Foster had a right to a certain percentage on rails delivered on the line of road. Hon. members did not yet know by any statement which had been made before them where those rails were delivered. The authority of the Government

stated that the rails were to be delivered on the railway to be built, that was the subsidized portion of the Canada Central Railway. The Chief Engineer knew nothing about the point. It appeared, however, that they had been delivered in the neighbourhood of Renfrew; but there was no evidence to show that Renfrew was a portion of the subsidized line of the Canada Central. The first duty of the Government should have been to ascertain the location of the subsidized line. But they took no such action. The proof that Renfrew was not on that section of the line was that Mr. Foster asked that that branch of railway should be extended to Renfrew instead of Douglas. The rails might, in fact, be fifteen miles away from the subsidized portion of the line where they were to be delivered. Those rails were, moreover, received by the Government without knowing anything as to their value.

Mr. DYMOND rose to a point of order. The evidence of the Public Accounts Committee, to which reference was being made, had not been reported to the House.

Mr. MASSON said the hon. gentleman must feel very guilty if he would stop his argument at that point.

Mr. DYMOND said he would not object if all other hon. members were allowed the same privilege.

Mr. MASSON said it had been ascertained that those rails, the quality of which it was the duty of the Government to have known, had turned out to be worthless. Mr. Ridout, an Engineer, had stated that he had never seen worse rails used. But he (Mr. Masson) did not so much complain of the quality of the rails as of the circumstance that the Government had purchased nearly 2,000 tons of rails, knowing nothing as to their quality; and the evidence showed that when one of those rails dropped from the hand, it broke. Mr. Foster, who was still a very powerful supporter of the Government, obtained a loan of those very rails he was partly paid for, and it was stated by the Deputy Minister of the Department before the Public Accounts Committee that it was a very unusual act to loan

Mr. MASSON.

anything belonging to the Department; nevertheless, Mr. Foster could obtain a loan of rails. They were lent to Mr. Foster, a particular friend of the Government, but it was impossible to find out by whom they were loaned or delivered. Nor could the quantity so loaned be ascertained. At first the quantity was 100 tons, but the evidence had disclosed the fact that the quantity missing was 227 tons; they had not been loaned, they had been taken—made use of by Mr. Foster. Those rails were of the value of \$10,000. He would not say that anything was wrong on the part of Mr. Foster, but the transaction showed gross negligence and supineness on the part of the Public Works Department. He would submit the case to any hon. gentleman opposite, who was sure to vote against the motion, and especially to the hon. member for South Wentworth.

Mr. RYMAL asked the hon. member for Terrebonne what he understood him (Mr. Rymal) to have said the other night.

Mr. MASSON said he understood the hon. member to have said that a friend in need is a friend indeed.

Mr. RYMAL said that in his remarks the other evening he was referring to the doctrine taught by the right hon. member for Kingston, which was that he wanted his friends to sustain him when he was wrong, because the Opposition would keep him in power when he was right. He (Mr. Rymal) said his friends might take a leaf out of the book of the hon. gentleman, and go so far as to pardon a small offence; but he went on to say that if they could show him a corrupt bargain performed by members of the Government he would desert them at once.

Mr. MASSON said he would leave the interpretation to be placed upon the hon. gentleman's words to the House. A few days ago he had a somewhat disagreeable conversation with the hon. the Premier in regard to the exploration of the country between Pic River and Sault Ste. Marie. He had put those questions to the hon. Minister advisedly. He had observed the course of the hon. gentleman and his determination to carry into execu-

tion those views and principles which he advocated when in Opposition. It was only for the Opposition and some of the members of the Cabinet to try and counteract the action of the hon. gentleman. When in Opposition, the hon. the Premier held views which were opposite to those of many of his friends who came from the Province of Quebec. To-day the hon. gentleman was determined to have his view predominate, whether it pleased his Lower Canadian supporters or not, and it was that the railway should pass west and south of Lake Nipissing. He had foreseen this since last year, when he read the speech delivered by the hon. gentleman while he was unavoidably absent from the House. He was then convinced that the cause of the Province of which he was one of the representatives had not only been sacrificed as to the Georgian Bay Branch, but also as to the location of the Pacific Railway itself; and that the grand policy propounded by the right hon. member for Kingston and the late regretted Sir George Cartier was to be cast to the winds, and the interests of Quebec set aside. He would read extracts from the hon. gentleman's speeches, establishing the position he took. It would be remembered that the great question of past years was whether this railway would pass by Sault Ste. Marie. Sir Hugh Allan and Sir George Cartier disagreed on this point, because Sir George Cartier thought that Sir Hugh Allan was playing into the hands of the Americans; and hon. gentlemen opposite were acting to-day, he was afraid, as Sir Hugh Allan in vain desired the late Government to act. The hon. the Premier said last year:

"Taking Fort William as the objective point, from there by the old line *via* Long Lake to the Eastern terminus, the distance is 660 miles. From Fort William by the Pic River (the new line) the distance is about 620 miles. Then, if the line were to deflect from the Pic southward so as to follow the general outline of Lake Superior and reach the Sault, and there traverse the borders of Georgian Bay to Lake Nipissing, the distance from Fort William would be about 720 miles, as near as can be ascertained. A party was sent out by the Chief Engineer to examine the country between the Pic River and the Sault. That work is not yet complete, nor is it in such a state as would justify us in giving any positive opinion upon it. I have no doubt, however, that it is practicable; but the

other route I have indicated is one there is no doubt about. I believe that it is quite as easy as the former one while it is shorter.

"Hon. Mr. TUPPER: Where are these 720 miles route?"

"Hon. Mr. MACKENZIE: From Fort William round by the Sault Ste. Marie to Nipissing; but by leaving Lake Superior at Pic River we can reach Lake Nipissing in 620 miles. The old line north of Long Lake was 660 miles."

Why did the hon. gentleman have this survey made when he knew that the House had decided that the main line of the railway should not pass there, but north and east of Lake Nipissing, and that the terminus should be south-east of this Lake? When the hon. gentleman told the people of Lower Canada and Parliament that the terminus should be located forty miles below, he never spoke about the main line running west and south of Lake Nipissing. His hon. friend from Charlevoix brought this question up last year and read an extract from the *Globe* which proved clearly that it was the intention of a certain party in Ontario to have the line pass below the point at which it had been fixed by Parliament. He would read what passed on that occasion:

"Hon. Mr. LANGEVIN said he knew a newspaper, the *Toronto Globe*, which was under the influence of a gentleman who had always been considered a great authority, and a power behind the Throne. That newspaper, in February, said:

"The railway to French River is a part, and a material part, of the old scheme. It is one link in the chain; another will take us to the Sault Ste. Marie neighbourhood, and so on to the head of Lake Superior."

He thought that showed he was not far wrong. In his speech on the subject in March last, the hon. the Premier said:

"We therefore fixed upon that part as the terminus for two or three reasons—for the reason just assigned in the first place; and in the second place, for the reason that, if the road should be continued westward, those 85 miles that would be built by the Government as a Government work, will be generally speaking in the line to be followed; and which may be carried out whether we pass slightly north-east of Sault Ste. Marie ultimately, or diverge northerly by the route to Long Lake, and passing from the south of Long Lake to Pic River, or by the north of the lake where the surveys of last season terminated.

The Premier on the 5th April stated to the House:

"A good deal had been said about this being a link. By stretching a cord on the map from Montreal to Thunder Bay or Ne-

pigon, it would be seen that this line lay directly in the route of the Pacific Railway. The Canada Central formed the straightest possible way from Portage du Fort, and the Georgian Bay Branch formed a continuation of that line in nearly the same direction."

He would ask hon. gentlemen to take a map and see whether this was the case. The statement was most incorrect. A straight line drawn from Lake Nipigon to the first seaboard of this country passed north of Lake Nipissing. The hon. gentleman continued:

"He did not know the country between that point and the French River and the Pic, but was familiar with the country from there to Michipicotin. He had always expressed his anxiety that the line should go on the south side of Nipissing. It was unquestionably the shortest route and traversed the best country. Whether it passed immediately south of the lake or at some distance from it was a matter of no concern, because it would be an exact link in the line."

He had no fault to find with the hon. gentleman, for this was the policy the hon. gentleman had advocated in Opposition, contrary to the views of the members from Quebec. Nevertheless, in this as in many other things, the hon. gentleman's opinions prevailed over those of the leaders of the Quebec Liberals, to the great disgust of the majority of these Liberals, as they would see before long. He protested, in the name of the Province of Quebec, against this policy. This might appear a bold assertion, but he knew he had the unanimous support of the population of Lower Canada on this subject, in opposition to the policy of the Government, as proved by the vote of 1872. If British Columbia was today a part of the Dominion, this was due to the votes of the solid phalanx which supported Sir George Cartier; and they had voted for the railway to bring wealth and prosperity to the Province of Quebec. He would speak fairly and frankly to the representatives of the Province of Ontario on this matter. They believed that Quebec would obtain its share of the accruing advantages, otherwise they would not have consented to the Bill. This was the reason why the representatives of Quebec and the Maritime Provinces advocated the scheme. He was, for his part, pleased to see the position occupied by Ontario, which would share largely in these advantages.

Mr. MASSON.

They expected, in exchange, that, as Providence had placed Quebec in the most direct line for the trade of the West, they should obtain their share of it. He would submit to the representatives of Ontario whether it was right, admitting that Montreal and Quebec were placed in a straight line with the head of Lake Superior, to take away from the Province of Quebec the advantages bestowed upon it by nature. Was it not sectionalism on the part of Ontario to divert this great national route to itself, when it should be established so as to secure the prosperity of the whole Dominion and bring the trade of the North-West to their first seaboard, Montreal? Quebec, however unwilling, cheerfully submitted to the change. They understood that Ontario required more than their share; but Sir George Cartier joined hands with the hon. member for Kingston, and consented that the line should deflect towards Ontario instead of passing in a straight line from the north of Lake Superior to the first sea-board, to some 50 miles north of the River Matawan and the Upper Branch of the Ottawa River. The Liberal Party of Ontario, nevertheless, demanded greater concessions, and asked that the line should pass southwest of Nipissing. Sir George Cartier and the hon. member for Kingston then determined on a compromise, and agreed that the terminus should be fixed at the south-east end of Nipissing, where a point would be of easy access to the railways from Ontario and Quebec. This was devised to secure peace and quietness in Ontario, and they were ready still to abide by the compromise. Sir George Cartier was now missed from the Treasury benches, and Quebec had reason to mourn his loss; Sir George said it was true they were giving 40 or 50 miles to Ontario, to which that Province was not entitled in strict justice, but nevertheless it would be done, and a road should be constructed on the north shore of the Ottawa River as far as the topography of the country would permit, striking the Pacific Railway at the junction north of Lake Nipissing, thus enabling the wealth of the North-West to be poured into the Province of Quebec. This was denied; but, as a

part of a scheme had been arranged between Sir George Cartier and himself, he (Mr. Masson) was in a position to assert the facts himself. Sir George asked him and Mr. Currier and Mr. Alonzo Wright to form a company to build this line by the north shore, and they mooted the organization of an independent railway by the north shore for this purpose. The Liberal press of Quebec had declared that Sir George Cartier had never conceived such a plan; they could not understand that this great man should form such a scheme. He would take the opportunity of reading once more the correspondence and telegrams which passed between himself and another party on the subject. He at once wrote to a gentleman who was second to none in his patriotic endeavours in advocacy of railway enterprise, although a clergyman—Father Labelle, who was distinguished for that spirit of enterprise and energy for which the Anglo-Saxon race was celebrated and which they would appreciate. He sent to Father Labelle a telegram which he previously showed to Sir George Cartier, who approved of it. It was as follows:

“Received letter; Sir George just declared in House, that terminus of Pacific Railway will be so placed that easy access to it can be had from Ontario by their future roads, and from Quebec by a road running on north shore of Ottawa.”

Sir George Cartier having seen that Sir Hugh Allan might not coincide with his views in this regard, sought the formation of a new company, as he had stated. He (Mr. Masson) was offered a directorship, and Father Labelle, who had just arrived in Ottawa, immediately telegraphed to Sir Hugh Allan on the 16th May, 1872, as follows:—

“Charter asked for railway from Ottawa to junction with Pacific Railway by North Shore of Ottawa; if it meets your approval would you join?”

Mr. Labelle received this answer:—

“I am in favour of the shortest line from Ottawa to the east terminus of Pacific Railroad; if it goes north of Ottawa I would favour such line, but my opinion is that it should cross at Portage du Fort.”

To this Mr. Labelle replied:

“Received telegram. Cartier would seem to favour a line wholly by North Shore of Otta-

wa to junction with Pacific Railway; would you like one or two of our friends being on the Board of Directors of new Company.”

There was a meeting of the parties interested in the Northern Colonization Company, and they consented to taking up the scheme. He (Mr. Masson) could show by public documents that the plan propounded by Sir George Cartier was a *bona fide* one, and that he was strong enough to impose his opinions upon Sir Hugh Allan, who readily engaged to build the railway. He submitted the following letter for the consideration of hon. gentlemen opposite from Quebec. It was the official letter from Sir Hugh Allan to the Secretary of State, dated 9th July, 1872, and read as follows:—

“Sir,—With reference to the last communication addressed to you by the Secretary of this Company, advising that the Company was now prepared to accept of the contract for building the Pacific Railroad on the terms and conditions authorized in the Act of Parliament, I have now the honour to state that if the building of the Pacific Railway is given to this Company, it will agree, with such assistance as may be obtained from the Governments of Ottawa and Quebec, or such other assistance as may be given, to build a branch railroad from some point on the main line of the Pacific Railroad, near and north of Lake Nipissing, to Hull, opposite Ottawa, there to connect with the Northern Colonization Railroad. This route will cross the Ottawa at Deep River, or some other point as far up on the north shore of the Ottawa, in the Province of Quebec, as the nature of the country will admit.”

That was the policy of Sir George Cartier; whether it was feasible or not was not the question now. That was the policy of the hon. member for Kingston, and that was the policy which the present Government abandoned with the help of the Liberals of Quebec. It might be said that he had been sectional. Who ever suggested that Mr. Howe was sectional when he asked for and insisted upon justice for his Province until he got it? Who ever said the people of New Brunswick were sectional when they asked that \$150,000 should be granted them for abandoning the export duties on timber. Canadians were all one, but we had the common frailties of human nature, and were naturally disposed to favour our own Provinces. When they saw men whose duty it was to maintain their rights forgetting them, the Opposition were obliged to take this ground. It was no new cause he was pleading.

He had advocated it three times in this House, and he knew that two-thirds of the Liberal Party of Quebec approved of it, but party spirit was so strong that they would vote down that which they supported in the lobbies and was supported by the country. There was, however, a sad exhibition of sectionalism in the House when Sir George Cartier and the hon. member for Kingston propounded that noble, just and statesmanlike policy. There were men who, to embarrass the Government and for party purposes, advocated that the line should be more in favour of Ontario, and *vice versa*. The hon. the Minister of Justice moved a resolution to the effect that the railway should "extend from some point on or near Lake Nipissing, passing, if practicable, south and west of said lake." That was the extreme view of those who favoured a section of Ontario, against which every member from Lower Canada voted without exception. But what did the Liberals of Quebec do, not from any patriotic feeling as was well proved to-day, but from the simple desire of embarrassing the Government? The Liberals of Quebec advocated the location of the line more in favour of that Province; and Mr. Dorion moved an amendment to provide that the eastern terminus should be at some point west of the Ottawa river as shall be found to afford the shortest practicable route from the Pacific Ocean to such eastern terminus. Here were the two extreme views. For this extreme motion all who voted were French Liberals. Mr. Smith (Westmoreland) was the only hon. member who did not belong to the Province of Quebec who voted for the motion. What was the position of those hon. gentlemen to-day? They had now no opinion of their own. They supported the one-man Government. The hon. the Minister of Finance, the hon. the Minister of Justice, the hon. the Minister of Inland Revenue, the President of the Council had all taken their brains and put them into the hard Scotch head of the hon. the First Minister, who thought and acted for them all. The French Liberals had repudiated every question which they supported before the change of Government. All those

Mr. MASSON.

questions on which the Conservatives and Liberals of Quebec were agreed had been repudiated; and there was not a member of the Cabinet who represented the principles, the ideas—call them the prejudices if they pleased—of the Province. They were going to repudiate the Georgian Bay Branch, and to-day those hon. members he was afraid would support the hon. the Minister of Public Works in abandoning the scheme to make Montreal the eastern terminus of the Pacific Railway, and the Province of Quebec the channel for the great trade of the North-West. He spoke advisedly when he said that the Province of Quebec now stood in an inferior position. He was present at a meeting in Lachine when the hon. the Minister of Inland Revenue was seeking re-election, and at that meeting, in the presence of the hon. member for Chateauguay and himself, that hon. gentleman (Mr. Laflamme) said: "I promise, if I am elected, that if in three months I have not obtained justice for Lower Canada I will resign my seat."

Mr. LAFLAMME: The hon. gentleman has either taken wrong notes or he has a bad memory.

Mr. MASSON: Not at all. The hon. gentleman also said in answer to certain reproaches: "I have not spoken in the House; my business was to listen, and not to speak. But I have only been two years in Parliament, and have already given places of emolument to twenty of you; what will it be when I am a Minister of the Crown?" This was a great slur upon the hon. gentleman's predecessors and colleagues in the Cabinet, but was not the only thing the hon. gentleman and his colleagues had repudiated. In this connection he would read the following from *L'Evenement*:—

"It is now too late to enquire whether Messrs. Dorion, Fournier and Ross would have acted better in refusing the offers that were made to them and remaining faithful to politics. It is an accomplished fact, it would be useless to discuss it; we must accept it and see the most we can make of it for the Liberal cause and the country.

"The withdrawal of the two most important men of the Liberal party, of the two men who have for twenty years personified the popular cause in the two great districts of the Province, must naturally mark a new

era in our politics. It is evident that the withdrawal of MM. Dorion and Fournier only preceded for a short time the withdrawal of others, and that for the disappeared leaders we must substitute others. Who shall be those leaders, who will know how to conciliate in a just measure the best traditions of Liberalism with the exigency of a new state of things?"

Who were the men that had taken the places of those cast away? Look at the front benches. The President of the Council and the hon. member for Jacques Cartier were the men who were to bring forward the best interests of the Liberal Party in Quebec, and the hon. member for Shefford was to represent the English element. These were the leaders who had taken the place of Sir George Cartier; these were the men who had taken Mr. Dorion's place; these were the men who had submitted to the withdrawal, one after another, of all those questions upon which Conservatives and Liberals were united, and the former, unfortunately, found, as they would in the present circumstances, that they were to be left alone to fight the battle of the Province. Although it was not the duty of the Opposition to point out the policy that should be followed, yet he could not help referring to it and reiterating what he had said on the subject last year. The Government had the power in their hands; they had the majority, and they should not in his opinion repudiate the grand policy inaugurated by the right hon. member for Kingston. The important link that was to connect Quebec and Ontario directly with the West had, however, been abandoned. For years to come the traffic that would have been created thereby would be diverted to the United States. They in Lower Canada had been forced to submit to it. The Government afterwards said they would adopt the Georgian Bay Branch policy. He was willing to submit to that policy, although if the railway had been passing to the north, the Georgian Bay Branch would not have been required, because Quebec and Ontario would have been on equal terms, and each could have had, by adopting the necessary means, its share of the traffic of the North-West. But, now that Quebec must reach the waters of Lake Superior,

he did not ask that the Georgian Bay Branch should be built, but he did ask that the Government should take some action to secure the desired object on the promised terms. Let the Government adopt that part of the scheme of the old Government which met with the approbation of both Ontario and Quebec, that policy which provided for the eastern terminus being at the east end of Lake Nipissing and thus placing Ontario and Quebec on equal terms. Then it would be the duty of Ontario and Quebec to see how they could reach that point. Then it would be the time for statesmen to consider what was best in the interest of the Dominion and their respective Provinces. Then would be the time for the Government to repair the injury done to Quebec, and carry out the promises they had made before the elections. The duty of the Government was to support their policy of 1874 in this respect. Let them subsidize a line in the Province of Quebec as they promised to do. He knew that the sentiments of the majority of the Liberal Party in Lower Canada were in accord with his on this point. Let them subsidize a line so that the Pacific Railway, passing by the north of Nipissing, could be tapped and a connection with the emporium of commerce, Montreal, secured; then the members from Lower Canada would be willing to support the Government in voting away a reasonable amount of money to bring a line from the eastern terminus of the Pacific Railway to any point in Ontario, in the direction of Toronto if desired. The members from Lower Canada supported that policy when they came to this Parliament, when the hon. the Minister of Public Works declared that he would subsidize roads in the Province of Quebec, and would, he believed, do so still. But the Province of Quebec would never consent to the present policy. It would never consent to be deprived of its rights. It asked no favours; it only asked for the acknowledgment of acquired rights—those granted to it by Act of Parliament. The Province of Quebec stood by the announcement of the hon. the Premier, unfavourable as it was compared with former plans, and was determined to maintain it as best it could.

Mr. LAFLAMME said that it appeared that the leader of the Conservative Party in Quebec was determined to outshine the leader of the Party in the Maritime Provinces. After the able speech of the hon. member for Cumberland, which lasted five hours, the hon. member for Terrebonne had afflicted them with a speech of almost the same length. It was amusing to hear the hon. gentlemen complain of the tone on the part of hon. members on the Government side in the debate. Certainly, if there was any offence it had not come from that side of the House. And, besides, the hon. gentlemen well knew, and the country well knew, that the hon. gentlemen opposite resorted to all the violence and abuse possible against their opponents. The hon. gentleman had thought fit to go back to past years and attack the Liberal Party in the Province of Quebec, for having assailed almost every measure of public importance. The hon. gentleman had accused them of having opposed the establishment of the Grand Trunk Railway and the Intercolonial Railway. This he (Mr. Laflamme) positively denied. There was opposition as to the Intercolonial, but not as to the Grand Trunk, on the part of the Liberal Party of Quebec. It was contended that at that time, when money was so much required, the amount appropriated could have been put to better use than in building the Intercolonial Railway. But the opposition to the Intercolonial Railway was before Confederation. The hon. member said that the Quebec Liberal Party had called the project of building the Pacific Railway an insane project. The whole intelligence of the Dominion had attacked that plan, as the Prime Minister had shown. The hon. gentleman himself had admitted that the bare construction would cost \$100,000,000. He had accused him of having stated at a public meeting that the road would cost something like \$300,000,000. He did not state any such thing. What he did say was that, as the American Pacific Railway, with a much more favourable route, had cost \$215,000,000, it was nonsense to pretend that the Canadian Pacific could be built for less; and he also stated that the cost of the road

would be an addition to the public debt. The original plan was an absurdity: it was a fraud. The hon. member had pretended that the failure of Sir Hugh Allan to raise money in England was owing to the opposition of the Liberal Party, and yet he said the *Globe* and the hon. the Minister of Public Works had supported the scheme.

Mr. WRIGHT: No; he did not say that.

Mr. LAFLAMME said he so understood the hon. member. At all events, the Liberal Party could not have had the alleged influence against Sir Hugh Allan. The surveys were to have been completed in two years, but they were not completed yet, although all the energy possible had been thrown in them. They had been carried out in the most economical, and at the same time, in the most efficient manner. The hon. member pretended that there was no real intention to carry out the work within ten years. If there were no real intention, why was it so expressed? On the one hand, the British Columbians themselves did not expect to have it done within ten years, and, on the other hand, notwithstanding that, they had seen, ever since the new Administration came into office, that the British Columbians had insisted and almost, at the instigation or suggestion of the hon. gentlemen opposite, threatened the Government with secession for not carrying out the contract formerly made; that was, to construct the road within ten years as laid down in Bill.

Mr. DECOSMOS: Not so.

Mr. LAFLAMME said there had, at all events, been some persistence on the part of the British Columbians to obtain this work within a specified time. He should not fall on the hon. member in regard to what he called the hesitation or indecision of the hon. the Premier in relation to the Pacific Railway. The facts were there, and they were the best answers to his insinuations. There certainly was no indication that he intended to come back to a system of a waggon road, as the hon. member for Terrebonne (Mr. Masson) had stated. The Pacific

Mr. MASSON.

Railway was in a fair way of construction in all the most essential parts, and was being carried on, on the system which had obtained for the American Railway the greatest success, that was, to progress with the railway in such a way that the population should follow its construction.

Mr. MASSON asked if the hon. gentleman would have the kindness to repeat what he (Mr. Masson) had said as to Mr. Mackenzie's action with regard to Sir Hugh Allan in England.

Mr. LAFLAMME said he understood the hon. gentleman to say that the enemies of the Local Government in Quebec, and the enemies of the Conservatives in Quebec, had used their best endeavours in order to prevent Sir Hugh Allan from carrying his scheme in England; that the same system had been followed by the Liberal Party in Quebec with respect to the loans made by the Local Government for the North Shore Railway; and the hon. gentleman compared the *Globe*, of Toronto, and even the Liberal Party of the Province of Ontario with the Liberals of Lower Canada, saying that the former favoured or came to the assistance of the Province of Quebec in order to establish or maintain the credit of the Province of Quebec in England, and elsewhere.

Mr. MASSON said he had stated that the action of the Liberals of the Province of Quebec in England was such as to lower or discredit the credit of the Province of Quebec in England, and that they had succeeded in getting their loan, firstly, by the credit of the Province; secondly, by the energies of the Ministers; and, thirdly, by the influence of those Ministers and of the *Globe*, and not by means of the Liberal Party who pretended that it was running the country.

Mr. LAFLAMME: By what medium could they communicate their influence there?

Mr. MASSON: They have no influence there more than they have in Canada.

Mr. LAFLAMME said they had enough influence to keep the hon. gentleman out of power, and if he were

left to his own individual influence in the Province of Quebec he would not, perhaps, be sitting in the front benches in this House, because he (Mr. Laflamme) had not forgotten that the hon. gentleman had thought the Liberal element of Quebec was worthy of cultivating, and they had some influence in sending the hon. gentleman to this House.

Mr. MASSON: And I have always been particular in following their instructions.

Some HON. MEMBERS: Order.

Mr. LAFLAMME said he knew the Liberals of the county of Terrebonne, who, he had no hesitation in saying, when called upon to follow their principles, would be found as true as the Liberals had been found in any other part of Quebec.

Mr. MASSON: 600 majority for Mr. Chapleau.

Mr. LAFLAMME asked, if the railway were taken away from the county, where would be the 600 majority? He would just answer some of the principal questions which the hon. gentleman thought fit to bring forward in his attempt to answer the arguments of the hon. the Premier. He had regretted that the petition of Legislature, asking that the old terminus should not be discarded, had not been considered and accepted by the Government. Now, that was evidently stated without regard to the fact. The hon. gentleman knew, and the whole Province of Quebec could not ignore the fact, that the whole which the late Sir George Cartier attempted to obtain for the Province of Quebec was to locate the terminus of the Pacific Railway at a point south of Lake Nipissing. This was the only point which had been settled and determined upon after long contention. What had the hon. member for Terrebonne done since? The hon. gentleman had alluded to the vote of the 30th May, 1872, when 51 members voted for the motion of Mr. Blake, while in the nays was the name of the hon. member for Terrebonne. The hon. gentleman also voted against Mr. Dorion's motion on the same day, though that proposition

was in the interest of the Province of Quebec. Would the hon. member for Terrebonne pretend to say that the Province of Quebec was interested in having the terminus of the Pacific Railway established south or north of Lake Nipissing ?

Mr. MASSON : North.

Mr. LAFLAMME contended that the Province of Quebec had no interest in having the road pass either north or south, but it was interested in having connection from the terminus which would bring that terminus and a point in the Province of Quebec within a shorter distance of Lake Nipissing than any point in the Province of Ontario, and if the hon. gentleman would look at the map he would find that the proposed scheme of the Government for the Georgian Bay Branch originated entirely with this Government. The defunct Government never thought of that scheme. The hon. member for Terrebonne, while he was supporting the late Government and advising them, when he had so much influence, and pretended to represent so faithfully the interests of the Province of Quebec, never thought of, or asked, or pretended to obtain this advantage of having a branch road from the terminus of the Pacific Railway, were it west, east, north or south of Lake Nipissing, to put the entire West of this continent within a shorter distance from Montreal than by any other route which could be submitted. The Province of Ontario had no interest in the Georgian Bay Branch; it could not be for their interest. Coming down to Ottawa or within the vicinity of Ottawa, by the Canada Central, that road would bring the whole business of the West into direct communication with the section of railway which was in course of construction, the Montreal, Ottawa and Occidental Railway. The greatest part of the eloquence of the hon. member for Terrebonne (Mr. Masson) had been expended this evening on the impossibility of obtaining or securing this Georgian Bay Branch, or bringing the terminus of the Pacific Railway in contact with the railway system of the Province of Quebec. This had been already asserted and approved by

Mr. LAFLAMME.

the act of the Government. The hon. the Premier had declared on an interpellation made by the hon. member for Terrebonne that the Government had not changed its determination with respect to the establishment of a branch railway connecting with the Georgian Bay, or in that direction, and it was evident to every man who looked at the position of the branch established on the line traced out by the Government, that whether the line passed south or north of Lake Nipissing from Thunder Bay, it would put Montreal within a comparatively small distance further from Thunder Bay than Toronto itself. Consequently, it secured for the Province of Quebec all the advantage of communication with the Western Territories, and it also secured the settlement of the entire part of the country. The hon. member had thought proper to criticise the valuation of the lands for the purpose of establishing a dépôt at Kaminstiquia. He pretended that \$50,000 was paid in the most extravagant manner for land which could have been purchased at a much lower rate. The answer was that this valuation was made, not by the Government, but by a competent party, and that the valuers had been sworn. This property was divided into town lots, and constituted almost a little town, and this determined them to fix this price. Consequently, the Government could not be accused of having disposed unjustly of its money in favour of any party. It was really something calculated to call forth the sympathies of all the members of the House, to hear the hon. gentleman complain of abuse having been heaped on his hon. friends. He had carefully followed the debates and the discussions throughout the whole of the Province of Quebec, and he had never heard Liberal speakers use personalities with regard to their political opponents. Political facts had alone been discussed, such as the Pacific Railway scandal, which related to a public act. He challenged the hon. member to point out an instance where personalities had been made use of; but he regretted the same thing could not be said of Conservatives. He did not believe

that the hon. member for Terrebonne would descend to the use of abusive language, but the hon. gentleman's disposition was naturally so warm and impetuous that he was sure the hon. gentleman would regret the fact of any one exhibiting equal violence with himself in debate, if a witness of it. The tone of the hon. gentleman could be justly complained of. He admitted, what the hon. gentleman contended for, that the character of our public men should be held sacred, and defended and upheld; but this did not preclude criticism of their public acts. Discussion should not touch on the private character of individuals; but be confined absolutely to their political acts and deeds. The hon. member had criticised the construction of twenty-five miles of roadway to reach water communication, but he could not see how this was detrimental to the interests of the Province of Quebec, as this, in fact, enabled the trade of the West to be placed in direct communication with the Province of Quebec. The hon. gentleman pretended that the Georgian Bay Branch Railway contract had been given to Mr. Foster as a recompense for political services; but this contract had been awarded after tenders had been asked for, and after the scheme had been submitted to the House, without censure having even been called for in this regard. The hon. gentleman said they should have ascertained whether Mr. Foster was in a position to fulfil the terms of the contract; but the contractor was at the time in perfectly good circumstances, and no one doubted this, his means being unquestionable. Mr. Foster carried on large undertakings, and consequently ought to and must have been supposed capable of bringing this affair to a successful conclusion; and it was only after a survey was made and it was found that the road was not practicable, that the Government gave up the project.

Mr. DESJARDINS: Then the contract was given before a survey was made.

Mr. LAFLAMME said that there had been a sort of general survey made. The whole Province of Quebec seemed to be interested in this railway at the time. There appeared to be no

difference of opinion on the point. The Province of Quebec was anxious to see this road built, as it was in the interests of the Province to secure it. Its construction was insisted upon in this relation. It was designed in favour of the Province mentioned, and it could not have been otherwise. He would not refer to the 227 tons of rails loaned or advanced by the Government. The hon. gentleman said he knew neither the quantity or quality of the rails; and he (Mr. Masson) did not accuse the Government of bad faith, merely asserting that some negligence had occurred; and if this was the case, it was the fault of the engineers, who might have neglected their duty and instructions. No doubt these rails would be forthcoming; they would be found; security had been given for their restoration; and, if more had been taken away than was authorized, the Government was entitled to take possession of them wherever found.

Mr. DESJARDINS: Who will pay for returning them?

Mr. LAFLAMME: He who took them.

Mr. DESJARDINS: Suppose he has no money?

Mr. LAFLAMME said the hon. gentleman was fond of recalling Sir George Cartier to memory, for whom he had the greatest respect. The hon. gentleman constantly spoke of the energy shown by Sir George Cartier, and of the advantages he had secured for Quebec, as in strong contrast to what was done in these days; but the hon. member should recollect that the terminus of the Pacific Railway had been virtually brought down to the valley of the Ottawa by the Georgian Bay Branch, and by the carrying out of the system of railways and the policy of the Government, which declared that there should be a branch built from Lake Nipissing through to Ottawa. Assuredly, this was an advantage which had been secured for Quebec since the accession of the present Government. There had been no change in the policy of the Government, and no abandonment of the original idea with regard to the

Georgian Bay Railway. A line selected had merely been set aside momentarily. The hon. gentleman had said that he had stated during his late election that if he did not obtain justice for Lower Canada he would resign. This was incorrect, as could easily be established by numerous witnesses. He had said that if he found that the interests of Lower Canada were not fairly considered, or that if injustice was done to the Province, he for one would not remain in the Administration. This was what he had stated, and indeed he could not have said anything else, in view of his position, having accepted office. The hon. gentleman pretended that he (Mr. Masson) represented the large majority of the electors of Quebec, but, while the hon. gentleman might represent the Conservative Party in the Province, he did not represent a member of the Liberal Party in it. The hon. gentleman declared that the Liberals should unite with the Conservatives in the defence of the interests of Quebec, and he would like to see a corresponding sentiment displayed by the Conservatives when they saw the interests of the Province at stake. The Conservatives ought to sink their party feelings and join as one man in the defence of these interests. This the hon. gentleman had preached, but had never practised. The whole theme of the hon. gentleman had been that these interests had been sacrificed in the abandonment of the Georgian Bay Branch. This was the only accusation preferred by the hon. gentleman for a space of three or four years. The hon. gentleman had said that since the hon. Mr. Dorion was in power there had been no one to defend these interests in the Cabinet.

Mr. MASSON: I did not say so.

Mr. LAFLAMME said the hon. gentleman had always denounced and abused the Hon. Mr. Dorion, rendering his political life almost insupportable, and representing to be everything that was anti-national and anti-religious. But the hon. gentleman was shown and exposed as a traitor to his nationality and an apostate to his religion. It was the system which the Conservative Party of Lower Canada had always fol-

Mr. LAFLAMME.

lowed and were ready to follow again. He understood the hon. gentleman to say that the Liberals could not carry any constituency in Lower Canada. The result of late elections showed the contrary. He thought he had proved that the hon. gentleman was wrong in stating that the Liberals of Quebec had been derelict in their duty in the House. The only real question which the hon. gentleman brought forward was that concerning the Georgian Bay Branch, and there could be no question that instead of a retrograde movement there had been an advance in the right direction, which would secure more substantial advantages to the Province of Quebec than were likely to be secured previous to the advent of the present Administration.

Mr. WRIGHT (Pontiac) said he would take the responsibility upon himself individually of stating that the scheme of the late Administration in regard to the Canadian Pacific Railway failed in a large measure owing to the action of the Liberal Party of the Province of Quebec. It was not to be expected that we would be able to carry out this great national scheme independent of outside aid; and, as it was one of the conditions of the Confederation of the Provinces that there should be this road across the country, it was the duty of every Canadian to assist the great scheme of the late Government for building this road. He would venture to say—and this matter could be discussed at the next general election—that that project was the best possible one under the circumstances. The day when the supporters of the present Administration could hurl the Pacific scandal at the heads of the Opposition had long gone by. Whatever might be the merits or demerits of that scheme, certainly the plan of the Government was no improvement on it. As to the alleged insanity of the terms with British Columbia, he had sufficient confidence in the people of that Province to believe that had the railroad been put under construction there would not have been the same discontent as existed now, even if it had not been completed within the ten years. When the late Government went out of office, and the hon. the First

Minister undertook to manage the Governmental duties of this country, in an address to the electors of Lambton he promised, among other things, that the great water-stretches of the country should be utilized, and first and foremost in his proposition was the construction of a line of railway connecting the waters of the Ottawa River with those of the Georgian Bay. The people of Quebec believed that the hon. gentleman actually intended to carry out this project, and they invested largely of their means in the construction of a railway to connect the tide-water with the probable eastern terminus of this route. Although he did not agree with the hon. member for Cumberland (Mr. Tupper) in his opposition to the construction of the Georgian Bay Branch, yet he agreed with that hon. gentleman that there was no necessity for the construction of that branch at all, and that the original scheme of making the eastern terminus at the mouth of Mattawan River should have been carried out. In the scheme of the late Government there was no favouritism intended or proposed with respect to the location of the eastern terminus. The Provinces of Ontario and Quebec had equal facilities for going to that point; and it was on the motion of the hon. the Minister of Justice, then the member for Bruce, that it was decided to go to the south-eastern shore of Lake Nipissing instead of the north shore. The party of which he was a member were then obliged to take the next best thing which offered, and they accepted the declaration of the hon. the First Minister in regard to the water-stretches as a *bonâ fide* statement. But they found that the eastern terminus was an indefinite point—fluctuating between Renfrew and Pembroke. The people of Quebec had invested their money to build a road to connect with the Georgian Bay Branch, but they now found that that branch was a myth from its conception and was a demonstrated myth to-day. The Liberals of Lower Canada were now supporting a Government which promised that this line should be built, and so induced the people of Quebec to invest their money in the enterprise referred to, but which had broken faith in this respect. They had a right to

go to the members from the Province of Quebec, whether Liberal or Conservative, and ask them to support a national enterprise. But what were the leaders of the Liberal Party of Quebec doing to-day? They saw the hon. the Postmaster-General go into the county of Argenteuil and endeavour to incite a religious war. But there were other instances of the same kind. The hon. the Minister of Justice in a speech at Aurora endeavoured to excite discord between the Provinces. Because the Province of British Columbia was a small one in its representation, and did not have a sufficient number of votes to make itself felt, this should be no reason why the moral obligations incurred with respect to it should not be carried out. If British Columbia was a disaffected Province, the Government was responsible. Instead of trying to cement the union, the hon. the Minister of Justice taunted British Columbia with being nothing but a sea of mountains. Last Session, the First Minister was appealed to as to the location of the eastern terminus of the Pacific Railway, but he would not, or could not, inform the House where it was to be. There had been a bogus survey, and a contract had been let for the terminus at Kam-inistiquia; but all the time before that had been wasted. He, and some hon. gentlemen from the same locality, supported the Government in its Georgian Bay project to a fair and independent extent, they believing that it was to the general interest of the country, but more particularly to the interest of their locality and the Ottawa Valley. He supported the project itself, but he did complain of the manner in which it had been managed and the money had been expended.

Mr. SMITH (Selkirk) said he fancied it would require stronger arguments and more cogent reasons than had been given by the hon. member for Terrebonne, to convince the large majority in the House that the Government were altogether wrong, and the Opposition altogether right, in this matter. A great deal of stress had been laid upon the fact that the project of the late Government had fallen through, owing, it was alleged, to the representations of the then Opposition. He was sure the right hon. member for

Kingston and the hon. member for Cumberland did not entertain that view. It was really impossible that gentlemen belonging to the Opposition could have this influence. He himself had never had any confidence in the project. Before Sir Hugh Allan went to England, commissioners had been in London, and had ascertained that it was impossible for the scheme to succeed, as far as raising the money to build the road was concerned, if the company was to be a private company, unless a guarantee was given by the Government. He did not know that Sir Hugh Allan was the most fitting person to undertake such a mission. This would be generally admitted by all who knew that gentleman. But, apart from that, it was impossible to make the scheme a success. English capitalists had already spent a large amount of money in Canadian enterprises without any returns, as, for instance, on the Grand Trunk and Great Western Railways, and they naturally fought shy of the Pacific Railway unless it was made a Government measure, which it was not, but was only supported by the Government to a limited extent. A great deal had been said respecting the Fort Frances Locks, and much blame was thrown upon the Government for undertaking that enterprise. At the time the work was undertaken, the intention was that the railway should touch at Sturgeon's Falls, and this would give an uninterrupted stretch of 178 miles or upwards to the next point on the railway, at Rat Portage. There was a very considerable portion of that extended country fit for cultivation, and it abounded in timber, which was much required in Manitoba. He thought, however, that the road should be farther north, but it would be unwise to throw away what had been done without utilizing it for the benefit of the country. The hon. member for Terrebonne had strongly and earnestly spoken of the treatment meted out to the right hon. member for Kingston. He appeared to have forgotten that the provocation had been first given on the side of the Opposition. The hon. member for Cumberland (Mr. Tupper) had on a previous evening spoken of the connection of the hon. member for Selkirk

Mr. SMITH.

with the Red River Transportation Company which had received a contract from the Government. It was, however, said that the hon. member for Cumberland was connected with certain works at Spring Hill and elsewhere. If that hon. member had spoken to him personally on the subject, he would have learned that he (Mr. Smith) never possessed a share in that Transportation Company; that he had never received from the Government a single sixpence from the time he entered Parliament, except what he received in common with all hon. members as an indemnity from the country, and which, as he had stated on a former occasion, he was quite as willing to forego as the hon. member for Cumberland. He therefore gave the assertion the most unqualified contradiction, and declared that he had no interest whatever in that company and had never received any money or benefit from it. Perhaps the hon. member for Lisgar (Mr. Schultz) might say that if he did not individually he might have done so as connected with the Hudson Bay Company. That statement would not be correct. He had not received any benefit from the Hudson Bay Company, and had had no share or interest in that company directly since 1870. His emoluments from the company were purely such as any hon. member or Minister might receive. When he went into the Far West to serve the interests of the country, although certain expenses were incurred, he wished to be so free and independent of the Government, and of any party, that he declined to receive anything whatever from the Government for any services he might have rendered. The Government had subsequently acknowledged that what he had done had been in every respect satisfactory. He would not have made those explanations had not the point been raised, but he desired the House to know that he had never received one sixpence from any member of the Government for any services whatever.

Mr. DYMOND moved the adjournment of the debate.

Motion agreed to.

House adjourned at  
Twenty minutes before  
One o'clock.

## HOUSE OF COMMONS.

Tuesday, 24th April, 1877.

The Speaker took the Chair at Three o'clock.

## NORTHERN RAILWAY BILL.

[BILL No. 62.]

(Mr. Macdonald, Toronto.)

## THIRD READING.

Mr. MACDONALD (Centre Toronto) said that, with the assent of the House, he would move the consideration of the amendments made in Committee to the Northern Railway Bill.

Mr. MACKENZIE said this Bill would have been passed some time ago had not the Government refused the assent of the Crown until certain pecuniary arrangements were ascertained and agreed upon. Very large interests devolved upon the passage of the Bill this Session, and there was no time to lose.

Mr. BOWELL asked if he was to understand that the resolution placed on the Votes and Proceedings by the Finance Minister was the result of negotiations made with the company.

Mr. CARTWRIGHT said that this was not precisely the case. The position of affairs was this: The Government had two claims on the company for £100,000 sterling, and interest; and they proposed to insert in the Act a clause which would declare that nothing in the Act should affect the right or priority of the Government claims, except so far as the terms and conditions that might be prescribed by the Act passed during this Session were concerned. This proposition would be similar to one that had been introduced with regard to the Government lien. The resolution on which the Bill would be based would be introduced tomorrow.

Mr. LITTLE said he had a right to, and would, object to the present consideration of the Bill. It affected his constituency, and he wished to consider it more minutely.

Mr. CARTWRIGHT said it had been agreed that the Bill should be taken up

to-day, the want of confidence motion having taken up Monday, the private members' day.

Mr. TUPPER said they were all anxious to bring the Session to a close as soon as possible; and he hoped the hon. member for Simcoe (Mr. Little) would withdraw his objection, under the circumstances.

Mr. SPEAKER said he was under the impression that, when the Orders of the Day were moved, this being a Government day, it would be open to the Government to permit this Bill to be taken up.

Mr. HOLTON said he thought that the hon. member for Simcoe was, perhaps, right in his point of order. When the Government Orders were exhausted, however, they could pass on to Private Bills or anything else on the Orders. It would be manifestly more convenient to deal with it then, than late at night, after the debate on the motion of want of confidence was disposed of.

Mr. BLANCHET said he thought that to take this course would establish a dangerous precedent, as, unexpectedly, Bills might be taken up in the absence of members interested in them.

Mr. SPEAKER: In *May* it is laid down that, when the Orders of the Day are reached, it is open to the House to take any Order in precedence of all other Orders.

Mr. BLANCHET: Except Private Bills.

Mr. LITTLE withdrew his objection. Amendments read the second time and agreed to.

Mr. MACDONALD (Centre Toronto) moved that the Bill be read the third time.

Mr. CARTWRIGHT moved in amendment:

"That the Bill be recommitted, with instructions to the Committee that they have power to insert the following clause:—

"Nothing in this Act contained shall in any wise affect the rank or priority of any claims now held by the Government of Canada against the said Northern Railway Company of Canada, except in so far and upon such terms and conditions as may be prescribed by any Act passed during this Session, which shall also declare the sum to be

paid by the Company in satisfaction of certain sums due to the Government of Canada prior to the issue of the bonds mentioned in Section 1 and 5 of this Act."

Motion in amendment *agreed to*.

House *resolved* itself into Committee of the Whole.

(In the Committee.)

Bill *amended* according to instructions, and *ordered* to be reported.

House *resumed*.

Bill *reported*, and amendment *read the first and second times* and *agreed to*.

Question *put* on the third reading.

Mr. OLIVER moved in amendment:

"That the Bill be re-committed to a Committee of the Whole, with instructions to the Committee that they have power of adding thereto the following:—

"Notwithstanding anything in this Act, or in The Northern Railway Company Act of 1875, contained the paragraph of the Order in Council, made on the 12th day of May, 1859, recited and confirmed by the Act of the Legislature of the late Province of Canada, passed in the 23rd year of Her Majesty's Reign, and chaptered 105, which paragraph provides as follows:—

"The Governor and Council reserve the complete control and direction of the station and other ground in the City of Toronto occupied by the said Company, as well as of the alignment and disposition of the track of the said Railway leading into and within the said City, with a view of completing such arrangements as may be deemed expedient by the Government for affecting proper connections with the other Provincial Railways in the said City."

He said there was a scheme in the west to have a complete railway communication in connection with the North Shore Railway, from the city of Quebec to the Western States, and in view of that scheme the Credit Valley Railway was being promoted. As far as he could learn from letters and telegrams received from Toronto, it was impossible for that railway to get into the city without a part of this property occupied by the Northern Railway. This land was reserved in 1860 for the purpose of promoting other railways coming into the city, but, by some ingenious Act passed in 1875, in place of reserving that power to the Governor in Council, it was re-vested in the Company. It was of vital importance, not only to their section of the country, but to the whole

Mr. CARTWRIGHT.

section from this city to Toronto, that as cheap an entrance to the city should be had for those railways as possible, and, in order to promote that end, he moved the amendment.

Mr. MACKENZIE said the hon. member for North Oxford (Mr. Oliver) called attention to this matter some time ago, and technically the hon. gentleman was right as to the question of occupying the lands in question. These lands were a part of the Ordnance Reserve which was assigned to the Railway Company, which, in other words, was permitted to occupy the water front of the reserve; and this water front they had utilised by filling it up and making their yard upon the main ground of the lake shore. At the time they were permitted to do this, there was a reserve made between the main ground and the high bank for the passage of other railways into the city. That passage he had examined since the question was discussed by the hon. member in the Railway Committee, and he found that there was a space left for four tracks going into the city. One was occupied by the Great Western and the other by the Grand Trunk. The Credit Valley Co. had, therefore, with the permission of the Dominion Government, which permission could be given in the usual way, a right to the occupancy of this track into the city. He did not think it would be reasonable to expect that the company should be allowed to pass through the yard of the Northern Railway Company, which was made at their own expense. Even if they were permitted to pass through, the privilege would be of little use to them, because they would not have space to turn into the wood; but by keeping on the track which had been reserved for other railways, they would have an entrance in a better position every way for the traffic of the road. He would, therefore, ask his hon. friend either to let his motion be lost on a division, if he desired it to go on the Journals, or else to withdraw it if he was satisfied with the explanation made. It was important they should not encumber the Bill of the Company with anything that might appear in England to be an encumbrance. The company had to raise money under

the Act, to comply with the demands the House made two years ago, and for other purposes, and everything of this kind added to the Bill would have a tendency to confuse those who might look at it for the purpose of making investments.

Mr. YOUNG said this was a matter of great importance, not only to the city of Toronto but to other parts of Ontario. His first impression was that it was absolutely necessary for the promotion of the Credit Valley Company that this clause should be restored to the Bill; but the statement of the hon. the First Minister seemed to take away the difficulty. He would like to know how far, under the law as it existed, the company would be able to penetrate into the city.

Mr. MACKENZIE said he forgot the precise point, but it would be just as far as the reserve went, which, he thought, was to Brock-street. They could not, of course, go on the Esplanade, which was owned by private parties. There was power under the General Railway Act for the Railway Committee of the Privy Council to make the arrangements that were necessary for a new railway crossing the companies' tracks. Therefore, there could be no possible difficulty, as far as the reserve was concerned, and beyond that they had no jurisdiction.

Mr. OLIVER asked if the Credit Railway Company would be dealt with in regard to the right of way on the same condition as other railways were dealt with.

Mr. MACKENZIE said, of course; he did not know what the conditions were in the other cases, as he had not looked at them; but it would be apparent to every one that public policy required that all railways should be dealt with on common grounds when they occupied precisely the same position.

Mr. COOK said it was unfortunate that something could not be done to make the railways terminate at one station, as great inconvenience was caused to travellers by the stations being apart. He would suggest that if anything could be done to promote the Credit Railway Company in this respect it should be attended to.

Mr. MACKENZIE said they could not suggest a terminus for any company; that was purely a private matter.

Mr. ROBINSON said he thought the hon. member for North Oxford was mistaken in thinking that the Act of 1875, passed in the interest of the Northern Railway Company, precluded the Credit Valley Company, or any other company, from any privilege that they might have had previous to the passage of that Act. All such rights were reserved by the 4th clause of that Act. In fact the Credit Valley Company, under the law as it stood, could not be precluded from having that which the hon. member's amendment would give it.

Mr. OLIVER said with the promise just made by the hon. the First Minister, he had no hesitation in asking leave to withdraw the amendment.

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

Bill read the third time and passed.

## THE CAMPBELL DIVORCE BILL.

### MOTION TO PLACE ON THE ORDERS.

Mr. GIBBS (South Ontario) moved that the Bill from the Senate, entitled an Act for the Relief of Robert Campbell, be placed on the Orders of the Day for the second reading.

Mr. YOUNG said this was rather an extraordinary motion to make. He was not sufficiently well acquainted with the facts to say positively, but he had seen it stated that this matter was up before one of the Standing Committees of this House, a Committee presided over by the hon. member for South Wentworth (Mr. Rymal) who gave a great deal of attention to matters before that Committee. Unless a very strong case could be made out, the House was bound to support the decision of the Committee.

Mr. GIBBS said he had only to call the attention of the House to the fact that a great injustice had been done in the premises, to secure a favourable consideration at the hands of the House. During the Session of 1876 three petitions were presented, one to

each branch of the Legislature, under the title quoted in his motion. The Committee upon Standing Orders in 1876 reported upon the sufficiency of that petition, and the Bill was introduced into the Senate during that Session. Some progress was made, and it was agreed that it should be taken up during the following Session at the precise point which the Bill had reached. The notice was deemed sufficient by the Senate to proceed with the Bill. It did not require that another petition should be presented this Session. The Bill passed through its three several readings and was sent down to this House on the evening of Friday last, when he moved that it should have its first reading. It was referred to the Committee on Standing Orders. That Committee held that there had not been sufficient notice. He thought there had been, and that under the circumstances the matter should be placed on the Order paper, and then the constitutional question might come up for discussion.

Mr. CAUCHON said, if the rules were to be violated, it was better to have no rules at all. The petition last year was from Robert Campbell for a divorce from his wife, but the present Bill was one for alimony against the husband. They were two separate matters, and both demanded notice.

Mr. MACDOUGALL (East Elgin) said such an important matter should not be dealt with hastily. Looking at the Bill cursorily, he did not think the House had jurisdiction to deal with it. It was purely one of civil rights.

Mr. FORBES pointed out that the Bill under discussion was entirely of a different character from that for which notice had been given. The law was that notice should be given in the *Gazette*, and two local papers for at least six months before the meeting of Parliament. No such notice had been given, for the Bill must be regarded as totally distinct from that regarding the divorce.

Mr. RYMAL said he had the misfortune to be the Chairman of the

Mr. GIBBS.

Standing Orders Committee. Last year Robert Campbell petitioned for a divorce from his wife on the ground of adultery. By some mysterious means the counsel for Mrs. Campbell had secured the passage through the Senate of a Bill for alimony in favour of the wife and child. In order that the House might understand the proceedings in the Senate he would read a protest signed by nineteen hon. members of that body, setting forth the manner in which the Bill had been brought before them, and giving their opinion of the way in which it was managed. The protest was as follows:—

“*First*—Because the Bill was not presented by notice and petition, as required by the rules of the House, from Eliza Maria Campbell, in whose behalf the Bill was ultimately passed.

“*Second*—Because the Bill, as passed, reverses every provision in the original Bill and grants a separation from bed and board at the instance of the wife; whereas that Bill sought for a divorce *a vinculo*, at the instance of the husband.

“*Third*—Because the provision of the British North America Act conferring upon Parliament the power to deal with questions of marriage and divorce does not include the power to deal with questions of simple separation from bed and board.

“*Fourth*—Because questions of alimony and questions regarding the custody of children dealt with in this Bill in this instance can be heard and disposed of in each of the Provinces of the Dominion, by the ordinary tribunals of the country.

“*Fifth*—Because the question of alimony in this case has already been decided by a Court of competent jurisdiction in the Province where the parties reside, and that such a decision should not be overruled by an Act of Parliament.

“*Sixth*—Because the said Bill deals with matters which, under the British North America Act, 1867, come under the exclusive jurisdiction of the Provincial Legislatures.

“*Seventh*—Because, even admitting the competency of this Parliament to deal with the matters affected by this Bill, the proceedings have been unusual and contrary to rules and precedent in their character, in this that no Bill was referred to Committee of the Whole, but simply the report of a Select Committee of last Session, which did not even recommend the Bill now passed to the House, but simply appended to their report the suggestion of counsel of certain proposed clauses; and in this, that the Bill passed was never submitted for a first or second reading,

and, in fact, has had no such readings, and, therefore, was not in a position to be read a third time.

" A. CAMPBELL,  
 " E. READ,  
 " E. CHINIC,  
 " J. O. BUREAU,  
 " C. A. P. PELLETIER,  
 " ALEX. MACFARLANE,  
 " JOS. H. BELLEROSE,  
 " J. F. ARMAND,  
 " ED. GOFF PENNY,  
 " T. X. A. TRUDEL,  
 " J. W. SCOTT,  
 " J. C. CHAPAIS,  
 " T. RYAN,  
 " J. B. GUEVREMONT,  
 " L. G. POWER,  
 " C. H. POZER,  
 " A. VIDAL,  
 " H. A. N. KAULBACH,  
 " L. DUMOUCHEL."

There never was any petition presented by Mrs. Campbell for a Bill granting alimony at the hands of her husband, and she could not avail herself of the petition of her husband for this purpose. Mr. Todd, the best authority in Canada, took this view. He had no desire to do an injustice to any party, but he had endeavoured to sustain the rules and orders of the House, and, if the House should see fit to ignore the rules and precedents which should guide it, let it not be said that the Standing Orders Committee had failed to do their duty, let it not be said by hon. gentlemen opposite that, in doing their duty, they had endeavoured to do a gross injustice to a suffering woman. The law was open to her; let her apply to the Courts if she had been wronged, and, if she obtained no relief, let her present a petition and bring a Bill before the House in a proper and regular manner.

Mr. SPEAKER said the motion was virtually a motion to override the decision of the Standing Orders Committee, and also to suspend the operation of the order under which they professed to have acted. Of course, if the resolution were adopted, it would set aside the report of the Standing Orders Committee and, impliedly, the Orders of the House.

Mr. MACKENZIE asked if such a proceeding would be in order without notice, for it would require the suspension of the rules.

Mr. SPEAKER said it would be setting the rules at naught rather than suspending them.

Mr. BLAIN said there was no intention on the part of hon. members to criticize too strongly the action of the Committee, which was not the point before the House. The question was whether the House should consider the motion submitted by the hon. member for South Ontario (Mr. Gibbs). Now, he (Mr. Blain) contended that, when hon. members examined the reasons why the House had Standing Orders and adopted rules, they would find that they did not apply to the present case. The object for which it was provided that notices should be published was that parties who might be interested in opposing proposed legislation might have the opportunity of appearing before the House, in order to protect their rights. In this case, that reason for the rule did not apply. The gentleman specially interested in opposing the Bill had been before the Senate during the whole time the proceedings had been going on, and, both last Session and this Session, he had been supporting his own case, and opposing the case now presented by the wife. When both the parties interested in the legislation proposed had been before Parliament, it would be a waste of time and money to compel the wife to give notice. Under those circumstances, the House might fairly have followed the course it pursued the other day, when the hon. member for Haldimand (Mr. Thompson) was permitted to introduce a Bill, though every rule of the House had to be violated. He was not speaking of the merits of the case, but, as there was no reason why the Standing Orders should be strictly adhered to in the present case, he thought the House should adopt the motion of the hon. member for South Ontario, and consider the case on its merits.

Mr. McDOUGALL (South Renfrew) said the only question that could be brought before the House without notice was a question of privilege; but such was not the present proceeding.

Mr. SPEAKER said the rule did not apply to Bills after they had been introduced.

Mr. CAMERON said he had seconded the motion because, after considering the matter, he had come to the conclusion that it was right it should be passed. The House should not dispose of it on a technicality, and the reasons given by the hon. member for West York (Mr. Blain) were sufficient to show that it would be so disposed of if the Bill were thrown out. The whole reason for the rule regarding notice was that the parties concerned should be made aware of the legislation proposed. There were only two parties interested in the present legislation—Mr. and Mrs. Campbell. Mr. Campbell himself gave notice of a particular Bill, and the Bill remained the same Bill, though its contents had been altered.

Mr. MACKENZIE: No.

Mr. CAMERON said the Bill remained the same Bill, as the title remained, and the proceedings were, in fact, continued. Surely, when both the parties were before the House, when they had both been before the other House, where the matter was fully discussed, and when the Bill came down from the other branch of the Legislature, it should not be rejected on a technicality. He pronounced no opinion on the principle involved in the proceeding, which was one of great importance and should be discussed. The Bill was the same as that for which notice had been given last Session. The Senate had altered its terms, but it was not for the House at that preliminary stage to consider whether the alterations made by the Senate were proper or improper. The proceedings had been kept alive, and the Bill which was introduced last Session was now sent down to the House by the Upper Chamber, and as both parties were at hand, they should be heard upon it. The question had been fought out with great bitterness in the other House, and, as so much money had been expended, the House should dispose of it on its merits, and, when the Bill came before them, the question could be discussed as to whether Parliament possessed the power the Bill sought to confer on it, and whether it could exercise that power.

Mr. SPEAKER,

Mr. SPEAKER asked that the question should be allowed to remain over until to-morrow, in order that he might have a fuller opportunity to consult Parliamentary law on the points raised.

Mr. GIBBS (South Ontario), consented.

Motion *postponed*.

## THE SEAT FOR RESTIGOUCHE.

MOTION TO TAKE EVIDENCE ON OATH.

Mr. IRVING moved:

“That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into, and report upon the allegations of Mr. George William Ross, a Member of this House, made in his place, on the 23rd instant, that George Moffat, a Member of this House for the Electoral District of the County of Restigouche, had entered into a certain contract or contracts, or agreement or agreements with the Department of Public Works, and for the service thereunder, public moneys of Canada were paid to him, and to report whether the said George Moffat has vacated his seat, should be examined on oath.”

Motion *agreed to*.

## INSPECTION OF PETROLEUM BILL.—[BILL No. 112.]

(Mr. Laflamme.)

THIRD READING.

Amendments made in Committee of the Whole read the second time and *agreed to*.

Bill read the third time and *passed*.

## ORDNANCE AND ADMIRALTY LANDS BILL.—[BILL No. 111.]

(Mr. Mills.)

THIRD READING.

House *resolved* itself into Committee of the Whole to consider Bill (No. 111) Respecting Ordnance and Admiralty Lands in the Provinces of Ontario and Quebec.

(In the Committee.)

In reply to Sir JOHN A. MACDONALD,

Mr. MILLS said he had no objection to insert a provision in the Bill providing that lands should be sold by

auction. There were, however, cases in which such mode of sale could not be adopted. For example, an island in Shelburne Harbour, an acre in extent, was leased to a shipbuilder for thirty shillings per annum. He had established extensive shipbuilding works there, worth from \$8,000 to \$10,000. In such a case, he did not perceive how they could sell the property by auction when the improvements were worth ten times the value of the land. The proper course to adopt under such circumstances was to appoint competent persons to ascertain the actual value of the property, and deal with them in the same way as settlers and squatters on public lands were dealt with. In fact, it was decided that they should deal with these persons as settlers or squatters on public lands. The Chief Clerk of the Ordnance Department had assured him—he had not had time to look into the matter—that they were under obligations to the Imperial Government to respect these parties' rights, and give them the opportunity of becoming first purchasers. Under these circumstances, he could not well see how they could insert a clause in the Bill applying universally the principle of sale by auction. He thought that this rule should be generally adopted, but, in consequence of the obligations incidentally connected with the possession of the property, he did not think that it could be universally followed. There must be exceptions. He believed that it would be more convenient and better not to undertake to make any such provision, save as to reporting each year the amount realized on the value of such property and the amount realized on the sales by public action. The public interests would thus be protected. If any amendment could be suggested preventing the difficulties he had mentioned, he would have no objection to it, but he thought that the Bill, as it stood, would be more convenient and more easy to administer while it would be quite as safe as the other plan proposed.

Mr. MITCHELL said he could not perceive any practical difficulty in the objections of the hon. gentleman (Mr. Mills). As to the island valued at from \$300 to \$600, and on which im-

provements had been made, the rights of the occupant would be protected under the proposition of the right hon. member from Kingston. A valuation of the improvements could be made, and the property could be sold by public auction, subject to the improvements and the valuation. The object of sale by public auction was, he took it, to prevent corruption or the suspicion of it. This had been the policy of the late and present Administration; and should be adopted in all these transactions, to prevent disputes in Parliament, and before Committees, embarrassing public men and individual members of Cabinets, laying them open to charges of all kinds, which in the majority of cases would have no foundation whatever. Room should not be left in this relation for suspicion of partiality or favouritism.

Mr. MILLS: I will put a case to the hon. gentleman. He knows that there are hundreds of tenants in this city on Ordnance property. Would he say that these tenants should be required to compete by public auction with others for the continued possession of such property?

Mr. MITCHELL said he was not prepared to say it would not be right, under such circumstances, to act so, the previous valuation of improvements being added to the cost of the land. If a party made improvements on public property, either under a lease or squatter's right, and the Government desired to sell it, let them value the improvements and sell the property subject to such improvements; and, if the party in question was not the purchaser, let him be paid for the value of these improvements. There was no difficulty in thus settling the question. It was not desirable that opportunity should be afforded for bringing charges of favouritism or partiality.

Mr. MILLS said there were instances of leases being given for an indefinite period of time, to continue until the Imperial Government wished to resume possession for actual military occupation. The holders of these leases would be perfectly willing to buy at a valuation, but they were not willing to abandon leases and have

simply a chance of bidding against others. In one case they received thirty shillings a year rental, and the property was worth, he dared say, \$600. Selling by auction was the easiest way and the least responsible for Ministers; but he did not think that it would be the fairest way in some instances. He did not desire to sell otherwise than by auction, save in the two cases mentioned: when property was not of sufficient value to render it worth while to advertise, and where certain rights arose from occupation and the making of extensive improvements which might be of very great value to occupants, though of much less value to any other persons. They ought to keep faith with the Imperial Government as to the terms on which possession was taken of this property; but they ought not to do injustice to parties who had been possessed of properties for forty or fifty years, compelling them to pay something more than the actual value for property which rightfully belonged to them.

Sir JOHN A. MACDONALD said that the hon. gentleman agreed with the general principle that such property should be sold by auction. This was advisable on every ground. In the first place, because it relieved the Government from all responsibility; and, in the next place, because it relieved the Colonial Government from any responsibility with regard to the Imperial Government. The Colonial Government was under a distinct pledge to the Imperial Government to sell Ordnance lands at the highest price; and whether the property brought at auction £5 or £500, this was an answer both to Parliament here and to the Imperial Government, reasonable notice having been given of such intention.

Mr. MILLS: You did not do so with regard to the land in the City of Ottawa.

Sir JOHN A. MACDONALD said sometimes they had sold by auction and sometimes they had not done so; but the principle on which they were governed in putting Ordnance property on the market was to sell it at the highest price. Then they had the public domain of the old Province of Canada on their hands as well as the

Ordnance property, and, with respect to the former, the Government had had considerable latitude under which parties might be favoured under particular circumstances as a matter of general policy. It would be infinitely better on every account that for the future these lands should be offered to public competition by auction; and if this was the general principle, he did not see how one or two isolated cases should interfere at all with the general policy. As to the island, the answer was—do not sell it at all. And, if a person held a long lease, there was no necessity for selling the property at all. The Government might be supposed to be perpetually in existence. The British Government now held leases running from the time of Henry the Eighth and Queen Elizabeth. The nation was going to last for ever, and the property was always increasing in value. The hon. gentleman wished to sell a property on which \$1 was paid a year for the sake of obtaining \$600, and for such a purpose he would interfere with the general principle which the hon. gentleman himself admitted was correct, but there was no need to sell these properties.

Mr. MILLS: I only gave that as an illustration. I do not know how many such cases exist, but I know that there are a great many of them.

Sir JOHN A. MACDONALD said he did not think that there were a great many such cases. He did not think that the hon. gentleman was so well informed as himself on this point. He did not believe that many long-term leases existed, but, if this was the case, they should be allowed to lapse. They should deprive no man of his rights, and commit no breach of faith with the Imperial Government. Properties of small value could be advertised together at a slight expense. There was no necessity for getting rid of these properties. The Ordnance Department was not pressed by creditors and compelled to sell these properties at a sacrifice. He hoped that the hon. gentleman would insert in the Bill a clause stating that these properties should be offered at public auction, and they might depend upon it that the hon. gentleman would find it to his

Mr. MILLS.

comfort and satisfaction, and that of the Government of the country, to do so.

Mr. MILLS said he had no objection to the insertion of such a clause so long as it did not interfere with any of their obligations.

Mr. MACKENZIE said there were cases in which the Provincial Government desired to obtain possession of public lands for public purposes. The Government of Quebec, for instance, wished to secure certain lands, and this was not only of importance to that Government, but it actually also added a great deal to the value of their own property across the Seigniory Road. It was only right to sell in such cases at a valuation. Other land had been sold at Kingston for the purposes of a Normal School, and it would be very hard if these lands could not be sold to the Provincial Governments at a reasonable valuation, especially as these Governments often transferred lands required by this Government at no cost whatever. If anything was added, they should make that exception also.

Mr. BLANCHET said he did not suppose that, in the case of a municipal corporation requiring land for public purposes, they would be subject to public competition.

Mr. MACKENZIE said municipal corporations would stand in the same position as individuals.

Mr. BLANCHET: How did the corporation of the City of Quebec obtain their land?

Mr. MACKENZIE: I think we agreed to lease certain portions to the corporation of Quebec.

Mr. BLANCHET: I presume the same thing could be done in the case of other corporations.

Mr. MACKENZIE said the Logan Farm was leased to the city of Montreal for a term of years with certain provisions, and St. Helen's Island, which they did not intend to sell, was leased at pleasure to the corporation for park purposes.

Mr. LANGEVIN said he called attention the other day to the necessity of introducing an amendment to the Bill, to the effect that Parliamentary sanction should be obtained before the lands were disposed. This was important, in view of the fact that the lands were not classified, and he understood the hon. the Minister of Justice was favourable to the insertion of such a clause. Did the hon. the Minister of the Interior intend to submit such an amendment?

Mr. MILLS said he did not think it advisable to propose an amendment of that kind. There were certain properties which it would be highly improper for the Government to dispose of; but it was equally obvious that there were many other lands, which were transferred by this Bill from the Minister of War to the Crown, that they should have the power to sell at the most favourable opportunity, which might occur before Parliament met again. At this moment there were no means of classifying the lands, but the hon. member for Charlevoix (Mr. Langevin) knew right well on what principle they would be classified. Any lands necessary for military purposes would be retained, and the hon. gentleman should trust to the common sense and good faith of the Government in reference to this matter, for they would not sell any property that might be necessary for the defence of the country.

Sir JOHN A. MACDONALD said the Defence Commission and, subsequently, in 1865, Col. Jarvis made confidential reports to the Government in regard to the lands necessary for fortification; and the hon. gentlemen (Mr. Mills) might obtain information to assist him in the classification from those reports.

Mr. MACKENZIE said Col. Jarvis's last report pointed out property required for defensive purposes which did not belong to the Government.

Bill, as amended, *ordered to be reported.*

*House resumed.*

*Bill reported.*

*Amendments read the first and second times and agreed to.*

*Bill read the third time and passed.*

## INDIAN ACT AMENDMENT BILL.

[BILL No. 120.]

(Mr. Mills.)

## SECOND READING.

Mr. MILLS said he proposed to substitute a new clause for the 16th clause of the Indian Act of 1876. That clause provided for the punishment of trespassers on Indian lands, but it did not provide for the way in which it was to be done—it did not authorize the taking of the offender before any competent authority. He purposed to repeal this section and to substitute one in its place, the same as the other, except that it provided for the offender to be taken before a Stipendiary Magistrate, a Police Magistrate, or a Justice for his trial. He proposed to amend the 17th section by extending several provisions. He also purposed to amend the 69th section, relating to the purchase of Government presents from Indians. It was found that agricultural implements, waggons, horses, &c., given to Indians, were sold, and, as the persons buying often went some distance away, the Indians could not reclaim the property. The amended section, therefore, would provide that the Superintendent-General or his deputies would have power to take possession of the property so illegally bought from the Indians, and to hold it as Government property. He had also added several suggestions of the agent in British Columbia, which would render less expensive some of the arrangements of the Department.

Mr. HOLTON said he regretted very much that his hon. friend had not found it convenient to introduce the Bill at an earlier stage of the Session. He did not know that he would oppose the Bill, but there had not been time to examine into it, although it might have a very important bearing upon counties adjacent to Indian Reserves, such as his own county.

Sir JOHN A. MACDONALD enquired why the Bill had not been introduced before.

Mr. MILLS said he could not do so. There was nothing new in the Bill, except in the way he had indicated.

Mr. MACKENZIE.

Mr. HOLTON suggested that the hon. member for Charlevoix, who was familiar with Indian affairs, should express his opinion.

Mr. LANGEVIN said he must say that he had had very little time to look over the Bill. He had, however, read it over twice. His experience of the Indian Department was that a great deal of forbearance was required, both on the part of the officers and of private individuals. If the law was made very strict, it would cause bitterness. There was much difficulty in deciding who actually were Indians, as the races were getting mixed. He thought too much power was given to the deputies of the Superintendent-General.

Mr. MILLS: That power is in the present Bill. I have not increased that.

Mr. LANGEVIN said he had objected to some of the clauses of the Bill before. The present amendments were intended to make its provisions more stringent. On the other hand, he admitted, with the hon. member for Chateauguay (Mr. Holton), that it was very late in the season to amend that law. Last Session they had understood that it was so amended, and that two or three years would elapse before they would have to amend it again. These were very important amendments, and they did not affect only the Indians, but the white men.

Mr. HOLTON: Hear, hear.

Mr. LANGEVIN said that anyone might violate this law by going on land without knowing that it was Indian land. He did not think the Bill should pass in its present form, and he suggested that it would be better to allow it to stand over until next Session.

Mr. MILLS said the only change made was that the Government took the means of enforcing the law. Every word and syllable of the provisions to which the hon. gentleman had taken exception was in the Bill last year, and in the Acts of former years, the Acts from which the Act of last Session was consolidated; and the provisions of this Act with regard to penalties

for trespass were not different, were not more severe, were not indeed so severe, as the original penalties for trespass, which might be enforced by one white man against another. It, therefore, seemed to him very extraordinary that the hon. gentleman should have attacked the Bill. It proposed merely to provide machinery for enforcing the law. The appointment of a person to see the law enforced was no novel provision. If they were to enfranchise the Indians it would be a different matter, but the law assumed the Indian population to be incompetent to deal with their property, and, if the Government acted as guardians or trustees for them, it would be inconsistent to say that no person should be appointed to see that this law should be enforced.

Mr. PATERSON said he did not see any objection to this section. The penalties were all in the Act as it was at present, and the provision was only to enforce it.

*Bill read the second time.*

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

### After Recess.

## AUDITING PUBLIC ACCOUNTS BILL.—[BILL No. 118.]

(*Mr. Cartwright.*)

### SECOND READING.

Mr. CARTWRIGHT said that during the present Session the House would remember that the hon. member for Cumberland had directed attention, on two or three occasions, to two things:—First, the difficulty of getting an idea of the state of public business from the public returns; and, second, by the Act passed last Session authorizing the Government practically to extend the term for the use of appropriations by Orders in Council, for three months, sanctioning by law what was done formerly by virtue of Orders in Council; and he was not prepared to deny that there was much force in the hon. gentleman's observations respecting the desirability of an amendment of this

law. There was another matter of very considerable importance to which attention had been strongly called during the last two or three years. Very great inconvenience had been experienced as matters now stood, owing to the circumstance that the financial year terminated in the centre of two working seasons. It was a matter of very considerable difficulty at a distance of eighteen months to produce accurate Estimates, particularly for such Departments as those of Public Works, Marine and Fisheries and the Interior; and these difficulties had been very seriously aggravated by the great increase in their territory which had taken place during the last three or four years. Moreover, since the practice of their meeting very early in the year, in February, and perhaps earlier occasionally, had sprung up, considerable difficulties had arisen in the proper preparation of the Public Accounts; despite all the zeal and diligence the officers of the Department could use, they found it barely possible to get the accounts in readiness to lay on the table when the House met; and it was scarcely possible, with all their diligence, for Ministers to have a sufficient length of time to become acquainted with them. Some confusion had occasionally arisen in consequence, and he was afraid that this confusion would tend to increase in the future. In former years, this was by no manner of means the case, because, as the House was aware, the average time for the meeting of Parliament was usually in March or April. With a view to remedying these defects he proposed to change the financial year so as to assimilate the period for the closing of their accounts with the period at which the accounts in Great Britain were closed, and this was about the 31st of March.

Mr. HOLTON: It is the 5th of April, their quarter day.

Mr. CARTWRIGHT said he knew it was somewhere in that neighbourhood. He also found that the American authorities, in some of their reports, earnestly recommended Congress, for precisely the same reasons he had mentioned, to change the financial year.

The only serious objection he could see to it was that it would, no doubt, deprive the House of a certain class of information for the period of some three months; but, on the other hand, he thought that the House would gain, on the average, five or six weeks in the average period at which it was possible for them to be summoned together, with due regard to the advancement of the public business. He further proposed to introduce in the Bill a provision for a statement to be submitted to Parliament, showing the receipts and expenditure under the several heads of revenue and service, to the last day inclusive of the month of December, March, June or September, as the case might be, immediately preceding each Session. This statement would show the several appropriations for each service, the expenditure and the balance available. The hon. member for Cumberland had called his attention to the fact, and the hon. gentleman was quite correct, that, were this Act passed, it would no longer be necessary to preserve on the Statute-book the Act passed last Session empowering the Government to extend for three months the time at which appropriations closed; and he proposed to repeal this Act if the Bill he was about to introduce was passed. The hon. gentleman had also spoken of another amendment to keep up the accounts, for the purpose of comparison, to the 1st day of July in each year. This was an amendment in which he would cheerfully concur; and, if the hon. gentleman had not prepared it, he would like to add a few words in the form of a sub-section to the third clause, by which this object would be obtained. The delay in introducing the Bill had been occasioned by certain difficulties in detail arising in his own Department, and these required to be surmounted before he could come down with any such proposition. Any inconvenience that would arise would fall necessarily on his own Department and his principal officers, who, after discussing the matter, had cheerfully acquiesced in the desirability of undertaking the trouble which this alteration would give them, as it would relieve them from certain work at the

**MR. CARTWRIGHT.**

expiration of the present financial year. He begged, with these remarks, to move the second reading of the Bill.

Mr. HOLTON said he was not prepared to state that the change proposed might not be useful or not called for by the changed circumstances of the country, especially in consideration of the great territorial extension that had taken place during the last few years. He had been himself mainly instrumental in bringing about the change in the termination of the fiscal year from December 31st to the 30th of June, which was not done without very grave consideration. It was then felt that the governing circumstance in the Estimates for this country was the harvest. The 30th of June was the period of the realization of one harvest, and in advance of the reaping of the ensuing one. The returns, therefore, were made up to the time when the product of one harvest was completely exhausted, and when the Estimates for the future year were necessarily based upon the results of the preceding harvest. They found that, when the Public Accounts were made up to the 31st of December before Parliament met—and this was not usually in March or April under the old system, but towards the end of February or early in March—it was impossible to get them ready in time to lay before Parliament and assist in its deliberations during the Session. It was thought that by going back to the 30th June there would be no difficulty in having the Public Accounts and departmental reports ready to be laid before Parliament when it assembled. He believed that they had succeeded in this; but they had, on the other hand, strongly felt the inconvenience of voting the appropriations so far ahead as was done under the present system. One result of the change proposed was to cause the Estimates to be voted still further ahead. Then if they met in February or March, they would vote the Estimates, not for the immediately ensuing financial year, but for the year following.

**MR. CARTWRIGHT:** No.

**MR. HOLTON:** Oh, yes; necessarily so. Just as they were now voting the Estimates for the financial

year 1877-8, so, in the month of March, if the change was in operation, they would vote the Estimates so much further ahead.

Mr. CARTWRIGHT: No.

Mr. HOLTON: Undoubtedly, it would be so.

Mr. CARTWRIGHT: Not at all. I do not at all intend that; but that in every case the House will vote the Estimates to March in the succeeding year, instead of July of the succeeding year, as is now in case.

Mr. HOLTON asked how was this to be brought about. The Estimates would terminate on the 31st of March, and they must vote a year ahead or spend money without the sanction of Parliament. In the United States, it must be remembered, Congress did not rise until August—not in April—and they had ample time there to consider the Public Accounts and Estimates and everything connected therewith for the current year. He did not object to the change. It might be useful. There were important considerations in favour of it. He was simply pointing out the inconveniences which he thought might flow from it; and these were sufficiently grave possibly to cause them to pause in the adoption of this proposed plan. He desired to point out another result which would inevitably flow from the change, and it was that which occurred in consequence of the change made in the old system in 1864. This rendered it next to impossible for two or three years to get fairly into the new groove and make any comparison between the revenue without a degree of labour for which few had sufficient leisure, or any accurate comparison between the expenditure and revenue for the year in question, and the preceding year or two. It would introduce a great deal of confusion of that kind, but he did not say that this was any reason why the change should not be made. This would be an incidental inconvenience. He thought it very much to be regretted that this Bill which, although short, was really very important, had not been introduced at an earlier period, in order that they might duly consider

the somewhat important consequences which its adoption would create.

Mr. TUPPER said that, if the hon. gentleman (Mr. Holton) was right as to what the effect of the Bill would be, it would become a very serious matter for the Minister of Finance to consider whether he should proceed with the measure or not. The Minister of Finance had kindly communicated to him his reasons for introducing the Bill, and he had frankly stated that he approved of them to a large extent. He felt that they would involve the necessity of an earlier meeting of Parliament, which, instead of being an objection, he would consider a great advantage. He was satisfied that every hon. member would be glad to exchange the present fortnight for the fortnight which preceded the opening of the present Session. The natural time for the meeting of Parliament he was sure would be found to be as early in January as business arrangements would admit of. If the hon. member for Chateauguay was right in assuming that, instead of being able to make their calculations more final as to the end of the current year, under the change proposed—and the Minister of Finance evidently aimed at this—they would have to calculate for a still farther year ahead, in order to have the means of meeting the exigencies of the country without spending money without the authority of Parliament, he was quite sure that the Minister of Finance would feel that he could not proceed with this Bill. It was not desirable to enable the Governor in Council to carry over lapsed balances, as it prevented the House having that stringent supervision over the appropriations that was intended. This year he supposed that something like half a million had thus been placed at the disposal of the Government. The hon. gentleman (Mr. Cartwright) said that he was willing to repeal the Act touching lapsed balances and provide a clause for the preparation of a comparative statement at the end of the fiscal year, and, if this was done, and if the hon. gentleman found that he could effect the object he intended, he (Mr. Tupper) did not think there would be any objection to

the change proposed. The hon. member for Chateauguay had called attention to the very natural and substantial reasons which had led Parliament to alter the old system, causing the fiscal year to terminate when the people had realized the result of one harvest, and before another came in. He did not himself see the great force of this objection, and he would tell the hon. gentleman why. They had all the means of knowing what the last harvest was, and what the effect upon the revenue would be.

Mr. HOLTON said that point resolved itself into the other.

Mr. TUPPER said he quite agreed with that. He thought the Bill, however, failed to accomplish the object of the Government, and therefore would have to be abandoned. He would say a single word as to the returns in the *Gazette*. The hon. gentleman (Mr. Cartwright), at page 690 of *Hansard*, 1876, said that this was a subject of careful consideration, and on that occasion he gave the strongest possible assurance to the House that the mistakes would be remedied, and care taken that they should not occur in the future. From what had fallen from the hon. member for Chateauguay (Mr. Holton) it was evident the hon. the Minister of Finance would have to give careful consideration to the point, for unless he met that objection the objects sought by the measure could not be attained. The comparative estimate was of the utmost value. It had a party as well as a political value, and that very fact made it of value to the country, because it led to a careful comparison year by year of the expenditure of the Government. It was not only of value in arriving at certain conclusions, but it had a salutary effect on anything like undue expenditure. He did not see any difficulty in the way of making that comparative statement. It would occasion some labour, but with some additional labour it would be possible to prepare a statement to show the expenditures of different years.

Mr. CARTWRIGHT said he fully appreciated the remarks made by the hon. members for Chateauguay and Cumberland (Messrs. Holton and Tupper). With respect to what the former

Mr. TUPPER.

had said, he would state, as indeed he had intimated to the House, that one of the principal objects they had in view was to enable Parliament to meet earlier in the year. That was a point to which the House would attach great importance, and which he thought commended itself to the good judgment of all. He took especial care to consult the principal officers of his Department on the identical point raised by the hon. member for Chateauguay, and they were of opinion that there would be no necessity whatever to provide Estimates for more than one year. As far as he could judge of that matter, which was somewhat a matter of detail, he thought the officials were in the right in this. He thought they could do so. Of course he quite agreed that, if it were necessary, if, instead of reducing the Estimates they were extended over 24 months, the main object he had in view, which was to diminish the inaccuracies which existed at present, and would continue to exist, and which he always felt as rather a reflection on our business system, would be accomplished. He entirely agreed with what had fallen from both hon. gentlemen as to the importance of preserving those comparative statements, and he proposed to submit an amendment which he thought would cover all that was desired, and provide for the continuance of the comparative statements for at least the next three years.

Mr. MITCHELL said he had listened attentively to the arguments which had been advanced in relation to the measure, and he could see no reason whatever for the change. He did not see why the hon. the Finance Minister should desire to disarrange and disorganize the existing system of the Public Accounts. If the desire was for Parliament to meet a few weeks earlier in the year, he thought that could be accomplished without such a violent change in our system of public accounts. As no satisfactory reason had been given for the Bill, he would oppose it. The comparative statements, for which he saw no provision, were of the utmost importance to the House and to the country.

Bill read the second time.

House resolved itself into Committee of the Whole on the Bill.

(In the Committee.)

Mr. CARTWRIGHT submitted a new subsection providing for a comparative statement.

Mr. MITCHELL said, as this met one of his main objections to the measure, he would withdraw his objection to the Bill, but he still saw no good reason for its introduction.

Sub-section *agreed to*.

Bill, as amended, *ordered to be reported*.

House *resumed*.

Bill *reported*.

Amendments *read the first and second times and agreed to*.

#### INSPECTION OF GAS AND GAS METERS ACT AMENDMENT BILL.

[BILL No. 92.]

(*Mr Laflamme.*)

BILL WITHDRAWN.

Order for second reading *read*.

Mr. LAFLAMME said since the introduction of this Bill a great many recommendations had been made by almost all the parties concerned in the manufacture of gas, which required some consideration. They all urged strong reasons for not enforcing the propositions of the Bill, and, after reflection, he had come to the conclusion that it would be advisable to take more time to consider the objections made, and he would, therefore, move that the order be discharged.

Mr. TUPPER said he was exceedingly glad that the Minister of Inland Revenue had decided to withdraw the Bill. In the re-preparation, it would be necessary to consider whether it would not be advisable to make a very considerable reduction in the charges for inspection, which would come very hard upon small companies. The provision as to the abstraction of sulphur from the gas, also, would require some amendment, as the process was enormously costly. Indeed, he knew of only one place where this was done, at London, although the presence of sulphur in gas was very injurious.

Mr. MITCHELL congratulated the hon. the Minister of Inland Revenue upon deferring to public opinion in withdrawing the Bill.

Order *discharged* and Bill *withdrawn*.

#### THE CANADIAN PACIFIC RAILWAY.

ADJOURNED DEBATE.

Order for resuming adjourned debate on the proposed motion of Mr. Cartwright that Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply; and the motion of Mr. Tupper in amendment, *read*.

Mr. DYMOND said, at the adjournment of the debate last evening, an hon. member had suggested that the remaining speeches delivered during the present debate should be vigorous but brief. He could not engage that his speech would be vigorous, but he would guarantee that it would not be so long as at least two of the speeches delivered by hon. gentlemen opposite, and he would endeavour to avoid, to a considerable extent, the diffusiveness and discursiveness by which both those deliverances were characterized. It was a misfortune that the House should be discussing this great measure of public policy in the last moments of the Session. It was also, he ventured to think, a misfortune that they should be discussing it on a resolution which was in the nature of a vote of want of confidence in the Government of the day, because on such an occasion it was impossible to exclude party asperities, and reference to many collateral issues which perhaps diverted attention from the subject to which their attention ought to be most particularly directed. The hon. member for Terrebonne (Mr. Masson) opened his speech by complaining of the tone in which the two leaders of the Opposition had been assailed by the hon. leader of the Government. The hon. member made a passing reference to certain historical incidents which must have been painful to all who were implicated in them. They certainly were painful to those who were engaged in tracking out the offence; and they ought to be hardly

less painful to the offenders. The hon. member might really have left the task of making that protest to the right hon. gentleman who led the Opposition, and who, in his speeches last year, not only defended, but to a certain extent exulted over, that melancholy affair. He might have left it to the hon. member for Cumberland, who pronounced a sort of unctious benediction whenever he alluded to the subject, and declared that whatever was done was done "with patriotic motives," or he might have left it to the hon. member for Charlevoix, who, when he looked back to his recent election experience and forward to the general election which could not be very far off, must certainly feel a deep tinge of melancholy when he recollected that there was no public contractor from whom he could receive \$32,600.

Some HON. MEMBERS: Big Push.

Mr. DYMOND said hon. members called "Big Push;"—there was never a smaller "Big Push" than the "Big Push" that was in their minds. Hon. members should understand that this was a subject which should be discussed with a little seriousness. The speech of the hon. member for Cumberland was one to which his friends, and especially the hon. member for Terbonne, alluded with a great deal of praise. That, no doubt, was occasioned by the fact that it did compare very favourably with many of the hon. gentleman's utterances. It was not so violent as some of them. His statements were not so exaggerated, and he was more careful in many respects to keep to literal facts. He was good enough again and again to assert that all he was saying was spoken with the most benevolent intentions, and that assurance must be regarded as expressing his own sincere conviction that, in his four and a half or five hours' speech, he was really desirous of doing some good to hon. members on the Ministerial benches. But, unfortunately, one was bound to admit that his efforts were marred by the fact that, even in that much commended speech, he fell into some of his old habits. He was good enough to say that he would ask the hon. member for North York

Mr. DYMOND.

whether, even in his opinion, a statement he made was not sufficient ground for the censure which he desired to pass upon the Government of the day. If, in a Court of criminal justice, an item of evidence, however small, was admitted by the Judge which he ought to reject, the consequences might be the quashing of the verdict. There was an old Latin adage too, which meant that, when one incorrect statement was made, it vitiated the whole story. Now one statement made by the member for Cumberland referred to the steel rails transaction. The hon. member for Cumberland stated that the First Minister, in that transaction, lost to this country \$175,000 per annum. It was known, however, from the admission honourably and frankly made by the hon. gentleman the following day, that he was only out in his reckoning \$100,000, representing a capital sum of \$2,000,000. Suppose the House had taken a vote on the first evening of the debate, and they had voted with the hon. member in consequence of that statement, what a predicament they would be in with their constituents the following day. Another statement made by the hon. gentleman was that there was 43 days' difference between the seasons at Prince Arthur's Landing and the new terminus of the Canadian Pacific Railway in the neighbourhood of Thunder Bay. It turned out that these forty-three days related not to a place only four or five miles distant from Prince Arthur's Landing, but to a district 200 miles away. Then the hon. gentleman seizing hold of a paper before him declared that in 1873 the immigration to Canada was 310,000 souls. That wonderful discovery was arrived at by merely adding a cipher, but it might have had the most serious consequences, as he had already pointed out. Then the hon. member declared that no engineer had been employed at the inception of the undertaking known as the Fort Frances Locks, and he spoke rather disparagingly of Mr. Hugh Sutherland, the Superintendent. He (Mr. Dymond) happened to know Mr. Sutherland, and he would take this opportunity of saying that he was one of the most faithful and intelligent public servants in

the Dominion; and the hon. gentleman could not do better, if he wanted to make himself acquainted with the public works of the North-West, than place himself under Mr. Sutherland as a pupil for one or two hours. It turned out, however, from the papers which the hon. gentleman held in his hand, that there actually was a resident engineer there as well as Mr. Sutherland. The hon. gentleman next took up the question of the iron rails formerly belonging to Mr. Foster, and he quoted the evidence of one Mr. Musson, as also had the hon. member for Terrebonne. He (Mr. Dymond) would like to give the House the benefit of this evidence which was to imperil the existence of the Government. Mr. Musson was examined by the hon. member for Frontenac, who would admit himself, if he were in his place, that Mr. Musson was one of the most troublesome witnesses he had ever come across. His evidence was as follows:—

*By Mr. Kirpatrick:—*

“Do you know anything of the value of rails—the market price of rails about that time, or any time; do you keep posted as to the value?—I just have a general knowledge of it.

“Do you know what was the value of rails about September, 1875?—I should say they were worth between thirty and thirty-five dollars per ton in Montreal; that is a matter of recollection and opinion.

*By Hon. Mr. Mackenzie:—*

“On what do you form that opinion?—I don't recollect.

“Is it your recollection of some sales?—I knew of one sale.

“Who to?—It was to a road; I don't remember the road; I was told of the sale.

“Who told you of the sale?—I don't know who it was.

“You don't remember who it was made the sale?—No.

“You don't remember who it was bought the rails?—I was told that it was a road down in Lower Canada.

“You don't know who the buyer or the seller was?—No.

“Do you know anything at all yourself about the value of rails?—Simply from hearing quotations.

“Where did you see them?—In the papers from time to time.

“Did you see that quotation in the papers—thirty to thirty-five dollars?—I don't remember.

“Do you believe you did see it in the papers?—I remember that was about the price of iron at that time.

“The fact is you knew nothing about it?—I knew about it at the time, but I do not consider the opinion worth anything; it is simply recollection.”

Then the hon. member for King's (Mr. Domville) broke in and asked some questions on a subject with which he was exceedingly familiar. He wanted to test the knowledge of the witnesses as to the quality of the rails:—

*By Mr. Domville:—*

“When you broke those rails, what did you see inside; were they crystals—large crystals or small crystals, or small fibre, or what?—What I think is they were not good iron, whether it was in the rolling or quality I cannot say.

“You have seen a piece of pig iron broken? Yes.

“You know how it looks when it is broken?—Yes.

“Did the rail look anything like that?—I should say it did.

“Would it be a greyish colour?—It is rather hard for me to recollect what the break looked like.”

Then came Mr. Mackenzie again:—

*By Hon. Mr. Mackenzie:—*

“I suppose you have no technical knowledge of the manufacture?—No; no practical knowledge.

“That is not what I mean; have you any knowledge of the foundry business?—No.”

So the man who was called to tell the Committee what was the value of iron rails at a particular time could not say more than that he had heard the price; he could not remember when the transaction had taken place; he could not tell where; and, when asked to show that he had taken some trouble to examine the fractures in the rails in order that he might form an opinion as to the character of the material of which they were composed, he was just as ignorant as about the price of them. That was the sort of evidence on which the hon. member for Cumberland (Mr. Tupper) wished to turn out the Government of the Dominion, and place himself and his friends on the Treasury benches. He now came to the last statement—or rather misstatement—of the hon. member for Cumberland, which he would notice. He was sure the hon. gentleman would take the earliest opportunity to make the *amende* to the hon. member for Selkirk (Mr. Smith). The hon. member for Cumberland had charged that

hon. gentleman with being a member of the firm of Kittson & Co., who had received \$200,000 for carrying steel rails and other material for the Government.

Mr. TUPPER said he desired to ask the permission of the House to make a statement in respect to the subject referred to by the hon. member for North York (Mr. Dymond). He would take that opportunity to state that the hon. member misrepresented him when he said that he (Mr. Tupper) asserted that such was the case with respect to the hon. member for Selkirk (Mr. Smith). He (Mr. Tupper) made no such assertion. In the course of his remarks on the question of the Canadian Pacific Railway, he stated to the House that there was a rumour that the hon. member for Selkirk was a partner, and a large partner, in the transportation company that had been employed for the purpose of transporting nearly 13,000 tons of rails from Duluth to Winnipeg; and he stated, further, that, if that rumour was well founded, that the hon. member for Selkirk, a member of this House, was a member of that firm, and it had received that large contract amounting to something above \$200,000 without tender, he thought the circumstances demanded the attention of the House. The hon. member for Selkirk would do him the credit to say that he indulged in no insinuation which the hon. member had not an opportunity of frankly dealing with. The House had heard the statement made last night by the hon. member that there was no foundation whatever for the statement he had made and the rumour to which he had alluded. He was prepared to accept the statement of the hon. gentleman in the most unqualified manner; he was quite sure the hon. member would not have stated to the House, as he had done, that he was not interested to the extent of a single dollar in the company if such was not literally and actually the fact, and the hon. gentleman was deeply indebted to him (Mr. Tupper) for having given him an opportunity to make that statement. His (Mr. Tupper's) statement was made on the authority of an hon. member who came from

Mr. DYMOND.

the same district as the hon. member for Selkirk—he referred to the hon. member for Lisgar (Mr. Schultz). He would show the hon. member for Selkirk, who had said he might have referred to him personally, that no personal or private communication would have accomplished the hon. gentleman's object. He accepted the hon. member's statement; but he was bound to give him the grounds on which he (Mr. Tupper) made that statement. He had stated he had the authority of a member of this House for the statement, and, moreover, he believed there was not an hon. member on that side of the House who did not believe the statement to have been precisely as he had stated it; but he held in his hand a speech made by the Hon. Robert Read, a member of the Senate, on 21st April, and hon. members would see it was necessary in the interest of this House and of the hon. member for Selkirk himself that he should have given that hon. member the opportunity which he had given him, not by an insinuation, but by a frank, manly statement, to deal with the rumour which prevailed to his disparagement, and which, he was glad to say, proved to be thoroughly unfounded. He supposed he was doing the Government the greatest possible service he could render them, as well as the hon. member for Selkirk (Mr. Smith), when he stated the rumour circulated, and believed and gave the hon. gentleman the opportunity, by a frank open statement, to entirely relieve himself from any responsibility in relation to that matter. He did not think the hon. member did him equal justice when, in making his explanation, he referred in vague, indefinite, intangible terms to rumours, not in the manner he had done, but in a way that no hon. member could deal with them; and he took that opportunity of saying to that hon. member or any other hon. member that, whenever they heard a rumour to his (Mr. Tupper's) discredit, which they thought had any foundation, he trusted they would afford him the same opportunity of meeting it in a straightforward manner as he had given to the hon. member for Selkirk.

Mr. DYMOND said that, while the hon. member for Cumberland now said

he made the statement as a rumour only, it was worth while to notice that the following interpretation of his remarks appeared in the *Toronto Mail*, a paper in which he was not likely to be incorrectly reported. The *Mail* said:

"The member for Selkirk (Mr. Smith) is in a most unpleasant corner, as he holds a third interest in a transportation company that received \$200,000 from the Government."

The hon. member had said referring to the arrangement for forwarding the rails:

"He (Dr. Tupper) was told that that was not done by tender or contract, and he was told that one member of the Red River Transportation Company sits in the House, and was one of the principal supporters of the Administration."

The hon. member for Cumberland then went on to endorse the falsehoods which had been communicated to him, in the following manner:—

"He referred to the member from Selkirk (Hon. D. Smith) who had one-third or a half interest in that Company. If it was true that \$200,000 had been given to a company in which that hon. gentleman was a proprietor, without tender, it was a question that struck not only at the foundation of the Act, but assumed a complexion of the most unpleasant and disagreeable character."

He gave the hon. member for Cumberland the benefit of any explanation he might offer to the House and the country in regard to the statement he had made upon the authority of the hon. member for Lisgar. But his statement was sent all through the country in twenty-four hours. Mr. Spurgeon once said that "a lie would travel round the world while truth was putting on its boots;" and the consequence of that incorrect little rumour, as it appeared to the mind of the hon. member for Cumberland, in his late speech, was that the hon. member for Selkirk was branded everywhere as a corrupt man, who had violated the independence of Parliament, and pocketed \$50,000 or \$60,000 of the public money. He thought that after these illustrations, while giving all the credit he deserved to the hon. member for Cumberland for the moderation of his speech compared with previous deliverances, it must be admitted there was a great deal of the

unregenerate nature still left in him. In regard to the speech of the hon. member for Terrebonne (Mr. Masson), in which he had attempted to justify the original compact made with Sir Hugh Allan and his associates for the construction of the Pacific Railway, it had been very well remarked that the failure of that enterprise was the best proof of its hollowness and un wisdom. But he ventured to say that from first to last there was no action on the part of the Government in connection with that company, or on the part of Sir Hugh Allan, that was likely to give confidence to European capitalists. Their association was not a public company, in the ordinary acceptation of the term. The persons who, by an arrangement with certain banks, had joined together to make a nominal deposit, with an understanding that it would never be called for, were simply a committee of Government nominees who had, with the exception of one or two of the number, no stake whatever in the undertaking. With respect to Sir Hugh Allan, the truth had better, once for all, be spoken. Probably no more unfortunate selection could have been made of a gentleman to send to London to raise a large sum of money from the capitalists of that city. The name of Sir Hugh Allan was not a savoury name there, long before the Pacific Railway Company was formed. He paused for a moment to refer to the allusion made, he thought, by the hon. member for Cumberland to the two original companies, formed for the purpose of building that work. The name of the Hon. William McMaster had been mentioned as that of a gentleman whose position showed that these companies were composed of men who thought highly of the undertaking. He (Mr. Dymond) had the authority of the hon. Senator to state that he only allowed his name to be used for the purpose of getting the company organized, that he gave it to be understood from the first that he would take no risk and no responsibility in the matter; and that, so soon as the company was organized, he withdrew altogether from the undertaking. But there was another reason why that undertaking could not be regarded, at this time of day, as

one, the failure of which was at all peculiarly remarkable. It had been presumed that Sir Hugh Allan was at the head of a magnificent scheme to construct a railroad from the south shore of Lake Nipissing to Thunder Bay, and thence across the North-West Territory to British Columbia. He ventured to say that Sir Hugh Allan never contemplated building one mile of road between Lake Nipissing and Thunder Bay. Sir Hugh made no secret from the very first of his disapproval of that part of the undertaking, and he exercised no reticence whatever with respect to his views on that subject. He was content to construct a railway from Lake Superior to the North-West, but he was not content to build six hundred miles of railway from Lake Nipissing to Thunder Bay. On 21st December, 1872—the charter was granted on 13th January, 1873—Sir Hugh Allan visited Peterborough in connection with many of the railway schemes he was at that time promoting. He (Mr. Dymond) had been unable to put his hand on the speech of Sir Hugh Allan on that occasion, but he found something which was even better—the interpretation of that speech, evidently given authoritatively, by the Editor of the *Montreal Gazette*, who, from his language, it was clear, was in communication with Sir Hugh Allan, and desired to correct any misapprehension which had occurred in consequence of Sir Hugh Allan having been misrepresented.

The *Gazette* said :

“It may be well, however, to state distinctly the views expressed by Sir Hugh Allan in relation to the railway interests of the country.”

The writer then referred to several schemes projected for the purpose, as he expressed it, “to tap the trade of the Pacific.” He then went on to say : “The particular lines to which Sir Hugh Allan referred were the Pacific Railway and the extension of the Canada Central.” He had previously explained that the object of the Canada Central was “to continue that railway to a point at or near Sault Ste. Marie.” Further on, he said :

“The Canada Central, having already had power to go as far as Pembroke, and being,

Mr. DYMOND.

in fact, in a fair way to construct its line to that point, asked for authority to go to Sault St. Marie. Should it do so, and cross by a bridge at that point, it would connect with the Northern Pacific Railway, running south of Lake Superior, and would furnish for the Northern Pacific the shortest and most direct line to ocean navigation.”

Then the editor of the *Gazette* went on to remark :

“The line from Duluth to Pembina approaches completion. The short distance between Pembina and Fort Garry will, therefore, undoubtedly furnish the first railway inlet to the Province of Manitoba and our own North-Western territories. It is understood that the Northern Pacific Railway Company is disposed to aid in the construction of a railway south of Lake Superior towards Sault St. Marie; and the branch to be built between Pembroke and that point in Canadian territory is so comparatively short that no one can doubt the propriety of its immediate construction having reference to the direct railway communication with Winnipeg.”

So this gentleman, who was supposed to be enthusiastic for the construction of a through route from Nipissing to the Pacific Ocean, was actually at the time interested in a rival undertaking which, to use his own words, “would bring over it the whole trade of the West and the North-West.” There was another proof of the insincerity of the scheme of the hon. gentlemen opposite which was touched upon by the hon. gentleman at the head of the Government in the course of his remarks. Considerable discussion had taken place in the course of this debate as to the possible route of the Pacific Railway; and they had the authority of Mr. Sandford Fleming, in the report just issued, for the statement that the cost of the railway from Yellow Head Pass to Burrard Inlet would be \$30,000,000, and that the cost to Waddington Harbour, by one route, would be \$38,000,000, and by another route, \$33,000,000. It was not to be supposed that the line could have been constructed for less than the estimate made by Mr. Fleming, as the result of all the experience he had since acquired: and this would have absorbed every dollar of the money subsidy proposed to be granted with the Pacific Railway charter; and yet they were to believe that, without any regard whatever on his

part to the question of the terminus, Sir Hugh Allan, six months after, having obtained the charter would have allowed the Government to fix the terminus at a point 260 miles from Waddington Harbour at an additional cost of \$27,500,000. Mr. Fleming gave the following description of a part of that route, after describing the fifty miles traversed from Waddington Harbour to Seymour Narrows :—

“For a distance of fifty miles from Waddington Harbour, the only course for the line is to follow the base of the high rocky mountains which extend along Bute Inlet. On this section a great number of tunnels varying from 100 to 3,000 feet in length through bluff rocky points would be indispensable, and the work generally, even with unusually sharp curvature, would be very heavy.”

Mr. Fleming then described the mode by which the Narrows were to be crossed. He said :

“Careful examination has established the fact that, to reach Vancouver Island from the mainland, the following clear span bridges would be required :

	Feet.
At Arran Rapids, a clear span of....	1,100
At Cardero Channel (first opening) a clear span of.....	1,360
At Cardero Channel (second opening) a clear span of.....	1,140
At Cardero Channel (third opening) a clear span of.....	640
At Middle Channel, a clear span of..	1,100
At Seymour Narrows (first opening) a clear span of.....	1,200
At Seymour Narrows (second opening) a clear span of.....	1,350

“The length of the section across the group of islands known as Valdes Islands, lying between the mainland and Vancouver Island, is about 30 miles. The channels to be bridged are of great depth, with the tide flowing from four to nine knots an hour. In crossing the islands, heavy rock excavation and probably a few short tunnels would be required. Taking everything into consideration, the work of construction on these eighty miles lying between Waddington Harbour and Vancouver Island, would be of a most formidable character.”

This work, and the further line of 180 miles to Esquimalt, was to be imposed on a company of shrewd business men, as they were called. The man at the head of the company was in certain respects as good a business man as was to be found in the Dominion ; but would any one for a moment dream, even in connection

with the simplest work of construction, in the course of his own private business, of allowing any such intolerable species of bargain to be saddled upon him ? This was, therefore, he thought, plain and clear proof that the whole arrangement as to Sir Hugh Allan was little better than a fraud ; and that Sir Hugh Allan had no intention whatever of ever carrying out that work in the terms of the charter granted him. They had another illustration of the folly and recklessness of the hon. gentlemen opposite. During the period between 1873 and now, a very large sum of money had been spent on surveys, under the superintendence of a gentleman who was probably second, in point of character and ability, to no engineer on this continent ; and they had not yet arrived at a conclusion as to the precise location of the road in British Columbia. What a spectacle they had witnessed the other day. Two hon. gentlemen opposite had entreated the Premier to pause, even if necessary, for two years longer, before settling on the line of route in order that they might ascertain whether any other new, more northerly and more favourable route through the Peace River district could be obtained. The hon. member from Terrebonne had mourned over the loss of immigration that had occurred in consequence of defeat of the former scheme, but it would be in the recollection of the hon. member for Terrebonne that certain terms were agreed upon with that company by the Government with regard to the price at which land was to be sold ; and this price was \$2.50 per acre. He believed it was perfectly well understood that the only mode of settling up a country rapidly and effectually was by adopting the system of free grant settlements. The hon. gentlemen opposite had, however, no intention of doing anything of that kind. When that portion of the Pacific Railway resolutions was before the House, the present Premier had proposed an amendment to secure more liberal terms. When the hon. gentlemen opposite talked of fifty millions of acres appropriated by the Company and fifty millions more reserved by the Government, and of there being any consider-

able quantity of land left for settlement in the North-West, he (Mr. Dymond) fancied that they were running beyond any reliable information possessed as to the cultivateable land in that region. But the right hon. member for Kingston then repudiated the idea of people being induced to settle in that country on liberal terms; and the hon. gentleman's speech was thus reported in the *Montreal Gazette* :—

“The country would be open to settlement and the surplus population of England, Ireland or Germany, might flock there and enjoy all the advantages, at the cost of the people of the other Provinces. Why should these people be given farms improved, with a railway running before their doors, for nothing: advantages which had never been enjoyed by the people of the other Provinces, when there was plenty of other land in the country which they could take outside the twenty miles on either side of the line.”

So it was really to be an offence on the part of people from England, Ireland or Germany to settle exactly where they were most wanted along the line of the Canadian Pacific Railway. If he wanted proof that the hon. gentleman's theory or proposition at the time was absurd and inimical to the interests of the country, he would find it in the fact that the hon. gentleman gave, at all events, a silent assent to the Bill of 1874, in which the precaution was taken which the hon. gentleman had affected to despise. He had said, at the commencement of his remarks, it was much to be regretted that a great question of this kind should be discussed under such circumstances, and if any proof of this were wanted, it was to be found in the tone of sectionalism which had pervaded the address of the hon. member for Terrebonne. Instead of hearing anything like a statesmanlike discussion of the measure, and the most important policy that could engage the attention of this or any other country, they had been favoured with a discourse from the hon. member for Terrebonne, three-quarters of which would only suit one of the little stump election meetings, with which they were very familiar, when they had to face their constituencies in the rural districts. The object of the hon. gentleman's speech seemed to

be to corner some unfortunate French Canadian Liberal, or some French Canadian Liberal newspaper, and not to discuss how they could build up a great nation, and enable this country to carry out the gigantic work before them. The hon. gentleman also spoke of Sir George Cartier, and deservedly, in terms of high admiration; but what was the treatment that Sir George Cartier had received in connection with Sir Hugh Allan's railway operations? If there ever was a specimen of cold-blooded and deliberate cruelty, it was to be found in the conduct displayed by Sir Hugh Allan in the intrigues revealed by his correspondence with G. W. McMullen; and yet the hon. member for Terrebonne was a humble follower of the right hon. gentleman who gave Sir Hugh Allan the charter, after the proof of that cold-blooded cruelty had been placed before him. The hon. gentleman was exceedingly anxious that the Georgian Bay Branch should be built, and had paid a warm tribute to the liberal spirit in which the members of the Reform Party and of the Government from Ontario had acted towards Quebec enterprises. He could assure the hon. gentleman that, as far as the material development of the country was concerned, there was no disposition on the part of anyone in Ontario to allow a sectional spirit to intrude for one moment; and, if the hon. gentleman could show the Government that any change in their plans with regard to the Georgian Bay scheme would render it more favourable to Quebec, not a man in Ontario would be found to utter a protest against it. The Georgian Bay Branch, so far as Ontario was concerned, was little more than a colonization road, though to Quebec it was undoubtedly valuable in another sense, as it offered a direct through route to the upper lakes, and from thence to the Pacific. The Government of Ontario a year ago had passed a Bill guaranteeing, or proposing to give, a subsidy of \$8,000 per mile to any company connecting the present railway system of Western Ontario with that railway. He ventured to deny the statement that the Government of the Dominion had any intention of abandoning the

Georgian Bay scheme. They all knew that the present moment was eminently unfavourable for railway enterprises, and news had arrived that day from Europe which further tended to embarrass those who had great financial operations in hand. What effect this might have on the fortunes of this country or the calculations of the Finance Minister he could not tell; but he was sure that the Government had not the slightest intention of abandoning the Georgian Bay scheme. Nay, though not in their secrets, he ventured to say more—that, if there was anything connected with this scheme which could render it more satisfactory to the people of Quebec, he could assure the hon. member for Terrebonne and others from that Province that it would receive at the hands of the Government the most favourable consideration. The hon. gentleman's leader, however, wanted them to postpone the location of the Pacific Railway for two years more.

Sir JOHN A. MACDONALD: How does the hon. gentleman make that out?

Mr. DYMOND: The hon. gentleman suggested that the final location of the road should not take place until the Peace River district had been explored.

Sir JOHN A. MACDONALD: I made no such suggestion.

Mr. DYMOND said the hon. gentleman had stated that the survey might take one year or two years, and the hon. gentleman was exceedingly anxious that the advantages of that line should not be lost to the country in consequence of the Peace River section not having been carefully and effectually explored.

Sir JOHN A. MACDONALD: I made no such suggestion.

Mr. DYMOND said everybody on that side of the House so understood the hon. gentleman. Of course, if the hon. gentleman denied it, they would suppose that he did not wish this line to go through the Peace River country and Pine Pass, but desired it should traverse the comparatively inhospitable region lying between Fort Edmonton and Fort George. Perhaps, however, it was the hon. member for Cumberland

who had made the statement he had mentioned. He would refer for a moment to the water stretches about which so much had been said. All that he (Mr. Dymond) understood with regard to the use of those water-stretches was this: that, pending the completion of a through route from the south shore of Lake Nipissing to the Pacific Ocean, such water stretches as existed should be utilized. They had been assured by the hon. the Premier in his speech delivered a year ago that there was no intention whatever on his part to deviate to any important extent, perhaps not a mile, in order to meet and utilize those water-stretches. But, as it happened, that, from the south shore of Lake Huron nearly to the foot of the Rocky Mountains, there was a series of those inland waters, it would be something like a madness equal to the original Pacific scheme if the hon. gentleman did not utilize them. With regard to the question of the Pacific Railway policy generally, it presented an aspect at the present time to which for a moment or two he would allude. There could be no doubt that, under the influence of commercial depression, and in the face of the delays that had occurred from the original inception of the scheme up to the present time, in consequence of the more extended knowledge of the difficulties that work presented, there had grown up a prejudice against it which might to a certain extent assume the form of public opinion in opposition to that enterprise. He believed that nothing could be more fatal to the interests of this country than for one moment to put any check upon the undertaking to build the railway. Surround it with what precautions they pleased, be as prudent as they would, it was a matter of absolute necessity that such a work should be ultimately constructed. Whether they looked at it as a great national enterprise, as one that might stimulate the ambition of the people; whether they looked at it as a great factor in their material progress, or as an obligation depending on the faith of treaties to be carried out; whether they regarded it under any one of those aspects, they were all equally potential in his mind in urging them to carry the work forward. And

he believed that they would carry out this policy most wisely and effectively if they looked at the Pacific Railway, to a large extent, as an instrument not so much in providing a through route as a great means of colonization. Although it was possible that shorter routes might be obtained by traversing desolate portions of the country; although it was possible they might hasten the completion of the enterprise by adopting a certain location, yet the great object they should have in view, from the moment they left the north shore of Lake Nipissing until they finally touched the waters of the Pacific Ocean, should be to develop and settle the country through which the road passed. But, although that might be the object, and although he believed that would be the object of those who were, at the present time, charged with carrying out this work, it was worth while to bear in mind what really the construction of the Pacific Railway meant. Many years would pass over before the road would be completed. British Columbia might seem a burden to them during that period, but, although what he said might grate harshly on the ears of some of his most respected political friends, he believed that this country had no conception of what value that Province would ultimately be to the Dominion. He believed that, in Vancouver Island alone, there was a mine of wealth of which those who first promoted the union had no idea whatever. They had there in juxtaposition the three greatest ingredients of national wealth. They had coal of the best class, no less than 100,000 tons of which were exported to San Francisco last year. They had also iron of fine quality, and the limestone necessary for its manufacture. They had, in the exhaustless fisheries in the seas which surrounded the island, the cheapest food that could possibly be given to man, and they had a territory, if not in our own soil, immediately contiguous, within American jurisdiction, capable of raising all the vegetable necessaries of life on the cheapest possible scale. These were ingredients of a great national industry. Besides they should remember that Vancouver Island was within 4,000 miles of Japan, with a population

of 33,000,000, and at a not much greater distance from China, with a population of 425,000,000. They had, then, for prospective customers, the population of two countries which were just about beginning to witness the dawn of a new-world civilization; customers who would be supplied from our Pacific sea board as easily as from any other part of the world—far more easily than from England, far more easily than from any European country. He was quite aware that Canada must for a considerable time be content to bear a heavy burden in order to accomplish this great work; but, whether they looked at it as a matter of interest, whether they looked at it as a matter of national good faith, that work would have to be accomplished. If they turned, for example, to the parent country, they would find that the main source of the power and credit of Great Britain consisted in the dependence that had always been placed upon her plighted word; and we could not in Canada to-day, in our relations with British Columbia, any more than in our relations with any foreign power, dare for one moment to utter the shameful word “repudiation.” He believed that many years would pass over before they should witness the result of their efforts in this direction. Mr. Speaker and himself, and many more who heard him might have passed away before the consummation of the work, but on the wisdom with which they dealt with this great question that day, the patriotism they exhibited in view of the obligations it imposed upon them, depended to a very large extent the future welfare and prosperity of the Dominion.

Mr. WHITE (North Renfrew) said it would be remembered that one very prominent feature of this great land and water scheme of the hon. the First Minister, when he announced it to the people in 1874, was the opening up of communication between the existing system of railways in Ontario and Quebec and the waters of Lake Huron at the mouth of the French River. In the Session of 1874, following this manifesto, the Pacific Railway Act was passed, under which the hon. gentleman took power to construct the

Mr. Dymond.

Georgian Bay Branch without submitting the contracts to Parliament. Following the power which was granted the hon. gentleman by that Act, a cursory examination of what was considered to be the shortest line of communication between the existing system of railways in Ontario and Quebec and the mouth of the French River, was made in the summer of 1874. The Engineer who made the examination did it under adverse circumstances; he (Mr. White) was informed that the country was so enveloped in smoke that the Engineer was unable to traverse a considerable portion of the route he was sent to examine, and that in one instance he examined a very considerable portion of the territory from the top of a hill which he climbed for the purpose. The contract for the construction of the Georgian Bay Branch was given to the Hon. Mr. Foster. That contract provided in the most stringent manner for the completion of this work. Severe penalties were entailed upon the contractor if he failed to complete the work by the time specified, which was January 1st, 1877. Everything showed that the Government considered that line a very important feature of the Pacific Railway scheme; but, when the hon. gentleman came down to Parliament last Session, he was obliged to inform the House that the contract had been cancelled; he, however, declared that, as soon as the terminus on French River was decided upon, the work would be put under contract again. A year had passed since that statement was made, and on Friday the hon. gentleman made a very lucid statement with reference to the Pacific Railway policy, but he failed to mention anything in connection with this branch which he deemed so important in 1874. It was only after he had been pressed by the hon. member for Terrebonne (Mr. Masson) that the hon. gentleman stated that the Government had not altered their policy in relation to this line. But while that declaration was made, not a single dollar was asked for the prosecution of the work, which was rather remarkable in view of the fact that \$1,000,000 had been appropriated in previous years for the construction of this branch. Notwith-

standing the statement by the hon. member for North York (Mr. Dymond) it seemed to him the evidence was strong that the Government did not intend to proceed with this particular work. The hon. gentleman had not stated whether the line originally laid out to be followed by the contractor had been found impracticable or not. If he (Mr. White) were inclined to be sectional, he might suggest that a line might be found in a more northerly direction, starting from Pembroke, following in the vicinity of the Ottawa and up the Mattawa River to the point which he assumed to be the objective point. If he were correctly informed, the distance of the line from Renfrew to Canter's Bay was about 217 miles, while the distance from Pembroke was 183 miles. But he did not suggest that the hon. gentleman should adopt the northern line unless he found it to possess greater advantages than the line already laid out. He had stated last Session that he was not disposed to view the construction of this work from a local or sectional standpoint, and, if the hon. gentleman honestly intended to carry out the scheme of opening up communication between the railways of Ontario and Quebec and the waters of Lake Huron, whether he adopted the Bonnechère or the northern route, he would gladly give his humble support to the carrying out of that scheme.

Mr. MACKENZIE: In nothing else?

Mr. WHITE (Renfrew) said he did know what the hon. gentleman meant by that. The hon. gentleman, he dared say, looked upon any humble assistance he might be able to render him with a great deal of contempt; but he could only repeat that he would support either of the schemes if the hon. gentleman intended to carry them out. But it seemed to him quite evident, from the course pursued, that the Government did not intend to carry on this work. He could come to no other conclusion than that the scheme had been abandoned. With reference to the payments made to Mr. Foster, for surveys upon the Georgian Bay Branch, he could not see how the Government could avoid making them, for the contract stated that the cost of surveys

was to be a part of the subsidy granted to that gentleman. But he did think that the money paid for the rails was paid without the authority of Parliament. The Order in Council, which the hon. the Minister of Public Works gave as his authority, stated that the rails should be delivered along the line between the village of Douglas and a certain point in the vicinity of Lake Nipissing, which was fixed as the terminus of the Georgian Bay Branch. But instead of that they were delivered at Renfrew, ten miles away from the commencement of the road.

Mr. LANGEVIN said he was surprised to hear the hon. the First Minister speak of the speech of the hon. member for Terrebonne as a long speech, and one which was not required in this discussion. He was not so much surprised to hear the hon. member for North York say that, because that hon. member was in the habit of despising everything but what came from himself. The hon. member for Terrebonne certainly made a speech which was a credit to himself and to the Opposition side of the House. The hon. the Minister of Public Works and the hon. the Minister of Inland Revenue had complained of the tone and violence of the discussion. The hon. the Minister of Public Works said: "No public man can conduct public affairs in this country without being subject to personal abuse of the most outrageous kind. Why should we not follow the parliamentary custom in England?" He (Mr. Langevin) had no fault to find with that desire—every member of the House would join in it. But the hon. member for North York had followed a very different course. That hon. gentleman, without any cause whatever, had thought proper to repeat a slander that had already been repudiated by himself (Mr. Langevin); he had made a defence which the press and the country thought was sufficient, and was the only one he could make under the circumstances. The hon. gentleman had no right to bring this matter up in this discussion again, and he would not drag him into it. It would be very easy for him to answer the hon. gentleman in the same way, and to make allusions to matters that would not be very pleasant to the

Mr. WHITE.

hon. member for North York, and to speak of parties that came to this country and were most happy to find refuge here. But it was not his habit to attack hon. members personally, although the hon. gentleman had thought proper to attack him personally, which he had no right to do. He (Mr. Langevin) had not spoken on the subject. There was no reason whatever for the attack; and, therefore, it was a mere act of malice on the part of the hon. member to make the attack. Having said so much, he would pass to another matter. The hon. the Minister of Inland Revenue had denied the statement of the hon. member for Terrebonne that the Liberals of Quebec had opposed all the great schemes that would make the future greatness of this country. That statement was perfectly correct. The Liberal Party of Lower Canada had opposed the Grand Trunk, the scheme which had made Ontario and Quebec what they were; the Victoria Bridge, one of the wonders of the world; the Confederation, which had made us one united people, enjoying all the benefits of the constitutional monarchical system of England alongside the great Republic of the United States; and the Intercolonial Railway, which was another bond of union between the Maritime Provinces and the Western Provinces. It was the same now. The Liberal Party of Quebec opposed the Pacific Railway. The hon. the Minister of Public Works had referred to it as the most insane scheme which ever engaged the attention of any Legislature. He (Mr. Langevin) hoped that hon. gentleman would live long enough to see that he was a bad prophet. That was a work which would be one of the glories of Canada. It would make this country one of the greatest countries in the world, and bring hither the trade of Asia and Europe, and make us one people from one ocean to another. The acquisition of the North-West was a pet question with hon. gentlemen opposite, especially with those from Ontario, previous to Confederation. The Province of Quebec was found not to be very warm on that question. The reason was, it was thought that the acquisition would only increase the

troubles already existing between Upper and Lower Canada. But, when the scheme of Confederation was placed before the people of Quebec, and they saw it was not desired to acquire the North-West merely for the benefit of Upper Canada but of the general country, the objection ceased. Then they said that was the time to ask for the annexation of that country, because it would not be a danger for the future of their own Province or of this country; but, on the contrary, it would make this country a great country; it would give us the country we wanted from one ocean to another. That territory had become our territory; it had been acquired, and now the question which arose was what would be done with that country? Having acquired it, were they to leave it there; were they not to build a railway? They required a railway to unite it with the old Provinces of the Dominion, because they must have a means of going from one ocean to the other. He was glad to hear the hon. member for North York (Mr. Dymond) express himself on that question as he did, because on that he was perfectly right. That country, and the country west of it, he meant British Columbia, were great countries; they were full of wealth, and they would be great sources of wealth to the Dominion. He need not go into the details of the resources of British Columbia, the hon. member for North York had indicated some of them. They were great and real. He for one had had an opportunity of seeing with his own eyes what that Province was, and he stated that it would be one of the most beautiful Provinces of this Dominion. There might be, as an hon. member, whom he regretted not to see in his place on account of sickness had said, "a sea of mountains" in that country. But that hon. gentleman would change his views, ideas, and convictions were he to go there and see that country for himself. He would find that it was a country worth annexing, that it was full of resources, and only required a railway which would bring it population and wealth, and the money that we would expend there would go back to the coffers of the Dominion tenfold. The North-West was near to us. He knew the re-

sources of that country, and he was glad to hear his hon. friend the member for Terrebonne (Mr. Masson) mention yesterday the fact that wheat was grown a thousand miles north of Ottawa. The hon. gentleman had shown them a sample of that wheat which had been sent to him, he believed, by Mr. Malcolm McLeod, of Aylmer, who had written about that country. The hon. the First Minister had said that it was obligatory upon this country to build the railway; he (Mr. Langevin) had been glad to hear him say so. It was true it was an obligation, and if they had not contracted that obligation with British Columbia they would have had to build the railway nevertheless. The member for North York seemed to indicate the same conviction in his mind. He (Mr. Langevin) had been sorry to hear the First Minister speak of a waste of money as to the railway from Lake Superior to Lake Nipissing. He had said that that country had no settlement, but let them take the whole line of the railway from Lake Nipissing to the Pacific ocean, and see how much of the whole country was settled. There were very few settlements, but, nevertheless, who spoke of that? The Premier did not say how long it would be before this portion of the road from Lake Superior to Lake Nipissing would be built; but evidently, according to the hon. gentleman, they could not see the date when it would be built. That portion of the line was a portion that ought to be built as much as any other portion of the Pacific Railway. It was the connecting link between the Pacific Railway and the lines of railway through Ontario and Quebec. They must have a line of that kind in order to have the benefit of the Pacific Railway. The hon. the First Minister said: "We build the railway from Fort William to British Columbia, and that is sufficient." That, however, was only a railway from the head of Lake Superior to British Columbia, and did not connect with the railways of the old Provinces of Canada. The portion of the line east of Fort William was a necessity. Of course the First Minister had a majority of this House behind him, and perhaps he could do

with that link as he pleased, but the time would come, perhaps, when the public opinion of this country would be felt and made known, when that portion of the railway would have to be built. He (Mr. Langevin) had no doubt that the railway would be built, as well as the remainder of the Pacific Railway line, and then only would Lower Canada be satisfied that justice had been done to it. They were now contributing a large share to the building of the railway, and they did not grumble or complain, but they said: "Give us also the benefit of that railway; why should we be deprived of it?" The first section of that line, by the Pacific Railway Act, was from Lake Nipissing to the junction with the line which went from Lake Superior towards Winnipeg. The branch from Fort William to the point where the railway would connect with the first section from Lake Nipissing would be probably fifty or sixty miles in length. That was not contemplated by the Railway Act of 1874, by which the first section was from Lake Nipissing to Lake Superior to connect with the line towards Winnipeg. In that Act only two branches were mentioned, and this branch, from Lake Superior to the junction of the Nipissing line, was not mentioned. He need not repeat what had already been said in the House in reference to the scheme of the Government to use the water stretches until a through line by rail was obtained. He, for one, did not agree with that policy. We should have a road built from one end to the other in conjunction with the railways in Ontario and Quebec. We should have a through route by rail, not one partly rail and partly water. They knew that the portion by water could be used only, he supposed, for five or six months during the year at the utmost, and what would be the result? The road would be used during that time, but in the winter the railway would be inactive, there would be no traffic upon it, and how could they expect a large revenue from a railway in that position? It was the same thing when they came to Lake Superior. What benefit would be derived from a railway which would come to the end of Lake Superior

Mr. LANGEVIN.

in the winter months? He would not discuss that policy at any length as it had been discussed by others before him, but he would speak now of the two roads which had been mentioned by the First Minister as being the lines between which the Government would have to decide the route of the Pacific Railway through British Columbia. The first route was by the valley of the Fraser River, and the other by Bute Inlet. Of course he (Mr. Langevin) might have his predilection in favour of one route over the other, but he did not intend to show that predilection, but merely to show the advantages and disadvantages of both lines. By the Fraser route the hon. the First Minister said they might bring a railway down to Yale, and then Yale would be accessible by water all the year round. That was a statement which he had no doubt the First Minister had good grounds for making; but he could assure him that, were he to go to British Columbia, he would find that the Pacific Railway could not end at Yale, but must go down to Burrard Inlet, because he would see if he were there in the winter months that Yale could not be reached by that means.

Mr. DECOSMOS: Hear, hear.

Mr. LANGEVIN said he did not make this statement as a reproach to the First Minister. It was quite natural that he might make a mistake of this kind about localities which he had been unable to visit, but those who had visited British Columbia, or had come from that Province, would all tell him the same as he (Mr. Langevin) had, and he was sure his hon. friend from Victoria (Mr. DeCosmos) would support him in that.

Mr. DECOSMOS: Hear, hear.

Mr. LANGEVIN said the other objection to that route was that the line went too near the American frontier. Of course it was said that there was no danger of a war with the United States, and that that should not be a question. Well, there might be no difficulty now, we might be at peace for sixty or a hundred years; but, when a work of this magnitude was being built, when they were to expend large

sums of money, they should put the railway at the proper place, they should adopt the proper line, they should look to the future and say: "Is that the line the railway should follow were we an independent power, were we in difficulty with the United States?" because, of course, though one smiled when we spoke of war between Canada and the United States, it must not be forgotten that Canada in a hundred years' time would not be the Canada of to-day, that instead of four millions, as we had to-day, we would have a hundred millions or more in a hundred years, and would be a great country, a great power on this continent. We should therefore locate our line where that great empire of the North would require to have its railway built. Another reason against that line was that with a short road, a short branch, the Americans on the other side of the line could tap our Pacific Railway, and we would put the terminus within their territory, and build up a great city there at our expense. We would have built a railway and spent millions upon it, and finally the great terminus of the road would be on American territory.

Mr. DECOSMOS: Hear, hear.

Mr. LANGEVIN said that was a great objection. There was another reason also. When they went down to Burrard Inlet, there they required, according to the report which had been placed in their hands lately, in order to bring ships to Burrard Inlet, a towage of 70 miles, and when they went into the interior of Burrard Inlet, of nearly 90 miles; at all events it was a long distance, and that was another objection. Further on their way they would have to pass under the guns of the Island of San Juan.

Mr. DECOSMOS: Hear, hear.

Mr. LANGEVIN said it was a very unhappy day when we lost San Juan; but, of course, the matter had been left to an arbitrator, and he had decided against us. He had no doubt he decided according to his conscience, but it was a very sorry day for Canada. It was true that going by the Fraser River they would pass through a settled portion of the country. On the

main line they would go through a territory where, according to the First Minister's statement, the grade would not exceed 52 feet in a mile, and they would obtain perhaps a shorter route than the Bute Inlet route and, consequently, it might cost less than the latter. These were the objections to and disadvantages of that route. Coming to the Bute Inlet route, there they had a more direct route. They might have heavy work, and they had the crossing of the Straits to go to the Island of Vancouver, and they had a railway to build from Nanaimo to Esquimalt, but was it worth still having a difficulty yet existing with British Columbia about that railway, when they did not hesitate a minute in building a branch of fifty or sixty miles from Lake Superior to the junction of the Lake Nipissing Railway?

Mr. DECOSMOS: Hear, hear.

Mr. LANGEVIN said if they had spent the money to build that railway from Nanaimo to Esquimalt it would have avoided all the difficulty and all the heart-burnings which had been created. He was sure that if hon. gentlemen could visit British Columbia and see both lines they could find advantage in both; but they could not help seeing that if the Fraser route would cost less, if it would be less in length, if the grades would not exceed fifty-two feet in the mile, on the other hand, the Bute Inlet route would be further from the frontier, and would have as its terminus either the harbour of Esquimalt or the great harbour of Hartley Sound, in which case they would not require to pass under the guns of the Americans, and they would have access to the ports all the year round. He believed that Burrard Inlet was also open throughout the year. From this Inlet they could cross in a ferry to Nanaimo, and go by the Nanaimo Road either to Esquimalt or Hartley Sound. At the latter place there would be a very short line indeed, and, therefore, in both cases, whether they selected the Fraser River or Bute Inlet route, they could reach the harbour of Esquimalt or the harbour of Hartley Sound, and have the harbour open during the

whole year, where protection could be afforded by the British fleet in the event of a war. Besides, the railway would be far enough off from the Americans at Bute Inlet to be protected. The contrary was, perhaps, the strongest reason urged against the Fraser route, but it might not be an insuperable difficulty. He had done his best to be as impartial as possible between the two lines. The First Minister had alluded to the passage of the Bill relating to the Esquimalt and Nanaimo Railway through the House, and its defeat by a majority of two in the Senate. They knew of whom this majority was formed, being composed of friends of the hon. gentleman, who had just been appointed to seats in the other Chamber. Nevertheless, these hon. gentlemen had acted independently and very properly, because the Senate was established for the purpose of controlling too hasty legislation. The hon. gentleman said he would have been censured had he resigned on that occasion, but he (Mr. Langevin) did not think that a member of the Opposition had ever stated that the hon. gentleman should then have resigned. If, however, that measure was such as should have received the sanction of the House, why had not the hon. gentleman re-introduced it the following Session? Nothing had happened in the interval to cause the hon. gentleman to believe that the Bill was an improper one; and during that period the hon. gentleman had appointed other Senators. What reason did the hon. gentleman have for having three years previously, before a vote had been given in the Senate during the present Administration, asked the Imperial Government to empower him to appoint six additional Senators—not in accordance with, but in violation of, the Constitution, which only provided for such nominations in cases of extreme emergency, when the Senate had repeatedly refused to allow public measures to pass? There was no necessity for the step proposed by the hon. gentleman. The Railway Act of 1874 required that contracts should be given out after tenders were asked for, and after lines were surveyed; but the

hon. gentleman had awarded the contract for the Georgian Bay Branch before the line had been located and surveyed. Nevertheless, the Government, for some reason or other, were in great haste to award the contract, and they called for tenders. What was the result? An American firm obtained the contract, but the Americans very soon disappeared, and they found that the Hon. A. B. Foster was the contractor. Very little work was done before Mr. Foster abandoned the undertaking, and finally the Government had given him full value for all he had done, paying him in cash \$100,000. The contractor was to have received so much money and so much land per mile; and, though this was the case, and though Mr. Foster had not fulfilled his engagements, that amount was paid in hard cash. In what position was this line to-day? The First Minister had not placed a dollar in the Estimates for this road, though last year about a million of money had been voted for this purpose. He supposed that the First Minister would yet tell them that it would be a waste of money to build this road. Nevertheless, the line from Fort William westward and another portion was under contract. What had Quebec done to be refused justice by hon. gentlemen opposite. The Ministry, during their first year of office, had controlled a majority of votes from that Province; and was it because this majority, during the present Session, had abandoned the Government, that an injustice was committed towards Quebec? Not one of the hon. gentlemen opposite would say that the votes in the Estimates were just towards that Province, and he was glad they were silent on the subject, because it showed that they felt that the Government was acting unjustly in this relation. The hon. member for North York had spoken of sectionalism. This was the term used when the representatives of the Province of Quebec alluded to such matters, but it was not sectionalism when such remarks referred to Ontario. The representatives of Quebec were to keep their mouths closed and not say "boo," though treated with the greatest injustice by the Government. He was not disposed to

submit in silence to this treatment. At all events, he was bound as a member of the House and the representative of a constituency to raise his voice in protest against it. They had done nothing to merit this treatment, or the deprivation of their just rights. But, when the term of this Parliament expired, the electors of the Province would speak and let the Government know how they appreciated the course pursued towards them. The majority of the representatives opposed to the Government would then be largely increased. Under the Pacific Railway Act, tenders should have been asked for the construction of the Fort Frances Locks, but this had not been done. The work had been carried forward by day's labour. The reason for acting so was said to be owing to the distance of this region from the settlements, preventing the letting of it out by contract; but the portion of the Pacific Railway north of the canal had been let out by contract, and there was no reason why this could not have been done in the other case. The Superintendent was instructed to be guided by the wages paid to labourers and mechanics on the Pacific Railway to the east and west of this point, and if this could be done by the Superintendent, it could surely have also been done by a contractor. Then the Railway Act would have been observed instead of having been violated. Besides, this work was not required, and the money spent on it was wasted. There were seven feet of water on the sills, while above or below it, the water was only  $4\frac{1}{2}$  feet deep, or less. Half a million would have to be spent to secure the same depth of water all through; and when would this be done? This work was being built, according to the hon. gentleman opposite, only for the purposes of the railway, and it was not required. The Railway Act contained a special clause relating to the telegraph line, as follows:—

“A line of electric telegraph shall be constructed in advance of the said railway and branches, along their whole extent respectively, as soon as practicable after the location of the line shall have been determined upon.”

Consequently it was not to be built for the purposes of an ordinary line,

but along the line of the Pacific Railway; but the hon. gentleman opposite had not located one foot of the road when they gave out the contract for the construction of this line; 100 or 200 miles from the route might be followed by the Pacific Railway. The hon. gentleman had discovered his error last year, and had stopped the work. The contractor, who was a worthy man, had been put to great expense, and no doubt would have a large claim against the Government. This contract had also been awarded in violation of the terms of an Act of Parliament, and it was not authorized by the House. The fourth reckless expenditure of the Government was in connection with the purchase of steel rails. He would not enter into the details of this transaction. The Government knew when the rails were purchased that they would not be required for three years, indeed only 2,295 tons had been used up to the 1st January, 1877. About 10,000 or 11,000 had been used on the Intercolonial, which was in direct violation of the Act of Parliament. The hon. gentleman said the Chief Engineer recommended the purchase. Mr. Fleming could give proper advice on engineering matters, but this was a matter on which any good business man could decide, and there was no reason why the Chief Engineer should be made the scapegoat for the mistake of the Government. The Government were responsible for the transaction, and the country would hold them responsible for it. When pressed about expending money without the authority of Parliament, the hon. the Minister of Public Works said the hon. member for Kingston (Sir John A. Macdonald) expended \$350,000 on the Lower St. Lawrence wharves without parliamentary sanction. That was a mistake. That expenditure took place one or two years previous to the accession of the hon. member for Kingston to office. It was in September, 1854, when that hon. gentleman entered the Government, and the Minister who had expended the money, the Hon. Mr. Shepherd, went out in the following January. The hon. member for Kingston was only two or three months in the Govern-

ment before Hon. Mr. Shepherd went out, and it was under the administration of the latter that the money was spent. He could not agree with the hon. the Minister of Inland Revenue that Quebec was being looked after in regard to the Pacific Railway; every fair-thinking man in the Province must see that it was being neglected by the Government. The Administration had not dealt with this work according to the spirit or letter of the law, and hence the great dissatisfaction in regard to their course. The hon. gentleman (Mr. Mackenzie) declared that the late Government did not accept the lowest tender in giving out a contract for harbour improvements somewhere west of Goderich. If that were so they had good cause for it. The man's securities probably were not good, or the Government were dissatisfied with his ability; but, at any rate, an Order in Council would be passed in accordance with the law, before this step was taken. Although he could not remember the circumstances, the hon. gentleman would have the papers in his office and he could easily ascertain the facts. He thanked the House for the attention they had given him, and would simply say that he would support the motion of the hon. member for Cumberland.

Mr. HAGGART said, before he answered any of the remarks of the hon. member for North York (Mr. Dymond), he might state that he was in no way connected with the Pacific Scandal; that he received no money to assist him in any election; that to his knowledge no money had ever been spent to influence the electors whom he represented; and, therefore, the *tu quoque* argument would not apply to him. If the report of the Immigration Committee was correct, if the evidence given by gentlemen to that Committee was borne out by the facts, there were 300,000 square miles of good arable land in the North-West, or in the neighborhood of 245,000,000 acres, which would give a farm of 250 acres to 1,000,000 farmers, and maintain a population of 40,000,000. If, independent of Manitoba, we had such a reserve as that, he maintained that the Government were wanting in energy and enterprise in not pushing the railroad into that sec-

Mr. LANGEVIN.

tion. This was of double importance in view of the fact that to the south of this land there was a country rapidly increasing in population, and it might shortly become difficult for us to hold any of that territory if steps were not taken to colonize it. What had the Government done towards building the road. They had let contracts for the portion from somewhere in the neighborhood of Fort Garry or Selkirk to a place called Keewatin, and from Thunder Bay in the direction of Keewatin. The hon. the Minister of Public Works, when asked if it was the intention to let the contracts this year for the intervening portions, said he was not prepared to do so. The probabilities were, as remarked by one of the members of the Government in the Senate, and by hon. members of this House, that there would be no railway communication to that country for the next seven years. That was not fulfilling the hopes and wishes of the country. The people were willing to embark in the enterprise, and would take all the risk on their own shoulders, and the Government which would accomplish this work most rapidly would have the confidence of a great portion of the people of the country. To his astonishment, the hon. the Minister of Public Works, in his speech on this subject, made no reference to the charge he (Mr. Haggart) made a short time ago—that there had been improper contracts and transactions in regard to constructing the Georgian Bay Branch of the Pacific Railway and Canada Central connection. No answer was made to the charge preferred by the hon. member for Cumberland in regard to the extravagant price paid for the carriage of rails from Duluth to Fort Garry; but the hon. gentleman interlarded his remarks by referring to the interest the hon. member for Selkirk had in this transaction. That was a portion of the charge which was denied. If the hon. gentleman had considered a little he would not have thought that any British subject would have a direct interest in boats sailing in American waters. If his information was correct there was no difficulty in the way of making a contract with the railway running from Duluth to Moorhead for the transportation of

these rails at \$5 a ton; and for carrying them from Moorhead to Red River, \$2 to \$3 per ton would be a fair charge. But \$15 per ton had been paid for the transportation of the rails, which was about double what ought to have been. In comparing the dates of the opening and closing of navigation at the proposed terminus on the Kaministiquia, the hon. member for Cumberland was quite right in reading the report as he did; it could not be read in any other way. There was a debate on the subject in the Senate a few days ago, and the report was read in exactly the same way. With regard to the claims of Prince Arthur's Landing, he would read the following portion of the petition of Peter Nicholson and 100 other residents in that section:—

“It is an undisputed fact that the Kaministiquia River is closed by ice several weeks earlier than the Bay, the average time of the river freezing up being the first week in November; this is a disqualification affecting the river for being made the final terminus of the railway on Lake Superior, the importance of which cannot be over-estimated, as the fall of the year is the period during which the heaviest shipments are made; therefore, if the railway terminate at Fort William, all late freight would have to go by Duluth, thus losing a large amount of money to Canada, besides building up American lines in opposition to ours; in the same way shippers in the West would ship *via* Duluth, rather than risk having their freight left over for an entire season at Fort William.”

He had also a letter from Captain Dick, who had been a shipowner and sailor in that district, and who was quite competent to speak on the subject, and would be heard with respect, in which he said:

“Another point to be considered is the earlier freezing of the river; the first frost closes it. I have seen people skating on it in the end of October, and in the bay there is never a particle of ice to be seen, outside the bar, before December is well advanced, and rarely enough to impede vessels before the end of that month. Six weeks longer of navigation may prove to be a matter of infinite importance to the North-West, when agricultural produce comes to be carried.”

If the information he had was correct, the finest bay on Lake Superior was that on which Prince Arthur's Landing was situated. It was strange that the terminus of our Pacific Railway was not there situated, in-

stead of five miles up that creek, the Kaministiquia, which never could be made available unless by a large expenditure for dredging, and even then the narrowness of the stream precluded its being used by vessels to the extent expected from the great traffic of the North-West. The price paid for the land at this place for railway purposes was most extraordinary. It was a price which the Premier could not at all justify. The Act declared how these lands were to be valued, and it would be found at the registry office that lots for which the Government paid from \$250 to \$300, on the average, were purchased a few years ago at \$4. But he now came to the matter upon which he desired particularly to dwell. A short time ago, when moving for papers, he had made a statement in reference to the contract with the Hon. A. B. Foster and the Canada Central and Georgian Bay Railway. He would, in the first place, deal with the Georgian Bay contract. He took exception to the manner in which that contract was granted. It was true Parliament gave the power to the Minister of Public Works to award the contract. But the Government took powers which had never been taken in any other case. It was one of the stipulations that contracts let should be submitted to Parliament. The contracts were laid upon the table of the House for one month, but it was impossible to get a debate upon the matter. The peculiar part of the arrangement was this: That no person who was a contractor, or who proposed to be a contractor, could know when the Government intended to take the line off his hands. This road, particularly during the winter months, must be running at a dead loss to the contractor, unless the contractor had confidential relations with the Government, so as to know when they would pay the full cost of the road and ten per cent. of the amount expended. It was useless to tender, consequently no well-known names in connection with railway building tendered for the construction of this line. There were three tenderers. It was first given to a man named Musson and afterwards to the Hon. A. B. Foster. But that gentle-

man did not complete the line, giving as a reason that a practicable route could not be found. He believed, however, that a favourable route had since been found from Cantin's Bay to a place called Burnt Lake, situated within the four townships mentioned by the hon. the First Minister as the terminus of the road. Some hon. members seemed to think that the road would touch Pembroke. But if it were built in that direction it would never reach Pembroke. The road from Pembroke was impracticable, as the line was now located, and the connection would be by Ottawa and Renfrew. The contract with the Hon. A. B. Foster was cancelled. He was to have deposited a certain amount of money for the security of the fulfilment of the contract. He was also to show that he was possessed of a capital equal to \$4,000 per mile of the road to be constructed, and to deposit one quarter in cash. But there was no evidence that he had shown to the Government that he had any capital at all. The amount of cash security, \$85,000, was deposited in the Ontario Bank. There was an order made that he was to have his amount returned, and also the amount which he had expended upon the road as far as it could be shown that it would be useful in the building of the Georgian Bay Branch. He (Mr. Haggart) was now coming to the extraordinary payments made to the Hon. A. B. Foster. The account which he presented for payment on the 1st February, was in the neighbourhood of \$38,000, beside office expenses, the fee of the consulting engineer and ten per cent. for contingencies, which three last items were disallowed and struck off by the hon. the Premier. The amount he actually received, however, was \$41,000. It might be interesting to notice some of the items. One of them was \$9,000 for building a wharf and store house at the mouth of the French River. The mechanics' and labourers' account was in the neighbourhood of \$4,800, of which a mechanical engineer received \$2,500 for superintending, being at the rate of \$250 per month. The whole account was the most extraordinary ever presented to any Committee. Mr. Foster could not furnish vouchers enough for

Mr. HAGGART.

even the amount he received from the Government. They had really paid him \$1,500 more than was shown by the vouchers he presented. But the most extraordinary portion of this transaction was the following:—The Government issued a Minute in Council or memorandum, whereby they agreed to give so much per mile to a connecting road with this branch. This was given to the Canada Central Railway Company, which, in its turn, was to enter into a contract with a capable person. This they did through their President, Mr. Redhead, with the Hon. A. B. Foster. He (Mr. Haggart) mentioned this to show that the Government in no manner of way was connected with the Hon. A. B. Foster. The contract was with the Canada Central Railway Company. When the Public Accounts came down there was an item of \$109,000 paid to the Hon. A. B. Foster for rails at Renfrew for the Georgian Bay Branch of the Canadian Pacific Railway, Renfrew being a distance of 132 miles from such Branch. The House was afterwards told that a mistake was made; that it was a payment on behalf of the Canada Central Railway. He (Mr. Haggart) knew there was no such quantity of rails there. He knew there were no rails delivered along that line of the route as contemplated by the contract. He asked the hon. the Premier across the floor of the House whether he did not know that there was not a ton of rails delivered over the line, that there was not a rail within sixteen miles by waggon route of where the subsidized line of the Canada Central commenced. The hon. the Premier said he did not wish to be insulted by the hon. member for Lanark, and that he had paid this amount on the certificate of an Engineer. He (Mr. Haggart) would say there was no such certificate. The certificate of Sandford Fleming for the payment of these rails was to the effect that the Hon. A. B. Foster had delivered a certain quantity of rails at Renfrew, and Foster said they were for the Canada Central Railway. There was no enquiry as to the quality of the rails. The enormous price of \$48 a ton was paid, and they were of the same kind as in his bankruptcy case Mr. Foster was contending

were worthless. They were not one size of rails even. One kind was set down for 60lb. to the yard and another kind 56lb. to the yard. By information he received these alleged 56 lb. were only 54 lb. to the yard. The Hon. A. B. Foster was paid on that transaction \$68,000. He (Mr. Haggart) believed that there was a decision in the Courts that, where advances were made by the Minister of Public Works on supplies for the purpose of carrying on a contract, unless the property was on land belonging to the Government, or in some way transferred to them, they ranked the same as any other creditor. This was on property belonging to the Canada Central Railway, twelve miles away from the commencement of this road. The Government had no control over the property any more than any of the creditors of the Hon. A. B. Foster, the Canada Central, which had the contract with the Government, not appearing in the transaction. But it seemed Mr. Foster was in a hurry for the money, and he got it. Another peculiarity about the matter was this: An enquiry was instituted by the Department into the alleged difference between the rails at Renfrew and those paid for. It then appeared that the Hon. A. B. Foster, for the purpose of finishing the road to Pembroke, had borrowed 100 tons of these rails. When the Deputy Minister of Public Works asked for security for these rails, Mr. Foster gave South-Eastern Railway bonds, although the Deputy Minister did not know their value, which were now known to be worthless. The Deputy Minister admitted that this was the first transaction of the kind the Department had ever entered into. But Mr. Foster not only took 100 tons of these rails on a nominal security, but he took 127 tons more without the knowledge of the Department. Even if the Government had any claims on the rails, and they had been delivered on the subsidized portion of the Canada Central Railway Company, they had no right to pay the Hon. A. B. Foster. Their contract was not with him but with the Canada Central Railway Company. This accounted for the strange entry in the Public Accounts. It might be presumed that before pay-

ment could be made the account had to pass the Audit Department. When an account on behalf of the Hon. A. B. Foster came for rails to the amount of \$68,000, the Auditor-General could not pass it as a payment to the Canada Central Railway Company; and it could pass through the Audit Department in no other manner than as a payment for the Georgian Bay Branch. It was a most extraordinary circumstance. He could not see how the Auditor-General, who was so very careful in other matters, could ever allow such a thing to be done, for it was the payment of a sum of money to the hon. A. B. Foster to which that gentleman had no claim whatever. He (Mr. Haggart) wished to draw particular attention to the case of the Hon. A. B. Foster. He was one of the parties connected with the celebrated "Pacific Railway Ring." He was the gentleman who furnished the noted letter at the time of the McMullen developments a few years ago. He was a strong supporter of the right hon. member for Kingston. If there was anything wrong in the whole transaction he was as much to blame as any of the others. His reason for turning round and supporting the present Government then could not have been because he was shocked at the developments which took place at that time. Shortly afterwards the Hon. A. B. Foster proposed the hon. the Postmaster-General for election, although, up to that time they had been political opponents. It was a notorious fact that the information used to turn out the late Government was furnished by the Hon. A. B. Foster, and everybody in the country expected that the hon. gentleman would receive his reward for the same. And he did. The manner in which the contracts for the Georgian Bay Branch and the Canada Central Railway were let showed it. No man not in the confidence of the Government so as to know when the Government would take the work off his hands could make a satisfactory contract; and it was here that Mr. Foster had the advantage. These extraordinary transactions in reference to the Canada Central Railway and the Georgian Bay Branch of the Canadian Pacific Railway could be accounted for in no

other manner than that the Hon. A. B. Foster was entitled to considerations which no other contractor could have, and he got these considerations, too. It might be supposed that, at some future time, the connection with the Canada Central Railway would be made. The hon. the Premier had denied that Douglas was the commencement of the road. In his evidence before the Committee, that hon. gentleman wanted to make the point that the 120 miles might overlap the village of Douglas, and come over to the town of Renfrew. In his speech, when asked where the commencement of the road would be, he replied that it would be in the vicinity of Douglas, or on a line between Douglas and Pembroke. That point would be still further from Renfrew than Douglas was itself. But the measurement made by the Hon. A. B. Foster showed that this distance from Renfrew to the Georgian Bay Branch was 132 miles. The contract with the Hon. A. B. Foster was for 120 miles. The commencement of the subsidized portion of the Canada Central Railway was, therefore, two miles westward of Douglas. The whole 1,900 tons of rails would only lay seven miles of the subsidized portion of the Canada Central Railway Company along with the portion from Renfrew to Douglas, which was twelve miles. The Government ought not to have paid one cent on these rails. The whole transaction was most disgraceful. He had taken particular pains to enquire into it on account of the insulting statement of the hon. the Premier to him. He had a perfect right to ask the question which he had. He asked it in a civil manner and was entitled to a civil answer. The hon. the Premier had tried to bluff him, but he had not succeeded. These payments ought only to have been made on the certificate of the Engineer appointed by the Government. Mr. Sandford Fleming, the Engineer, stated in his evidence before the Public Accounts Committee that he made out no such certificate. The hon. the Premier had stated that he would ask for Committees next Session to enquire into what he called the "slanders" circulated at pic-nics by the Opposition. Had there been a graver charge against the Premier

**Mr. HAGGART.**

than this? Let him appoint a Committee to enquire into it. He (Mr. Haggart) hoped to see the time when there would be a Government in power who would answer the wishes of the people, and would proceed in a proper manner with the construction of that great work which they desired so much to see accomplished.

Mr. DEWDNEY said that, when the hon. member for Cumberland (Mr. Tupper) submitted his motion to the House, he was under the impression that the debate would be confined to the British Columbia view of the case; as, however, that hon. member had opened up the whole question of the Canadian Pacific Railway policy, he would take that opportunity of offering a few remarks, and stating the position he proposed to take with regard to it. As a British Columbian, knowing his country thoroughly, probably as well as any man in it, knowing the difficulties that had to be contended with, both on account of the engineering problems to be solved and the unreasonableness of a portion of their population, he had always taken a fair and moderate view of the situation in British Columbia, not only when the late Government was in power, at a time when they were attacked for not commencing construction on the 20th July, 1873, but since the present Administration acceded to office. If the question were confined to British Columbia alone, he would probably be found voting with the Government. He did that last year when the hon. member for Victoria (Mr. DeCosmos) brought forward the resolution which was justly characterized by the right hon. member for Kingston as a purely selfish motion; but, if on this occasion he (Mr. Dewdney) voted against the motion of the hon. member for Cumberland, he thought he would be laying himself open to the same accusation that was made against the hon. member for Victoria last year, viz., that of selfishness; for, however satisfactory the position of affairs in British Columbia might be to him personally or to the district he had the honour to represent, in view of the course adopted by the Government, he would not be doing his duty as a Canadian if he voted

against the motion. It was very true that on more than one occasion the hon. the Premier had given his opinion very decidedly as to his wish to see the Canadian Pacific Railway constructed. And, although that hon. gentleman had on several occasions spoken of it as an enormous undertaking, and also estimated the cost at a very high figure, he still believed he was in earnest when he stated that it was a necessity and must be constructed. But what was the course followed by the hon. gentlemen who sat behind the Premier? Whenever a point was made adverse to the road, whenever an enormous estimate was put upon the cost of construction, it was cheered, and those significant cheers and cries of "hear, hear" so frequently occurred from hon. gentlemen behind the hon. Premier as to lead to the belief that, whatever sincerity there might be in the expressions of the leader of the Government with regard to that undertaking, there was very little among the large majority of his supporters. He (Mr. Dewdney) had listened very attentively to every word uttered by the hon. member for Cumberland, and had also listened to the remarks of hon. gentlemen opposite, and he must say he had failed to see that the Government had answered the accusations made by the hon. member for Cumberland. He had never wished or intended that it should be supposed that he held any ideas implying dishonesty in the actions of the Government; whatever mistakes they had committed he had always considered as mistakes of judgment, and thought of them as nothing else. But they were responsible for those mistakes of judgment, and if they were continued it would be very long before they saw a sod turned in British Columbia. The hon. member for Cumberland had referred to the estimates made of the cost of the Canadian Pacific Railway by hon. gentlemen opposite. Last year when addressing the House, he (Mr. Dewdney) also gave his ideas of what he thought the Railway would cost. He was glad to observe that the estimate of the hon. Premier for the railroad through the section of country between

Lake Superior and Red River was very nearly the same as he (Mr. Dewdney) laid before the House at that time. In an article published in the *Globe* on August 31st last year, he found an estimate in which the whole length of the road from Lake Superior to the Pacific Ocean was divided into sections, very similar to those adopted by himself, and the whole cost was placed at three millions less than he estimated it last year. His estimate was \$54,000,000, while that gave by the *Globe* was \$50,900,000. He mentioned the circumstance to show that the *Globe* must have received that information from the Government—for no one else possessed it—and, further, to show that beyond a doubt the road could be built from Lake Superior to the Pacific Ocean for from \$50,000,000 to \$54,000,000. He would now ask the attention of the House for a few moments while he referred to the question of the route in British Columbia. It would be within the recollection of hon. members that on several occasions he had discussed the subject. His action in that direction had been characterized very unfairly by hon. members from his own Province, and not only by them, but, when last spring he wrote a letter to the hon. the Premier setting forth the advantages of the Fraser River route, he was characterized in the newspapers as being sectional. In that letter he stated as follows:—

"In my endeavours to bring to your notice the claims of the Burrard Inlet and Fraser routes, I would disclaim any intention of arguing that the line should be made to run through such portion of the country as is already settled, because of such settlement. I hold that the interest of the Dominion as a whole should be looked to in a matter of this kind, and that it would not be at all fair for a small population such as ours to attempt to dictate a route to a people who must for all time to come bear the consequence of any mistake that may be made in selecting a line."

Those were sentiments he had always advocated when he brought the question before the House, and, if anything further was required to vindicate himself before Parliament, he asked hon. members to refer to the report of Mr. Sandford Fleming submitted during the last few days. It was not worth while to read several pages, but

he would read one or two extracts to show that the Chief Engineer to-day took a similar view to what he (Mr. Dewdney) did in his letter to the hon. the Premier last spring. Mr. Fleming said:

"The cost, however, of one line is of little use in making a comparison of routes; but as estimates, even if only rough approximations, if the other lines are demanded it becomes expedient to adopt some method by which the information may be obtained."

He had always contended that the Fraser River route should be surveyed before estimates could be made. Mr. Fleming further said:

"The only way in which estimates can be formed of the other lines is by a study of the profiles and the other data of the surveys; by comparing the various portions of each line, the one with the other, and with a common standard; and by applying the rule of proportion to sections which correspond in general character, but are different in length.

"Some difficulty has been experienced in making this comparison, owing to many important documents and memoranda connected with the survey having been destroyed by the fire of 1874, when the offices of the survey were burnt. It has not been possible to replace many of the plans and papers which were lost; consequently the precise information then recorded, which has not since been reproduced, is not now available. Every care has, however, been taken with the data at command to arrive at as accurate results as possible.

"A comparison of the estimates which have been formed shows that Route No. 2, from Yellow Head Pass to Burrard Inlet may, with a judiciously selected location, be established and completed for about \$2,000,000 more than Route No. 6, terminating at Waddington Harbour. No. 2 has a much greater length of very heavy works, but the extreme length from Yellow Head to the tide water is some fifty-three miles shorter, and thus the common mileage charges, embracing permanent way, rolling stock, and various other services, form a reduction in the cost of the line to Burrard Inlet."

Mr. Fleming went on to say:

"The characteristics of a railway have much to do with its capacity for business, and the cost of maintaining and operating it. The route which will, in the highest degree, admit of low gradients, easy alignment, and permanently firm road bed, at the least annual outlay, is the one most capable of transporting cheaply. In this respect, there can scarcely be a doubt as to Route No. 2, terminating at Burrard Inlet, being the best."

That was the route he (Mr. Dewdney) had urged for adoption. Those

Mr. DEWDNEY.

were some of the recommendations made in Mr. Fleming's report, and they were quite sufficient to vindicate the position he (Mr. Dewdney) had taken in years gone by. But certain misstatements had been made with respect to that route to which he wished to refer. The hon. member for Victoria (Mr. DeCosmos) the other evening had endeavoured to show that the population on Bute Inlet route, which that hon. member had been advocating, was larger than the population of the Fraser River route, and, in order to prove his assertion, he read from the Voters' List in British Columbia. But, whether there were only two or three thousand people on the Fraser route, he (Mr. Dewdney) could tell the House that from the summit of the Rocky Mountains to Bute Inlet, outside of the Hudson Bay Company's posts, there was not a white man living within from fifty to one hundred miles of the proposed line. He held in his hand the land returns of British Columbia showing the number of entries made under the Land Act, and found that, even including Vancouver Island and the whole of the Bute Inlet route, the number of records made was, in 1875, 89, while on the Fraser River route the number was 551, out of which there were in the New Westminster and Yale districts through which the Fraser route ran, 479. In 1876 there were in Vancouver Island 42, on the mainland, 378, of which 312 were in the district of Yale and New Westminster. Thus, he had shown that, so far as land was concerned, the facts were against the contention of the hon. member for Victoria, and the records showed that immigrants went in the direction of New Westminster rather than along the route advocated by that hon. member. He (Mr. Dewdney) stated the other day that he had statistics to show that a line through British Columbia by the Fraser River route would be able to contribute something in the shape of local traffic. He did not know whether hon. members were acquainted with Columbia River; if not, he would tell them that a large quantity of grain was transported down that river and shipped to foreign markets every year.

From Portland to Astoria, wheat was transported a distance of 404 miles, partly by water and partly by rail, and was handled eight times, for \$6 per ton. From Okanagon to Burrard Inlet it was 358 miles, and the present rate of freight was \$51 per ton. With a railway through the canyons of the Fraser, they could carry wheat from Okanagon to Burrard Inlet for \$6 per ton; and in the Okanagon and Kamloops country they could raise for exportation, after supplying their home demand, some 50,000 tons. Every one must know that the southern portion of British Columbia was the only section where large grain crops could be grown, and it only required an opening to the seaboard not only to raise sufficient grain for their own consumption, but also to transport to foreign markets. He was now speaking of the country to the east side of the Cascade Mountains, a large extent of country on the Lower Fraser not being taken into consideration. When the hon. the Premier spoke of commencing work at Yale he gave it as his opinion that it would be advantageous to do so on account of having the river navigation for a hundred miles; but he made a mistake when he said the river was open all the year round. It was generally closed during two or three months; though sometimes it was open all the year to steamships. An advantage he (Mr. Dewdney) saw in commencing the construction of the railway from Yale was that as soon as the road pierced the Cascade Mountains the wheat growing country to which he had referred would be opened up, from whence grain could be exported not only to foreign markets, but supplies could be furnished for the road during construction from Yale to Burrard Inlet. The question had been raised, and he had heard it before, in regard to the Fraser River line running close to the American frontier. He had always considered that would be an advantage rather than otherwise. He had always contended that easy communication with the system of railways in Oregon and Washington Territory would be an advantage. With reference to the commercial aspect of the case, the hon. member for Charlevoix had said there would

be many miles of towing at Burrard Inlet. He (Mr. Dewdney) contended that when sailing vessels entered the Strait of Fuca they should always be taken in tow, and whether they were towed 70, 50 or 60 miles made very little difference. The eastern trade would all be done by large sized vessels. If they were to have a railway at all, they must have one that would compete with other roads. There was a chance of the Northern Pacific Railway being built, and there were other American lines, and this road must be placed in a favourable position to compete with them. It would be much better to locate the line where it would command some business than where it would secure no business at all; and, if the terminus was fixed at Waddington Harbour, it would get none. If, on the other hand, the Northern Pacific Railway was not built, this route would obtain all the business of Washington Territory and Oregon—a very great advantage. He knew something about the more northerly, the Port Essington route. Seven or eight years ago, he had been engaged by the Local Government to make explorations about the mouth of the Skeena River and the Peace River country. He knew this section thoroughly. He did not object to the explorations proposed by the Premier in this quarter, and he was quite sure that a great deal of valuable information would be obtained, and the Government would find, he believed, that, next to the southern portion of the Province, it was the best part of British Columbia. There were very large tracts of magnificent land in this section, capable of sustaining a very numerous population. But as to its being suitable for the Pacific Railway, he thought that the Premier would discover that it was not as favourable for this purpose as the hon. gentleman might now expect; and that it would be impossible to leave the Skeena River at a less distance than 130 or 140 miles from its mouth to strike into the lake country of which the hon. gentleman had spoken. If this was the case—and he was confident of it—the line if built in this quarter must be some 75 or 100 miles longer than if located

to Burrard Inlet. He thought that, when the contract for the telegraph line was awarded, from Cache Creek to Edmonton, this was the proper route. It was a great pity that the contractor had not been allowed to proceed with it. He believed that, at the time this contract was let, the Government favoured the Fraser River route. The Premier knew that the telegraph line must be connected with the present system of telegraph lines in British Columbia. The distance from Edmonton to Bute Inlet was 833 miles, and an additional distance of 75 miles would be required to connect with the present line, making a total of 908 miles, while the distance from Edmonton to Burrard Inlet was 744 miles, and 200 miles of the telegraph line had already been built by the Western Union Telegraph Company, leaving only 544 miles on the Fraser River route to be constructed, as against 908 miles by the other route. This he considered a very strong argument in favour of the construction of this line to where they all believed the terminus of the railway would ultimately be located. Last year, he had stated that, if he found that the Government were prepared so to continue their Pacific Railway policy as to satisfy British Columbia, he would give them his support in the House and in the Province on that question. He was sincere when he made this promise on the 5th of April, last year; but, two days subsequently, during his absence, the hon. member for West Middlesex moved a resolution which he considered to be very unfair, unnecessary and calculated to arouse feelings of animosity in the breasts of all British Columbians. The hon. member for Cumberland had referred to this resolution as having been written by a Minister and passed to the hon. member for Middlesex. He found that, at the time, neither the right hon. member for Kingston nor the hon. member for Cumberland were in the House; it was near the close of the Session when the House was disorganized, and the motion took the members by surprise. He doubted very much whether, if these hon. gentlemen had been present, this motion would have been sub-

Mr. DEWDNEY.

mitted. He concluded by stating that he should support the motion of the hon. member for Cumberland.

Mr. PLUMB said, when the present Government took office, the question as to the construction of the Pacific Railway was the most important matter before them. They had chosen to adopt a policy entirely different from that adopted in this relation by their predecessors; and now, after three years had elapsed, Parliament was called upon to review this policy. This great project was one which the Parliament and the people of Canada had ratified and adopted, and they would never be satisfied until it was carried out to completion. A large expenditure of money had been made on surveys; and at the present time about 240 miles were under contract. The line between Fort William and Red River had been located far north of the original location; and between the eastern and western terminus was supplemented with water-stretches, which would be closed up in winter. One of the great objects for which the road was projected in the first instance was to people the extensive and fertile lands in the North-West. Hon. gentlemen opposite had opposed the construction of the road in every possible manner; and had exaggerated the engineering and financial difficulties in the way. The resolution proposed by the hon. member for Cumberland was one which might very properly be submitted to the favourable consideration of the House. During the past three years, the whole course of the Government in this regard had been one of hesitation and vacillation, their policy had been half-hearted, and bore evidence that they were not inclined to fulfil the great trust placed in their hands, by building this road. Many of the arguments used against this scheme had been brought forward against the Intercolonial Railway, which, notwithstanding the great depression in commerce, and the fact that this was one of the most unfavourable seasons for railways that had been known for twenty or thirty years, had shown that it would not be the great burden on the country that had been predicted. The loss in working it the last six months had been but thirteen thousand dollars and

he believed that, if properly managed, having no rivals, the Intercolonial Railway would not only pay expenses and for repairs, but also yield a revenue besides. Hon. gentlemen opposite had thrown every obstacle in the way of the building of the Pacific Railway, and the expenditure that would entail had been enormously exaggerated. The North-West Territories could not be settled until this line was constructed. They had been told by the Premier that it was originally projected to serve a temporary political purpose, and that there was no good faith in regard to it on that side of the House. They were also told that it would be impossible to build the road with any resources Canada could command, and the speeches of the hon. the Finance Minister tended to depress and understate the resources of the country and to create a distrust of any plan which might be necessary for the construction of this great work. They had an admission from the hon. the First Minister that the line from Fort William to Red River might be a mistake with respect to utilizing the water route, and also in regard to one prominent act with reference to this road—the large purchase of steel rails. He supposed the hon. gentleman claimed that the latter was a commercial transaction, and that he purchased the rails according to the best of his judgment. But his side of the House urged that when the rails were bought there was no prospect of their being required for a long time to come. It was stated that the Chief Engineer recommended the purchase. The Chief Engineer was but an instrument in the hands of the Government; he knew nothing as to the speed with which the construction of the line was to be prosecuted, and was, therefore, not in a position to judge as to the advisability or inadvisability of the purchase. They claimed that the rails were purchased in a falling market, and, moreover, that the Government was not a speculator, and had no right to say "We will buy this or that because it is at a low price." If that principle were carried into other Departments, it would result in a worse state of things than was indicated by the purchase of

steel rails. This whole matter was a speculation, and he for one protested against the Government managing the affairs of the country in this way. The Government claimed credit for letting certain contracts on favourable terms. Now there was little ground for such a claim, as the low price for which the work was taken was the inevitable result of the depression of trade and manufactures, and the consequent cheapness of material and labour. But there was another question involved in the purchase of the rails which had not been dealt with. It was found from a return made to the House that 11,000 tons had been laid upon the Intercolonial without the authority of Parliament. For himself, he did not think the rails could be legally used for that purpose. The purchase was made on account of the Pacific Railway, and to apply them to any other use was a violation of a principle which both sides of the House should be anxious to preserve; and that fact was sufficient in itself to justify hon. members in supporting the motion of the hon. member for Cumberland. The question of the Georgian Bay Branch had been so ably treated by the hon. member for Lanark that he would not press it further. But there was another subject, which was intimately connected with the best interests of the country, and that was the pushing forward of the railway as an immigration agent. It was the most important and would prove the most effectual means of settling our western lands. The fact that we had far northward and westward of Manitoba a country of the greatest farming value, capable of producing the finer cereals, ought to be an incentive for proceeding rapidly with the railway; and, if this Government were apathetic in this matter, which affected the interests of the whole Dominion, the people would probably find a Government which would build the railway and so open up this valuable country. The construction of a line from Lake Manitoba westwards towards Edmonton was a comparatively easy task, and it would be most valuable as a means of settling the country. In his Budget speech the hon. the Minister of Finance made some

very discouraging remarks on the immigration question. The hon. gentleman said it was not desirable that immigrants should be brought into Canada for the North-West, as the grasshoppers might ravage their crops year after year and make it necessary to apply the public money to the relief of the settlers. Now he thought there was little reason for those remarks of the hon. gentleman. If that section could be colonized by the building of the Pacific Railway, and that alone would colonize it, there need be no fear of the people requiring Government aid, as suggested by the hon. the Finance Minister. If it were understood that the Government would undertake the construction of this road with earnestness and singleness of purpose, it would do a great deal towards stimulating and encouraging the people, who were now so depressed by the financial cloud which hung over Canada, and, indeed, the whole world. But every pretext was made for delay; every excuse for delaying the construction of this great work was eagerly seized upon by the Government; and to-night, one of the most remarkable excuses given for the procrastinating policy of the Administration was the war which had broken out in Europe. When they heard the hon. member for North York give that as an excuse, there was a laugh on that side of the House; but the hon. gentleman (Mr. Dymond) should not infer from that that they under-estimated the vast consequences of the war. No hon. member would undervalue a matter fraught with the gravest consequences to Europe; but the statement that a war declared to-day had delayed the construction of the railway was so ludicrous that hon. members could not help smiling. It was the duty of every hon. gentleman who recognised the importance of this great work to support the resolution of the hon. member for Cumberland. The speech of the hon. the First Minister was no reply to the masterly argument with which the hon. member for Cumberland introduced his motion. To the manly, statesmanlike and comprehensive speech of the hon. member for Cumberland, the hon. the Premier should have made a better response

than the one he had made. The speech in reply did not in any way meet the salient points brought forward by the hon. member for Cumberland. There were no arguments in the reply; it was merely a feeble attempt at sarcasm and a repetition of the old jokes, which always brought down the applause of the faithful followers of the hon. the First Minister. He (Mr. Plumb) had yet to learn that any hon. gentleman had done anything towards removing the charges of delay, mismanagement and incompetency which had been brought forward against the Government. It was deeply to be regretted that the discussion should have taken place so late in the Session, and that the hon. the Minister of Public Works doubtless, through the great pressure of work which he had to labour under, had not been able to bring down to the House a statement of the plan of the Government as to the survey and construction of the Pacific Railway with as much particularity and comprehensiveness and geographical knowledge of the country as was required. The Government had shown great reluctance in approaching the subject. The House had waited week after week for a statement as to the condition of the work and the intentions of the Government. And now the policy had been brought down, what was it? It was the most meagre bill of fare that could be placed before the House. It had disappointed even the hon. the First Minister's friends. On former occasions that hon. gentleman constituted himself a whole corps of engineers. He had a mastery of the whole details. Then he had no hesitation in regard to gradients, curves, lines, &c., and he had led the House to expect that he would continue in possession of such full and accurate information. But the information now given to the House by the hon. gentleman was meagre and vague. Canada was bound by all sacred obligations to carry out this work. It was admitted by all sides that Canada was bound to do this. It had its political, financial and physical difficulties, and it needed the united efforts of men of all parties to carry the project through to a successful issue. But there could not be this union of sentiment unless they

**Mr. PLUMB.**

were all clearly and distinctly and fully taken into the confidence of the gentlemen having the work in charge. The House was groping in the dark. Unless there was a very different policy pursued, the people of Canada would become restive under the delay. One of the most important items was the construction of the line of telegraph, in anticipation of the location of the line of the road. He undertook to say that it was impossible to fix the line of telegraph, for a distance of 1,100 or 1,200 miles, which would cover the ground to be occupied by the line of railway. It was impossible to lay the telegraph until the final location was made, for the least deviation—and it was very natural to suppose that there would be many deviations from the line ultimately to be followed—would render all the work in that respect wasted. Such had been the arguments of the hon. member for Cumberland that no fair-minded man who had listened to the debate, and who was not bound to be one of the “mechanical majority”—to use the happy phrase quoted by that hon. member on another occasion—could refuse to vote for the amendment, which he sincerely trusted would be carried.

Mr. SCHULTZ said that he did not propose at this late hour to occupy much of the time of the House in discussing the present motion, but he felt that he would not be doing his duty to the Province, a portion of which it was his honour to represent, if he did not give some consideration to the railway policy of the Government as affecting Manitoba, and the policy of the Government generally towards that Province. He would frankly state, at the outset, that he had always felt that the small representation which Manitoba enjoyed in Parliament, together with the fact of any new and struggling community needing all the assistance that could legitimately be given by the Government, would render it extremely desirable not only that its representatives should offer no factious opposition, but that the Government of the day should have a fair and liberal support, where that support could be given without prejudicing the interests of

the Province. Believing this to be the true policy to be pursued by Manitoba members, it would be found that since the present Government came into office many more votes had been given by him with than against the Government, and that, when the votes had been adverse, it was because he (Mr. Schultz) could not, in the interests of his Province, endorse the action of the Government. The Pacific Railway, at least that portion of it between Lake Superior and the Rocky Mountains, was of vital importance to the people of the North-West, and the portion between Fort William and the Red River was particularly so to the people of Manitoba. From the very first he had denounced the water-stretch scheme as propounded by the Premier, and he regretted to see that, notwithstanding the clear manner in which its utter futility was shown, the Premier still looked upon it as an important factor in the great question of railway communication with Lake Superior. In all human probability, next year would see a surplus of grain in the Province, and, with their own road uncompleted to Fort William, they must ship, if they shipped at all, through the United States. To do this the people of Manitoba were at the mercy of the river and railway monopolies, which barred the possibility of cheap transportation to the head of Lake Superior. As regarded the prospect of their own railway they were told that the line from Red River to Rat Portage and that from Fort William to Lac des Mille Lacs were under contract, and might be finished in two or three years; and that the intervening distance would be united by the navigable waters of the region till the connecting railway link could be completed. If two or three years were required for the completion of these ends, why wait till then to commence the connecting link? Why not consider the evidence that was accumulating on every side as to the utter impossibility of shipping grain over a route that would need eight transshipments? Why not spend the money which was now being thrown away on the St. Frances Canal on some portion of this connecting line? And why not place under contract at once that work which the Government admitted it must, sooner or

later, build. Again, they had the Pembina branch graded two years ago, its rails, carried at an enormous expense from Duluth, left to rust on the banks, while the grading itself was being washed away. The Government, by a proper policy in regard to this line, might have relieved the situation much, and made people more content to wait for the slow progress of the Lake Superior and Red River line. It would be remembered that all the representatives from Manitoba, both in the Commons and Senate, waited on the Premier to ask him to lay the rails on the Pembina branch, and thus save them from the river monopoly, which was draining Manitoba of its money by their high rates of freight, and increasing, consequently, the cost of all imported goods to their people. It would have been thought that the request was reasonable, but it had not been granted, and the condition remained the same. As regarded the railway west of the Red River, it seemed that many years must elapse before that was even commenced, and when it was taken into consideration that its importance as a colonization road could not be overestimated, it would be readily seen how great a disappointment this announcement would cause. Here, again, they found the baneful effect of an affected consideration of the water stretches, and though it had repeatedly been urged that, not only was the Saskatchewan River not navigable for a considerable portion of the summer, but that, emptying three hundred miles north of Winnipeg, it was out of the way of the use of immigrants who wished to settle in the North-West. In matters of general policy, Manitoba had many real grounds of complaint, and, although it had often been brought up against her that enormous sums had been charged to her in the Public Accounts, yet it had invariably been found that the charges were for purposes other than that which related specially to the Province, and were chargeable to the North-West, and to other headings of expenditure. On the other hand the revenue from the Province had been increasing at a ratio much greater than that from any other Province, and while this would continue to increase it would be found that, since the public buildings had been built,

Mr. SCHULTZ.

their expenditure would decrease almost to a minimum which would cover their subsidy and the usual and proper charges of management. From returns brought down this Session it was shown that they contributed to the general account—

	Customs.	Excise.	P. Office.
In 1874....	\$66,464	\$4,246	\$ 733
" 1875....	171,493	7,971	3,612
" 1876....	253,351	19,716	7,897

Showing that last year, from Customs, Excise, Post Office, the sale of Bill Stamps, fines and forfeitures, Manitoba had contributed to the General Revenue no less than \$281,846.20, and this did not include the sum from the sale of lands. This enormous increase simply showed the progress of the country; it was a country where a fostering care would produce good results, and he (Mr. Schultz) regretted that this had not always been the case. At this moment, there existed a very great grievance in the Province. As soon as the line of the Canadian Pacific Railway west of the Red River had been determined upon, twenty miles of land on each side were withdrawn from sale or settlement. Time passed, and no farther work was done by the Government on the line. If work had been proceeded with, the people would have been satisfied; but, in the Province of Manitoba, and particularly in the county of Lisgar, this reservation had produced the worst of consequences. It had crowded in the new settlements which had been formed east and west of the Red River, outside of the Half-breed reserves, and now threatened to strangle these in their infancy. This grievance was so great that he (Mr. Schultz) had urged it on the Government for two Sessions in succession before this, and last year he had attained his object when the Government introduced a Bill to allow of homestead settlement on certain conditions on this reserve. This Bill, having passed to its final stage, was suddenly withdrawn, and all his efforts had been powerless to induce the Government to reintroduce it. In the meantime, many persons, believing in the good faith of the Government as evinced by their admitting the principle by introducing the Bill, had gone

and settled upon these lands, and he believed that they had the right to hold them, and trusted that no attempt would ever be made by the Government to dispossess a single individual of his right. In the matter of these reserves generally there had been the most vexatious and causeless delays. The scrip to Half-breed heads of families should have been issued three years ago, and, had it been, the recipients might have placed it on lands near them, which would have been of some use to them, but on which it was now impossible to place them in consequence of this Railway Reserve. Again, there had been the equally causeless and vexatious delay in the issue to the minors of land to be allotted to them. Had this been done three years ago, those of them old enough might have now had cultivated farms, or had they sold the land it would have afforded an opportunity for others to do the same thing. This delay has been a serious matter both for the natives of the country and the newcomers, and equally prejudicial to both. In fact in Manitoba everything seemed to have been delayed, the adjustment of the hay question, the tardy issue of patents, the settlement of disputed claims, and in proportion, as these had been and were delayed, so much was the country thrown back in its advancement. On matters of general policy, there was not so much to complain, although it was an undoubted fact that the fiscal policy of this year was very prejudicial to their interests, and he had hoped that, when a change was announced to be necessary in the tariff, the increase of duty had not been so arranged that agricultural products from the United States had been made to bear a portion of the burden instead of a direct tax being laid upon tea, which pressed upon every one without promoting or protecting any home industry. In Manitoba it was found that, not only did the Minnesota farmers send in immense herds of cattle and large quantities of flour, but butter, eggs, chickens and a host of minor articles which would in consequence of our low tariff, continue to come, to the detriment of our own farmers, who were able to produce all that Manitoba wanted of these arti-

cles, and who found that they were shut off from the United States market by their heavy import duty. In the speech of the hon. member for Cumberlandland was to be found the statement that ten thousand tons of steel rails were carried by the Kittson line from Duluth to Red River at an enormous cost and without the usual formula of tenders being asked; the consequence being, that the line in question pocketed over two hundred thousand dollars of the money of this country. The hon. member also stated that he had learned that the member for Selkirk owned one-half or one-third of the stock of this company and drew general inferences which seemed to have induced the member for Selkirk to deny that he had any connection with the line in question whatever. Now, an enquiry in the facts of the case was worth a few minutes' attention, and, fortunately, the return to an address of the House of Commons, dated 2nd March, 1876, threw what little light there was to be had on this matter. On page 58, of this return, would be found the following letters:—

“OFFICE OF THE RED RIVER  
“TRANSPORTATION COMPANY,  
“NO. 92, THIRD STREET,  
“ST. PAUL, MINN., 21st April, 1875.

“SIR,—In accordance with your wish expressed to our Mr. Hill during his recent visit to Ottawa, I now desire to put in writing the offer made by him to transport railway iron, chairs and spikes from Duluth to a point in Manitoba.

“With reference to the improvements of the rapids mentioned in my offer, I beg leave to state that from the information I have received I am of opinion that it could be made at a very small cost to the Government.

“Very respectfully,  
“Your obedient servant,

(Signed,) “N. W. KITTSON,  
“General Manager.

“HON. ALEXANDER MACKENZIE,  
“Minister of Public Works,  
“Ottawa”

“OFFICE OF THE RED RIVER  
“TRANSPORTATION COMPANY,  
“NO. 92, THIRD STREET,  
“ST. PAUL, MINN., 21st April, 1875.

“SIR,—I hereby offer to transport railroad iron, chairs, fish-bars, spikes and other material for track, from Duluth, Minnesota, to Winnipeg, Manitoba, or any point on the Red River between Pembina and Winnipeg, at rate of \$15.00 U. S. currency per ton of 2,000 lbs; and I further offer that in case the channel of the Red River at the rapids at St. Andrews, between Winnipeg and the Stone Fort, is

improved so as to make a channel of sixty feet in width, free from rocks and boulders, so as to enable boats and barges to pass with ordinary safety, to make the same rate, namely:—\$15.00 per ton from Duluth to the point of crossing of the Canadian Pacific Railway, north of said Stone Fort, or in case the said rapids are not improved, I will allow the barges loaded with such material to be run down to said crossing, provided that the Canadian Government will receipt for the material, at Winnipeg, and will assume all risk of danger of navigation arising from said rapids on down trip to both boat and cargo.

"The above rate to hold good and be in force during the season of navigation on the Red River, as long as there is two feet of water on the rapids and shoals in said river.

"This offer includes all labour in handling above material from the dock at Duluth, to the bank of the river at point of delivery.

"Very respectfully,

"Your obedient servant,

(Signed,) "N. W. KITTSOON,  
"General Manager.

"To the Hon. ALEXANDER MACKENZIE,  
"Minister of Public Works,  
"Ottawa.

"[Note]—Write and say Mr. Hill's offer covered all wharfage or other charges at Duluth, and ask that this be also put in writing. A. M."

Nowhere in the return was there found to be any mention of tenders having been asked for, or information sought for as regarded the cheapest mode of shipment, nor did there appear the report of any engineer declaring these rails to be necessary at Red River, and so a very short time afterwards they found the bargain concluded for the transport of five thousand tons on the following terms:—

"OTTAWA, 22nd May, 1875.

"Sir,—Referring to your letter of the 21st ulto., and 8th inst., on behalf of the Red River Transportation Company, offering to transport rails and accessories from Duluth, Minnesota, to a point in Manitoba, on the conditions hereinafter mentioned, I beg to inform you that the Honorable Minister of Public Works accepts of said offer, viz:—

"To transport railroad iron, chairs, fish-bars spikes and other material for track, from Duluth, Minn., to Winnipeg, Manitoba, or any point on Red River between Pembina and Winnipeg, at rate of (\$15.00) fifteen dollars, U. S. currency, per ton of two thousand pounds, and in case the channel of the Red River at the Rapids at St Andrews, between Winnipeg and the Stone Fort, is improved so as to make a channel of sixty feet in width free from rocks and boulders, so as to enable boats and barges to pass with ordinary safety, to make the same rate, namely, fifteen dollars per ton from Duluth to the point of crossing of the Canadian Pacific Railway, north of said Stone Fort, or in case the said rapids are not improved, to allow the barges loaded with such railway material to be run down to said crossing, provided that the Canadian Govern-

ment will receipt for the material at Winnipeg and will assume all risk of damages of navigation arising from said rapids on down trip to both boat and cargo.

"The above rate to hold good and be in force during the season of navigation on the Red River, as long as there is two feet of water on the rapids and shoals in said river.

"This offer to include all labour in handling above material from the dock at Duluth to the bank of the river at point of delivery, also, all wharfage or other charges at Duluth, but not charges which might arise in the United States Customs Department.

"The transportation of these rails, about five thousand tons, to take place within one month from their arrival at Duluth.

"The point of delivery of these rails, &c., to be indicated by the Government.

"I have, &c.,

(Signed), "F. BRAUN,  
"Secretary.

"N. W. KITTSOON, Esq.,  
"General Manager,  
"Red River Transportation Co.,  
"St. Paul, Minnesota, U. S."

Now it would be noticed that the agreement at this exorbitant rate only covered five thousand tons, and yet they found, from a return to an address of the Senate dated 15th February, 1877, that there was delivered at St. Boniface 12,008 tons, and at Selkirk 918 tons, at a cost to the Government, according to the contract quoted, of nearly two hundred thousand dollars, and this rendered easy the explanation of why the Kittson line could divide eighty per cent. on its stock among its shareholders. But how came about this enormous waste of the public money? How was it that, when an opposition steamboat line was known to be in operation on the Red River, tenders were not asked for?—and why was it that the enormous price only originally promised for 5,000 tons, should have been extended to 12,926 tons? The hon. member for Selkirk said he had nothing to do with the Kittson line; but certain it was that rumour gave him the credit of owning indirectly a large quantity of its stock. Certain it was that Mr. Kittson merged the agency of the Hudson Bay Company into the management of the Kittson line, which was commenced mainly with the boats of the Hudson Bay Company. Of course, it was not at all likely that the name of the hon. member for Selkirk appeared in the stock books of the Kittson Company, for that would vitiate the right of the company receiving bonded goods; yet there were

other ways of holding stock than the open one of having names in full in the stock books of the company. If no one deeply interested in the success of this line vouched for Mr. J. J. Hill, who so deftly manipulated the contract, how was it that the Premier chose to jump at the offer of a stray American, who came along with his offer to carry rails at twice the price the transportation was worth, and at least one-third more than it would have cost the Government had tenders been asked for from the rival line on the Red River, and others? He regretted that he could not support the Government on their railway policy, and he saw little hope of their plan succeeding in making the western portion of the road the great means of colonization, which it was capable of, and felt deeply grieved when, in the cross fire with the member for Cumberland about the value of the lands which the Government had to offer to aid in building the Pacific Railway, the Premier should have felt called upon to sneer at the value set upon them by that gentleman, and to express a doubt of their being worth to contractors one dollar an acre, which taken in connection with the statement of the Minister of Finance, that we did not want immigrants, because there was a doubt of the country being able to support them, was not calculated to rejoice the hearts of those who, like himself, believed that we had in the North-West the richest agricultural country in the world, and the source of any future greatness which our country might attain. He (Mr. Schultz) would say now that he firmly believed that the hon. member for Selkirk was just what the hon. member for Cumberland had stated—a participator in the profits of that line.

Mr. SPEAKER called the hon. gentleman to order, and said that the hon. member for Selkirk had positively denied that he was a shareholder in the company referred to and that he participated in the profits; and no hon. gentleman, therefore, should undertake to say otherwise, unless he was prepared to make a formal charge.

Mr. SCHULTZ said he had no wish to dispute the statement of his hon.

friend from Selkirk (Mr. Smith). He was aware that the statement of hon. gentlemen in this House must be received as the truth, no matter what other hon. members might believe; but, as his hon. friend from Cumberland (Mr. Tupper) had derived that information from him, he (Mr. Schultz) must state why he arrived at that belief. He based it mainly on public documents and especially on the letters he had read. He believed Mr. Hill had a very strong backing in his dealings with the Government, and, as Mr. Speaker had stopped him, he would not, of course, say where that backing was.

Mr. DYMOND: Does that prove the partnership between the hon. member for Selkirk and the firm of Kittson?

Mr. SMITH (Selkirk): Might I ask if the hon. gentleman would be permitted to give any authority for it.

Mr. MACKENZIE: I think I am called upon to state that I never did have a conversation of any kind whatever with Mr. Smith regarding this matter.

Mr. SCHULTZ: Then I would be glad if the Premier, as he is in a mood of explanation, would explain how he gave the contract to Mr. J. J. Hill without asking for tenders on a matter which would be likely to cost so much—comparatively unknown as Mr. J. J. Hill was?

Mr. MACKENZIE said they received two tenders. One was for \$13.50 in gold, but they declined to pay the charges at Duluth and other places. The other was for \$15 in American currency, the tenderers taking all the charges and transhipments until they reached the points of destination near Winnipeg. These were the two tenders, and the Government chose the lowest. He was not aware whether he saw Mr. Hill himself or not. His impression was that it was his deputy. He had no doubt it was the latter who made the arrangement.

Mr. SCHULTZ said the explanation did not refer to his question at all. It did not state that tenders were solicited. In the same return from which he had quoted there was a tender for

\$13.50, from some parties in Hamilton, who had no means of transportation unless they built boats on the Red River. But had his hon. friend taken the slightest precaution, he would have found that a rival line to this Kittson Company, with two magnificent boats and barges, were in existence in open and avowed hostility to the firm which got the contract, and he could not conceive why tenders were not asked for from them.

Sir JOHN A. MACDONALD: Were there any tenders?

Mr. SCHULTZ said he had never seen any asked for in the public prints, and he believed there were none. He contended that there was no excuse for the action of his hon. friend the Premier, particularly in increasing the amount of rails contracted to be carried. He considered it was the duty of everyone to vote for the amendment of the hon. member for Cumberland.

Mr. YOUNG said hon. gentlemen opposite certainly manifested courage in moving the vote of want of confidence now in the Speaker's hands. If there was one question more than another which those gentlemen ought to be ashamed to bring before this House, it was the question of the Pacific Railway, for there was no question in which had been more clearly exhibited, not only the extravagance, but the corruption and wild recklessness of their schemes to keep themselves in power. He, for one, had always been favourable to the construction of the Pacific Railway. He had felt that, if these different Provinces were to be united together under one Government, it was absolutely necessary that railway communication between the most distant Provinces should be supplied. But he had always considered the scheme of the late Government one of the maddest projects ever propounded by a Government to an intelligent assembly. There was only one rational way to account for the extraordinary bargain with British Columbia, and what this was he had pointed out when the question was brought before Parliament in 1871. Subsequent events had shown that he was correct, and that hon. gentlemen opposite had deliberately

undertaken to degrade this great public work—the greatest public undertaking ever commenced on this continent—into a mere engine to effect political purposes; and their whole scheme, from beginning to end, was framed with a view to surround themselves with a gigantic ring of railway and political speculators, in order to keep themselves in office. A leading member of the late Government had stated, when the Intercolonial Railway was proposed, that the hon. member for Kingston must have lost his usual astuteness, if, with the expenditure of \$15,000,000 or \$20,000,000 on that line, he did not hold office for ten years, and with the expenditure of three times that amount on the Pacific Railway, the late Government majority naturally concluded that they would be able to retain office for the remainder of their natural lives. He approved of the present Government's Pacific Railway policy, in undertaking to build the line only as fast as the resources of the country admitted. One section of it, however, might, with great propriety, be carried forward—the portion between Lake Superior and Manitoba. Considerable progress had already been made in the construction of this section, the whole distance, with the exception of 182 miles, being under contract. He believed he spoke the sentiments of the majority of the commercial people of the country when he said that the best interests of the Dominion would be promoted by building this section with all convenient speed. It was all important to pour immigration into the magnificent territories of the North-West, and, to attain this desirable end, the country would support the Government in completing an all rail route from the head of Lake Superior to Winnipeg at the earliest possible moment. He was of opinion that the Georgian Bay Branch was conceived in the interests of the Dominion, and that it was wise policy to construct a straight line from the Canada Central to the mouth of French River, leaving it the Provinces of Ontario and Quebec to connect their railway system with the Pacific Line in the neighbourhood of Burnt Lake. The hon. member for South Lanark

Mr. SCHULTZ.

had endeavoured to torture certain facts relating to the Georgian Bay Branch, so as to tell against the Government; but these circumstances, when properly explained, would not bear the construction put on them by the hon. gentleman. It was a common thing, when contractors failed to carry forward public works with sufficient speed, to cancel the contracts. They knew that the late Government had quashed the contract granted to Sir Hugh Allan and Co., and also returned the \$1,000,000 put up as security.

Mr. GIBBS (South Ontario): And you found fault with them.

Mr. YOUNG: The hon. gentleman is debarred from attacking the Government on this ground when the late Government pursued a similar policy, and to a larger extent.

Mr. GIBBS: And now it justifies you.

Mr. YOUNG: All I have to say is that I do not think fault ought properly to have been found with the late Government for the return of the million so put up by Sir Hugh Allan's Company.

Sir JOHN A. MACDONALD: Did you not find fault with it, though?

Mr. YOUNG: I am not aware that I did. There were much more important and darker features in the transaction to find fault with.

Mr. WHITE (East Hastings): But Sir Hugh Allan did not get \$109,000.

Mr. YOUNG maintained that the Government had pursued a reasonable policy. They took the course usually followed by Governments under similar circumstances, and blame could not be properly attached to them on that account. The hon. member for South Lanark had asserted that the amounts paid to the contractor (Mr. Foster) had been handed over without certificates from the Chief Engineer as to the value the country received from the work done. This was an entire misrepresentation of the facts. Mr. Fleming had affirmed before the Public Accounts Committee that he (Mr. Fleming) believed the country had obtained value for the work done.

Sir JOHN A. MACDONALD: There was no certificate, though.

Mr. HAGGART: What I said was that Mr. Sandford Fleming, in his evidence before the Public Accounts Committee, stated that he had given no certificate as to the \$41,000.

Mr. MACKENZIE: He said nothing of the kind.

Mr. YOUNG said the hon. gentleman had distinctly stated in his first remarks that these payments had been made without any certificates. If hon. gentlemen would turn to page 3 of the official return brought down, they would find the first certificate given by Mr. Fleming for the payment of \$23,346 on iron rails, and on page 8, the certificate for the payment of \$45,289, these two sums making the \$68,000 paid for iron rails—not at \$48 per ton, as the hon. gentleman had alleged, but at only 75 per cent. of this price, as the certificates proved. Regarding the payments for surveys Mr. Fleming stated that good value had been obtained. The Engineer's letter ran as follows:—

“CANADIAN PACIFIC RAILWAY,  
“OFFICE OF THE ENGINEER-IN-CHIEF,  
“OTTAWA, 28th April, 1876.

“With respect to that part of the Order in Council of March 8th, touching the value of the works of exploration, survey, and construction performed by the Hon. A. B. Foster, I have made every enquiry into the subject, and I feel assured that in the event of the Georgian Bay Branch being proceeded with, the expenditure incurred will generally be available in the prosecution of the work.”

Mr. Fleming had advised the Minister of Public Works in every step taken with regard to this matter, and it was on the Chief Engineer's recommendation the payments had been made. Mr. Foster had not been paid one cent save on duly certified vouchers, showing that the money was actually expended in the service of the country. They had also the further statement made by Mr. Fleming that, after adding on the amount since paid to complete the surveys, those of the Georgian Bay Branch had been performed as cheaply, if not cheaper, than on any other portions of the Pacific Railway.

Sir JOHN A. MACDONALD: Allow me to read from the evidence of Mr. Fleming:

"Q. You say you have not seen the vouchers for the payment of \$41,000?—A. I have not seen them except on the outside.

"Q. Are you aware that an Order in Council requires payments on the certificate of the engineers, and do you hold yourself responsible for the payment of the \$41,000 dollars?—A. I have not certified at all for the payment of the \$410,00.

"Q. You have not seen the vouchers and you have not certified the payments?"

Mr. MACKENZIE: That refers to two distinct things. Here is a letter stating that the amounts to be paid on these surveys would be for value received; but the vouchers therefor were presented to the Accountant in his Department. The Accountant distinctly testified before the Committee that there were vouchers in his possession for every farthing of the outlay, excepting some \$1,200 or \$1,300. The hon. gentleman misrepresents the case.

Sir JOHN A. MACDONALD: I read the evidence.

Mr. MACKENZIE: The hon. gentleman only read part of it. He read what suited him and kept back the rest.

Sir JOHN A. MACDONALD: I will not allow you to state that. You say what is not—it would not be parliamentary to say what it is.

Mr. MACKENZIE: I can refer to many parts of the hon. gentleman's parliamentary career which are very much worse than what he intended to say.

Mr. YOUNG said he was present when both Mr. Fleming and the Accountant were examined. The latter affirmed that he had vouchers for everything except a trifling sum, and this he expected to get shortly. Mr. Fleming could not certify as to the accounts, because they did not properly come before the Chief Engineer; but the Accountant, the proper officer to audit them, testified that he examined them minutely and found them correct. The hon. member for South Lanark had said that not a single rail had been laid down on the Canada Central Extension, and yet the Government had paid Mr. Foster for rails said to be delivered. If the hon. gentleman was present before the Committee when

Mr. Fleming made his statement, he could not acquit him (Mr. Haggart) of disingenuousness in making this assertion. Mr. Fleming had said that the terminus was to be between Renfrew and Douglas, and that, when it was uncertain which of these two routes the terminus would be nearest, the proper place to lay down the rails was Renfrew, where railway carriage terminated. He alleged, further, that the usual course in delivering rails was to take them to the nearest point by water or rail, and that, if the rails had been taken to Douglas, it was possible they might have had to be conveyed a further distance back again than if left at Renfrew. This statement had not been contradicted. It was well known the Minister of Public Works had had nothing whatever to do with fixing the price of the rails. Mr. Fleming, who was entirely responsible for them, had given to the Committee the data on which he had determined the price paid as being fair and just. There was no evidence to prove that the rails were bad. One witness had merely stated that a few of them were worn out, having been used in ballasting. The only argument of the hon. member for South Lanark in this regard was that Mr. Foster, in the course of a law suit, had pleaded that the rails were not good; but this was evidence of a very indefinite character; no proof had been adduced before the Public Accounts Committee to show that they were not a fair sample of iron rails. Very great stress had been laid by the hon. gentleman on the fact that Mr. Foster had asked for the loan of 100 tons of rails; but in this there was nothing extraordinary. The people of Pembroke were anxious to secure the opening of the Canada Central to their town; and it was very natural, when much delay was likely to arise for want of a few rails to complete the last mile or two, that the loan of one hundred tons should be requested. Neither did he see anything very wonderful in the fact that Mr. Foster, finding this quantity insufficient for the purpose, had taken 117 tons more to finish the work. This circumstance was afterwards communicated to the Department, and an officer had been sent to come and take charge of the

Sir JOHN A. MACDONALD.

rails; but, before any whatever were taken, £5,000 worth of bonds of the South Eastern Railway were deposited with the Government, which bonds, it was reasonable to suppose, would be sufficient security for the return of the rails. The hon. member for South Lanark went on to say that Mr. Foster seemed to have been favoured, because he had given the Government information which led to the exposures connected with the Pacific scandal. He was not aware that this was the case; but, if Mr. Foster had given such information, was it not possible that this was the very reason why he was hounded down by the hon. gentlemen opposite. The general feeling in the country would be that, if Mr. Foster had been the means of exposing the transactions with Sir Hugh Allan, he had done a real service to the people of Canada.

Mr. GIBBS (South Ontario): And he was well paid for it.

Mr. YOUNG said that, if such information had not been obtained, and if the railway scheme of the late Government had been carried out as proposed, the prosperity of the Dominion might have been ruined. The policy in regard to the Pacific Railway at present being pursued was far superior to that of the late Government, and without entering at length into the subject, he would briefly draw a few points of contrast between them. Hon. gentlemen opposite solemnly undertook to complete the 2,700 miles of railway in ten years, and he did not hesitate to say, on his responsibility as a representative of the people, that if such an attempt had been earnestly made it would have been fraught with disaster and ruin to the interests of this country; the policy of the present Government, on the other hand, was simply to carry on the railway and build it as the finances of the country would permit. The late Government undertook to construct 260 miles additional railway, from Bute Inlet to Esquimalt, the estimated cost of which, by Mr. Marcus Smith, including the bridging at Seymour Narrows, was \$27,500,000; the present Government had abandoned that portion of the scheme, and at one stroke saved

that large amount of money to the country. Another contrast between the two schemes would not be unnoticed by the people of Canada. The road was to be begun at both ends, and completed from ocean to ocean simultaneously—than which nothing more reckless could be conceived; the present Government had adopted the wise course of constructing the line in parts, and proceeding first with those sections which would tend to settle and develop the North-west Territories. The late Government took away from Parliament and assumed themselves the power to select the route, name the Pacific Railway Company, and give them any charter they pleased—and their trafficking with Sir Hugh Allan proved why they did so. Under the present policy the route had to be submitted to Parliament, and the work had to be let by tenders asked for publicly, and the sanction of Parliament had to be obtained for every contract.

Sir JOHN A. MACDONALD: How about the St. Frances Locks?

Mr. YOUNG: That was one of those works which it was almost impossible to contract for, and it was being done by day's labour. The hon. gentleman (Sir John A. Macdonald) spent \$1,000,000 himself on day's labour for that line.

Sir JOHN A. MACDONALD: Not against the Act of Parliament.

Mr. YOUNG said the contract for the Georgian Bay Branch was submitted to Parliament, which was also asked to sanction the letting of the contracts for the road from Fort William westwards—the portion from the Kaministiquia River to Lake Shebandowan—and from Rat Portage to the Red River country, and the House would also be asked to sanction any contracts made in the future. Looking at it from every point of view, the policy of the present Government on the Pacific Railway must commend itself to the wisdom and good sense of the people of this country. By the overthrow of the late Government and the termination of their absurd and ruinous bargain with British Columbia, Canada was rescued from one of the

greatest dangers that ever threatened it; and he felt assured that the policy of constructing the railway in parts, and only as the finances of the country would warrant, was one which commended itself to the people, and would do much to ensure a continuance of that confidence which the present Government had so largely enjoyed during the past four years.

Mr. THOMPSON (Cariboo) said he thought that the clear and enlightened views expressed by the hon. member for Cumberland (Mr. Tupper) must have convinced the House that the policy of the Government had not been satisfactory, notwithstanding the fact that the hon. member for Waterloo (Mr. Young) had lauded them for the able and intelligent manner in which they were prosecuting this great work. That hon. gentleman had tried to throw every obliquy he could upon the scheme of the late Government; but he believed that, at the next general election, the people would show by their votes that they had the utmost confidence in the ability of the members of the late Administration to complete the Pacific Railway. After waiting anxiously for weeks and weeks, they were favoured, at the close of the Session, with the announcement of the hon. the Premier's policy for this year; and they found that the course laid down for the coming season was only a repetition of the indefinite delay which had characterised this Government in regard to this undertaking. Last year the hon. gentleman said the work would be ready for contract by this time; but now he came forward and made the same statement. He told them again that he hoped to be in a position to complete the surveys this year; and Lord Carnarvon, in his despatch, entreated the people of British Columbia to wait another year, so that the Government might be in a position to determine the route. Patience might be a virtue, but the people of British Columbia had borne the taunts and contumely cast upon them for years long enough. It was time something more tangible than surveys should be shown. Why could not the Government of this country take an example from the United States. That country built

**Mr. Young.**

a line from Omaha to Sacramento, a distance of 1,800 miles, through as wild a country as the Canadian Pacific Railway would pass through. That road was built by private companies, in the same manner as the late Government proposed to build our railway. The hon. the Minister of Inland Revenue stated that the Union Pacific cost \$215,000,000. He would like to know where the hon. gentleman got that information, because he believed he (Mr. Laflamme) was the only man outside the ring that constructed the road who knew what it cost. But that road, as far as expenditure was concerned, was no guide for us, as it was placed in the hands of a ring, and the contracts were let at enormous prices to the directors themselves. The hon. gentleman at the head of the Government did not seem to appreciate the results which would follow the construction of the Pacific Railway. If it were earnestly proceeded with it would prove a source of wealth to the country, inasmuch as it would cause a speedy influx of immigrants to the fertile prairies of the west. Although he agreed in some respects with the hon. member for Yale (Mr. Dewdney), yet he rather favoured the northern route, if it were practicable to carry it out. According to the estimate of Mr. Fleming, the Bute Inlet route would cost \$2,000,000 less than the Burrard Inlet route. It was true that compensating advantages were supposed to exist in favour of the latter, but, for himself, he thought the Bute Inlet route would be found the more preferable of the two. He could not believe that the Ministry were as sincere as the Premier would lead them to believe; at least he believed that a large portion of the followers of the Government did not ever expect and did not wish that the road would ever be built. The Pacific Railroad would not be for the benefit of British Columbia alone, but of the whole Dominion. He trusted that the gentlemen would have sufficient foresight to spare no effort to carry on this great national work, which was essentially necessary for binding the country together, building up a mighty empire, and making Canada a rival of the United States. But, as long as the road was only built in little pieces, and

water-stretches were depended on, and rails were piled up for years, no good would be done. Taking all the circumstances into account, he considered it his duty to vote for the amendment of the hon. member for Cumberland.

Mr. BANNATYNE said that, at this late hour, he trusted the hon. members of this House would excuse him for making a few remarks regarding this Pacific Railway. He was pleased to see the great interest taken by all members in this House to have that iron link fairly commenced which would bind all the Provinces of this Dominion, as they should be, in one great nation. He had much pleasure in hearing the remarks of the hon. member for Cumberland and others, who said that the great North-West was to be the garden of this country and one of the finest wheat-growing countries in the world, with a soil and climate as good as any. Now that they had an immigration pouring into that country from all parts of the globe, they trusted that road would be pushed forward as rapidly as could be done and he must say that, from what the hon. Premier had said, he believed he intended doing so; and he trusted that he would reconsider the report of the Chief Engineer and have that road go by the south of Lake Manitoba instead of by the Narrows. Although a great national highway, in Manitoba they believed it to be the shortest, with 60 per cent. better land and easier of construction. They sincerely trusted and begged that the Minister of Public Works would have a survey made of this southern route this summer. He felt justified in saying that every man in Manitoba to-day was anxious for it, and, if they were determined not to do so, he might say that he had had a petition sent to him for His Excellency the Governor-General, praying for a grant of land for the Western Railway Company who were willing to build that road by the south of Lake Manitoba. Regarding the Fort Frances Locks, he did not object to the work so long as it did not delay the great Pacific Railway, and he believed it an earnest of the anxiety of the Government to do all they could to open up that country. They had a fine

section of farming and timber country there. He was sorry to hear the remarks made by the member for Lisgar (Mr. Schultz) respecting a gentleman who was not a member of this House, and had no means of answering him as he would do were he here. That gentleman was Mr. J. J. Hill, of St. Paul, Minnesota, a member of the Kittson Transportation Company. Mr. Hill was a gentleman and one who knew the hon. member for Lisgar very well. He had known both Mr. Kittson and Mr. Hill for many years, and these gentlemen were doing far more to-day to assist the Dominion Government to improve and colonize that great North-West than the hon. member for Lisgar. Only the other day this Mr. Hill, a Canadian born and brought up, now in the United States, like many others of his countrymen, was doing all he could to assist us to build up that great North-West, and the Kittson Line was the only company which could receive contracts for bringing in those famous steel rails. There was no other line of boats, and certainly they could not do so by flat boats—the only other means they had. And, when the merchants of that country did try to get up a line of boats to oppose these parties, he believed the hon. member for Lisgar was not there. The member for Lisgar asked if he (Mr. Bannatyne) was a member of that Transportation Company. That was his affair. He did say that the hon. member for Selkirk was not a partner of that company. He believed the hon. member for Cumberland was perfectly satisfied that such was the case after hearing the remarks made by Mr. Smith. He sincerely trusted the Government of the day would push forward the Pacific Railway with all haste, and they would find the money would be well invested, and he believed the Government of the day would do all they could.

Mr. DECOSMOS said his constituents did not approve of the policy of the Government with respect to the Pacific Railway, and he should, therefore, feel bound as representing their views, to vote for the motion of the hon. member for Cumberland. However, before the House went into concurrence upon the item, he should take

an opportunity of expressing his views more fully.

Question *put*, and amendment (Mr. Tupper) *negatived*, on the following division:—

## YEAS :

## Messieurs

Baby	Little
Benoit,	Macdonald (Kingston)
Blanchet	McDonald (Cape Breton)
Bowell	McKay (Colchester)
Brooks	Macmillan
Cameron	McCallum
Caron,	McQuade
Cimon	Masson
Costigan	Moffat
Cuthbert	Monteith
Daoust	Montplaisir
DeCosmos	Mousseau
Desjardins	Orton
Dewdney	Ouimet
Domville	Pinsonneault
Donahue	Platt
Farrow	Plumb
Ferguson	Robinson
Flesher	Robitaille
Fraser	Rochester
Gaudet	Rouleau
Gibbs (North Ontario)	Roy
Gibbs (South Ontario)	Schultz
Gill	Stephenson
Haggart	Thompson (Cariboo)
Harwood	Tupper
Hurteau	Wallace (S. Norfolk)
Jones (South Leeds)	White (East Hastings)
Langevin	White (North Renfrew)
Lanthier	—59.

## NAYS :

## Messieurs

Appleby	Holton
Archibald	Horton
Aylmer	Irving
Bain	Jetté
Bannatyne	Kerr
Barthe	Killam
Béchar	Kirk
Bernier	Lafamme
Bertram	Lajoie
Biggar	Landerkin
Blackburn	Laurier
Blain	Macdonald (Cornwall)
Borden	Macdonald (C. Toronto)
Bourassa	Macdougall (E. Elgin)
Bowman	McDougall (S. Renfrew)
Brouse	MacKay (Cape Breton)
Brown	Mackenzie
Buell	McCraney
Burk	McIntyre
Burpee (St. John)	McLeod
Burpee (Sunbury)	McNab
Carmichael	Metcalfe
Cartwright	Mills
Casey	Oliver
Cauchon	Paterson
Cheval	Perry
Christie	Pickard
Church	Ray
Coffin	Richard
Cook	Robillard
Coupal	Ross (East Durham)

Mr. DeCosmos.

Delorme  
De St. Georges  
DeVeber  
Dymond  
Ferris  
Fiset  
Fleming  
Flynn  
Forbes  
Fréchette  
Galbraith  
Geoffrion  
Gibson  
Gillies  
Gillmor  
Goudge  
Greenway  
Guthrie  
Hagar  
Hall  
Higinbotham

Ross (West Middlesex)  
Ross (Prince Edward)  
Ryan  
Rymal  
Scatcherd  
Scrifer  
Shibley  
Skinner  
Smith (Peel)  
Smith (Selkirk)  
Snider  
St. Jean  
Taschereau  
Thompson (Haldimand)  
Thomson (Welland) ■  
Trow  
Vail  
Wallace (Albert)  
Wood  
Workman  
Young.—104.

## SUPPLY.

House *resolved* itself into Committee of Supply.

(In the Committee.)

Progress *ordered* to be reported.  
House *resumed*.  
Progress *reported*.

## SUPPLEMENTARY ESTIMATES.

## MESSAGE FROM HIS EXCELLENCY.

Mr. CARTWRIGHT delivered a Message from His Excellency the Governor-General, which was read by Mr. Speaker, and is as follows:—

“DUFFERIN.

“The Governor-General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1877; and, in accordance with the provisions of the British North America Act, 1877, he recommends these Estimates to the House of Commons.

“GOVERNMENT HOUSE,  
“OTTAWA, 24th April, 1877.”

Message and Supplementary Estimates *referred* to the Committee of Supply.

House adjourned at  
Twenty minutes before  
Three o'clock.

## HOUSE OF COMMONS.

Wednesday, 25th April, 1877.

The Speaker took the Chair at Three o'clock.

MANITOBA JUNCTION RAILWAY BILL.—[BILL No. 117.]

(Mr. Thompson, Haldimand.)

BILL WITHDRAWN.

Mr. HOLTON moved that the order of reference of the Manitoba Junction Railway Bill to the Standing Committee on Railways, Canals and Telegraph Lines be discharged, and the fees thereon be refunded.

Motion agreed to.

Mr. THOMPSON (Haldimand) moved for leave to withdraw said Bill.

Motion agreed to.

BILL INTRODUCED.

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

Bill (No. 122) Respecting the Act further securing the Independence of Parliament.

THE SEAT FOR MONTREAL WEST.

MOTION TO REFER.

Mr. MOUSSEAU made the following statement :—

"That it appears from the Public Accounts laid before this House in this Session of 1877, that some time in the year 1876 the sum of \$272.21 was paid to the firm of Frothingham & Workman out of the public monies, for hardware supplied for repairs, furniture, etc., to the Penitentiaries of the Dominion. That it also appears, and that he is credibly informed and believes that he can establish, that divers sums of money were also paid during the same year, and during the ensuing nine months expiring on the 1st day of April, instant, out of public monies, to the said firm of Frothingham & Workman, for hardware and other goods supplied to the Department of Public Works for repairs and other works made and to be made on the following Canals, Lachine, Carillon and Grenville, Beauharnois, Chambly, Ste. Anne's Locks, and St. Ours Locks. And that he is credibly informed and believes he can establish that the monies so paid to the said firm of Frothingham & Workman were so paid under contracts and agreements between the said firm and public officers representing the Board of Directors of Penitentiaries and

the Department of Public Works, and that Thomas Workman, Esq., a Member of this House, was, at the time when the said contracts and agreements were entered into, and the said payments made, a member of the said firm, and also a Member of this House for the Electoral District of Montreal West."

He moved :

"That, whereas it appears from the Public Accounts laid before this House in this Session of 1877, that some time in the year of 1876, the sum of \$272.21 was paid to the firm of Frothingham & Workman, out of the public monies, for hardware supplied for repairs, furniture, etc., to the Penitentiaries of the Dominion ;

"That, whereas it also appears, and that Mr. Mousseau, a Member of this House, has stated in his place in the House that he is credibly informed, and believes, that he can establish that divers sums of money were also paid during the same year, and during the ensuing nine months expiring on the 1st day of April, instant, out of public monies, to the said firm of Frothingham & Workman, for hardware and other goods supplied to the Department of Public Works for repairs and other works made on the following Canals, Lachine, Carillon and Grenville, Beauharnois, Chambly, Ste. Anne's Locks and St. Ours Locks ;

"And, whereas the said Mr. Mousseau, a Member of this House, has also stated in his place in the House that he is informed, and believes he can also establish, that the monies so paid to the said firm of Frothingham & Workman were so paid under contracts and agreements between the said firm and public officers representing the Board of Directors of Penitentiaries and the Department of Public Works, and that Thomas Workman, Esq., a Member of this House, was at the time when the said contracts and agreements were entered into, and the said payments made, a Member of the said firm, and also a Member of this House for the Electoral District of Montreal West ; be it therefore

"Ordered, that the matter therein stated be referred to the Select Standing Committee on Privileges and Elections, and that they be directed to enquire into the facts, to search for precedents, and to report the result of their enquiries, and whether the said Thomas Workman has vacated his seat."

Mr. WORKMAN : Mr. Speaker, before the motion is put I beg to say a word or two in explanation. In reference to this transaction, Sir, I have merely to say that I have no personal knowledge of it whatever. The amount the hon. gentleman mentions probably has been paid to my firm. I never saw the party who made the purchase ; I never spoke to him. I never saw the goods laid out, as we call it. I never saw the invoice until this morning. I would not know the gentleman who purchased the goods if I saw him ; and therefore, I am quite willing to submit the whole of this matter to a Committee of this House. If I have unintentionally erred, of course I must submit to

the consequences, but I have had no personal knowledge of those facts. If this system is to be carried on, the only plan for hon. members to adopt hereafter is to place a detective or policeman at the doors of their offices and warehouses to prevent people going in to buy goods. They would be safe under that provision, and that provision only.

Motion agreed to.

## THE SEAT FOR HOCHELAGA.

### MOTION TO REFER.

Mr. CASEY made the following statement:—

“That he is credibly informed, and believes he can establish, that in the years 1874, 1875, and 1876, the newspaper *Le Nouveau Monde*, published at Montreal, was paid divers sums out of the public monies for advertising, printing and stationery, printed and done by the said paper for public offices, to wit:—the Department of Militia, the Post Office, the Inspectors of Penitentiaries, and the Public Works, per agreement, and under contract with the officers of the said Departments, and that at all the times above mentioned Alphonse Desjardins, Esq., a Member of this House for the Electoral District of Hochelaga, was the sole editor of the said newspaper, and published the same for his sole benefit and advantage, and that the said Alphonse Desjardins was then and is now a Member of this House for the Electoral District of Hochelaga.”

He moved:

“That, whereas it appears in the years 1874, 1875 and 1876, the newspaper *Le Nouveau Monde*, published at Montreal, was paid divers sums out of the public monies for advertising, printing and stationery, printed and done by the said paper for public offices, to wit:—The Department of Militia, the Post Office, the Inspectors of Penitentiaries, and the Public Works, per agreement and under contract with the officers of the said Departments, and that at all the times above mentioned, Alphonse Desjardins, Esq., a Member of this House for the Electoral District of Hochelaga, was the sole editor of the said newspaper, and published the same for his sole benefit and advantage, and that he said Alphonse Desjardins, was then, and is now, a Member of this House for the Electoral District of Hochelaga; be it therefore

“Ordered, that the matter herein stated be referred to the Select Standing Committee on Privileges and Elections, and that they be directed to enquire into the facts, to search for precedents, and to report the result of their enquiries, and whether the said Alphonse Desjardins has vacated his seat.”

Mr. DESJARDINS: I have no reason to thank the hon. member for Elgin for the courtesy he has shown in my regard in this instance. I have

Mr. WORKMAN.

not had the advantage, like others, of receiving notice that he was going to move against me. I think that the courtesy extended to others under the circumstances ought to have been exhibited towards myself. No notice was given me of the intention of the hon. member to make this childish accusation against me to-day. The only answer I have to give is this: In the first place I am not the proprietor of the *Nouveau Monde*; I am only a shareholder in the company that owns it, and my experience has been something like that of others regarding political papers. I have expended money on it, but I failed to receive any. I am ready to abide by the decision of the Committee on Privileges and Elections.

Motion agreed to.

## NORTHERN RAILWAY COMPANY.

### GOVERNMENT NOTICE OF MOTION.

Mr. CARTWRIGHT moved that tomorrow the House go into Committee of the Whole to consider the following resolution:—

“1. Resolved, That it is expedient to provide that the sum of £50,000 stg., second preference bonds now held by the Government of Canada, part of a certain sum of £283,000 stg., of second preference bonds issued by the Northern Railway Company of Canada, shall hold equal rank and priority with other bonds of the same character in any re-arrangement that may be authorized by an Act passed during this Session; and, further, that the sum of £50,000 stg., part of a certain sum of £100,000 stg., of third preference bonds issued by the said Company, and now held by the Government of Canada, together with the interest thereon, be extinguished on the following conditions:—

“1st. That the said Company shall, within one year from the first day of May, 1877, pay to the Government the sum of £45,000 stg. in cash, with interest at the rate of 5 per cent. per annum.

“2nd. That the said Company shall, within the same period, pay the Government of Canada the sum of twenty-seven thousand four hundred and fifty-eight dollars and eighty-seven cents, in satisfaction of the sums improperly applied by the Company out of the monies payable to the Government of Canada, and also assign the mortgage now held by the said Company on the Couchiching Hotel for monies advanced thereon.”

He said that at present the Government held two distinct sums of £50,000 each, in claims against the Northern Railway Company; one consisting of

Second Preference Bonds, and the other, of Third Preference Bonds. They proposed, regarding the former, which were part of a sum total of \$283,000, of Second Preference Bonds, to accept the same terms as the majority of the holders of the bonds were willing to accept, that was to say : to allow themselves to rank after the issue of the bonds, the House had lately authorized, on the conditions specified. As to the second £50,000 of Third Preference Bonds, with interest thereon, they proposed to accept £45,000, sterling, payable within one year, and drawing interest at the rate of five per cent., from the 1st of May next, in satisfaction of their claim. The position of the Third Preference Bonds was this : no interest had been paid on these £50,000 by the Company, and a sum of about £17,000 sterling was due thereon. It was not at all easy to form an exact estimate of their value. The Second Preference Bonds were selling in London during the past year, at a rate varying from 88 to 90, or thereabouts, in the open market. The rate that would be paid under this proposition would be in the neighbourhood of some 70c. on the dollar, and he thought that this was as near the value of the Third Preference Bonds as possible, and considerably more, he had every reason to believe, than they could be sold for in the open market. Under the terms of the Act, if the company did not choose to accept this proposition—providing it were passed—the rank and priority of the Government bonds would remain undisturbed. Certain other claims, detailed in the report of Committee submitted to the House, made in all about \$27,000, and they deemed it right that the company should refund this to the Government, that amount having been paid out of monies which ought to have been used in liquidating the interest due the Government. These sums would be found detailed in the first eleven sections of the report. About \$13,500 had been paid on account of the steamer *Chicora* ; this might be said to have been advanced for the legitimate purposes of the company, and therefore he had not thought it proper to make any claim for it.

Mr. CAMERON said he would like to ask the Minister of Finance if the sum of \$27,000 included the \$2,000 reported as paid to Mr. Moberley.

Mr. CARTWRIGHT : Yes.

Mr. CAMERON : Will the hon. gentleman state the principle on which this is considered an improper payment, if there is any principle about it ?

Mr. CARTWRIGHT : I accepted the report of the Committee regarding it. This was, I think, not entitled to be charged to legitimate working expenses.

Mr. CAMERON said that surely a bonus paid to an officer of the road could be rightly charged as a legitimate expense. The practice was common among public companies and private individuals. The Government also gave gratuities to persons when retiring from service after having served the country for many years. This was an every day occurrence. He was entirely at a loss to conceive how the Committee could come to any such conclusion. He was equally at a loss to discover the principle on which the company was ordered to refund the \$27,000. The company, according to the Committee's report, had misappropriated \$27,000, and the Government told them that because they were unfortunate enough to lose this, they must pay it over again ; because, if any one, the company had been defrauded of this money.

Mr. CARTWRIGHT : No. The Government was defrauded.

Mr. CAMERON said that, if this money had not been so expended, it would not have been paid to the Government, but to the reduction of the floating debt, which at present, he believed, exceeded \$200,000. To his own knowledge, during the last six or seven years, the company had owed one gentleman who had supplied them with iron four or five times, \$27,000 continually. How this sum could have been paid the Government passed his comprehension. After an investigation of weeks and months, the result related to this paltry \$27,000 as having been misappropriated during a period

of nineteen years, extending from 1858 to 1877, when the company's receipts had exceeded \$11,000,000, the company having carried on a very large business. He could only say it was an instance of a mountain having laboured and brought forth a mouse. The investigation might have served political ends, but it had been of no benefit to the country. It had led to a waste of time and money. It was as if the Government said to the company: "You want some legislation in order to get your share capital on a proper basis, and we will make you pay blackmail to that extent to let the Bill through." The investigation had been proceeding here for weeks past; fifteen or twenty tons of books belonging to the company had been brought down, and the time of the House and of members had been continually occupied with it. Not only so, but the Government were willing apparently to go into the business of hotel keeping, because a mortgage on a hotel property belonging to the company was asked for. He knew that the Minister of Public Works was a very efficient public servant, who could carry through almost anything he undertook; but he would apply to this case the old Yankee saying: "You may be a mighty smart man, but you cannot run a hotel." He doubted that the hon. gentleman was so very able as to be capable of running the Couchiching Hotel. The whole result had been to make a farce of the proceedings, and the report of the Committee was very unjust and partizan. If certain transactions were reported, why were not others? While they were reporting lawyers' fees, why did they not state that Mr. Biggar received \$15,000 of the company's money, and the preposterous sum of \$2,500 for carrying one little Bill through Parliament? Why did they not report that the firm of Morrison, Wells and Gordon had received \$10,000, which was equally out of all proportion for the services rendered? The explanation as to why these facts were not mentioned in the report lay, no doubt, in the fact that Mr. Biggar and the active member of the firm of Morrison, Wells & Gordon were friends of the hon. members op-

posite. The \$1,000 paid to Mr. Gordon Brown, Mr. Cumberland admitted, was given with the view of greasing the wheels of the *Globe* newspaper. But not one word was said about that. It was beneath the dignity of this House to take a mortgage upon the Couchiching Hotel property on account of the alleged defalcations of \$27,000. He did not think such action would raise Canada in the eyes of the stockholders in England.

Mr. CARTWRIGHT said for a considerable number of years the company had paid the interest on the three preferential bonds with the exception of the interest on these bonds belonging to the Government.

Mr. TUPPER: What is the amount of interest each year?

Mr. CARTWRIGHT: £3,000, making about £17,000 in all. Had not that been the case there might be some force in what the hon. member for North Victoria (Mr. Cameron) had stated. There had been large amounts misappropriated which otherwise might have gone to the payment of the Government interest. The company itself did not dispute that these moneys were improperly applied.

Mr. ARCHIBALD said, without entering fully into the merits of the report, there were one or two points raised by the hon. member for North Victoria (Mr. Cameron) which deserved some attention. It should be remembered that the enquiry had been extended to the point ultimately fixed upon by the motion of the right hon. member for Kingston. He could not see that the report was unjust. It was carefully drawn so that it should not contain one single word which was not fully, and sometimes more than fully, borne out by the evidence. He challenged hon. gentlemen opposite to say that one single particular in the report varied from the facts as brought out in evidence. The \$2,000 paid to Mr. Moberley was held to be improperly paid on the same ground as the other payments. It appeared not to have been anything new for some of the officers of the company to overdraw their salaries. When the new elevators were constructed, Mr. Moberley

received in addition to his salary large commissions, and yet over-drew his account by \$2,000, which was balanced by making the sum appear as a bonus. It was complained that the charges against Messrs. Morrison, Wells and Gordon had not been enquired into. They were enquired into by the Royal Commission, which reported that a certain sum was paid for certain services, and pretty well paid too he thought. But the Committee had other matters to consider which fully occupied the whole of their time. The enlargement of the enquiry rendered it necessary that they should not undertake more than they could get through and thus defeat a report being made, but should endeavour to ascertain the facts of each case which they took up. It was also complained that the \$1,000 paid to Mr. Gordon Brown was not included in the report. It was not his (Mr. Archibald's) fault. He consulted a gentleman belonging to the Opposition who was a member of the Committee, who candidly admitted that there was nothing in it.

Mr. BOWELL: Who was that?

Mr. ARCHIBALD: Mr. McCarthy. The report omitted to state that Mr. Bernard had been paid the money received by him, but mention was made of the transaction because it was held to be an improper act.

Mr. BOWELL said he neither complained of the remarks made by the Chairman of the Committee (Mr. Archibald), nor was he prepared to say that the facts as stated in the report were not borne out by the evidence taken before the Committee; but the manner in which the report was drafted and presented to the House left an impression upon the minds of those who read it, without having read the evidence before, that it was neither fair nor equitable. He complained not so much as to what the report contained as to what was left out, which, if inserted, would, to a great extent, explain conclusions and deductions which must be drawn by anyone not familiar with the facts. The hon. member for Stormont (Mr. Archibald) had stated that the reason the Committee did not examine into

the matters connected with payments to Messrs. Morrison, Wells & Gordon, was because they had not time. He (Mr. Bowell) concurred with him in that respect. But the hon. gentlemen also gave, as an additional reason, the fact that they had been dealt with fully by the Royal Commission.

Mr. ARCHIBALD: I did not say that. I said we had not time, and remarked that the Royal Commission had examined into the matters.

Mr. BOWELL: An equally searching investigation was made into the accounts of the late President, Mr. Beverley Robinson; and yet all the facts and figures connected with the amount he drew were embodied in the report, while not a single reference was made to the transaction of Morrison, Wells & Gordon. He objected, not so much that the figures were placed in the report, but that the explanations which were given by Mr. Cumberland and Mr. Robinson as to drawing these amounts were not also embodied in the report. The report left the impression that Mr. Robinson overdrawn his account, and that the amount so overdrawn should have been appropriated for the purpose of reducing the amount due to the Government. The explanation of Mr. Robinson, whether right or wrong, was that he had expended more in the service of the company than he was given credit for, and that he was entitled to and demanded a larger salary than had been paid to him; and he produced a letter from Mr. Cumberland which must leave the impression upon the mind of anyone that read it that this claim was proper and legitimate. Mr. Cumberland, moreover, stated that he intended, as soon as an opportunity presented itself, to recommend the payment of this money to Mr. Robinson, in consideration of the services rendered as the Superintendent and servant of the company. That was also stated in the report of the Royal Commission laid before the House. So that the Committee had not only constituted themselves a Committee of enquiry to examine into the mal-appropriation of money of the Company, but also judge, jury and hangman. They had arrogated to themselves the right to say

whether a dispute that still existed between the President of that company and the company itself should be decided in a particular way, a question which could only be legitimately and properly decided by a Court of Law. He had no doubt that, if Mr. Robinson and Mr. Cumberland were to give the same evidence before a judge and jury, the award of that sum of money would be made to Mr. Robinson. Several other amounts which had been spent had been omitted in the report. It was rather significant that not one member of the political party of gentlemen opposite was mentioned in the report, except to justify the expenditure of money. Mr. Chisholm received \$1,000 for the purpose of promoting certain bonus by-laws, and Mr. Robinson received a certain sum for the same purpose; yet the former was not mentioned in the report. The \$1,000 given to Mr. Gordon Brown for the patent nut-lock was evidently placed in the same category by Mr. Cumberland as the \$1,000 subscribed in *Mail* stock. He was bound to say, however, that the purchasing of the nut-lock had no influence upon the *Globe*. Mr. Patteson of the *Mail* had sworn that he was never asked to write an article in favour of the Northern Railway, and that no control over the columns of the paper had been sought by Mr. Cumberland. He had expected that the Chairman of the Committee would have moved the adoption of the report at an earlier day, when he (Mr. Bowell) would have been prepared to state his objections more fully. The objections he entertained to the reductions drawn in the report he had stated in the Committee, and, being the only dissentient in the Committee, he had his reasons entered on the minutes. His reasons were these: While there was a floating debt which was sworn to in evidence of from £20,000 to £50,000 during the whole of the time in question, which had been incurred for the rolling stock and various purposes, if any portion of the current expenditure could be included in that floating debt, that money was equally applicable to the payment of those expenses as to payment of the Government debt. According to his reading of the law, it would

be applicable first to the payment of the floating debt. Mr. Cumberland had stated very frankly that they had paid interest to the bondholders in the old country for the purpose of maintaining their credit in the English market. It was open to fair and legitimate criticism whether that proceeding was right or wrong, but he contended that the liability of the company with regard to its floating debt was the first amount which should have been paid. He did not understand the principle on which the mortgage for the Couchiching Hotel had been taken. It appeared to have been the best managed speculation for stockholders of any enterprise connected with the line. The managers appeared to have obtained from the coffers of the Northern Extensions Railway Company the sum of \$30,000 or \$40,000, which did not appear to have been accounted for, and they also obtained a large amount from the Northern Railway Company, believing that the establishment of what would prove to be a summer resort or watering place would compensate the road for money invested in it. He would not be prepared to say that that was not a perfectly legitimate expenditure. Any one who had seen the use to which railways put their money in order to create traffic over their roads would consider that this might be legitimately and properly expended. But, on taking over the Northern Extensions Railway, they were to pay over a certain sum of money and receive all the property belonging to the road. They did take over the Couchiching Hotel property, on which they held a mortgage, but they took no step to prevent the stockholders, whose principal mouth-piece was Mr. J. D. Edgar, when this property was burnt down, from getting the insurance money into their coffers. On the contrary, they permitted the misappropriation of that money, and allowed the directors to put it into their own pockets instead of paying with it their debts. It was true, they paid a certain proportion of the amount for which they were personally liable; but there was from \$15,000 to \$19,000 remaining, which they divided among themselves, and allowed their debt to

the Northern Railway to continue. Reference was made in the report to two drafts of \$500 each, drawn by Sir John A. Macdonald, which were charged to parliamentary expenses. No explanation was given of that amount, and a misapprehension would be left in the minds of any person who read the report. It had been, however, denied that Sir John A. Macdonald knew, when he drew the money, that it came from the Northern Railway Company. He had stated distinctly and positively in evidence that he had not such knowledge; but that, on the contrary, he thought the contribution was made by Mr. Cumberland himself. As to that money, said to have been misappropriated, which went to Sir John A. Macdonald's testimonial fund, it had been explained that Sir John A. Macdonald knew nothing whatever of the subscription coming out of the funds of the company; but it might have been said that he had no knowledge that a subscription of that kind was made at all by those parties, for such view was confirmed by the evidence of the Hon. Mr. Macpherson. The complaint he (Mr. Bowell) had to make was that no explanation was given with respect to the first paragraph of the report. It was precisely the same with respect to the clause in the report which treated of two amounts having been paid to the *Mail* newspaper. With regard to this subscription for *Mail* stock made by Mr. Morrison, Mr. Barlow Cumberland suggested the mode in which they should be entered. It had been contended that it was done with the consent, knowledge and approbation of the conductor of that newspaper, but Mr. Patteson had sworn positively and distinctly that he knew nothing of the transaction, that he would never have permitted it, that it was an improper transaction, suggested by Mr. B. Cumberland himself and carried out by the book-keeper and collector, of which he did not approve. The same objection applied to the paragraph of the report, with respect to the subscription given to Mr. J. C. Campbell of Toronto, for, on reading the report, any one would come to the conclusion that Mr. Campbell knew, or had reason to believe, that the money was appro-

priated out of the funds of the Northern Railway Company. Mr. Campbell had sworn distinctly that he had no knowledge of its having been so paid. On the contrary, he thought that it was a private subscription on the part of Mr. Cumberland. Mr. Cumberland, however, stated that, if those persons who drew on him thought that the money was all coming out of his own funds, they must have considered him a much richer man than he was. That, no doubt, might have been the case. Whether that was the case or not, there was no doubt a most wasteful expenditure in many respects, which was not embodied in the report, or the amount would have been swollen to an enormous extent. Those were the reasons why he objected to the wording of the report,—not so much to what it contained as to what was omitted. With regard to Mr. Moberley, he appeared to have free entry to the coffers of the company. He, as the engineer, had received large commissions while employed superintending the erection of elevators, for which he was liberally paid; and Mr. Cumberland stated that the \$2,000 mentioned, was given to him for a bonus in consideration of services as a faithful servant of the company. He quite agreed with the hon. member for North Victoria (Mr. Cameron) that that was not an item which could be called misappropriation or a malappropriation of the company, for they knew that, in ordinary business affairs, efficient employés of long service often received bonuses on retiring. It was well known that both the present and the late Government had carried out that principle in dealing with many faithful officers; and, therefore, in entering the \$2,000 as a misappropriation of money, the Committee did not do justice to the company and its management.

Mr. LITTLE said that any measure affecting the interests of the Northern Railway met with considerable attention from his constituents, for his county was a large stockholder in the Northern Railway. At the time when the Government first instituted an investigation into the financial affairs of the line, it was viewed as a political movement, and he had not changed his opinion—but he did not see what

political capital was made out of it. He could not agree with the report of the Special Committee, for it had glossed over the sums paid to certain parties, and made special reference to payments to others of a certain political bias. There was no reference disparagingly to Mr. Edgar, who it appeared received a very large sum for parliamentary and other services. The Committee must know what those services were, but the report never mentioned them; and there was no reference at all to the money paid to Mr. Gordon Brown for ostensibly a patent nut worker, which was afterwards found to be next to worthless. He (Mr. Little) was not there to speak, and he did not speak, to defend Mr. Cumberland in paying these sums mentioned. In his opinion these sums were not judiciously paid; but he (Mr. Little) was not a railroad man, and it must be remembered that Mr. Cumberland stated that as managing director of the road, he had paid these sums in the interest of the line. At the time when he first entered Parliament, the Grand Trunk and Great Western Railroads were largely represented in this House; the Hudson Bay Company and others afterwards and since; and, if any assistance was required for the Northern Railway, and it was, and was now still required, it was right that the line in question should have an influence as much as others. He did not think Mr. Cumberland was altogether right in paying these sums, but his constituents recognized Mr. Cumberland as a very successful railroad manager, perhaps the best in the Dominion. Mr. Cumberland had been manager for over twenty years. There had been no crash-ups or breakdowns like other lines. When he first had charge the road was in a shocking condition, no rolling stock to speak of, and the wages of the working hands months upon months in arrears. All this was now changed; the line could compete favourably with any other; but his county still required more. The line was isolated; it was the broad gauge, whilst the Grand Trunk, Great Western and others were the narrow gauge. His people could not ship a bushel of grain either to the east or west without breaking bulk.

**MR. LITTLE.**

But to change the gauge of the Northern a large sum was required, and the Government, instead of helping his county, were demanding better terms from the Northern Company, and consequently from the people who were large stockholders. To him it seemed that the Government could not fairly do so in the face of the agreement entered into in 1875, and since ratified by the Government last year in accepting the sum from the Northern Railway Company, as agreed upon. He looked upon the action of the Government as too tardy. Why did not the political spy who was in the service of the company give his information before. He supposed that this party also was looking for better terms from the Railroad Board, and, being refused, made terms with the Government. It was unfair for the Government now to exact further money; if it was exacted, it should, if possible, be paid by the bondholders, and not by the stockholders, for the stockholders had no voice, and were not consulted in the disposal of these sums. It was unfair for the Government, who should look to the interests of the people, to put the brakes on and demand further sums from the company, which, after all, would injure the interests of the line, and consequently the people who made use of it, and required assistance to have the gauge changed.

Mr. GUTHRIE said he did not wish to go at length into this discussion, which would be more appropriate when the report came to be considered; but he would call attention to one or two things which had fallen from the hon. member for North Hastings (Mr. Bowell). That hon. gentleman sought to create the impression that the report was unfair in what it left out—that certain facts had been suppressed. He was prepared to challenge the hon. gentleman, when the evidence came down, to point out a single instance in which anything had been suppressed that ought fairly to have been placed in the report. He was prepared to say that not one important fact in explanation of any of those improper payments had been omitted by the Committee without just reason.

Mr. BOWELL: I accept that challenge.

Mr. GUTHRIE: One of the matters to which the hon. gentleman referred was in reference to Mr. Robinson's salary. That salary was paid in regular monthly instalments, and had been changed to various amounts. The Committee felt that, Mr. Robinson holding office at a fixed salary, they could not, as sensible business men, allow any claim that his services were worth more than that salary. The salary due to him was properly credited to him, and they could not justify the over-drawing of his account. With regard to the fact that the report said nothing about Mr. Gordon Brown, the hon. member for North Hastings never suggested that that was a proper subject for mention in the report. Any one who read the evidence must come to the conclusion that there was no impropriety on the part of Mr. Brown in relation to that transaction. The distinction between the case of the *Mail* and that was obvious. Taking stock in the *Mail* was an illegal transaction; the purchase of a patent nutlock for the use of the railway, which was recommended by the Engineer, and which, if it had answered the expectations, would have been worth the money, was a legitimate transaction. With regard to the Chisholm matter, there was no evidence whatever before the Committee that the money had been applied to an improper or illegal purpose. It was admitted that this system of obtaining bonuses was an expensive matter, but Mr. Chisholm was exactly in the same position as the other gentlemen who received money for similar purposes. It was unfair for the hon. gentleman to come down to the House, when he had said nothing about the matter in Committee, to say other hon. members had acted unfairly. They were charged that, in two or three instances, the report did not say that misappropriations had taken place without the knowledge of the gentleman concerned. There was nothing in the report which claimed that Sir John A. Macdonald or Mr. Campbell knew that the money came out of the company's funds. It was true that those gentlemen said they had no knowledge, but the circumstances pointed the other way. Mr. Cumberland stated that his private

subscriptions were of a smaller character, and that no one could regard those subscriptions as anything but railway subscriptions. Furthermore, he understood Mr. Cumberland to adhere to his impression, notwithstanding Mr. Campbell's denial that he did not know the money had come out of the railway funds. The Committee had stated the undeniable facts which had been proved, and had not referred to the controverted facts. There was no reason to believe that Mr. Patteson of the *Mail* had personal knowledge of the transaction with that newspaper. The financial clerk of the *Mail* made out the accounts and collected the money. When the evidence was examined, it would be found that the charges of the hon. member for North Hastings were utterly groundless.

Mr. TUPPER said he did not propose to go elaborately into the character of the report, as he must confess that it did not fairly realize his expectations. Hon. members on the other side of the House had challenged the Opposition to formulate their charges, but when they did so those hon. gentlemen seemed rather to complain about the course they adopted; but, if there was any person who was under the impression that it was the duty of the Opposition to formulate charges in this House, this report would be a sufficient answer to him. The hon. member for Stormont (Mr. Archibald) said it must not be forgotten that the resolution was extended in its character by the right hon. member for Kingston (Sir John A. Macdonald). It should also be remembered that, when the House was called upon to deal with the resolution, hon. gentlemen opposite exercised the power which they possessed by packing the Committee with six of the strongest partisans to be found on that side of the House; and he quite admitted that, in defence of their privileges, the Opposition selected partisans to serve on the Committee. He wanted to draw attention to the tribunal to which they must submit in formulating charges in this House, and the power of that majority of two to one had been exercised in a way he was not required to advert to after the statements of the hon. members for

North Hastings and Victoria. Those hon. gentlemen had shown the character of the report, and had given to the House and the country a thorough exemplification of what might be expected from charges formulated in this House in reference to any question. He agreed with the hon. member for Victoria that the Government, in going outside of the report altogether, and in bringing this question before the House, had adopted a course unworthy of them. It was the duty of the Government, in bringing business before Parliament, to accomplish the object in view without the introduction of any irrelevant matter that could possibly be avoided. The hon. gentleman asked them to pass a resolution which he thought was not true in point of fact. It asserted that this \$27,000, which was declared to have been improperly expended, was a debt to the Government. He denied that this was the case. The Government were asking the House to accept a composition with the company, and yet demanded the payment of the \$27,000 in full. The hon. member for North Victoria (Mr. Cameron) had shown that, during the period in question, the company were indebted to other parties in connection with the expenditure for the necessary operations of the road. The hon. gentleman, in his anxiety to introduce this matter, and this action was unworthy of the hon. gentleman, actually asked them to accept a resolution which, he contended, was, in part, not true in fact. The hon. gentleman admitted that the Government was not in a position to exact full payment on their loans; and if this was the case, all this \$27,000 was not payable to the Government, but only the same moiety demanded in the other case. The hon. gentleman had been induced, for party purposes, to state a thing which was a total fallacy. The hon. gentleman said that about £17,000 as interest was due on the £50,000 Third Preference Bonds, making in all £67,000, and the very extraordinary—he would not say, absurd—proposition was made to accept for this, £45,000 plus the \$27,458.57. This was ludicrous when examined. The hon. mem-

Mr. TUPPER.

ber for North Victoria (Mr. Cameron) seemed to think it was a great hardship for the company to be called upon to pay this \$27,000; but he did not agree with this view. The House was asked to delude itself into the impression that this \$27,000 was being paid back, when £45,000 was to be accepted for £67,000. He wished to call attention to a very extraordinary thing which had occurred in connection with the Committee of investigation. The Commission had the services of one of the ablest accountants in the public service placed at their disposal. The accountant discharged his duty, and informed the Committee that he had made a report. The whole essence of the Governmental investigation was contained in this report, and yet the power of the Government or the Committee had been used to prevent this report from being submitted. It was suppressed from the Committee and Parliament. This was a startling fact connected with the mode in which the Committee had discharged the duties entrusted to them. The Minister of Finance had not shown his usual sagacity in dealing with this question, but had framed the resolutions in order to serve small party purposes, and to put the resolutions on the Journals in their present form.

Mr. HOLTON said the hon. member for Cumberland had made out a very strong case for the exaction of more stringent terms respecting the bonds. In Committee it would be for the House to consider whether more stringent terms should not be made. If the hon. gentleman and the hon. member for Victoria (Mr. Cameron) were of the same opinion in Committee, he was quite sure that a large number of the members were disposed to exact the letter of the bond. This \$27,000 which had been improperly expended undoubtedly belonged to the Government after the payment of prior claims. It ranked before the Government lien. There was a great deal to be said in favour of the view that too liberal a settlement was proposed. It had been the lot of the company to be represented in the House, and it had been the hard lot of the company to be represented in the House by wise friends, among the wisest of whom he would

place the hon. member for Cumberland (Mr. Tupper), who exceeded, perhaps, in wisdom the hon. member for Victoria (Mr. Cameron) and even the hon. member for West Toronto (Mr. Robinson).

Mr. TUPPER said the hon. member for Chateauguay was rather illogical. How could the statements of his complaining that the terms were too liberal, and of his being a representative of the company be reconciled? He had never had any connection, direct or indirect, in the most remote character, with the company. He had not complained of the terms offered to the company. He had assumed that the Government had investigated the matter, and decided upon proper terms, but he had said that if the Government declared that a certain amount was sufficient compensation, they should not delude themselves into taking money out of one pocket and putting it into another, and supposing that they were thus obtaining money which would not otherwise have been secured.

Mr. BERTRAM said it was somewhat unfortunate that the hon. member for North Hastings (Mr. Bowell) did not agree with the report submitted by the Committee. The hon. gentleman had not said that the report was not borne out by the evidence, but that in his estimation it was unfair. If the hon. member held these views, he should have offered an amendment in Committee, and placed them on record. If the minutes of the Committee were examined, it would be found, he believed, that only in one instance, or at most in two instances, had the hon. gentleman offered an amendment to the report; and this he considered a sufficient answer to any charge the hon. gentleman might make as to the unfairness of the finding. He was somewhat surprised to hear the hon. member for Cumberland charge the House with appointing nine of the strongest partizans in the House on the Committee. In a matter of this kind, he thought that the hon. member should speak for himself alone; whether hon. members were strong political partizans or otherwise had nothing whatever to do with the question. If there was anything

wrong in the report, it would be quite proper to take exception to it, but it was not right to charge any hon. gentleman who performed a duty placed on his shoulders by the House with partizanship in the matter. He did not think that the hon. member for Hastings would say that he was in any instance prevented from making any enquiries he thought proper to make in the Committee.

Mr. BOWELL: That report excepted.

Mr. BERTRAM said he intended to allude further on to this matter. The hon. member for Cumberland had said, that the part of the resolutions relating to the \$27,458.87 was not true in fact. The same subject had been touched upon by the hon. member for North Hastings (Mr. Bowell), but he considered that this hon. gentleman had rather hazy ideas as to that of which a floating debt consisted. No man or company could possibly do business without having a floating debt of some kind, and the Northern Railway Company must have a floating debt. In 1868, this debt was paid off by money borrowed, and the company again started in that year with a clean sheet. It was in evidence that, after that time and up to the time of amalgamation, most of the floating debt then existing had been incurred by advances made to the Northern Extensions Railway Company. From 1863-4 to 1874-5, no less a sum than £200,000 or £300,000 sterling had been thus paid out of the profits of the company over and above the working expenses, for rolling stock and new works; and it was in evidence that it was with the tacit consent of the late Government that this money was used for that purpose. In the Act of 1860, and the Act of 1868, it was set forth that the first charge on the road was the working expenses, and the next the payment of interest on the First Preference Bonds; the next in order being the Second Preference Bonds. In 1868, £150,000 sterling were put before the Government lien, and the Railway Company expended some £30,000 or £40,000 sterling on new works. Interest was payable on the 3rd A and 3rd B Bonds, and after them on the Government lien, and during

this time the Company expended between £200,000 and £300,000 sterling out of their revenue for purposes of the kind mentioned. It was manifest that, if the Government had demanded it, a part of this money should have been paid them instead of being expended for new works and rolling stock, &c. No one seemed to say that this \$27,000 had not been improperly expended, and if it had not been so paid out it could have been paid either on the Government lien or on the 3 B Bonds. It was an extraordinary thing that interest on these bonds had never been paid, because—as the manager stated—it had never been demanded by the Government. The company had money to use for all the purposes mentioned, but not one dollar had been paid to the Government, simply because they had not asked for it. When it was taken into consideration that such large amounts had been paid for other purposes than those mentioned in the Act, they must be held liable in this regard. If any facts had been suppressed by the company, then it was certainly equitable that the company should be still so held liable. The Government had not been informed of this improper expenditure, and they, therefore, held that these sums were properly applicable to the payment of the Government lien. With reference to the remark of the hon. member for Cumberland that the Committee did not use the report made by the gentleman who accompanied the Commission, the facts were these: He did not have the books of the company to examine, but only based his report on the statements of officers of the company. He admitted also that he was not a railway man, but merely an accountant. The memorandum or report he prepared was not in evidence as part of the Royal Commission. The Committee thought they had much better take the books of the company than this gentleman's report as evidence.

Mr. COOK said he agreed with the observation of the hon. member for South Simcoe (Mr. Little) that this case had a political application. But the hon. gentleman forgot that the motion for the Committee originated with the Opposition side of the House.

Mr. BERTRAM.

The hon. gentleman must know the way in which the road had been managed for political objects for a number of years. In 1874 he (Mr. Cook) made a motion for the investigation of the affairs of this railway, something similar to that made a short time ago. He was satisfied from what others had told him that a great many misappropriations had taken place. He then asked the hon. the Premier to allow an investigation into the books of the company before any legislation was had as to the reduction of the Government lien upon the road; but, as he was not able to make any specific charge, the Premier said he did not think the Government were justified in taking the matter into their hands without some tangible evidence, and the motion was withdrawn accordingly. In 1875 a Bill was introduced to reduce the Government lien. He heartily supported the Bill, because the road was in a crippled condition, and the Bill would much enhance the value of the road to that part of the country through which it passed, and especially through the constituency he himself represented. He noticed with a great deal of amusement the way in which the hon. member for North Hastings (Mr. Bowell) referred to the money given by the company towards the testimonial to the right hon. member for Kingston. That gentleman stated that this was not the money of the Government, but of the company. He (Mr. Cook) had an extract he would read from a Conservative paper published in Toronto, the *Telegram*, published by Mr. Robertson, the gentleman who was so brutally knocked down by the member for West Toronto, one of the gentleman party, on the streets of that city. The *Telegram* said:

“Every dollar taken from the funds of the Northern Railway was a dollar taken from the public funds, the company being at that time a debtor to the Government to the amount of several hundred thousand pounds. It follows, therefore, that when Mr. Beverley Robinson was paying his election expenses out of the moneys belonging to the Northern Railway, and was spending the funds of the road in excess of his salary—when Mr. Angus Morrison was subscribing for stock in a political journal, and throwing money about, lobbying for a railway corporation, instead of protecting the interests of the people—and when Sir John Macdonald was levying

on the company for the election of poor young men who were running for Parliament under his protection (Sir Francis Hincks being one of them), he and they were despoiling the people of Canada of money which should have gone into the public treasury."

Mr. BOWELL: Do you call that a Conservative paper?

Mr. COOK said that such was the gentleman who had accused him (Mr. Cook) of having fraudulently obtained his election; that was the gentleman who, with his virtuous and innocent smile, which he always wore when he meant mischief, had been putting his hands deep up to his elbows in the coffers of the Northern Railroad. Who would have thought that the hon. gentleman would have done this when he had stood up in this House and presented a petition against his (Mr. Cook's) return in 1872? Who would have thought that Sir Francis Hincks, who had also accused him of corruption, would have been the recipient of \$1,000 from the Northern Railway to promote his own election in the county of Renfrew? But such was nevertheless the fact. If he (Mr. Cook) did expend money at elections it was merely to fight the enemy with their own weapons, and to meet on an equality those who had their election expenses paid by the Pacific Railway ring and the Secret Service money. He was prepared to prove by a Committee of the House, if it was granted, that larger sums of money had been expended by his opponents in his constituency than by himself and his friends; and when he did spend money he took it from his own pocket and not from the public Treasury, which had been swindled by the Northern Railway Company for years. He had taken some notice of the manner in which the investigation had been conducted. The honorable member for Cardwell (Mr. McCarthy), who was attorney for the county of Simcoe, and whose duty it was to extract as much information as possible from the witnesses, seemed to try to keep back evidence which might be damaging to the party of which he was a member, although of benefit to the county of Simcoe. He (Mr. Cook) had had some experience of the way the Northern Railway was used as a

political engine in favour of the late Government. He had had the company's navvies for the construction of the Extension follow him about the constituency with the view of breaking up his meetings, and he believed they were instigated by the leaders of the road. A gentleman of undoubted reputation and truthfulness, for many years holding a high position in the Northern Railway Company, stated in a letter written to him: "Reformers on the Northern Railway were almost persecuted at election times." The hon. member for North Victoria (Mr. Cameron) had characterized the act of the Government, in securing a portion of the illegal expenditure of the Northern Railway Company, in the resolutions now before the House, by making them refund \$27,000 and securing a mortgage on the Couchiching Hotel property, now held by the company, in terms of disrespect, and wished to know if the Government intended to keep a hotel. He would advise the hon. the Premier to engage the services of the hon. member to manage the hotel, as he had for a number of years been practising at the Bar. When the Bill for the relief of the Northern Railway was introduced in this House, it contained a clause to cancel the county of Simcoe stock. He succeeded in Committee in having that objectionable clause expunged, thereby preserving intact the rights of the county; a part of which he had the honour of representing in Parliament. He took special credit for this to himself, and he thought it would be appreciated in the proper quarter, and at the proper time, as no doubt this stock would soon become valuable from the course of events in connection with that road. He would probably take another opportunity of referring at greater length to the political character of the Northern Railroad.

Mr. McCALLUM said, on a former occasion, he had opposed the passage of the Northern Railway Bill. At that time a report was made by the Treasurer of Ontario, Mr. Crooks, who showed that the company was able to pay its indebtedness to the Government, and yet have enough money to keep the road in working order. His (Mr. McCallum's) opinion was that the

political character of the company would change with the change of parties, and his expectation was realized. In looking at the names of those who obtained money from the company, he observed the name of the gentleman who was sent as a Commissioner to British Columbia, who was a great favourite with the Government. That gentleman received more than all the others put together; but his name was not mentioned in the Committee's report. Even the Royal Commissioners in their report went so far as to say that the gentleman in question did not receive any money for payment of election expenses. He had, however, been useful, and might prove useful again to the Government, and it was therefore advisable that he should be whitewashed by the Commission or the Committee. The Commissioners in their report said :

"In consequence of rumours that other parties had received sums of money for improper purposes out of the funds of the Northern Railway Company, and that Mr. J. D. Edgar had been the recipient of some for his election expenses, it was considered proper to have Messrs. Cumberland and Edgar examined in relation thereto; and this having been done, we find that there is no ground for such rumour; but that whatever moneys Mr. Edgar received from the Northern Railway Company were so received in his professional capacity, for legal and parliamentary services rendered the company in 1874-75, when he had no seat in Parliament, and that the remuneration for his services had the sanction of the Board of Directors for the time being."

In regard to the charges made against the hon. member for West Toronto (Mr. Robinson) in connection with having taken money from the company, he found the following, the evidence of Col. Cumberland—and he (Mr. McCallum) was not present in the House to defend that hon. member who would be able to defend himself:—

"Q.—But you were not paying Mr. Robinson the same as Mr. Justice Morrison?

"A.—No, but it was my intention that he should be paid the same as his predecessor.

"Q.—And on account of that intention you paid him these amounts?

"A.—I won't say that it was an absolute intention; but I saw and recognized his claim, and when the time arrived when I could exercise my influence, I would see that he was paid.

"Q.—And therefore you gave him these notes from time to time?

Mr. McCallum.

"A.—Yes, that was the reason."

He believed when Mr. Robinson took that money he thought he had a right to it; that he was as much entitled to it as was his predecessor. He did not think Mr. Robinson was any more guilty than many other public men. The Government were much to blame in connection with the matter, for they voted down a motion submitted by him (Mr. McCallum) on the general subject. In regard to the political aspect of the question, he would state that, when a new Government came into power, the Northern Railway changed its politics, because Mr. Morrison had given evidence that he was removed from the Board on account of his politics, and that a gentleman was placed there who was in political sympathy with the Government. The hon. member for North Simcoe (Mr. Cook) appeared to have a great grievance because \$2,500 was subscribed by the Northern Railway Company to the testimonial to Sir John A. Macdonald, because of the Northern Railway Company's influence in his county, and because \$1,000 had been subscribed by the company towards Sir Francis Hincks' election fund; and, at the same time, the hon. member for South Simcoe had loudly boasted that he had never spent money in such a direction. But the House knew that that hon. gentleman had spent money in such objects, that he made a "big push" and "came down handsomely" to the tune of \$30,000 for election purposes.

Motion agreed to.

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

### After Recess.

## AUDITING OF PUBLIC ACCOUNTS ACT AMENDMENT BILL.

[BILL No. 118.]

(Mr. Cartwright).

THIRD READING.

Order for third reading read.

Mr. MITCHELL said he had offered some objections to this Bill in Com-

mittee, but he had withdrawn his opposition in deference to the explanations which the hon. the Minister of Finance had made. He would say, however, that he saw no good reason for the change proposed.

Mr. HOLTON said he had very considerable doubts as to the expediency of the proposed change. He took it for granted that his hon. friend (Mr. Cartwright) was satisfied that he could get the supplies needed in time under this Bill. One great advantage resulting from this measure, however, would be the repeal of a Bill which he never regarded favourably, and that was the Act authorizing the over-lapping of appropriations. He apprehended that some inconvenience and confusion would result during the transition from the present system to that proposed.

Mr. MASSON said in this, as in many other things, he would follow the lead of his hon. friend for Chateauguay (Mr. Holton). He thought some inconveniences would result from the new system. If the fiscal year ended 31st March, Parliament might sit beyond that time, and the Government would have to bring in Estimates in advance or pay money that was not provided for. Sometimes a weaker Government might be in power, and great embarrassments would be caused them.

Mr. YOUNG said Parliament, in a matter of this kind, must defer very much to the opinion of the Minister of Finance, who had the practical management of the Finance Department, and who, from his experience, must know the proper period at which it was advisable the year should end. He must say, however, that he did not look upon the change with great favour. If the hon. the Finance Minister had not absolutely made up his mind that this measure was necessary in the interest of the public, and he could see his way to defer the final passage of the measure until next Session, he believed that many hon. members would be glad to have that time to consider whether they would like the Bill to become law or not. One great objection to the measure was, that it would put the Public Accounts still further back, and

the attention of Parliament would be directed to accounts in regard to which all interest had ceased.

Mr. CARTWRIGHT said there was considerable force in what the hon. member for Chateauguay and other hon. gentlemen had urged. He had consulted officers of his Department as to the practical working of this change, and believed that it would work satisfactorily. One result would be the earlier meeting of Parliament, which he believed would meet the wishes of many hon. gentlemen. With regard to the objections of his hon. friend for Northumberland (Mr. Mitchell), he might state that much fuller information was provided for by the Bill than had ever been laid before Parliament before. One of his chief reasons for proposing the measure was to get rid of the inaccuracies in the Public Accounts, which he thought it would tend to diminish. He would carefully note the remarks that had been made, and would feel doubly bound to take all possible precautions, so that none of the evils apprehended might occur.

Mr. LANGEVIN said, if Parliament met earlier, it would not be before the 15th or 20th of January, and he was afraid that the Session would frequently extend beyond the 1st April. The result would be that the hon. the Finance Minister would be pressing the House to pass the supplies, and the system might lead to difficulties. He thought Parliament should have the Supply Bill in hand as long as it sat, and he did not think it advisable to make this change in view of the inconveniences which might result therefrom.

Mr. CARTWRIGHT said the House would have from 75 to 80 days in which to transact the public business, but he did not think any serious objection would be raised if such an emergency as the hon gentleman suggested should occur.

Mr. TUPPER said certainly a great many hon. gentlemen sitting on that side of the House were determined to avoid anything approaching to a factious opposition to the Government of the day. They were prepared, perhaps,

to accept without very close criticism many measures presented to the House. He had the day previous at once said that, if the objection taken by the hon. member for Chateauguay (Mr. Holton) was not distinctly met by the Minister of Finance, he would regard it as fatal to the Bill. He confessed that, having since turned it over in his mind, the more he examined it the greater did the difficulty seem. If, as the Minister of Finance had frankly admitted, the effect of the Bill would be to oblige them actually to provide Estimates for another year ahead, then its object would be entirely defeated and matters had better remain in their present position. He would even now suggest to the Minister of Finance whether under the circumstances it was not advisable to allow things to remain as they were at present until next Session.

Mr. HOLTON: There would then be this very great advantage—that it could be carefully considered before the Public Accounts Committee. It is a non-party matter.

Mr. TUPPER said he was sure he spoke for almost every gentleman on that side of the House in saying that there was no disposition to deal with the Bill save with the view of promoting the public service. This question could be more closely investigated in the Public Accounts Committee than in Committee of the Whole.

Mr. CARTWRIGHT said he thought there would be no difficulty as to provision being made in the Estimates for another year.

Sir JOHN A. MACDONALD said he thought that there was a great deal in the suggestion of the hon. member for Chateauguay. The matter could be fully considered before the Committee on Public Accounts next year, and it could very properly be left over until next Session.

Mr. CARTWRIGHT said that they would have a great deal to do next year, which would require a good deal of attention. He thought it desirable that the Bill should be passed and sent up to the Senate.

*Bill read the third time and passed.*

Mr. TUPPER.

INDIAN ACT AMENDMENT BILL.  
[BILL No. 120.]

(Mr. Mills.)

CONSIDERED IN COMMITTEE.

House resolved itself into Committee on Bill (No. 120) To amend the Indian Act of 1876.

(In the Committee.)

Mr. LANGEVIN objected to the execution of the law in the form of distraint for a fine, or imprisonment in lieu thereof, being left in the hands of the Superintendent-General, or any person appointed by him. The Superintendent was not a judicial officer, but was the complainant, and he should not have the power of issuing a warrant for the collection of a fine imposed upon trespassers by a Magistrate or Justice of the Peace. The law as it stood contained a similar provision, but that was no reason for increasing the powers of the Superintendent or his subordinates. The warrant should be issued by the judicial officer, as in other cases.

Mr. MILLS said it would have been more satisfactory if the hon. gentleman had looked at the general provisions in the Indian Act before taking the exceptions. Those portions of the Bill to which objection had been made were all in the existing law. The observations of the hon. gentleman might have some force, but in order to meet the suggestions it would be necessary to re-cast the whole Bill. As Indians were unable to take any steps for their own protection, it was necessary that large powers should be given to the Superintendent and his officers. At the same time, it was right to see that these powers were not abused.

Mr. PATERSON said no doubt the remarks of the hon. member for Charlevoix (Mr. Langevin) had much force, and the power referred to was too arbitrary; but, as it existed in the present law, it would not be practicable at this stage of the Session to re-cast the Bill.

Mr. LANGEVIN said he could not see what objection there was to the adoption of his suggestion.

Mr. MILLS said if he intended to recast the whole Bill he would be prepared to consider the objection; there would be no propriety in altering this power as to one section and not in the others. It was very extraordinary that the hon. gentleman had not discovered these serious defects in the Bill while the late Administration were in office.

Bill ordered to be reported.  
House resumed.  
Bill reported.

WEIGHTS AND MEASURES ACTS  
AMENDMENT BILL.

[BILL No. 119.]  
(Mr. Laflamme.)

THIRD READING.

House resolved itself into Committee on Bill (No. 119) To amend the Acts respecting Weights and Measures.

(In the Committee.)

Mr. GIBBS (South Ontario) asked if the hon. the Minister of Inland Revenue had considered the suggestions made in regard to the proposal of the Bill to permit the use of two sets of weights and measures.

Mr. LAFLAMME said he did not propose to make any alteration or amendment in that respect.

Mr. FLESHER said it would be a serious objection to the measure if the inspector did not go round to the places where scales were.

Mr. LAFLAMME said it was the duty of the inspector to go where the scales were fixed. Parties who had portable scales would not be obliged to travel more than five miles to have them inspected.

Mr. BLANCHET asked what reduction in the fees would be made.

Mr. LAFLAMME: About 30 per cent.

Bill ordered to be reported.  
House resumed.  
Bill reported.

Mr. LAFLAMME moved:

"That the Bill be now read the third time."

Mr. JONES (Halifax) moved in amendment:

"That the Bill be re-committed to a Committee of the Whole, with an instruction to the Committee that they have the power to amend the same, by providing that the wine gallon of 351 cubic inches, and the Winchester bushel of 2150  $\frac{3}{4}$  cubic inches, shall be the only standards of weights and measures, with respect to those articles to which they apply."

He said it was manifestly more convenient for us to have the same standards as the people alongside of us. He thought it unwise to have two standards in existence at the same time, and that return to the Winchester bushel and wine gallon would be in the interests of the country. He hoped the amendment would receive the sanction of the House.

Mr. THOMPSON (Cariboo) said the Imperial measure might be a great inconvenience in Nova Scotia, but in British Columbia they had used nothing but that standard, and the change would be a great inconvenience to the people of that Province. He thought the Imperial measure should be adopted throughout the whole of the British domains, with the alternative of allowing the wine measure to be used by special agreement between the parties.

Mr. WOOD said, a change having been made to the Imperial measure, which to some extent had been made in Ontario, it would be unfair to put parties to the expense of purchasing new measures. He agreed with the hon. the Minister of Inland Revenue in allowing both measures to be used.

Mr. YOUNG said one of the difficulties in the way of adopting this amendment was that the Imperial gallon had gone extensively into use in a large portion of the Dominion. The provision allowing either that standard or the old one to be used until 1881 would prevent any injurious consequences where the people preferred the Winchester bushel and the wine gallon. One reason urged for a return to the old system was that we dealt extensively with the United States, and it was therefore necessary to have similar measures to those in use in that country. Now he believed that, in regard to the class of articles in which the

wine gallon was used, our transactions with Great Britain were greater than with the United States. Looking at the whole of the circumstances, he thought that the amendment should not receive the sanction of the House.

Amendment *negatived* on a Division.  
Bill read the *third time* and *passed*.

SUPPLY.

House *resolved* itself into Committee of Supply.

(In the Committee.)

XXXII. MINOR REVENUES.

195. Estimate of amount for which a vote is required... \$10,000

CHARGES OF MANAGEMENT.

196	{ Additional amount required for Seigniorial Tenure Commission.. To pay for professional services in connection with Seigniorial Tenure	\$1,000 00
		2,100 00
		\$3,100 00

Mr. CARTWRIGHT said a small number of claims yet existed, and counsel were employed in Montreal by the Department of Justice to investigate the titles of such persons as were paid off.

Vote *agreed to*.

CIVIL GOVERNMENT.

DEPARTMENT OF JUSTICE.

197. For arrears of salary of Deputy Head, from the 1st Sept., 1876, to 30th June, 1877..... \$333 33

DEPARTMENT OF JUSTICE (PENITENTIARIES BRANCH).

198. In-pectors, Manitoba and British Columbia ... \$175 00

OFFICE OF THE QUEEN'S PRIVY COUNCIL.

199. Increase to salary of Private Secretary..... \$200 00

Mr. YOUNG.

ADMINISTRATION OF JUSTICE.

200. Increase of salary of Messenger, Supreme Court of Canada and Exchequer Court, from 19th January to 30th June, 1877, at \$30 per annum ..... \$13 50

PENITENTIARIES.

201. Kingston, maintenance \$6,762 63

Mr. CARTWRIGHT said he regretted to state that the number of convicts had, of late, considerably increased in the several penitentiaries. Taking the whole Dominion over, the number was 1,324, against the supposed number of 1,000.

Vote *agreed to*.

202	{ St. Vincent de Paul:— Adjustment of salaries, and pay of additional officers.... Maintenance ..... Tramway in Quarries.....	\$1,807 29
		9,487 17
		7,365 00
		\$18,659 46

203 St. John, N. B.—  
Maintenance..... \$2,150 00

204	{ Manitoba:— Fencing, farming and garden implements..... Expenses of removal to new Penitentiary..... Rent of old Prison, from 1st May, 1876, to 1st February, 1877..... Maintenance.....	\$350 00
		1,000 00
		750 00
		2,000 00
		\$4,100 00

LEGISLATION.

205 For salaries of Officers (additional) and contingencies of Library \$3,835 00

ARTS, AGRICULTURE AND STATISTICS.

206 To meet increased expenditure in connection with issue of Patent Record..... \$1,500 00

Mr. **LANGEVIN** said he supposed that provision would be made for this office in the new building.

Mr. **MACKENZIE** said they had not as yet distributed the Departments in the new building, though the precise distribution would be determined upon very shortly. It was likely that the Post Office Department would be moved into it, a large number of clerks being here employed, and spacious rooms being required for their accommodation, in order that they might be more easily supervised. The hon. gentleman would remember that, in the original buildings, most of the rooms were too small, and only two or three, or at most four or five, clerks could be placed in a room. The rooms were made pretty large in the new block, so that the entire Department could be confined to a single large room. The archives of the Public Works Department would be placed up stairs in the second flat. A large room on the lower flat would be occupied by the Post Office Department. Considerable changes had been made in the Patent Office, which had been fitted up with a number of cases, bought for the Exhibition at Philadelphia, and it was tolerably convenient, even in its present situation, though it might be more so in the upper storey and attics in the new blocks. These rooms were quite as good as any in the second storey of the old block.

Mr. **McDOUGALL** (Renfrew) said he had visited the Patent Office during the present Session, and had found the ventilation extremely bad. He had also understood from an official that this was continually the case. It would be only right, he thought, to make an improvement in this respect.

Mr. **MACKENZIE** said he would call the attention of Dr. Taché to the complaint at an early day.

*Vote agreed to.*

207. Expenses in connection  
with Exhibition at Sydney,  
N. S. W ..... \$25,000

Mr. **TUPPER** said he hoped that a statement would be made regarding this expenditure.

Mr. **MACKENZIE** said that two vessels had been chartered to convey goods at a certain rate of freight, £2 per ton he believed, to New South Wales. He was under the impression that the expenditure before these vessels left amounted to \$3,000 or \$10,000. They had further to fit up a building at the Exhibition and pay the expenses of the Commissioner, besides furnishing such assistance as might be required. It was somewhat difficult to make an exact estimate in this regard, but they did not expect it to reach \$20,000. Nevertheless, they asked for \$25,000 to be perfectly sure of a sufficiency. A general desire had been shown when the Australian Commissioners had visited Canada in favour of this country being represented at this Exhibition, in order to find whether Canadian could compete with American manufacturers in that particular market. It was tolerably evident that the manufacture of a great many articles of competition could be carried on with advantage in this country. At all events, it was considered from an intercolonial point of view worth while to spend a small amount in cultivating amicable relations between the great Southern Colonies and ourselves. This feeling was so apparent that the Government had ventured to make this appropriation in anticipation that Parliament would sanction the course they had taken by voting this sum of money. A considerable portion of the amount appropriated for the Philadelphia Exhibition was unexpended. He was not quite certain of the precise amount because various claims for damages of one kind or another had been brought before the Commissioners from time to time, and they were not all yet adjusted. By the last statement it was expected that \$15,000 or \$20,000 of the vote would be unused, so that the combined vote for the Philadelphia Exhibition and the Sydney Exhibition would not be much more than the anticipated cost of the former exhibition.

Mr. **BABY** enquired whether it was the intention of the Government to ask a vote for the Paris Exhibition.

Mr. **MACKENZIE** replied that it was. The Government had not had

time to mature a plan. They had been notified some few weeks ago as to taking part in the Paris Exhibition, and they had decided that they would do so. The particular mode of doing so, and the style of goods to be sent had not yet been decided upon. They proposed to ask a vote of \$30,000, believing that that would be a sufficient sum to meet all expenses until Parliament met again.

Mr. TUPPER: What is the total amount expended for the Philadelphia Exhibition, so far as ascertained?

Mr. MACKENZIE said it was about \$80,000. The Canadian exhibition at the last Paris Exhibition cost somewhere about \$50,000, but he thought a much better exhibition could be made for a less sum this time. The Government proposed to have some models of the principal hydraulic works sent to Paris, as it was found that we compared very favourably with the best French designs. It was also proposed to furnish the French Public Works Department with designs and plans of our principal public works, reciprocating a like courtesy paid Canada by the French Government. They would first be placed in the Canadian department at the Exhibition, and when the Exhibition closed they would be left with the French Government.

Vote agreed to.

MILITIA.

NORTH-WEST MOUNTED POLICE.

208 {	Expenses connected with the concentration of the Mounted Police Force in the vicinity of the boundary line, rendered necessary by the disturbed condition of Indians in United States Territory.....	\$27,500
	To pay for four 7-pounder guns, carbines and ammunition, and for the transport thereof.....	6,250
		\$33,750

Mr. MACKENZIE.

Mr. CARTWRIGHT said this vote was rendered necessary chiefly by the concentration of the Mounted Police at one or two places close to the border, for reasons that were well known to the House, instead of being scattered in five or six places over a considerable area of the country as before. The Department advised him some time ago that this would involve considerable additional expense. Large numbers of the men had to be marched 600 or 700 miles, and stores had to be bought in place of those that could not be transported. As the American Government had taken possession of all the boats on that part of the Missouri and Mississippi rivers for military purposes, the cost of transportation had been considerably increased. A large expense had also been incurred in sending some of the force with the Lieut.-Governor to make treaties with the Indians.

Mr. LANGEVIN said the expense of the force was very large, and enquired the number of the force.

Mr. CARTWRIGHT said there were 320 men.

Mr. LANGEVIN expressed the hope that next year the officer in command would make a full report both as to the current year and that which had passed.

Mr. MITCHELL said we were playing soldiers. He did not see any necessity for this expensive force in the North-West, as there was nothing to fear from Fenian invasions or Indian troubles.

Mr. CARTWRIGHT said the Mounted Police were the sole representatives of law and order in that great territory. They were not playing soldiers. It should be remembered that, a short time ago, one of the finest American regiments had been totally destroyed, not more than a couple of hundred miles from our frontier, by Indians. A considerable number of those Indians had since crossed our lines, but had as yet behaved themselves peaceably. It was, however, necessary to be on the look-out.

Mr. MITCHELL said that was no argument in favour of the mainten-

ance of an expensive force. The Indians were hostile to the American Government on account of broken faith, but they were at peace with the British Government.

Mr. BROUSE said a large number of the Sioux Indians had, in moving before the American troops, penetrated into the domain of Her Majesty and we had to send troops out to Fort Walsh, in the Cypress Mountains, to see that order was maintained. There could be no better appropriation than in securing law and order in that section of the country. The force had driven away a large number of Americans who were engaged in our territory in selling intoxicating liquors to the Indians. This result, if nothing else had been done, warranted the expenditure. He could not see how anybody could object to the item.

Mr. MITCHELL said he agreed that it was desirable to maintain friendly relations with a warlike tribe like the Sioux. The history of the North-West for the last half century showed that friendly relations had been maintained with the Indians, both by Her Majesty's Government, through the Hudson Bay Company, and the Canadian Government. The amount now appropriated for the Mounted Police Force was far in excess of the requirements, but it was not necessary to expend \$340,000 in order to drive some American marauders and whiskey dealers out of the country. Canada was now maintaining a military force beyond its resources.

Mr. POPE (Compton) said that while he was prepared to admit that the Mounted Police Force had very efficiently discharged their duty, yet he held the opinion that it could be done for less money than was expended, and by a reduced force. The cost of maintenance should not reach \$1,000 per man.

Mr. CARTWRIGHT said that, if the people of Canada chose to take upon themselves the work of maintaining law and order over a territory 1,000 miles long by 300 or 400 wide, it would undoubtedly prove an expensive business. That was a matter, however, to be considered before we put

an end to the rule of the Hudson Bay Company, and before we became ourselves the guardians of the Territory of the North-West. No comparison could be taken between the state of affairs now, when certain portions were settled, when railroad surveys required to be made through it, when the Government had attempted to extinguish the Indian title, and the state of things which prevailed during the Hudson Bay Company's administration. Americans of doubtful character frequently came over and endeavoured to take up Indian lands, and it was necessary to keep both the whites and Indians in check. Moreover, the Half-breeds of Manitoba were pushing more and more into Indian territory, and it was necessary to have a force in the country to keep the peace. The expense of providing rations for the Mounted Police Force was very large.

*Vote agreed to.*

## PUBLIC WORKS AND BUILDINGS.

### CHARGEABLE TO CAPITAL.

#### *Railways.*

209. Intercolonial Railway,  
completion..... \$200,000

Mr. MACKENZIE said that some other sums were required in connection with the railway. It was proposed to take \$370,000 for the purpose of purchasing 700 cars, with which the railway would be able to do additional business, and be able to dispense with the use of the Grand Trunk cars. There was an expense of \$8,000 for removing the clay near the crossing of the river; increased siding accommodation, \$50,000; snow shedding \$100,000; extra ballasting to make up the banks, which had settled during the winter, \$45,000, &c. Those varied items consumed all the appropriation of \$500,000 voted last year, and they were obliged to ask this additional amount in order to secure the completion of the line.

Mr. MITCHELL said there had been many complaints, and particularly from the constituency represented by Mr. Speaker, that a great deal of work had been given out without asking for

tenders. He would like to know what system the Government had followed in this regard. He had just received, from gentlemen owning a grist and saw mill in his own constituency, a short distance from Newcastle, a complaint that a great portion of the stream which drove their mill had been appropriated by the Intercolonial Railway. This was a fair case for compensation, and he would ask the attention of the hon. the Minister of Public Works to the matter.

Mr. JONES (Halifax) said the road had also encroached on the shipyard of a man named McPherson at Halifax, and had destroyed the value of his property for the purposes for which it had been used. This was a case that should be looked into.

Mr. MACKENZIE said Mr. Schreiber's instructions were to let everything that could be let by contract. A great many complaints had come to the Department about this matter; some were not well founded, and in others there was more or less reason for complaint, but very little compared to the character of the complaint. Of course, in such a remote quarter, it was impossible to have personal supervision over the work; but he had full confidence in Mr. Schreiber's ability and integrity, and he believed that, wherever it could be, the rule was carried out. With regard to the shipyard at Halifax, he might explain that Mr. McPherson owned a piece of land bordering on the bay, and the railway passed on one side of it. As much land as was required for the railway was bought, but Mr. McPherson complained that he was subject to danger from fire, owing to the proximity of the road to his shipyard. It was a very peculiar case, and the Department had it under consideration. With regard to the matter mentioned by the hon. member for Northumberland (Mr. Mitchell), he heard it for the first time to-night, and would look into the circumstances.

Mr. SPEAKER said some remarks had been made in regard to the constituency which he represented, and he would briefly explain how matters stood, as far as he knew of them. There had been several complaints about work not being let by tender, and he had

Mr. MITCHELL.

reported the facts to the hon. the Minister of Public Works. On some occasions, where it was said there were invitations for tenders, he found that hand-bills had been distributed, advertising that the work was to be let. He had communicated with Mr. Brydges, who, on one occasion, showed him tenders—as his constituents thought that the work was unfairly disposed of—and that the person who obtained it had sent in the lowest tender. It had been alleged all over the country that a great deal of the work was not let by tender, and, perhaps, a number were too unimportant to render this necessary. Structures, such as station-houses, were built, as far as he could learn, without tender; but he did not pretend to say that the country had, in consequence, suffered loss. The general feeling was that the work should be left open to competition in all cases. The circumstances had been such as to create the suspicion that undue favouritism had been shown, and he had taken good care to call the attention of the Minister of Public Works to all these complaints, and long and full correspondence had passed on the whole subject—so much so that the Government must have considered him an unpleasant supporter, if he might use the term. He had felt it to be his duty to present the case as strongly as possible to the Minister of Public Works and the Superintendent of the Railway.

Mr. MITCHELL said he was aware of the steps taken by Mr. Speaker in this regard. The construction of snowsheds involved the expenditure of thousands and thousands of dollars; and the system pursued had been a crying scandal throughout the country. Opportunity for public competition should be given in this regard.

Mr. SPEAKER said Mr. Brydges had shown him a very large number of tenders received for some of the snowsheds, and how the contracts were awarded. For all he knew, this was also the case in other instances.

Mr. MITCHELL: Were the hon. gentleman's constituents satisfied?

Mr. SPEAKER: No, they were not.

Mr. MITCHELL said public competition should be invited, and no room should be left for favouritism. It was not sufficient to ask for three or four or half a dozen tenders.

Mr. MACKENZIE said he was quite sure that the work had generally been done very cheaply. He had examined into the complaints, and he found that Messrs. Brydges and Schreiber had done the work faithfully. In some instances, tenders which were too high had been received, and Mr. Mann had done the work cheaper than the price named in the lowest tender. Such transactions had taken place. He did not think that the public had suffered any loss. At the same time, there could be no doubt of the soundness of the general principle that wherever it was possible these works should be let by tender; such were the general instructions sent down. Mr. Schreiber would be able to give particular explanations on particular points.

Mr. PLUMB said that the time had come when this road should be put on a commercial basis. It was no longer a tentative experiment. He wished to know whether the amount put down for old material, \$79,688.67, included \$44,500 odd, value of old rails on hand; and, as \$200,000 was to be voted in these Estimates, chargeable to capital, whether these sums were to be added to it as part of the expenditure for the current year on capital account; also, whether any part of this \$200,000 was to pay for the steel rails, purchased for the Pacific Railway, and laid on this road. He was glad to see that it was necessary to add to the number of engines and cars employed on the line, the business of which was, so far, very satisfactory, despite the great depression in trade. The capital account should now be closed, if possible, in order that they might understand exactly where they were in the future. Large sums had been lost in the United States owing to the false system according to which the accounts were kept regarding railway traffic and expenditure. Working expenses and repairs of a temporary nature had been charged to capital account, and no one consequently knew what the actual value of the properties were. In New

Jersey recently with respect to a railway that had paid a dividend of from 10 to 15 per cent., it was found that from 10 to 12 millions had been charged to capital account. The debt of the railway had consequently been increasing constantly, and, owing to the corrupt management revealed, the stock, which had sold at 120 or 150, fell to 8 or 9.

Mr. MACKENZIE said that this expenditure was wholly made on capital account. The renewals on the road were paid out of its revenue and charged to income. Where roads were once completed, it was assumed that the capital account was closed. A portion of the cost attending change of gauge had been charged to income, and a portion to capital. The relaying of the steel rails was charged to income, and taken out of the annual vote. Last year the vote for railways was \$1,600,000; and what were usually termed working expenses were somewhere under \$900,000, no portion of which was charged to capital account. The old rails sold were treated as so much cash received on the ordinary yearly expenses of the road.

Mr. DOMVILLE said the old rails were credited as cash, but no cash was shown to be received; at least, this was his interpretation of the accounts. He had complained again and again of the management of this line; and, if they knew what was going on in this regard, he thought that many hon. members, perhaps on both sides of the House, would not be sure of sitting in the House next year. Seats were already challenged—they might be declared vacant—and their present occupants might not return. He had complained year after year that the reports brought down regarding the Intercolonial Railway were vague, meagre and unsatisfactory. They could not tell what was going on; and the people were entitled to this information. Large sums were voted, and the manner in which they were expended was not disclosed. No person should be allowed to give out contracts whenever he pleased, and control the expenditure of large sums. This bestowed patronage which might be allotted as such a person saw fit. They could not

get at the facts and details under the present system; all the items should be furnished the House. He knew of old material which had been sold and delivered on the Friday previous to the Monday on which the tenders sent in for them were opened. This was not a right state of things. They required honest and reliable men to run railways. It was improper for any person in the employ of the Government to make blind bargains regarding the purchase of material, as was at present the case. He had seen old and rusty iron bolts placed in new cars on the Intercolonial Railway. He asserted this to be a fact. He thought, before any such sum of money as that proposed was voted away, the hon. the Premier should give some assurance that the Intercolonial Railway would be better managed in the future than in the past. He maintained that, as the House was voting an amount for the completion of the railroad, it was strictly in order that all the expenditure should come up for discussion.

Mr. MACKENZIE said the hon. gentleman must confine himself to the item under discussion. Merely because the hon. gentleman held a seat in Parliament, he ought not to take advantage of it to asperse people's characters in the way he had done. There was a Company called the Cold Brook Rolling Mill Company which had made sales to the Government of \$113,788.22, and the railway had purchased to the amount of \$42,256. When he (Mr. Mackenzie) came into office, he found the hon. gentleman himself a contractor with the Government.

Mr. DOMVILLE: You never did.

Mr. MACKENZIE: Well, it was the firm of James Domville & Company.

Mr. DOMVILLE: You never did.

Mr. MACKENZIE: For nails and spikes. I mention this to show that, if any person has the right to complain, it is not the hon. gentleman. I maintain that the Intercolonial Road has been well and economically managed. The best proof is that the Government are paying about one-third the price for iron that was paid by the late

Mr. DOMVILLE.

Government to the hon. gentleman himself; less than half the price for rails; and exactly one-third for springs. Every department is managed with the utmost possible economy. I examined all the tenders myself.

Mr. DOMVILLE said he did not asperse anybody's character. As regarded the alleged contract, he most distinctly denied that the firm of James Domville had any contract, and the hon. the Premier knew this. He knew he was stating what was incorrect. In regard to the spikes, whoever the firm were that supplied them, they were supplied at \$90 a ton, while English firms had tendered at \$135 and \$140 a ton. It was unfair to say that rails then ought to be as cheap as now, when iron was now so very cheap. As to the completion of the Intercolonial, he hoped that the hon. the Premier would see that there were no unfair rates over different portions of the line. The Lower Provinces were not satisfied with the line. Discriminations in favour of friends of the Government had been made, which was not right. He believed there was a good deal of extravagance, and the hon. the Premier should give a guarantee that the money now being voted would be spent judiciously. It was possible that a large portion of the appropriation would go towards putting up residences. If so, he was entirely opposed to it.

Mr. LANGEVIN asked for explanations in regard to the freight cars.

Mr. MACKENZIE stated that 200 freight cars, costing \$529 each, were being made at Cobourg, and 100, costing \$530 each, at London. The rest would be made at the Government works.

Mr. DOMVILLE: Platform or box cars?

Mr. MACKENZIE: Box cars.

Mr. DOMVILLE: Are they delivered on the Government road?

Mr. MACKENZIE: Yes.

Mr. DOMVILLE said he thought the price was rather high.

Vote agreed to.

210. Construction of 700 freight cars.....\$370,000

Mr. DOMVILLE said he understood that there were a large number of the cars now on the road, standing on the sidings, there being no use for them; he should like to know where the new cars would be delivered.

Mr. MACKENZIE said they would be delivered at Rivière du Loup or Moncton.

*Vote agreed to.*

213. Lachine Canal ..... \$250,000  
214. Welland Canal ..... 200,000

Mr. MACKENZIE said the additional amount required for canals was due, as he had already explained, to the fact that the work was proceeded with more rapidly than was originally expected.

*Vote agreed to.*

215. Culbute Canal..... \$25,000

Mr. WRIGHT (Pontiac) said he hoped a portion of the vote would be devoted to constructing a drawbridge from Calumet Island to the mainland. A bridge was built at that point in 1867, at a cost of \$1,500, a large portion of which sum was paid by the Quebec Government. The island had a population of from 700 to 800, and, as the parish church was on the island, inhabitants of two or three surrounding municipalities were prevented from attending Divine service. He believed the Dominion Government had no right to remove the bridge as they had done, the plea for which was that it crossed a navigable stream, but it was the Dominion Government that had made it navigable.

Mr. MACKENZIE said it was not the duty of the Dominion Government to bridge the Ottawa; that was a local work. If the bridge had been built over a navigable stream without the authority of the Dominion Government having first been obtained, the municipal or other authorities who had constructed it must take the consequences. He would then see what claims, if any, they had upon the Dominion. His impression was that there was no claim.

*Vote agreed to.*

216. St. Peter's Canal. .... \$15,000

In reply to Mr. TUPPER,

Mr. MACKENZIE said that, on consultation with the Engineer, he had decided to recommend to Council to deepen the canal to 17 feet or 18 feet.

*Vote agreed to.*

217. Grenville Canal.....\$30,000

*Buildings.*

218. Ottawa Buildings, Library \$25,000  
219. Buildings at Forts McLeod, Walsh, Calgary, Saskatchewan, Tail Creek, Qu'Appelle and Shoal Lake.....\$15,000

CHARGEABLE TO INCOME.

*Improvement of Rivers.*

220. Removal of Beaver Rock, Victoria, B.C.....\$ 9,800

*Harbors and Breakwaters.*

221. South Ingonish, Cape Breton, N.S.....\$ 1,600

Mr. CAMPBELL said he would like to know the object of this vote.

Mr. MACKENZIE: It is for balance of contracts.

Mr. CAMPBELL said this work was one of the most corrupt jobs ever entered into in this Dominion; the Pacific Scandal and steel rail transaction dwindled into insignificance in comparison with it. The trouble about such matters was that two-thirds of the House were pledged to back up the hon. the Premier, without reservation. There was an hon. gentleman on the other side who promised him, if he could make out a case against the Ministry in regard to this matter, he would withdraw his support from them. He (Mr. Campbell) would endeavour to do so, and he hoped the hon. gentleman would keep his pledge. The contract for this work was given to Mr. Wm. Ross, who was at the time a member of the House. There were so many strange features about the whole arrangement that he was constrained to ask whether it was simply for political purposes, or whether a combination like the Tammany Ring had been formed. He would be able to show the House that money had been paid for work which was never done. He

looked at it in this light: that the Government were in office merely to carry out the wishes of Parliament and not to set Parliament at defiance, acting tyrannically. He protested against such conduct, and he wished these papers to be printed. If the statement made by the hon. the Minister of Public Works, in February, was true, why did the hon. gentleman ask for more money for this work? The sum of \$50,000 had been spent, and \$1,600 was demanded. In March, 1875, it was stated that the contract would be finished in the following August. He had applied for the papers within the last two months, and he had not obtained the information he required. He desired to have the items, for certainly this \$84,000 had not been paid in a lump sum. He had asked for the certificates of the Engineer, advising the payments, but none had been submitted; and he believed that none existed. Though \$84,000 had been expended, the contract was not half finished. The pier was to have been 700 feet in length, with a depth of 15 feet at low water, but only 565 feet had been built, and only 12 feet of water had been provided. Two years' extra salary, \$1,900 had been paid Mr. McLeod, and extras, besides the contract price, had been advanced to the contractor. It was well known that it was easier to build two feet of a wharf near shore than one foot in deep water, and that a foot dredged in a depth of fifteen feet of water would cost more than the dredging of one foot near the surface of the water. The Engineer did not certify the payments, but the reverse. There was nothing to show that over sixty feet had been dredged. The engineer was very cautious, and had sent in this communication since this subject was broached in the House. The engineer could not so stultify himself as to certify to the payments. This contract had not been finished in two years, as had been agreed upon, but it had consumed four years. If it was not completed by the 31st December, 1874, any extra cost for superintendence was to have been paid by the contractor; but this had not been done, and \$1,900 or \$2,000 had been paid the Inspector during the last two years. The

MR. CAMPBELL.

contractor had not paid a penny of this sum. The interest besides on the money expended was to be considered. They had proof positive that this Mr. Ross had been opposed to the Government in 1874, in the correspondence which had taken place with the Minister of Militia, and political reasons must have induced the Premier to trifle away the people's money in this manner, for he did not believe that this was due to incompetency on the part of the First Minister. He was personally interested in every dollar voted, as he paid his share of it; and his constituents occupied a like position. The engineer merely stated that only 60 feet in place of 200 feet had been dredged; and the work had not been taken out of the hands of the contractor. Extras to the amount of \$50,000 had been charged, and of this \$3,700 had been already paid. The Government should explain why they had treated Mr. Ross differently since he wrote to the Government. Why had sums of money been handed over to this contractor? It was evident that Mr. Ross had come up in the nick of time to look after the matter, and tell the Government that, if they were not prepared to he carry out their bargain with him, held the whip-hand of them and would expose them, as he (Mr. Campbell) had been looking into the question, and then was the time to secure as much as was possible. Mr. Ross had the Government on the hip. In March last the contract was not half finished, and two-thirds of the wood work had not been done. He denied that the hon. the Minister of Public Works had a right to pay out large sums of money without the consent of Parliament. If he could do so, there was no use in having Parliament; and the hon. the Premier would become a dictator if he followed out that policy. He (Mr. Campbell) did not know of the circumstances of the case until his attention was directed to them on the occasion of the visit of the hon. the Minister of Militia during the election. He was grieved that such a putrid transaction should take place.

MR. TUPPER said it could hardly be expected that the House could pass this item, after the statement made by the hon. member for Victoria (Mr.

Campbell), unless the hon. the Premier gave some explanation. That hon. gentleman seemed disposed to treat the matter as one of amusement, but he (Mr. Tupper) did not so regard it. He wanted to know what this vote was for.

Mr. MACKENZIE: I have already stated.

Mr. TUPPER said a contract was made with one or two parties by the Government to build a breakwater at South Ingonish, Cape Breton. The work was to be 700 feet long and 15 feet deep. That work had been reduced to 565 feet long and 15 feet deep since the contract was made. The original contract price of the work was \$78,428.60. To this \$3,643 had been added, and now it was proposed to increase it by \$1,600. Although the work had been greatly decreased, the cost had been largely increased.

Mr. MACKENZIE: It was not this Government which gave out the contract.

Mr. TUPPER: I know that.

Mr. MACKENZIE said it was given out in May, 1873, and the contract was signed July 23rd, 1873. The contract was given to W. F. Mackenzie for \$78,428, although Thomas Evans tendered at \$74,110. In other words, the contract was given to a party who tendered to the amount of \$4,117 above the last tenderer. The contract was afterwards assigned by Mackenzie to John Ross, and the work was carried on under the superintendence of the Chief Engineer of the Department for the Lower Provinces. The foundation of the pier, to the full length, was laid, but it appeared that it was destroyed to a considerable extent by a storm. The evidence of the Engineer went to show that it was destroyed because it had a square end. The engineer recommended that the pier for the last 150 feet should present an acute angle. This was partially done, when the work was destroyed by a second storm. These were accidents beyond, he presumed, the control of human power. He had not the details of the Engineer with him, and he spoke entirely from memory, not expecting this item would be discussed

to-night. However, the calculations of the Engineer were based upon what he conceived to be the proper interpretation of the contract and of the work performed. The contractors, as could be seen by papers laid before the House, had presented claims amounting to \$13,000. He had no means of knowing what the Engineer would report, as that gentleman had taken the papers in the case with him, but he would report as soon as possible. As to the dredging, his (Mr. Mackenzie's) opinion was that the contractors had no claim upon the Government. In the meantime, the Engineer had sent the Government his certificate for the amount now asked for, and there could be no doubt but they would have to pay it, unless they resisted the claim without any evidence from their own officials on the subject to warrant them in so doing.

Mr. TUPPER said he understood that the work had been completed for some time. The contract placed all hazards, such as storms, upon the contractor. It was a peculiar fact that, while the amount of work was largely decreased, the cost had increased at an inverse ratio. There was another point. The hon. member for Victoria (Mr. Campbell) had referred to the harbour breakwater being carried away and obstructing navigation, and therefore destroying the very object for which it had been erected.

Mr. MACKENZIE said it was utterly impossible for the Government to do anything more than issue general directions to the Engineer, which had been done. He had every confidence in the Engineer, who was an able and upright man.

Mr. TUPPER: Yes, very.

Vote agreed to.

222. Goderich, Lake Huron... \$32,000

Mr. MACKENZIE said this was the final estimate of Mr. Page.

Vote agreed to.

#### PUBLIC BUILDINGS.

223. Furniture for house of  
Lieut.-Governor, N.W.T... \$5,000 00

*Rents, Repairs, &c.*

224. Gas, Public Buildings,  
Ottawa..... 6,000 00

MISCELLANEOUS.

225. Miscellaneous printing.	\$5,750 00
For translating into French, the rules of the Supreme Court .....	84 80
	<hr/>
	\$5,834 80
226. Expenses in connection with the Grasshopper Re- lief Committee, Manitoba	2,500 00
227. To provide for the pur- chase of 350 copies of the Parliamentary Companion	525 00
228. To provide for expendi- ture in connection with the Survey of the Stickine River	3,000 00
229. To meet expenses al- ready incurred, and those which will probably yet have to be incurred before the termination of the cur- rent fiscal year, in the Dis- trict of Keewatin.....	12,000 00

COLLECTION OF REVENUES.

EXCISE.

230. Preventive Service.....	2,500 00
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WEIGHTS AND MEASURES.

231. To pay Deputy Inspect- or's expenses incurred in distributing circulars con- taining information as to the operation of the Weights and Measures Act.....	2,000 00
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INSPECTION OF STAPLES.

232. To pay expenses of Boards of Examiners.....	3,000 00
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DOMINION LANDS.

233. {	To meet expenses for this ser- vice:—	
	Surveying certain In- dian Reserves.....	\$4,000 00
	Survey of Public Roads for Icelanders; also of a number of Townships for the Icelandic Colony...	6,000 00
	Probable expenses of a Commission for the settlement of con- flicting claims.....	1,500 00
	Survey of nine certain roads or leading trails in the Pro- vince, pursuant to the Statute 39 Vic., cap. 20.....	1,000 00
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		\$12,500 00

Mr. MACKENZIE.

SUPPLEMENTARY ESTIMATES.

MESSAGES FROM HIS EXCELLENCY.

Mr. CARTWRIGHT delivered the following Messages from His Excellency the Governor General, which were read by Mr. Speaker, and are as follow:—

“DUFFERIN.

“The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1877, for Fisheries; and in accordance with the provisions of the British North America Act, 1867, he recommends these Estimates to the House of Commons.

“GOVERNMENT HOUSE,  
“OTTAWA, 25th April, 1877.”

“DUFFERIN.

“The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1878; and in accordance with the provisions of the British North America Act, 1867, he recommends these Estimates to the House of Commons.

“GOVERNMENT HOUSE,  
“OTTAWA, 25th April, 1877.”

Mr. CARTWRIGHT moved that said Messages and Supplementary Estimates be referred to the Committee of Supply.

Motion agreed to.

House adjourned at  
Fifteen minutes to  
Two o'clock.

HOUSE OF COMMONS.

Thursday, 26th April, 1877.

The Speaker took the Chair at Three o'clock.

ELECTION CASES.

MOTION TO EXAMINE WITNESSES ON OATH.

Mr. IRVING moved:

“That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into, and report upon the allegation of Mr. Mousseau, a Member of this House, made in his place, on the 25th instant, that public moneys had been paid to the firm of Frothingham and Workman, at a time when Thomas Workman, a Member of this House, was a member of the said firm, in pursuance of a contract or agree-

ment theretofore entered into between the said firm, and certain Public Departments, should be examined on oath."

*Motion agreed to.*

Mr. IRVING moved:

"That it is desirable that any witness to be examined by the Select Standing Committee on Privileges and Elections, to whom it has been referred to enquire into the allegation of Mr. Casey, a Member of this House, made in his place on the 25th instant, that Alphonse Desjardins, a Member of this House had been paid public moneys for advertising, printing and stationery for certain Public Departments while such Member, in pursuance of certain contracts theretofore made by him and the said Public Departments, while he was a Member of this House, should be examined on oath."

*Motion agreed to.*

## BILL FOR THE RELIEF OF ROBERT CAMPBELL.

### MOTION.

Mr. GIBBS (South Ontario) said he desired to bring up the motion of which he had given notice two days previous. It was as follows:—

"That the Standing Orders of this House so far as they affect a Bill brought down from the the Senate intituled An Act for the relief of Robert Campbell be suspended, and that the said Bill be placed on the Orders of the Day for a second reading."

Mr. MACKENZIE said he thought the motion could not be made until they reached it on the notice paper. If it had any priority over the Orders of the Day, then this would equally apply to any other notice. It was extremely irregular, and wholly out of order in his opinion to make the motion then, as there was nothing in it which entitled it to any precedence.

Mr. TUPPER said the motion had been placed on the notice paper on the suggestion of the Chair, so that if the decision on the point at first raised was unfavourable, the hon. member from South Ontario (Mr. Gibbs) might not be precluded from moving it in the ordinary way.

Mr. SPEAKER said that the question raised the other day was as to the necessity of giving notice of motion for the suspension of Standing Orders. He had since satisfied himself that this was actually

necessary. It had been given, and the question now was whether it should be treated as a notice regarding a Bill, or as an ordinary notice of motion. It was requisite as a preliminary to the introduction of a Bill that notice of such intention should be given; but it was not necessary to wait until they reached the notice in the ordinary notices of motion before it could be moved. The only question was: did a motion concerning a Bill already before the House, placed on the Orders of the Day, hold a position analagous to a motion for the introduction of a Bill of which an hon. member had given notice? Of course, there was another element in this case with reference to the suspension of Standing Orders, but his own impression was that the motion should now be allowed to be made, as being equivalent to a motion for the introduction of a Bill. Rule No. 69 ordinarily governed the action of the House respecting the suspension of Standing Orders, but this motion, he took it, was of sufficient scope to suspend the operation of that rule also. It was an extraordinary motion, and should so be dealt with by the House.

Mr. ROBITAILLE said he wished to know whether the Government would allow an opportunity for moving the notices of motion placed on the notice paper.

Mr. MACKENZIE said the motion now moved by the hon. member from South Ontario was an entirely different motion from the one introduced the other day.

Mr. GIBBS said that both motions were substantially the same.

Mr. MACKENZIE said that in the other motion the hon. member had drawn his pen through the part relating to formal suspension of the Standing Orders or Rules, and now this formed a substantive part of the motion. The other was a motion for proceeding with a Bill, in short, but the rules declared that such a motion as this should only be granted in a specific way. It was the most sweeping resolution ever submitted to the House; nothing was allowed to stand in its way. As to the point raised by the hon.

member for Bonaventure, he would say that the Government had not the slightest objection to let the notices of motion pass in conformity with the usual practice. They might be reached that evening.

Mr. GIBBS (South Ontario) said, lest he should move for the suspension of the wrong rule, he had determined to cover the whole of them in his motion. His impression was that the Committee on Standing Orders had done a grave injustice to certain parties who had come before the House for relief, and, lest there might be any obstacle of the kind at which the Premier had hinted, he had made his motion in its present shape. He believed that the Standing Orders Committee came to an improper conclusion, and that the proceedings of the Senate ought to have been taken notice of by the Committee. He was prepared to show that the step he now proposed should be taken was in accordance with the practice in the old Parliament not more than ten or twelve years ago.

Mr. HOLTON said, if the course proposed to be taken by the hon. gentleman was adopted, it would give rise to a very important constitutional question, and it might be clearly doubted whether at this stage of the Session such a discussion should be had. Nothing, therefore, in point of fact, would be gained by overriding the ordinary practice of Parliament. The hon. gentleman proposed a suspension of the Rules in a way that was contrary to the rule and practice of Parliament. The rule was that no suspension should be granted in respect to Private Bills without the concurrent report of the two Standing Committees on such Bills. They had no such report, and indeed, one of those Committees had reported adversely to the Bill on the ground of insufficient notice. His own conviction was that, without the unanimous consent of the House, this measure should not be proceeded with.

Mr. SPEAKER said a question of considerable importance was involved in this motion. If by accident the order for the second reading of the Bill or proceeding with any other stage should disappear from the Order

paper, it being still before the House, it was manifest that this would be the proper time for a motion to replace it on the Order paper.

Mr. HOLTON said a motion to restore a Bill to the Order paper was a kind of notice and should, like any other notice, be dealt with when it was reached on the notice paper.

Mr. BLAIN said if he understood the position assumed by the hon. member for South Ontario (Mr. Gibbs) it was this: Assuming that by some mistake the Bill had gone to the Standing Orders Committee, and they had ruled upon it by mistake, the Bill was sent there to decide a point which ought not to be determined because the rules ought not to apply in a case of this kind. He thought this was a case in which the Standing Orders should be suspended and the Bill put on the paper.

Mr. GIBBS (South Ontario) said he contended that, the Senate last year having made certain progress on this Bill, and having given notice that at this Session they would take it up in the position in which it was left, was a notice to all the world, and the Committee on Standing Orders ought to have accepted it as sufficient notice.

Mr. SPEAKER said he was inclined to think that this was a motion analogous to one relating to the introduction of a Bill.

Mr. GIBBS (South Ontario) said the question had been asked if anything had occurred in the Parliament of Old Canada which would bear on this point. In the Session of 1865, held in the city of Quebec, he found that certain Bills passed during the winter Session were taken up at the fall Session and dealt with without the notice which the Standing Orders Committee seemed to think necessary in this case. When the House met in August, 1865, the motion was made "that the resolutions of last Session relative to Bills then before the House be now read," which was done. It was then resolved that any further proceedings upon every Bill which had been presented during that Session should be suspended on the day Parliament prorogued, in order that the promoters

**Mr. MACKENZIE.**

might proceed with them at the following Session. Accordingly a Bill was introduced by the Hon. Mr. Simpson entitled "Sylvester's Relief Bill," which was read a second time on the 8th day of March, 1865, and was referred to the Committee on Standing Orders and Private Bills. The House met again in August and dealt with and passed that Bill, taking it up at the point at which it was left when the previous Session closed. In some cases, the House asked that the petitions on which the Bills were founded should be read in the popular branch, which was done, and they proceeded to legislate upon them. The proceedings could be found in the Journals of the Legislative Assembly of the old Province of Canada. He found that the Clerk of the Legislative Council brought down to the House of Assembly, after the Bill had passed the Upper House, a Bill intituled "An Act for the relief of Robert Sylvester." The Bill then went through the various stages in the lower branch and became law. In some cases, the Bills were proceeded with without a petition being received at all. The fact that the Legislative Council adjourned the case from one Session to another and took on at the precise point where it was left off, was considered as sufficient notice. He could cite a number of cases all in the same direction. Twenty or thirty different acts were laid over from March, 1865, until the next Session in August or September, and were dealt with in precisely the same way as the one above quoted; just as if notice had been given in the papers.

Mr. HOLTON asked for a statement of what was done on that occasion.

Mr. GIBBS said the proceedings were analogous to those which took place in the Senate upon this very Bill.

Mr. HOLTON: But in 1865 this House, or the House corresponding to this House, resolved that business should be taken up at a certain stage. The hon. gentleman now asks that the legislation of the Senate in respect to this Bill shall bind this House, which never came to any such resolution.

Mr. GIBBS: The popular branch, as far as I know, never came to any such resolution in the first Session of 1865.

Mr. HOLTON: Oh, yes. I am quite sure the House could never have proceeded otherwise. The spring Session of 1865 came to a sudden close. Business was unfinished, and it was determined, either by Statute or resolution of both Houses, that it should be taken up in the ensuing Session at the point it had reached the previous Session. We have done nothing analogous to that in respect to this Bill or any other Bill. It comes before us as an entirely new Bill, to be introduced according to our Standing Orders.

Mr. GIBBS said that the Senate, by resolution last year, had determined that the Bill should be taken up at the precise point it had reached then. This House should recognize the act of the Senate in determining that due notice had been given.

Mr. MACKENZIE said he regretted that the hon. the Minister of Justice was still too ill to attend in his place. The objection which he (Mr. Mackenzie) entertained was the fact that the Bill was intended now to deal with a matter which could be dealt with by the Courts. He had no objection to affording relief to Mrs. Campbell if the proper forms were observed—nothing would give him greater pleasure.

Mr. TUPPER rose to a point of order. He did not think the merits of the case should now be discussed.

Mr. MACKENZIE: It is quite competent for me to speak as to the merits of the case.

Mr. SPEAKER: I think so.

Mr. GIBBS, referring to the proceedings of the Senate, said it would have been much better had the Chairman of the Committee on Standing Orders allowed the petitioner on behalf of Mrs. Campbell to read these proceedings, instead of himself (Mr. Rymal) reading the minority report.

Mr. RYMAL said the Hon. Mr. Macdougall had every opportunity of reading the proceedings. In fact, it was that gentleman's reference to them which led him (Mr. Rymal) to read the minority report.

Mr. MACKENZIE said the usual rule of notice should only be suspended in urgent cases, under which head he

did not think the pre-ent case came. He would accept the suggestion of the hon. member for Cumberland, and not speak on the merits of the Bill.

Mr. CAMERON said it was within the powers of the House to suspend the Standing Orders. The question was, whether this was a fit case in which this should be done. The other night, very late, the Rules were suspended in order to rush a Railway Bill through for the accommodation of a gentleman, and he certainly thought the House should do the same for the accommodation of a lady. He held that sufficient notice had been given last Session. The fact that Mr. Campbell recognized the notice, in appearing before the Senate this Session as well as last Session, left him no right to claim insufficiency of notice. The case was still in Court, and, as Mr. Campbell had acquiesced in the jurisdiction of the Senate, it was not open to him to object to the jurisdiction of this House.

Motion *negatived* on a division.

## NORTHERN RAILWAY ARRANGEMENT BILL.

### FIRST READING.

House *resolved* itself into Committee to consider the following Resolution:—

“1. *Resolved*, That it is expedient to provide that the sum of £50,000 stg., Second Preference Bonds now held by the Government of Canada, part of a certain sum of £233,000 stg., of Second Preference Bonds issued by the Northern Railway Company of Canada, shall hold equal rank and priority with other bonds of the same character in any re-arrangement that may be authorized by an Act passed during this Session; and, further, that the sum of £50,000 stg., part of a certain sum of £100,000 stg., of Third Preference Bonds issued by the said Company, and now held by the Government of Canada, together with the interest thereon, be extinguished on the following conditions:—

“1st. That the said Company shall, within one year from the First day of May, 1877, pay to the Government the sum of £45,000 sterling in cash, with interest at the rate of 5 per cent. per annum.

“2nd. That the said Company shall, within the same period, pay the Government of Canada the sum of Twenty-Seven Thousand Four Hundred and Fifty-Eight dollars and Eighty-Seven cents, in satisfaction of the sums improperly applied by the Company out of the moneys payable to the Government

Mr. MACKENZIE.

of Canada, and also assign the mortgage now held by the said company on the Couchiching Hotel for moneys advanced thereon.”

(In the Committee.)

Resolution *ordered* to be reported.

House *resumed*.

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

Mr. CARTWRIGHT introduced a Bill (No. 123) To provide for the arrangement of certain claims of the Government of Canada upon the Northern Railway Company.

Bill *read the first, second and third times* and *passed*.

## INDIAN ACT AMENDMENT BILL.

[BILL No. 120.]

(Mr. Mills.)

BILL WITHDRAWN.

Order for the third reading, *read*.

Mr. MACKENZIE said he had examined the Bill, and found that it was quite consistent with the provisions of the Act. While he admitted there was a good deal of force in the objections taken to the Bill by hon. gentlemen opposite and the hon. member for Chateauguay, it was quite impossible to make the changes suggested without reconsidering the whole Bill and reconstructing many of its sections. No evil had arisen from the operation of the Act, so he hoped the House would allow the Bill to pass in its present form, and he gave the promise that the Government would reconsider the respective clauses during the recess with a view to amending them in the direction indicated. If hon. members would not agree to that proposition, the Bill would have to be withdrawn; it would not be possible to amend the Act in the manner suggested at the present late period of the Session.

Mr. HOLTON said the hon. the First Minister had himself suggested the best reason for not proceeding with the Bill, viz., that the House was unable at that stage of the Session to reconsider the Act which was passed only a year ago, and which it was proposed to amend in a sense which might operate very injuriously and vexatiously to the people living in counties

adjacent to Indian Reserves in the old settlements of the country. That was the point he (Mr. Holton) took. The county he represented was contiguous to an Indian reserve, and was in intimate relations with it, and the people had to pass through the Indian reserve on their way to the market of Montreal. The Bill was introduced at so late a stage of the Session that no opportunity was afforded to communicate with parties who would be affected by it. The legislation of last Session on the subject was considered, if not final, as likely at all events to stand for some little time. No intimation was given of any purpose to change the law during this Session. On Friday last the Bill was introduced, and he had not had, therefore, an opportunity to communicate with those who knew more about the operation of the measure than he could pretend to know. The hon. the Minister of the Interior had made out a case—which he was not prepared to dispute—for legislation in regard to the wild tribes of the great North-West, and in the largely waste country of British Columbia; but, in dealing, as it was, perhaps, necessary to deal, with the Indians, subject to those conditions, the hon. Minister proposed to deal in the same manner with Indians residing in the centre of settlements in the old Provinces of the Dominion. All things being considered, the present Bill might fairly lie over until next Session. It should be remembered that the Bill was an amendment of the measure, dealing with the whole subject of Indian affairs, introduced by the Government itself last Session, and hon. members had been afforded no opportunity of seeing its working, and no possibility of comparing the proposed amendment with the general law, and no interests would be injuriously affected by the Bill being allowed to lie over until the hon. the Minister of Interior, who was bringing his abilities and great industry to bear on the duties of his Department, had the opportunity to consider the whole subject of the Act of last Session. The practice of officers of Department urging their views on their political chiefs and having them carried into effect by legislation was one which should not be carried too far. Great

questions of polity rose with respect to the treatment of Indians and their relations with the whites in the surrounding country, and, at the closing of a most laborious Session, it was asking rather too much to invite the House to consider the Indian Act, which was adopted with so much deliberation one year ago, with a view to remove some possible defects.

Mr. MITCHELL said he concurred in the opinion expressed by the hon. member for Chateauguay (Mr. Holton) that there was a mischievous tendency to force on Ministers the views of officers of the Department, and much firmness was required to resist the attempts made to change legislation in accordance with the opinion of such officers. It was too late in the Session to deal with the Indian question, and, instead of having patch-work legislation, it should be dealt with at a subsequent period in a comprehensive manner.

Mr. MACKENZIE said, as it was evident there would be a long discussion on the Bill, and as the hon. the Minister of Interior was unable at that period of the Session to make a general amendment in accordance with the views urged by hon. members, for two reasons: First, because of the late period of the Session, and, second, because the hon. gentleman had not had time to consider the wisdom of some of those suggestions, he would move that the order be discharged.

Order discharged and Bill withdrawn.

## CUSTOMS AND EXCISE ACTS AMENDMENT BILL.

[BILL No. 109.]

(Mr. Cartwright.)

### SECOND READING.

Mr. CARTWRIGHT moved the second reading of the Bill.

Mr. MASSON said he desired to direct the attention of the hon. the Minister of Finance to an irregularity which had occurred in regard to the introduction of the Bill. It was well known in England as well as in this country that any irregularity in dealing with resolutions affecting the im-

position of taxes or Bills relating to the tariff was jealously watched by the people. They had been deprived of one of the important stages in the discussion of the measure by the omission of the second reading of the resolutions, at which stage hon. members had a right to discuss the whole question on its merits and not on the details of the measure. The Journals of the House for 1868-69 and 1874 showed that the resolutions were submitted from the Committee of Ways and Means, they were read a second time and afterwards concurred in. When a similar irregularity had occurred in England, the proceedings had been quashed, and a like course should be adopted in the present case, and the proceedings should be recommenced. If the Journals remained as they were to-day, this would evidently be invoked in the future as a precedent.

Mr. SPEAKER said that his recollection of the matter was very distinct, as he had given a great deal of attention to it. The apparent irregularity arose entirely from the fact that, departing from the old mode of proceeding, an endeavour was made to adopt the more correct English mode. The custom followed in the House ever since he had been a member of it had been that when the resolutions came up the question was put on each resolution, and not on the resolutions as a whole, as was the proper English practice. On this particular occasion he had followed the old rule, and he had asked the House whether they wished that the first resolution should be read a second time and concurred in. The right hon. member for Kingston objected to this mode of proceeding, and read a passage from *May* bearing on the subject. He felt satisfied that the hon. member had made himself familiar with the rule—of course he was quite aware of the English practice—and he at once assented to the objection as being a good one, and he was much pleased to find that it was proposed to take what he believed to be the more correct mode of proceeding. *May* laid down very clearly what was the proper course to follow; in the first place, the question was on the first reading, as a matter of course, and, on the second reading being proposed, it was open to any member

Mr. MASSON.

to propose an amendment of a general character; but when that motion was once disposed of, hon. members were confined on the several resolutions to the motions affecting the questions immediately under consideration. Under their old practice they had arrived at nearly the same results by a different process. On the question for the first resolution to be read a second time and concurred in, it was open to hon. members to propose any general amendment and discuss it as they pleased, but this amendment once disposed of, hon. members were held to the particular amendment and particular resolution subsequently moved. On the occasion in question, he remembered, very distinctly, putting the question thus—and it turned out to be the correct English form:—"Is it the pleasure of the House that the resolutions be read the second time." The right hon. member for Kingston objected, and stated that the question was on the first resolution. The right hon. member had a book in his hand, having just consulted an authority; and he had said: "Very well." The matter stood in that position. He had really put the question on the general reading of the resolutions, and objection being taken to this, he presumed that the right hon. member had made himself familiar with the subject, and he remarked: "Very well;" and let the matter remain so. He supposed that it was so recorded by the clerk. This was the exact position in which the matter stood. He felt, on further consideration of the whole question, that no practical injustice had been done. General discussion was not admissible afterwards, both according to the English practice and their own old practice. The general discussion was confined to the first resolution. He had looked into the English practice very carefully. If there was any error in the proceedings on the former occasion, it could, certainly, not be taken as a precedent, when all the other rulings, and the practice on all subsequent reports, were in correct form.

Mr. HOLTON said the Speaker had placed the matter very plainly before the House. They were at a period of transition from the old and former practice to a better practice. Perhaps

some little irregularity, or what seemed to be so, had arisen; but Mr. Speaker might instruct the Clerk, or the Clerk taking note of the discussion might see that the Journals were prepared according to the English practice in this respect, which they had better follow. It was wise to do so. Great care was taken in the mother country in this regard, as this related to dealings with the pecuniary interests of the people. He remembered an occasion when that distinguished Parliamentarian, Robert Baldwin, who had had a good deal to do with giving tone to our earlier proceedings under the constitutional regime, had a Supply Bill thrown out because of some irregularities, the exact nature of which he had forgotten, and proceedings were taken *de novo*. He thought that the hon. member for Terrebonne was quite right in calling the attention of the House to this matter.

Sir JOHN A. MACDONALD said it would be a very hard precedent indeed if any one was permitted to alter or tamper with the Journals, whether for good or for ill, after the entries were made. It would be dangerous to give such a power to any person. As a matter of fact, not one of the resolutions, except the first, had been read the second time.

Mr. CARTWRIGHT: The Journals state that they were read the second time and concurred in on a division.

Sir JOHN A. MACDONALD said the resolutions were reported from the Committee, and the Minister of Finance had moved that they be read the second time. He objected, stating that the first resolution should be read the second time, and this was done.

Mr. SPEAKER said that if, when he put the question, the right hon. member for Kingston had not interjected his objection, and if he had not then said—"very well," there would be no room for doubt whatever. He had, in the first place, put the question on the second reading correctly.

Mr. CARTWRIGHT called attention to page 246 of the Votes and Proceedings.

Sir JOHN A. MACDONALD said that in such matters no irregularity

at all should be allowed to exist. He would suggest that the matter be settled between his hon. friend and the Minister of Finance. It could be declared on the Journals of the House that this should not be a precedent, and this would settle the whole difficulty. It was agreed that the following entry should be made in the Journals:—

Mr. MASSON, having drawn the attention of Mr. Speaker to an irregularity in the proceedings upon the concurrence by the House in the Resolutions reported from the Committee of Ways and Means, viz.:—that the question for the second reading of the said Resolutions does not appear to have been put to the House, but only the second reading of the first Resolution,—it was *Resolved*, "That the said informality shall not in future be quoted as a precedent."

Mr. CARTWRIGHT then moved the second reading of the Bill.

Mr. DESJARDINS said that before the Bill was read the second time he wished to make a few remarks on a subject to which he had drawn the attention of the House at the opening of the Session, when he had asked for a return regarding the importation of different grades of sugar. He had called the attention of the Minister of Finance to the importance, from a commercial point of view, for Canada, of securing direct communication with the Antilles. It was impossible to obtain this trade and the benefits accruing from it, if they did not keep in operation the sugar refineries which had already been established in this country. The financial policy of the Government was not known at the time, and the Minister of Finance stated then that it was not proper at that stage of the Session to raise that discussion. The hon. gentleman had not afforded him subsequently an opportunity to return to the subject, but he considered that the moment the House was called upon to vote on the Bill, by which the tariff was changed and new taxes of a temporary character were imposed to meet the needs of the country, he should be allowed to observe to the Minister of Finance that it was natural, perhaps, for them to hope and ask that, when obliged to alter the tariff, this should be done in such fashion as to benefit the industrial interests of the country. The expect-

tation that this would have been done by the Government was so much the more natural, owing to anterior declarations made by members of the Cabinet. He would, in particular, quote a statement made by the First Minister in the course of a speech which the hon. gentleman had delivered in the city of Hamilton on the 22nd January, 1874, when he said :

“The parties have adopted the principles which I maintain ; to wit, that our revenue should be obtained by means of duties levied on our importations, and that the distribution of these duties ought to be always made in such a manner as to confer the greatest possible advantage on our population. Sir Francis Hincks has said that he was in favour of incidental protection. I have made the same declaration, and that simply signifies that, as long as it will be necessary to levy duties on importations, those duties ought to be levied on articles identical with those which our people can produce. I will add a word on this subject, and that is to say that, even if it were possible, which I do not believe, to reduce the duties on imported goods, this would not be just with regard to the manufactures which have been established, counting upon the permanence of the present system.”

The occasion seemed to him to be favourable for the carrying out of the policy indicated by the Premier, and, when they were obliged to impose duties to meet temporary necessities, he believed that the Government should consider favourably the sugar refining interests of the country. One of the great hindrances and obstacles which prevented the establishment of sugar refineries in Canada arose from the fact that the duty levied on refined sugar imported into this country was less than that which was imposed on the inferior grades, and, as the levy of new imposts was in question, it seemed to him that the Government should have, instead of increasing duties on tea or malt, so re-adjusted the tariff regarding these qualities of sugar and the refined sugars imported from the United States and elsewhere as to favour and contribute to the success of Canadian refineries. This question—as indeed he had remarked on a previous occasion—ought not to be considered as one which concerned private interests. It related, in point of fact, to a most important commercial question. One of the greatest problems which they had at present to solve was to find markets for the pro-

ducts of this country ; and everybody would admit the correctness of the statement made by hon. members who had made of this subject a special study,—that the only means by which we could open foreign markets to our products was to establish direct communication with the West Indies and other meridional countries. The great obstacle—as the First Minister, and he believed, also the hon. member for Waterloo had observed—to the establishment of this direct communication was that, when we exported our products to these markets, it was difficult to procure return cargoes, and, in consequence, the products exported had to bear all the weight of the charges made for transport. It had been objected by the hon. the Prime Minister that they had to contend with the competition of the United States, the ports of which were in greater proximity than those of Canada to the countries in question ; and that the principal product that we could procure in the West Indies, and these meridional countries, in exchange for what we sent them, was sugar, which was brought into the United States at an expense reduced to the lowest possible limit. He believed that, taking into consideration the cost of breaking bulk, repacking and transhipment, the exchange of cargoes would compensate for any increased expenditure attending the transportation of the percentage of the useless matters contained in the inferior qualities of sugar, which was in the raw state when imported. It was known that the proportion of waste attending the process of refining was scarcely more than four per cent.; and, if this percentage was considered in connection with the advantages connected with this importation, he believed that the objection made in this relation could not be considered to have any great force. It had been suggested to the Government that they should grant a subsidy to a line of steamers to ply between Halifax and the West Indies, but no matter what aid was given, this would still remain insufficient to guarantee the success of such a line, if, prior to its establishment, they did not decide upon the conditions of trade necessary to render an exchange of products be-

tween these two countries successful. It was stated that, under present circumstances, it was impossible to compete in this regard with the United States, owing to the amount of the drawbacks and bounty granted by the American Government on sugar exported from that country. On the other hand, the Committee appointed last year to consider this question had denied in their report the existence of such a bounty, but placing in comparison the percentage admitted by the Committee and that recognized by all who had looked into the question, outside of interested parties, it would be seen that such was the case. Taking the point that the United States Government was awarding drawbacks 60 or 70 per cent. of refined sugar, as the only quantity capable of being made out of 100 per cent. of the raw material—and this figure the American experts and the Committee of the House had accepted as being the proportion adopted by the United States as the amount upon which they based the amount of the drawback on exports in favour of their refiners—they would find that there really existed a bounty, and that this bounty was quite considerable. He saw it stated in a speech delivered by Mr. Leatham in the House of Commons, in 1864, that in England, after experiments had been made with nineteen varieties of sugar, the percentage of crystallizable saccharine matter obtainable was found to be from 85 to 90 per cent.; and at Cologne, in experiments which had been made, relative to arrangements to be made between England, Holland, Germany and France, a percentage of 83 to 85 had been obtained. There was no reason to believe that the American refiner was inferior in any way to the refiner of any of the European countries. The American Government, therefore, in granting a drawback on the percentage of 70, not only gave a drawback equal to the duties paid at the port of entry, but a considerable bonus besides. There were few persons who now dared affirm, that the American refiner, was not in receipt of a real bounty; and this was admitted by the best informed amongst the commercial journals of the United

States. It was also recognized in all the reports made on the subject by those who had investigated into the matter, as well as by many others. In the course of an interview with many senators and members of the *Assemblée Nationale*, M. Tesserence de Bort, Minister of Agriculture, in reply to statements made in the interest of the French refiners, admitted that the United States must be ranked amongst the countries which granted bounties in favour of sugar refiners. A doubt had been sought to be raised as to the interest we could have in maintaining our sugar refineries; but, he believed that, if such a theory was adopted, it might equally be held that we had no interest in maintaining any of our manufactures. We would be running counter to the policy which prevailed in the most important and prosperous countries of Europe and America. It had been established that about 100,000,000lb. of sugar were consumed in this country, and to refine this quantity it would require not less than ten of such establishments as the one existing at Montreal, giving permanent employment to at least 6,000 people; and the consequent consumption of coal from our own mines would be at least 50,000 tons a year. It seemed to him that, under these circumstances, the Government had no right to despise, or set aside as unworthy of consideration, any proposal of a nature to encourage the establishment and progress of such industries, in order to aid in the maintenance, and to supply work to a considerable number of individuals. They ought to consider that the benefits flowing from such a policy were not confined to the refiners and the men whom they employed, but they extended in a very great degree to the rest of our population. The importance of this question was such that in England very serious complaints were made on the part of the English refiners, owing to the competition from countries like France, Germany, and even Russia, with which they had to contend.

Mr. CAUCHON: They give more aid to this industry, I suppose?

Mr. DESJARDINS said this was due to the protection extended by the

Governments of these countries to this important interest. He would ask permission to refer to a speech delivered on this subject by Mr. Ritchie in the Imperial Parliament, for he found that, despite the superiority of England with reference to capital and wealth compared with Canada, they seemed to suffer in a corresponding proportion from the competition the English refiners had to contend against from France, where this industry was encouraged by means of drawbacks and bounties, so that the position of these two countries was pretty much the same as the position occupied by the refiners of Canada and the United States on this question. Mr. Ritchie, in the course of a debate, said :

“The question was one of great commercial importance to this country as the House would see when he stated that the quantity of sugar refined annually amounted to 650,000 tons, and was of the value of from £15,000,000 to £20,000,000 sterling. Until within a few years past the English refining sugar trade had been growing and prosperous, but it had now fallen into decline. That decline was not owing to any want of skill or of enterprise on the part of the refiners, but to the unfair competition which France was enabled to carry on by the system of bounties.”

This opinion was admitted to be correct by those who replied to Mr. Ritchie on the part of the Government. They agreed that it was impossible for the English refiners to compete with the French refiners, if France did not change her tariff, and so readjust it as to place these refiners on the same footing. The objection raised here was also made on this occasion to the claims of the English refiners, and it was this: that the consumers benefited from this system, and that they ought not to complain if drawbacks were given by the French Government on sugar exported by the refiners, as it affected the price of this article in favour of the pecuniary interests of consumers. To this Mr. Ritchie made a reply, which in his opinion was equally applicable to the same objection that was raised in this relation in this country.

Mr. CARTWRIGHT said he did not think they could enter into the discussion which his hon. friend had raised, as to the expediency of giving in one shape or another a bounty to sugar refiners. He would waive the merits of the case, as it was not possible to con-

sider it at this period of the Session, for the simple reason that whichever way such a thing was done, it would involve of necessity either the loss of a very large amount of money in the revenue, or place on the people a very considerable burden in the shape of a large increase in the price of an article which, though not a necessary of life, was still so universally consumed that such a step would impose a heavy tax on the people. The question had been at various times pretty extensively discussed, and he would remind his hon. friend, that, as it at present existed, their policy, as modified, had been undoubtedly changed in the interests of the sugar refiners. It was a very large and difficult question which he did not then propose to discuss.

Mr. TUPPER said that the question so fully and ably brought up by the hon. member for Hochelaga was one of great magnitude. He attached very great importance to it, but he would then merely reply to a statement made by the Minister of Finance, who seemed to think that this was a question which he was precluded from entertaining at all.

Mr. CARTWRIGHT: At this time.

Mr. TUPPER: At this time. The hon. gentleman took it as his premises that the establishment of sugar refineries in Canada could only be attained by a large increase of taxation. He (Mr. Tupper) was disposed to question the soundness of the hon. gentleman's view in this respect. He believed it could be done by lowering the tariff on raw sugars, which would not necessarily decrease the revenue. When Sir Robert Peel, in England, reduced the duty on sugar £10 a ton, it was followed by an increased revenue from sugar, as the consumption of that article was enormously increased. Sugar, while a necessary of life, was indulged in according to the means of the people. By a large reduction of the duty on the raw material, refineries could be established, and then the people would use more sugar as it would be cheaper than it was now. It was not simply a question of the amount of labour employed in sugar refining, but the enormous trade with the West Indies, as we had large

Mr. DESJARDINS.

quantities of those articles suitable for exportation to the West India Islands. The misfortune now was that ports in the United States did almost all the trade of Canada with the West Indies. He also joined issue with the hon. gentleman in the statement that the change made was in favour of the industry in this country. The change was not sufficient to meet the change in the United States. The hon. the Minister of the Interior had laboured to show that there was no bounty upon sugar, but the evidence which had come before the House on that subject must convince all that there was a large bounty. The Secretary of the Treasury of the United States had made a careful investigation and reported to his Government that the drawback was largely in excess of what it ought to be, and the Government ordered it to be reduced. The refiners, however, got a commission appointed, which examined nobody but experts in the refining business, and even their evidence went to show that on a drawback of \$3.60 per hundred, there was 60c. more than it ought to be, or this amount of bounty, and some witnesses showed that it was from 60c. to 75c. per hundred pounds. He believed the United States would be glad to see a countervailing duty here which would meet the enormous bounty which sugar refiners there got. He read several extracts from a letter from a planter in Jamaica, Mr. Solomon, written to Mr. George Gordon Dunstan, which he thought contained the argument in a nut shell :

"It must be explained that the chief export from this island is Muscovado sugar. We have not the skilled labour or the capital to refine it, and it is, therefore, shipped in the raw state to the United States and to Europe, where it undergoes the necessary manipulation to manufacture it into what is termed refined or loaf sugar.

"Upon examination of your customs' tariff, it is observable that your duty upon the raw article of sugar is far beyond what it should be as compared with your duty upon the refined article, and until there be a more appreciable difference either by the duty on the refined being increased, or the duty on the raw being decreased, it would prevent the exportation of the raw article to your country, as the only form practicable under the circumstances would be to send it to you in a refined state, and, as before brought to your attention, the difficulties in our way cannot be surmounted.

"The sugar duties are now abolished in Great

Britain, but while they were exacted there, there was a low scale for the low quality of muscovado; there was a higher scale for the grocery description, and still higher scale for the refined article, and such a system was considered fair and just, not at all encroaching upon free trade principles, for it was allowed that there is foreign matter in muscovado sugar, and there is also a large percentage of molasses, and when it is manufactured into refined sugar there is a large percentage deficient in sugar, and it was deemed unfair to charge as high a rate of duty upon impure sugar as upon the pure article.

"You might as well charge as high a duty upon a weak spirit as upon a strong spirit that will admit of adulteration, but in this respect there is a fair allowance, and the same principle should be adopted in regard to the weaker sugars.

"If the scale of duties were grounded upon the basis of the Dutch Standard above and below, with a fair additional duty upon the refined, I am firmly convinced the revenue derivable from your sugar duties would increase year after year by the large increase of consumption from ordinary causes, as well as extraordinary causes, in the preservation of an abundant fruit crop and divers other accessories which can scarcely be enumerated.

"Trusting that this subject will have careful attention of your Government, and hoping to hear from you soon, that the great impediment to a large commercial intercourse between this Island and the Dominion has been removed."

He trusted that the hon. the Finance Minister would give a careful consideration to this subject during recess, and see whether some means could not be devised, consistent with the interests of the country, which would bring back and increase tenfold the large business we had with the West Indies, a trade which no member could appreciate who had not given attention to it.

Mr. CARTWRIGHT remarked that, when the reduction on sugar was made by Sir Robert Peel, the duty was 6c. per pound.

Mr. TUPPER said he knew this. He only meant to point out the principle.

Bill read the second time.

House resolved itself into Committee of the Whole to consider the said Bill.

(In the Committee.)

On the 5th Section, as to tubing,

Mr. CARTWRIGHT said he had made the announcement when the subject was under discussion that tubing, when used in a particular way, was subject to a drawback. It was

then suggested by the right hon. member for Kingston that it should be expressly so stated in the Bill. He (Mr. Cartwright) had taken the matter into consideration, and had adopted the suggestion by providing in this section that all tubing used for boilers should have a drawback on the duty paid for admission into Canada.

Mr. DOMVILLE enquired whether the law would cover the case of brass and copper tubing on locomotives, which, however, were not for boilers.

Mr. CARTWRIGHT said all tubing which properly belonged to boilers would be subject to the drawback. No doubt his hon. friend referred to ships built in Canada and going to an American port, having the full duty charged on the various materials entering into their construction, whereas vessels built in the United States came here free of duty.

Mr. DOMVILLE said he had this injustice in his mind when he asked the question.

Mr. CARTWRIGHT said the attention of the Government had been directed to this matter, and when such a case occurred it would be dealt with.

Mr. DOMVILLE said he was satisfied with the explanation.

Mr. TUPPER said the change was an improvement. The hon. member for Hamilton (Mr. Wood) had questioned the accuracy of some statements he made on this subject, his authority being Mr. J. H. Killey, of the Mona Iron Works, Hamilton. He had received a letter from that gentleman, from which he would quote :

"The duty on pipes or tubes is a great mistake. There are none made in Canada, nor likely to be, as the plant is very costly. The whole consumption in Canada of iron pipes, if turned into one factory, would not pay for working it, so that duty is and will be a direct tax against the manufacturer using pipe, which means all the manufacturing operations of this country, because it enters into everything in which steam, water or gas is used. Now it would appear, say in steam boilers, that one half the cost of a tubular or ordinary steam boiler, as used in the factories of this country, is on the tubing alone, so that steam boilers imported at 17½ per cent. duty would be practically reduced to half that sum, as against a Canadian manufacturer paying duty on the tubes. Now another article, steam or water heaters, radiators, or articles made entirely out of tubes, four-fifths of the cost is the

Mr. CARTWRIGHT.

material, the labour required to put them together being smaller in proportion than boilers, but still employing a large number of men in all the large cities. Now on those articles the duty will be practically repealed, and the Americans placed on a better footing than Canadians, their facilities for the manufacture being greater in proportion to the greater field of operations. \* \* \* I may add that the least cost of plant to make iron tubes would be from \$150,000 to \$200,000, a sum which no capitalist or capitalists would invest under the regime of the present Government."

Mr. YOUNG said he would prefer to see the matter remain as it was than to see the proposed addition to the Bill, expressly declaring that the tubing must be for boilers to make it subject to the drawback. Tubing entered into the manufacture of a large number of machines, and should in that respect be regarded as a raw material. He thought, however, that tubing used for handsome residences, &c., should be taxed. A discrimination should be made, and all tubing for machinery ought to have the drawback allowed. As it was proposed, the Custom House officer was circumscribed, while, before, he could judge of each case as it came up.

Sir JOHN A. MACDONALD said, while he agreed with his hon. friend that the duty on tubing should be taken off altogether, yet, as the hon. the Finance Minister did not see proper to do this, he thought it better that, where a drawback was allowed, it should be expressly stated in the Bill rather than left to the discretion of the Government.

Mr. WOOD said, in explanation of his remarks to the hon. member for Cumberland (Mr. Tupper) on a former occasion, that he had heard Mr. Killey complain of the enormous expense attendant upon the manufacture of boiler pipes, and not as to gas and water pipes.

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

### After Recess.

Committee resumed.

(In the Committee.)

Mr. YOUNG said, since the rising of the House, he had consulted with the

hon. member for Hamilton (Mr. Wood), and found that the understanding was that the concession made by the hon. the Minister of Finance only referred to tubing used in boilers. In view of that concession, he felt he would not be justified, at this late period of the Session, in introducing a motion which might give rise to considerable discussion.

Section, as amended, *agreed to.*

Bill *ordered* to be reported.

House *resumed.*

Bill *reported.*

Amendments *read the second time, and agreed to.*

Mr. CARTWRIGHT moved the third reading of the Bill.

Mr. ROCHESTER moved, in amendment:

“That the Bill be re-committed to a Committee of the Whole, with instructions to the Committee that they have power to amend the first section of the said Bill, by striking out after the words ‘on every pound of malt,’ the words ‘two cents,’ and substituting therefor the words ‘one cent.’”

He said the news that the hon. the Finance Minister had imposed an additional duty on malt was heralded from one end of the Dominion to the other, and a large deputation of persons interested in the trade waited upon the hon. gentleman to protest against the act of gross injustice he was committing upon their interests. The hon. the Finance Minister, however, was impregnable, and subsequently a petition of the manufacturers was presented to the House, praying that the duty on malt should not be increased. That petition deserved the respect of the House, as the gentlemen engaged in this trade would compare favourably in point of respectability with any other portion of the manufacturing community of the country. There were some hon. members who thought the brewing trade should be put down. Now, the Government had a perfect right to suppress it if they chose; but, while the business was legalized, and the Government derived a large amount of revenue from it, those engaged in it were entitled to the same amount of protection as was enjoyed by persons engaged in other pursuits. He quite agreed with the

views enunciated by the hon. member for Toronto (Mr. Macdonald) in regard to prohibition; he was prepared at any moment to vote for a prohibitory law as soon as the people were educated up to it, and as soon as the Government could find ways and means to supply the \$6,000,000 revenue derived from the liquor traffic. In making this motion he was not advocating the interests of the drunkards. He held that, in taking the course he was pursuing, he was advocating the cause of temperance, rather than of intemperance. A few figures that he would quote would bear out this statement. Last year the increase in the consumption of ardent spirits amounted to \$122,671.96, while there was a decrease in the consumption of malt liquor of \$15,788.28. This showed conclusively that the course pursued by the Government was contrary to the policy of other countries in this regard, which always fostered the beer producing interest as compared with the manufacture of ardent spirits. Our manufacturers paid 100 per cent. more duty than those engaged in the same business in the United States did; they paid 30 per cent. more duty than was imposed in England, and 40 per cent. more than those in Scotland and Ireland. But the agriculturists of this country were directly interested in this question. If times were good in the United States, our farmers could find a market for their products by paying a duty of 15c. a bushel. That duty, however, prohibited our farmers from taking their products to the United States, while the farmers of that country had no duty to pay in importing to Canada, and could, therefore, flood our markets with their products. We imported 4,000,000 bushels of corn from the United States, from which all ardent spirits were made. A few years ago our distilleries were supplied by our own farmers, but that was all changed now owing to the negligence of the Government in not affording our agriculturists the protection they needed so much. This 4,000,000 bushels of corn represented somewhere in the neighbourhood of \$3,000,000, and no one could claim that if this amount was distributed among the agriculturists it would not be a bene-

fit to them. The additional duty proposed was not only an injury to the brewers, but it affected the agriculturists of Canada. He had no hesitation in saying that this additional duty on malt would increase the consumption of ardent spirits, and would in no wise tend to the elevation of public morals as far as temperance was concerned. If our farmers were not afforded the protection that they needed, they would leave this country for the United States and help to swamp the Canadian markets. He did not expect this amendment would be carried, but he thought a certain amount of respect was due to that respectable class of gentlemen who had petitioned this House. He did not believe the Finance Minister would be in any better financial position if the amount expected to be derived from that source should be obtained. The hon. gentleman would then fail to realize the sum required, because, as they had heard from the hon. the Minister of Inland Revenue, the staff would have to be increased about two-fold. In four years the expenses of that Department had increased by the nice little sum of \$50,000. It was imagined by some hon. gentlemen that he had some peculiar animosity to that Department, but such was not the case. It was evident, from the remarks of hon. members, that the deputy heads of the Departments had too much to say in the management. It could not, of course, be expected that every Minister could be fully posted in regard to the affairs of his Department, and he had, accordingly, to depend to a certain extent upon his deputy, the result of which practice was that the deputy was virtually head of the Department, and this was the reason why there were so many abuses in connection therewith. He wished that the Government could see their way clear to reduce the duty on malt, and allow the trade to have the benefit of it for a few years, and so benefit the agriculturists throughout the country. The course which was being pursued by the Government was one which could not fail to militate sorely against the agricultural community.

Mr. PLATT said he desired to hear the reasons which led the hon. the

Mr. ROCHESTER.

Finance Minister to increase the duty on malt. He had not heard any reasons given by the Government for the action taken. He was an old distiller and brewer and he thought he knew something about the trade. When in the distilling business twenty-five years ago, they used barley, rye and oats and did not import corn from the United States. This tax was an indirect tax on barley, and would tend to drive the people from the country.

Mr. CARTWRIGHT said he was afraid if it were necessary to give satisfactory reasons to the parties taxed for the taxes which the Government found it necessary to impose, it would be extremely difficult to satisfy them. He could only hope they would succeed in recouping themselves sufficiently from the parties to whom they sold the articles. In response to the hon. member for Carleton (Mr. Rochester), he desired to say that he and other hon. gentleman who had spoken on the subject had very much exaggerated the difference between the duty in Canada and in England. In England until very lately the duty was 65c. or 66c. per bushel, whereas the duty in this country was computed at 62c. per bushel—that was the bushel of barley, or its equivalent in malt. When the English Chancellor of the Exchequer found it necessary to raise additional revenue he did not hesitate to increase the duty from 2s. 8½d. to 4s., which was done in 1852, and on other occasions. That was equivalent to about 100c. per bushel, which was considerably higher than the duty he (Mr. Cartwright) proposed to levy. It must be remembered that this duty only inflicted an additional 2½c. per gallon, as far as he could reconcile the somewhat varying statements of gentlemen in the trade and officers of the Department, the latter being based on actual experiments. He did not think a tax of 2½c. or 3c. per gallon would seriously affect the brewing community.

Mr. PLATT: It has done so already.

Mr. CARTWRIGHT said there were few articles which were retailed at a larger advance on the cost of manufacture than beer and whiskey. He had already stated reasons why he thought

it impossible safely to augment the tax on whiskey, and he might remind hon. members that when he first had to levy taxes he levied them on whiskey instead of on beer or malt; but having, on grounds of public policy, a strong aversion to disturbing the existing Customs tariff, he was necessarily confined to a large degree to articles and taxes which approached to direct taxation. Malt was one and tea was another of such articles. His best attention, during the recess, would be given to working out those taxes, and, if he should find, on examination and careful investigation of the subject, that the evils spoken of by hon. gentlemen did really exist or were likely to accrue, then, no doubt, it would be his duty to consider the matter very carefully and to call the attention of the Government to any error into which they might have fallen. But he must state that this duty was not imposed without very careful consideration, and it was not a heavier duty than had been very frequently imposed in England, where beer was an article of vastly more general consumption, approaching more to the rank of a necessity than it could be said to be here.

Mr. ROCHESTER: As to Germany.

Mr. CARTWRIGHT: I do not dispute the accuracy of your statement as to Germany.

Bill read the *third time* and passed on a division.

## INDEPENDENCE OF PARLIAMENT ACT AMENDMENT BILL.

[BILL No. 122.]

(*Mr. Mackenzie.*)

SECOND READING.

Order for second reading read.

Mr. MACKENZIE said this Bill required very little explanation. The Government had adopted almost the exact wording of the English Act, which had the same object in view. They had followed literally that Act in its general provisions. It would be observed that they did not pretend to do anything except to indemnify those

members who had sat in the House under a *bonâ fide* belief that they were qualified to sit. The Bill did not affect the Statute at all, and he hoped it would meet with the general assent of the House.

Mr. BOWELL: How about those who have no *bonâ fide* belief?

Sir JOHN A. MACDONALD said he regretted that he could not make up his mind to vote for the Bill. He could quite understand that there might be occasions when a Bill of Indemnity might pass when some one had unwittingly committed a breach of the law, in regard to which they had two or three precedents in England. But this Bill set aside the law of the land, and provided that a person who sat in this House wrongfully, if he had a *bonâ fide* belief that he had a right to sit there, should still retain his seat. The country would say there was no use in Parliament passing laws to preserve the independence or purity of Parliament, or to protect the people against having improper representatives in the House, persons who had forfeited their seats, if this Bill were to pass. It would be said "What is the use of passing laws of this kind, if the moment persons are found to have violated the laws they are repealed?" He thought it would greatly weaken the confidence of the country in this House. There was also an objection to passing a general whitewashing Bill, as compared with one for the relief of a person who was proved to have unwittingly broke the law and suffered hardship therefrom. Cases brought before the House, in which the seat of a member was attacked, were referred to a Special Committee or to the Standing Committee on Privileges and Elections, and, after the Committee had taken evidence and reported that, in any particular case or in any given number of cases, there was a hardship inflicted, then, and not before, could this House interfere. By the first clause of the Bill, if a person was sued for the penalties under the Independence of Parliament Act, and it was proved that he had made himself liable to all the penalties, the then defence would be that he had acted under a *bonâ fide* belief that he continued to be qualified. How was that

to be proved? It could only be proved by the person charged going into the witness-box and swearing that he so believed.

Mr. SMITH (Westmoreland): The second clause provides for that.

Sir JOHN A. MACDONALD said the second clause provided that he should be a witness. Then, it amounted to a man going and swearing himself clear. Such a measure would weaken the moral sense of the people of the country. It appeared to him that the Bill had not been prepared with any degree of consideration. Under the present law, any person who chose could bring an action, and actions had been brought; and, indeed, a gentleman had called him out of the House to-day and handed him a writ in the name of a gentleman whom he had never heard of before. That gentleman had a vested right in him (Sir John A. Macdonald); he had told in him; the law had told that gentleman that, if he chose to sue him (Sir John A. Macdonald), and prove the case, he had a right to get a judgment. That gentleman trusted in the law. But here was a Bill of Indemnity, by which not only would men be deprived of the right acquired under the law, but, if it passed, no one need trouble himself about penalties hereafter, for no gentleman would be patriotic enough to bring actions against corrupt Members of Parliament at his own expense. If a case was enquired into, and it was shown before a Committee of the House that a party had unwittingly broken the law, there might be reason for passing a Bill of Indemnity; but to pass a whitewashing Bill of that kind would be to make Parliament the laughing stock of the whole country.

Mr. CAMERON said the question of vested rights involved a serious principle: either those who had brought the suits had a right to the money or they had not. If the present Act was to be enforced, they had their rights; and if previous legislation was bad in giving rights to certain individuals, they were now asked to take away those rights without compensation or consideration. The House should not pass the Bill as it now stood. The costs at present

Sir JOHN A. MACDONALD.

were not very serious, unless a man went into the matter wholesale, as he believed some persons had done, for he had seen some two or three dozen suits entered by one man. He had previously seen legislation enacted which took away vested rights, but there was always a provision at least to prevent any person being out of pocket. In this Bill, however, there was no provision even for the class of unfortunate men who were relying on the validity of an Act of Parliament. He granted that a penalty of \$2,000 a day for every day a member might sit or vote in the House was preposterous, but it was the law under which they had lived for many years. And the law must have been that a member of this House was liable to the penalty if he did so even innocently or only if he did so knowingly. He confessed there was very great doubt as to what the proper interpretation of the present law was in that respect. But there must be a right and a wrong interpretation of the law, and it seemed to him that this law would have been much more consistent with the true principle upon which legislation should proceed if it had defined what the law was, and if there were doubts removed them, and then provided that only in cases where the law was wilfully violated should it apply. This Bill seemed to assume that the opposite interpretation was correct. It had been very ably argued, he thought, in the other branch of the Legislature, that a man was only to be held liable when he erred knowingly and wilfully.

Mr. MILLS: The case is different.

Mr. CAMERON said he was speaking of no particular case, but only of the general principle of the law. As a lawyer, he must say that he had very great doubts whether under the existing law any knowledge of the act or of the consequences was necessary to make the person so acting subject to the penalty; and he could not say his doubts had been quite removed by what had been said on the present occasion. There was a clear distinction between civil and criminal proceedings. Where a man was subject to be criminally convicted, the

law implied that a knowledge of the act was necessary to be proved—he did not mean a knowledge of the law, but of all the facts. But, in a civil case, the law imputed knowledge. The present class of cases, however, came between the two. In another place, all those cases in which it had been held that knowledge was essential to constitute the elements of the offence, were cases in which a penalty was imposed, the alternative being imprisonment; they consequently, being *quasi* criminal cases. But, under the Independence of Parliament Act, there was no imprisonment. If there were no goods or chattels on which to collect the penalty, there was an end of the matter. He failed to see, therefore, that knowledge was an essential element to make the violators of the Act subject to the penalty. The Bill also proceeded upon the presumption that knowledge was necessary to entitle the party informing to recover. The other alternative was that, because a man was ignorant of any law which he violated, therefore he was to be relieved of the penalty imposed. That surely was not a principle of law which the House would sanction. The law presumed that every man knew the law, and this should be pre-eminently the case with members of Parliament, who were law-makers. He thought the Bill was far too broad in its terms, and involved a principle of a very grave character. It also interfered with the vested rights, because recognized rights, of a certain class of persons who might choose to put the law into operation, but rights which he was bound to say could not meet with the sympathy and encouragement of hon. members. Nevertheless, they had these rights, and the House should be careful to see how it was proposed to take them away. Hon. members who voted for the Bill stood in the position of being liable to be taunted with having white-washed their political friends.

Mr. IRVING said the principal objection of the right hon. member for Kingston and the hon. member for Victoria was that the measure emanated from the Government. The alleged infractions of the law were a surprise to the House and to the country, and, instead of making fish of some and flesh of

others, it would be better to treat all alike, where there was no knowledge of the Independence of Parliament Act having been broken. The Bill would receive the approbation of the country. If the two hon. members referred to could not make up their minds as to the risks, how was it to be expected that commercial men could do so. Hon. members seemed to forget that the right hon. member for Kingston, amongst others, had an Act of Indemnity passed with reference to his holding an official position while a member of Parliament.

Mr. MACDONALD (Toronto) said he had no difficulty in making up his mind on the Bill, no matter from whom it emanated. Hon. members came to the House at a very inconvenient time to attend to the business of the country, and also at much personal sacrifice; and while he was absent from his business house it was likely one of his clerks or agents might make a sale to the Government which would not only vitiate his seat, but also subject him to a very heavy fine. He thought the Government would have been culpable had they neglected to bring in this Bill.

Mr. MITCHELL said his name had been personally associated with acts which had led to the introduction of the Bill. It was said that he himself was subject to the operation of the Independence of Parliament Act. He believed he had done nothing which placed him in that position. Therefore he could challenge any attacks which might be made upon him, and he did it with a thorough feeling that he was perfectly safe. The steps taken against Mr. Speaker had been followed by a close scrutiny not only of the Act but of the Public Accounts. The position taken was a strained position. Most of the members were the leading commercial and professional men in their several districts. The hon. member for Restigouche had facilities for carrying out public contracts, but he would not enter into any, but gave the use of his lighters and tug boats to persons who did, and did not receive a dollar benefit himself. He (Mr. Mitchell) was charged with having leased a building to the Government.

of Canada. He did it; he acknowledged it. If that would unseat him he was willing to go back to his constituents, and own that nine years ago he leased a building to the Government of Canada for offices for the Intercolonial Railway staff, at Newcastle, one of the head depots for the construction of the work. For two months the staff used the Court House. Then they were given notice to quit; and, not being able to get any building in town, application was made to him to rent them one of his houses. He did it, and signed an agreement for three years. The building was occupied until the present Government came into office, and then, without any notice, he was informed that the lease had expired. Although great damage was done to the premises, he was only allowed \$200 for damages and lack of notice, the rent being paid up to the date to which the house was occupied. He was presumably liable to a penalty of \$2,000 a day, and two actions had been brought against him, one for \$500,000 and the other for \$300,000, under the Independence of Parliament Act. He defied those who were bringing the suits. He had not violated the Act, and he was not afraid to go back to his constituents. He had a right to his seat in Parliament and to give free expression to his opinions. He had made that statement because misstatements had been circulated throughout the country in the Press in reference to his position. It had been said that he had solicited gentlemen on the Ministerial benches not to press the claims against him. He stood ready to resist any attack which might be made upon him. He was afraid of no one, and was ready to meet any charge. In justice, however, to gentlemen on the Government side of the House, he would say this: that from the time of the first attack being made on the seats of hon. members, before he knew his own seat was attacked, he expressed the opinion that it was an unjust thing to attack the seats of hon. members who, from circumstances beyond their control, might have their seats impugned because they had sold a claw-hammer or a jackknife to a Department of the Government. He disapproved of the proceedings that had been taken, not

because his own seat had been impugned, but because he did not believe hon. members should be placed at the mercy of every scoundrel in Lower Town to have writs issued against them, as had been done. He approved of the policy, from whichever side of the House it came, of taking measures whereby hon. members would be relieved of responsibility for acts done unintentionally and in ignorance of the construction placed on the Independence of Parliament Act. He was ready to go before a Court of Law, and he defied any one to obtain a conviction against him for a violation of that Act. He was, therefore, perfectly free to express an independent opinion, and that independent opinion was that a measure should be passed to relieve hon. members who had, through inadvertence or ignorance, violated the Act, from charges brought against them by social pirates who instituted the prosecutions in order to make money. A dozen members of the House had been served with writs for from one-half to one million dollars, and it was not right that they should be made subject to annoyance, trouble and expense, and even danger, during nine or twelve months, in consequence of a certain construction having been placed on the Independence of Parliament Act. The feeling of justice entertained by Parliament and the country would sanction and ratify the proposed measure. He cared not for party, but he wished for justice to be done.

Mr. ORTON said that, notwithstanding the statements which had been made by political friends as well as political foes, he thought the Bill, if passed, would establish a precedent which would be fraught with danger to the country. They were familiar with the great evils which had arisen in the United States from the laxity there of a just regard to the people's rights. If that Bill were passed, the only protection the public possessed against a corrupt Government using their partizan majority to override any Act of Parliament would be removed. He thought the Government might have found other means for relieving those hon. members who had unintentionally offended against the Independence of Parliament Act. If there was

**Mr. MITCHELL,**

one thing Canadians were proud of more than another it was the purity of their legislative bodies; but, when the people found that in the principal legislative body of the country there were hon. members who were every day infringing one of the most important safeguards, the example thus established would be followed by other legislative bodies, down to municipal councils. When ignorance of the law was pleaded in this House, he was led to think there were very few hon. members who were not aware of the law that no employé of a municipal council could hold a seat in that council. But, if it were established that a member of the House of Commons could not only sit and vote in violation of the law, but that, when, in the interest of the public, attention was directed to the fact, the Government could bring down a white-washing bill, the precedent would be a dangerous one for the country. He hoped the Bill would not be allowed to pass. While entertaining a feeling of regret for hon. members who had been placed in an unfortunate position, and one in which they had no intention to place themselves, he thought they should suffer, rather than such a principle should be established. He desired also to call attention to the laxity displayed by the Government in the management of the Public Works. If instructions had been given to officials that it was contrary to the Act to make contracts with, or obtain supplies from any firm, any member of which was a member of the House, many of those cases would have been avoided.

Mr. BOWELL said that before the question was put to the House he desired to offer a few remarks, he being one of those who occupied the enviable or unenviable position of having had a writ served upon him, whether by a whiskey informer, a social pirate, as these informers had been termed by the hon. member for Hamilton, or some one else he knew not. But holding the opinion that he occupied a position somewhat, though not altogether, similar in regard to his seat to that of some other hon. members who had been served with writs, he was not afraid to go into Court and contest the question

with the so-called "whiskey informer" or "social pirate." If the truth were known, those "whiskey informers" or "social pirates" were not so much to blame as gentlemen who held high positions in the Government of this country, who threatened members on this side of the House with what they would or would not do if they dared to act in the manner which they thought was in the interests of the country in exposing the hypocrisy of the promises of the Government as exhibited during the past three or four years. The House would be surprised at the remarks of the hon. member for Hamilton (Mr. Irving). That hon. gentleman was not satisfied with giving his opinion in reference to the reasons which actuated the Opposition in the course they proposed to take on this question, but stated it was quite sufficient for the Opposition to know that the Government proposed a measure to vote against it. Perhaps it would have been much more true if the hon. gentleman had said it was sufficient reason for him to vote for any measure, no matter what its character, that it was proposed by the Government. The hon. member for Hamilton went further, and said it was well such an Act should be passed in order to prevent the case being sent to the Committee of Privileges and Elections which might make fish of one and flesh of another. That imputation on the Committee certainly should not come from its chairman. He (Mr. Bowell) could not conceive it possible that hon. members composing that Committee were not prepared, on all occasions, to decide every question coming before them on its merits and the law which governed the case. But the hon. member for Hamilton (Mr. Irving) perhaps knew better the course the majority of the Committee intended to pursue than other hon. members. This action, according to his own statement, depended largely upon the political complexion of the gentlemen brought before the Committee and what the causes to be adjudicated upon were. That hon. member, in answer to a remark made by the hon. member for Victoria (Mr. Cameron) had said "he blushed for his profession." An

interesting subject for exhibition at the next Paris Exhibition would be a photograph of the hon. gentleman, who was a lawyer, blushing when speaking of the costs imposed upon a client. The hon. member for Victoria suggested that the hon. member for Hamilton blushed because the amount of fees was so small; probably that was the case, as it would be more in accord with his feelings. He (Mr. Bowell) was not a little amused at the hon. member's remarks in extenuation when the hon. the Premier sent over to him the Act passed in 1868. Every hon. gentleman who had read the law must know that the two cases were not at all analagous. When a new Government under Confederation had to be formed, there was no provision in the then Independence of Parliament Act, which afterwards exempted certain executive officers, created on the formation of the new Government, from the penalties of the law. It was true the Attorney-General for Upper Canada and the Attorney-General for Lower Canada were exempt from those penalties, but there was no exemption of the hon. the Minister of Justice, who occupied the same position as an Attorney-General for the whole Dominion. The hon. member for Hamilton, when he made that illustration, must have known that he was deceiving hon. members who did not know the facts. The hon. member for Centre Toronto should be commiserated with under the circumstances. That hon. gentleman had shown himself to be a martyr in leaving his business and coming to the capital to legislate for the country at great inconvenience to himself and at the risk of his health. It was true, though strange, that scarcely would the dissolution of Parliament have taken place before hon. gentlemen who had been sacrificing themselves and injuring their health in the country's service, would be occupying their whole time in endeavouring to secure again their return to Parliament, to sacrifice themselves again. Because, forsooth, hon. gentlemen did that, they must be released from the operation of the law, which provided certain penalties in case they violated it, was an argument the force of which he was not prepared to admit.

Mr. BOWELL.

He believed none of the "social pirates" would have endeavoured to prey upon the members of the House by serving writs, had they not been instigated to go to certain lawyers, to sue out writs with which to frighten hon. members on the Opposition benches, from doing what they believed was their duty. In his own case he had the honour of being served with a writ, endorsed with the name of the attorney, lawyer or agent of the hon. the Minister of Justice. Whether it was the action of the Government he neither knew nor cared. He knew it was intimated to him by an hon. Minister that he (Mr. Bowell) would have an opportunity of defending his right to sit in the House. The hon. gentleman must have known when he gave that intimation and made the threat, that he was either instituting it or was acting on behalf of those who were instituting it. He believed the same hon. gentleman had told the leader of the Opposition that, if certain steps were taken against certain hon. members, his seat would be attacked. If the hon. member would visit the Library, and read a little more of the parliamentary history of, and parliamentary practice in, England, he would find it was considered, a very serious breach of the privileges of the House to attempt to threaten any member for either doing an act or leaving undone that which he conceived it his duty to do. In these days, however, Ministers of the Crown occupying high social and executive positions, thought that, because they were supported by a large majority, they could use any amount of threats they pleased with impunity, and perhaps they could do so as far as their own action was concerned. His (Mr. Bowell's) own conviction was that the issue of writs against members of the Opposition, against whom there was no real cause of action, was instigated by Ministers themselves for the purpose of endeavouring to frighten those served with them into voting for the present Bill to whitewash some of their own friends. He was not prepared to record his vote in favour of the measure. If the hon. member who had the papers in his desk desired to test his (Mr. Bowell's) right to sit in the House

and thought proper to formulate the charges, he would be quite prepared to meet him, and those who had instigated him, and he was also quite prepared, though it might be at some inconvenience, to test the rights of Levi Cane, the complainant in his case, to collect the penalty, and he challenged the Minister of the Interior and those who were acting for him to proceed as soon as they pleased, and test the question and he would meet them.

Mr. MACKAY (Cape Breton): A hurricane.

Mr. BOWELL said that what was done did not create a hurricane on the Opposition benches; but the hon. gentleman from the sea-board knew pretty well what this Bill meant, and its objects, as the hon. gentleman might also have an opportunity yet of testing his right to sit in the House. He would vote without the slightest hesitation against this whitewashing Bill. The fact of his having been served with a writ was not going to prevent him—nor any threats that the Minister of the Interior or any one else in the future might think proper to hurl at him, would prevent him from doing what he believed to be correct and proper.

Mr. BLAIN said he thought it would be a very great pity if the hon. member for North Hastings was not taken at his word, and excepted from the operation of the Bill, for otherwise an injustice would be done to the hon. gentleman, who it was quite clear had buckled on his armour for the fight. He hoped that some hon. gentleman would move an amendment in this sense. The hon. gentleman felt certain that the Bill would be carried, shielding himself, and this accounted for the position the hon. gentleman had taken. He was exceedingly amazed—if it were possible to be amazed, after having had a seat in the House for six years—in observing the course taken by the right hon. the member for Kingston who knew that, over and over again, Legislatures had to resort to Bills of this character. The fact of it being agreed that the law was in a state of uncertainty—and who would deny it—was one of the strongest reasons in favour of the Bill.

When hon. gentlemen who held prominent positions at the Bar of this country told them that even now they were not prepared to say what the law was, and when a Committee of the House had sat from day to day considering the subject, and yet the members of it were not prepared to state what construction should be put on the Statute, he thought it the most natural thing in the world, that they should come to the rescue of these men, who, under no circumstances, could have known that they were sitting in the House contrary to the terms of the Act. Members instead of being censured should rather be praised for their generosity in being willing to take the responsibility of voting for this Bill, which violated no principle of legislation. Resort was had to such measures over and over again. Bills of indemnity were numbered by the score; and if ever a fair case for indemnity was presented this was one, since it was stated that between thirty and forty members had inadvertently violated the letter of the law. Were they, under these circumstances, to allow these writs to go on, and permit men who had served the country to be prosecuted under the provisions of the Independence of Parliament Act? The cases referred to as far as he could remember and, recognized as standing cases for fifteen years back, were, in his opinion, sufficiently strong to exonerate every member of the House. So far as he had been able to ascertain the facts alleged, if they did not pass some such Bill, the law would be brought into contempt. It was their duty to place rational laws on the Statute-book; and, if this law was correctly construed by many of the first legal minds in this country, they should not only pass this Bill but go beyond it, and pass a Bill interpreting the meaning of the law, which was now misunderstood by nearly everybody. The proposition before the House was a fair one. If the law were carried out to the letter, a member durst not take a \$5.00 bill out of his pocket lest he might find it to be a contract on the part of the Government to pay him gold for it. Constructions so perfectly absurd should never be put on

the Act; this Bill was merely intended to relieve those who had innocently violated the law, and it was the duty of every member to vote for it. He, for one, would do so with pleasure.

Mr. JONES (Leeds) said he was one whose name had been bruited through the country as having infringed upon the Independence of Parliament Act. This statement had appeared in the *Globe*, and in a newspaper published in South Leeds, which announced that there would likely be a new election in the constituency. It was not a very pleasant matter to have writs served for large sums upon one, and to have them hanging over one's head for a whole lifetime. The Independence of Parliament Act was a most extraordinary Act. He was very much surprised that, when it was introduced by Robert Baldwin in 1843, it was not made to correspond exactly with the English Act, for the words "knowingly and wilfully," which appeared in the English Act, were omitted. The law was very stringent as it stood, and particularly so for a new country like this. The words he had mentioned should certainly be inserted. He did not acknowledge in any way that he had contravened the Independence of Parliament Act, and he did not intend, by any vote he would give that night, to acknowledge that he had done so in any way or shape; therefore he would vote against the Bill.

Mr. HIGINBOTHAM said that, although this subject, properly speaking, should be considered from a legal point of view, yet, as a business man, he wished to state his views on the subject. He was a little surprised at the remarks of the hon. member for Centre Wellington who should not forget that in 1875 he occupied just about the same position that certain other hon. members now occupied; and, if it had been necessary at that time to introduce a Bill to have allowed the hon. gentleman to retain his seat, no objection would have been taken to it from that side of the House. He thought his hon. friend should have exercised a little more charity in this regard. On March 8th, 1875, the Committee on Privileges

and Elections had presented a report in which it was stated:

"The Committee instructed by the House to consider and report on the proper course to be pursued as to the case of Mr. Orton, member elect for the Electoral District of Centre Wellington, having sat and voted in your Honourable House during the present session without having qualified himself to sit and vote by taking and subscribing the oath prescribed in the 128th Section of the British North America Act, 1867, report as follows:—

"The 128th Section of the British America Act of 1867, enacts that any member of the House of Commons of Canada, shall, before taking his seat therein, take and subscribe the Oath of Allegiance contained in 5th Schedule to that Act, but no direct forfeiture or penalty is provided by this Act for the omission; and

"The Act for the independence of members of Parliament, 31st Victoria, chapter 25, while it makes provisions for disqualifications, forfeiture of seats and payment of penalties by members in certain cases, makes no provision for such a case as this;

"Your Committee are, therefore, of opinion that the seat of Mr. Orton, the member for Centre Wellington, is not affected by his having sat and voted in your Honourable House before he took the oath provided as aforesaid;

"Your Committee is further of opinion that the votes of Mr. Orton before he took the prescribed oath, should be struck out of the Division List and Journals of your Honourable House, as he had no right to sit and vote until he had taken that oath."

It was well understood at the time that, if it had been necessary to pass an Act to relieve the hon. gentleman from the penalty of \$2,000 a day, no objection would have been taken to it from that side of the House. The hon. member for North Hastings (Mr. Bowell) had had a fling at the Government benches, and had stated what he (Mr. Higinbotham) would be very sorry to believe to be true: that the informers in these cases were not so much to blame as those who sat on the Ministerial benches, having been urged to issue the writs by the hon. gentlemen who occupied the Treasury benches. He did not believe that this was true.

Mr. BOWELL: I do—and that is the difference between us.

Mr. HIGINBOTHAM said he would ask the hon. gentleman who issued the writ against Capt. Norris. They knew that this came from a high source in Toronto. Several writs had been issued—he would not say by whom—but they had not come from that side of the House at any rate. He believed that a writ had been issued against the Minister of Customs, and

he would like to know who issued it. The hon. member for North Hastings (Mr. Bowell) had shown himself particularly brave, but he did not believe that there was the slightest necessity for exhibition. No attempt had been made to show—or if it had, it had been unsuccessful—that any member against whom such a charge had been made had known that he was really doing wrong in occupying a seat in the House. He knew that the Bill would commend itself to the general public and business men outside of the legal fraternity, and no vote of his on record he would regard with more confidence or be better prepared to explain to his constituents than the one he intended in the performance of his duty to cast in favour of the Bill.

Mr. ORTON said that he had not implied that he was opposed to relieving those gentlemen who were unwittingly involved in this matter; but he believed that the Government should relieve them without taking away the privileges of the public, by making the penalty merely nominal.

Mr. POPE (Compton) said it seemed to him that they were placed in a very peculiar position. When laws were broken, all hon. members expected that the violators of the law would be brought to justice. They were bound by the law, and such was the position in which they found themselves. Law-makers should not be law-breakers. He who had entered into these contracts and performed this work was not one whit more responsible than the Government which was a party to the transaction; both were involved in it. It was the duty of the Government to have considered what they were about before they had given out these contracts, or involved those in them who knew nothing about the transactions. They knew how necessary it was to purge Parliament of any influence brought to bear by the Government on any member of the House. The Government had the patronage of the House and country to distribute, and they knew how dangerous it was to leave that patronage in the hands of the Government, who might, by means of it, influence members to act in a manner not, perhaps, in accordance with the feelings

of their constituents. This was the fundamental principle on which the Independence of Parliament Act was based. They should be aware how they made precedents which would last till the end of time. Hon. members ought to be clear and free from any entanglement with influences which the Government might bring to bear upon them. A great principle was at stake. They should not forget the duty which they owed to the people of this country. While it might be felt that the action of the law was harsh, and while they might wish to relieve the hon. gentlemen in question—and no one could desire to do so more than himself—yet he would not like to infringe upon a great principle. They were asked to say:

"1. Any person who has, at any time since the passing of the said Act, been elected a member of the House of Commons, and who, acting under the *bonâ fide* belief that he was or continued to be qualified and capable of sitting or voting as a member thereof, has sat or voted therein, shall be and is hereby indemnified, exonerated, freed and discharged from all pecuniary penalties or forfeitures whatsoever (if any) which may have been incurred by him by reason of having so sat or voted at any time up to the end of the present Session of Parliament."

Who was to say whether an hon. member acted with *bona fides*, except that hon. member? Ever since he could remember, he had heard that no member of Parliament should have transactions with the Government to the extent of a single dollar. He did not believe there was a single man ignorant of those principles, and that being the case, while he regretted that any hon. member was placed in that position, he felt justified in voting against the Bill. If they allowed the independence of Parliament to be infringed, and if they took the ground that members of this House, who ought to know what the law was, were to be excused, the result would be disastrous, and there was no knowing where the thing would end. He did not believe that the common sense of the country looked in that direction, and, although he regretted that those cases had occurred, and he would do everything he could to relieve the hon. members concerned, yet he must support any measure which was calculated to conserve the independence of Parliament.

Mr. McDUGALL (Renfrew) said, if the hon. member had learned when he was a boy that no member of Parliament should receive any Government patronage, he would never forget it. But that hon. gentleman was a member of a Government which occasionally gave emoluments to certain members of Parliament; the hon. gentleman was an ardent supporter of the Administration which employed Col. Gray. On an occasion of this kind both sides should have some degree of sympathy for persons who unwittingly subjected themselves to the penalties of the law in this regard; but he thought that the men concerned had nothing to complain of. If the House allowed those men to gain money in this way it would be putting a premium on a practice which ought not to be tolerated.

Mr. WALLACE (Norfolk) said he was one who had been served with a writ, but he thought that none of the hon. members who had offended in this particular intended to violate either the spirit or the letter of the law. The money penalty, he thought, was altogether too great. He would vote for this Bill, but he considered the serving of a writ on himself an absurdity; and he regretted to be in the position in which it might be said that he was voting to relieve himself from any responsibility. Still, in his opinion, hon. members had unwittingly contravened the law, and he felt he would be doing an injustice to them if he did not support this measure.

Mr. MILLS said the hon. member for Kingston (Sir John A. Macdonald) had declared that this measure was an unprecedented one—that no such legislation had ever before been attempted in Canada. He thought the hon. gentleman was mistaken in that particular, for he himself introduced a Bill to exempt Sir George Cartier for having accepted a certain position; and the hon. gentleman adopted similar measures to exempt other members of this House who were receiving money from the Government for various services. A few years ago, an hon. member, still in the House, subjected himself to the penalties of the

law by holding a seat in the local Parliament of Prince Edward Island while he was a member of this House, and a Bill was introduced to exempt that hon. member. It was evident from those instances that the principle was not a new one. This Bill was to exempt hon. gentlemen from penalties to which they were subjected under the law. If the parties were not subject to the provisions of the law, there would be no necessity for the measure. When the writ was served on Mr. Norris, late member for Lincoln, the *Mail* had an article in which it was claimed that it was a just and legal proceeding; but, when hon. members on that side of the House moved against members of the Opposition, the tune was changed; when the other ox was gored, it was an entirely different thing. The Speaker was attacked when he had not an opportunity to say a word in defence; and he (Mr. Mills) told the hon. member for Kingston then that he must expect his own side to be attacked. Then he informed the hon. gentleman that it was his intention to move against him. The motion was not immediately made, and the right hon. gentlemen complained that he did not receive notice. The hon. member referred to said he would not move against the right hon. member for Kingston if no motions were made against the Government side of the House. It was not a fact that members to the right of the Speaker took the initiative in this matter. If hon. members on his side of the House saw their friends attacked and did not attack hon. gentlemen opposite on the same grounds, they would be unworthy of sitting there. They represented a party that, at all events, was not wanting in courage, and they would not see their friends attacked unfairly and improperly without attacking in return. He gave the right hon. gentleman the notice not by way of a threat—for he would not presume to threaten him—but he merely informed the right hon. gentleman that he would be proceeded against in this respect. He hoped hon. gentlemen were satisfied with the explanations he had given.

Mr. BOWELL: Speak the truth.

Mr. MILLS said he never prevaricated there or elsewhere. He could appeal to those who had associated with him, whether his friends or political opponents, whether he did not speak the truth always, and he did in this case.

Mr. BOWELL: No, you don't.

Mr. MILLS said he thought the measure a proper one under the circumstances. The seats of hon. gentlemen were attacked for acts that had been notoriously permitted to pass with impunity ever since Confederation, and, if a new rule and a new principle was to be laid down, at all events one that had not hitherto been supposed to be binding upon members, it was only fair to the House that, for this Session at all events, there should be a relief from the penalties.

Sir JOHN A. MACDONALD said he considered the communication of the hon. the Minister of the Interior as decided a threat as ever was offered him, and as a breach of the privileges of this House. He so felt the insult offered him that he at first thought of bringing the matter up before the House, but, after consultation with some of his friends, he determined not to do so. The hon. Minister met him in one of the halls outside, and said: "I understand some of your friends are going to move against some gentlemen on our side." He (Sir John A. Macdonald) said: "It may be so." "Well, then," said the hon. gentleman, "I give you notice that, unless your friends stop their motions against our side, we will attack your seat." That was a distinct threat.

Mr. DYMOND said, in justice to the hon. the Minister of the Interior, he felt it his duty to state, in the first place, that he had facts placed before him which he intended to formulate and bring before the House, constituting a charge of a breach of the Independence of Parliament Act against the right hon. member for Kingston. He communicated the fact to the hon. the Minister of the Interior that morning. He told him at the same time, just as the hon. Minister had stated, that he did not feel at all disposed to give any encouragement to assaults of this kind, but that he believed he had evidence of

a most flagrant breach of the law on the part of the right hon. gentleman, and that he was not going to allow him to escape if gentlemen on the Government side of the House were attacked. He was not, nor had he ever been, on such terms with the right hon. gentleman as would justify his approaching him personally on the subject. He had never spoken to the right hon. gentleman except across the floor of the House. He was, perhaps, the only member of the House who had not been introduced to the right hon. gentleman, and he did not think, under those circumstances, that it would be becoming on his part to approach him with a communication of this kind verbally. At the same time, until he was assured that these hostilities were to continue, he did not think it proper or wise to address the right hon. gentleman in writing, and thus give him formal notice. He did not know exactly what passed between the right hon. gentleman and the hon. the Minister of the Interior, but he was sure no intention existed on the part of the latter nor of himself that anything should be said in the nature of threat. They regarded the right hon. gentleman as the leader of a party, and one who no doubt had great influence among his friends as to the course they generally pursued, and they desired to let him know that he, with others, would be placed on the list of accused persons, in order that he might take the whole situation into account, and pursue such a course as in his judgment seemed best. Knowing that the Minister of the Interior was on speaking terms with the right hon. gentleman, he asked him to be the means of communication.

Sir JOHN A. MACDONALD: And as to Mr. Rochester, as well, I suppose?

Mr. SMITH (Selkirk) said he was sorry to see party feeling carried to such an extent this Session that everybody must be ashamed of it. Although irregularities had been committed on both sides, the present feeling was greatly owing to the action taken by the Conservative Party—those who professed to be Conservative, not only of the rights and privileges of the

members of the House, but of the people at large. And yet this Conservative Party desired that Mr. Speaker should be punished without his being heard in his own defence.

Mr. BOWELL: No such thing.

Mr. SMITH: It was known before hand that that case was to be brought up, and no doubt a feeling of great bitterness was engendered accordingly. People of not very much character were issuing writs to the modest sum of \$500,000 and costs, as in his own case. It had come to his knowledge, and he believed it was pretty generally known in the House, that a member of the House had been directly instrumental in serving a writ upon him. That was the only case of the kind.

Several HON. MEMBERS: Name.

Mr. SMITH: It was hardly worth while naming him. He believed it would be acknowledged on both sides of the House, and he trusted it was the case, that of 206 members of this House, only one member was found capable of doing so, although it could not possibly affect himself.

Mr. DOMVILLE said he wished to make a personal statement, having had a writ served upon him for a large amount. If any inducement were necessary to make him vote for the Bill, it would not be his own case. It was stated in the *St. John Telegraph* that the hon. member for Arthabaska (Mr. Laurier) intended to proceed against him and the hon. member for Cumberland (Mr. Tupper.) He begged now to say before the House and country that he knew no such charge which could be made against him (Mr. Domville). He disclaimed having had any contract with this Government. He had, however, a contract in his own name with the late Government, in 1872, before he entered Parliament, and before he anticipated coming into Parliament. If he had in any way placed his seat in jeopardy, he distinctly wished to state, as it was, perhaps, his last opportunity, that he hoped the hon. member who was proceeding against him would bring the case on without delay, and he pledged himself that, if any charge could be brought against him, in which his legal adviser,

Mr. SMITH.

or his friends in whom he placed confidence, considered he had committed a breach of the Independence of Parliament Act, he would vacate his seat, and do it at once. He did not hide himself behind the plea that he did not know the law. He was fully aware what the law was. He had known it for some years, and he knew it to-day; and, if he had violated that law, intentionally or unintentionally, he would go back to his constituents.

Mr. BERTHAM said he fully expected that the Bill would pass the House unanimously. He did not think it could be considered a party measure, but he would suggest, now, that, as the Bill had created so much opposition, the Government should withdraw it.

Mr. RYAN said the hon. member for Selkirk (Mr. Smith) had said what was almost equivalent to the statement that the hon. member for Lisgar (Mr. Schultz), who was not now in his place, had served a writ upon the hon. member in his own name. As he (Mr. Ryan) knew something of the circumstances connected with the case, he thought it was only right and due to his hon. friend from Lisgar, in his absence, that he should make them known. He had the honour of being on very good personal terms with his hon. friend from Lisgar, although they happened to hold different political opinions, and he thought it was only right that he should do the justice to that hon. gentleman which he believed he would do to him. A couple of days before the hon. member for Provencher (Mr. Bannatyne) was served with a writ, the hon. member for Lisgar came to him in the smoking room and told him he had information that the hon. members for Provencher and Selkirk had instigated the issue of a writ against him (Mr. Schultz). He (Mr. Ryan) expressed his surprise and regret, as he did not believe that any member from Manitoba would be guilty of such intolerable meanness. He asked him if the information was correct, and the hon. member said he believed it was, and that the writ would be served upon him the following day. And he was served with a writ the following day. The hon. member, at the same time, said, if he

found that the information given him was correct, he would retaliate, and would issue writs against the hon. members for Selkirk and Provencher in his own name. He (Mr. Ryan) knew nothing about the facts of the case, and hoped that the hon. members for Selkirk and Provencher had not caused the issue of the writ. He merely, in the absence of his friend, gave this explanation of his conduct, and, if it was true that the hon. members for Selkirk and Provencher had instigated the issue of the writ, he thought the hon. member for Lisgar was perfectly justified in causing the issue of the writs against them; and he thought it was much more manly to do so in his own name than in the name of a third party.

Mr. SMITH (Selkirk) disclaimed all participation in the issue of a writ against the hon. member for Lisgar (Mr. Schultz) although he had heard it mentioned that the hon. member was to be served with a writ.

Mr. MACKAY (Cape Breton) said that those hon. members who had been charged with violation of the law, but had protested their innocence, could have their sincerity tested by availing themselves of the second section of the Act, which was as follows:

"This Act may be pleaded as a bar and discharge to any action, suit or proceeding pending or which may be brought against any such person, for any such pecuniary penalty or forfeiture as aforesaid."

When this House met at its next Session, they would be able to see whether those hon. gentlemen had availed themselves of the provision of the measure which they now declared they were about to vote against.

Mr. FLESHER said he fully recognised the responsibility which rested upon the Government to meet a difficulty of the kind which had occurred. But it seemed to him that the Bill was predicated on an error and was vicious in principle. It assumed that every one who had transgressed had done so unknowingly. He could readily understand that some principle should be applied to future Sessions, unless the measure was made to apply only to the past, as it was, according to the third section. Supposing the Government

denied they were culpable in the eyes of the law of giving contracts, though they were in the eyes of the community—and that was a vicious principle, and the chief element and source of the wrong—and if it was possible that the Government might influence individuals by giving them contracts, and if the principle was once established that the Government could introduce and carry a Bill to whitewash their fellow-sinners, then the law for the Independence of Parliament would be completely violated. He was certain the Bill would not meet the approval of the people at large. He regretted that a measure had not been introduced to amend the law, which was wrong in its details and utterly disproportionate in its provisions, as a man who received \$5 might be punished to the same extent as one who received \$50,000. This Bill, however, proposed to relieve an offender on the ground of ignorance, and, in addition, it almost furnished a temptation to commit perjury. He could not vote for the Bill in its present shape.

Mr. RYMAL said that, when he heard that such a Bill as that under discussion was about to be introduced, he understood that hon. gentlemen on both sides of the House had concurred in the opinion that it was a very proper thing to do; he had, indeed, heard that hon. gentlemen opposite had said they would support a measure of that kind. He believed he was justified in thinking they did so. But now, when the object was about to be accomplished, for the purpose of making a little political capital, they became very pure, and attacked the Government and its friends for resorting to the whitewashing process. As far as he was aware, gentlemen on both sides of the House were charged with whitewashing their friends. Let them take a couple of them. The first, he believed, was Captain Norris. Did any hon. member believe that that gentleman had entered into a contract with the Government by which he thought he was vacating his seat? He did not believe any hon. member thought so. What followed? The whiskey informer, the social pirate endeavoured to collect the penalties mentioned in the Act from Captain Norris. Then there was

another case—that of his hon. friend from Ottawa (Mr. Currier), who let the Government have some lumber at a time when, as he understood it, some of the bulkheads about the slides at Ottawa were likely to be carried away by the freshets. He presumed that gentleman had done a favour to the Government and a public service in letting them have the lumber. Was there any corrupt act in that? He understood, however, that Mr. Currier had been sued for the penalties. Now, was it reasonable, was it common sense, fair play or justice, that those men should be made the victims of whiskey informers or social pirates? He believed that Parliament should be just as pure as possible, but he did not believe that men who, unwittingly or without any corrupt intent, had entered into contracts or performed work for the Government, should be liable to be prosecuted for such vast sums. He presumed he was one of the few against whom a charge would not lie of having been implicated in any contract with the Government. He might have been implicated, however. A gentleman was sent into his neighbourhood to purchase horses for the Mounted Police Force. He opened an office in the city of Hamilton. Fortunately, or unfortunately, for him (Mr. Rymal), he had no horses to sell, but he presumed that, if that gentleman had bought one from him for \$80 or \$100, for which he would have given value, he would have been in a nice mess. Let them exercise a little common sense, let them do to others as they would like others to do unto them, and let them not for a little cheap political capital keep a couple of their colleagues, who were, he believed, as innocent as a child unborn, on the rack, liable to be followed by whiskey informers and social pirates. He admired the manner in which one hon. gentleman had defied his foe, but he fancied that, when the time came, that hon. member would screen himself behind the enactment he so much objected to now. He would make a suggestion, which would, perhaps, meet the case. Could there not be a rider appended to the motion, to this effect:—"Provided, nevertheless, that we, the undermentioned members of the House, are, at

Mr. RYMAL.

our own request, exempted from the operation of this Bill." He fancied that, if such an opportunity were given, there would be a rush of members to affix their signatures. His imagination pictured the hon. member for North Hastings (Mr. Bowell) running up to the paper saying: "I write a pretty fair hand, and I will put my name to that." He appealed to the House to act as sensible and fair men in dealing with the subject.

Question put, and motion agreed to, on the following Division:—

YEAS:  
Messieurs

Archibald	Lafamme
Aylmer	Lajoie
Béchar	Landerkin
Bernier	Laurier
Biggar	Macdonald (Centre
Blain	Toronto)
Bolduc	McDonald (Cape Breton)
Borron	Macdougall (E. Elgin)
Bowman	McDougall (S. Renfrew)
Brooks	MacKay (Cape Breton)
Brown	McKay (Colchester)
Buell	Mackenzie
Burpee (Sunbury)	McCraney
Carmichael	McIntyre
Cartwright	McLeod
Casey	McNab
Cauchon	Metcalf
Cheval	Mills
Christie	Mitchell
Church	Paterson
Coffin	Perry
Cook	Pickard
DeCosmos	Power
Delorme	Ray
De St. Georges	Richard
Dymond	Robillard
Ferris	Ross (East Durham)
Fiset	Ross (Prince Edward)
Fleming	Ryan
Flynn	Rymal
Forbes	Scatcherd
Fréchette	Scriver
Galbraith	Shibley
Gibson	Sinclair
Gill	Smith (Peel)
Gillmor	Smith (Selkirk)
Goudge	Smith (Westmoreland)
Greenway	Snider
Guthrie	Taschereau
Hagar	Thompson (Cariboo)
Hall	Thompson (Haldimand)
Higinbotham	Thomson (Welland)
Holton	Trow
Horton	Vail
Huntington	Wallace (Albert)
Irving	Wallace (S. Norfolk)
Kerr	White (North Renfrew)
Killam	Wood
Kirk	Young.—97.

NAYS:  
Messieurs

Baby	Jones (South Leeds)
Benoit	Langevin
Bertram	Lanthier

Blanchet	Little
Bowell	Macdonald (Kingston)
Cameron	Macmillan
Caron	McQuade
Clonon	Masson
Costigan	Monteith
Coupal	Montplaisir
Cuthbert	Mousseau
Daoust	Orton
Dewdney	Pettes
Donville	Pinsonneault
Donahue	Platt
Farrow	Plumb
Flesher	Pope (Compton)
Fraser	Robinson
Gaudet	Robitaille
Gibbs (North Ontario)	Roulean
Gibbs (South Ontario)	Roy
Harwood	Stephenson.—45.
Hurteau	

Bill read the second time.

House resolved itself into Committee on the said Bill.

(In the Committee.)

On Section 1,

Sir JOHN A. MACDONALD said this clause was highly objectionable. It did not say that an innocent man, but one who believed, not that he was innocent, but that he had managed the matter so that he had not broken the Independence of Parliament Act, was to be released from his difficulty. Though he was a contractor under the influence of the Government, though he had knowingly made the arrangement with the Government, yet, if he believed that under the operation of the Statute he was clear, he was to be clear. The Bill provided that, if by some construction of the Statute an hon. member believed he had not broken the law, no matter how flagitious his conduct had been, he was to be exonerated. Other hon. gentlemen could not claim to be indemnified, because, in order to claim that, they must admit they had broken the law and were disqualified. They must have vacated their seats before they could claim the indemnification; they must confess their guilt before they could get the discharge. So that men who honestly believed they had not broken the law would not benefit by the Bill. Others might say: "It is true I entered into contracts with the Government, but this acquits me. On my honour, while knowing I was making a contract with the Government from which I was to derive large pro-

fits, yet I thought I would manage to keep my seat."

Mr. MACKENZIE said the clause was similar to the one in the English Act of Indemnity.

Sir JOHN A. MACDONALD said in that case a hardship had been made out.

Mr. MACKENZIE said it was a very remarkable circumstance in connection with the Bill that four members, two of whom asked him to introduce the Bill and two volunteered their assistance, happened to be absent from the House to-night. Another member who, he had reason to believe, held the same opinion, had taken an active part in opposing the Bill. It was quite evident that a large number of hon. gentlemen opposite seemed to be quite satisfied that the Bill would pass, and they, therefore, thought it would be an easy matter to speak and vote against it. That was the whole root and branch of the opposition to the Bill.

Mr. MITCHELL said that he did not interpret the first clause in the same manner as the right hon. member for Kingston. He was satisfied that his own case did not come within the spirit of the Independence of Parliament Act.

Mr. MACKENZIE said that the Bill was only intended for those whose cases came within the meaning of the Act.

Mr. MITCHELL said the clause read as follows:—

"Any person who has, at any time since the passing of the said Act, been elected a member of the House of Commons, and who, acting under the *bona fide* belief that he was or continued to be qualified and capable of sitting or voting as a member thereof, has sat or voted therein, shall be and is hereby indemnified, exonerated, freed, and discharged from all pecuniary penalties or forfeitures whatsoever (if any) which may have been incurred by him by reason of having so sat or voted at any time up to the end of the present Session of Parliament."

Nothing in the Act implied that a man must himself be satisfied that his case came within the meaning of the Independence of Parliament Act. He could not see the force of the objection taken by the hon. member for Kingston.

Mr. SMITH (Westmoreland) said the relief was intended for those who had, innocently and unwittingly, violated the law. It could be pleaded, in the first place, that a member had not violated the law; and, in the second place, that, if he had violated the law, he had done so unintentionally. Then the provision would inure to his benefit.

Mr. MACDOUGALL (Elgin) said it was competent, in such cases, to raise the question as to whether or no a member had acted in *bona fides*, when this would become a question of fact. The wrong or offence was only created by Act of Parliament. The pleas must necessarily involved a question both of law and fact.

Sir JOHN A. MACDONALD said that a member, under such circumstances, must prove his *bona fides*, which could be done by no one save himself. The defendant must also, in the plea, admit the transaction and that he was a contractor.

Mr. MACDOUGALL (Elgin) said that, as in civil cases, regarding the Statute of Limitation, for instance, witnesses could be called to show *bona fides* or otherwise.

Sir JOHN A. MACDONALD said no one could prove what a man believed except the man himself.

Mr. MACDOUGALL (Elgin) said that the question of intention arose and was proved in commercial cases. This would be determined by the Judge or jury from the facts and circumstances of the case.

Mr. SMITH (Westmoreland) said that surely the question as to the *bona fides* of a transaction was one capable of proof.

Sir JOHN A. MACDONALD: It is not the *bona fides* of the transaction, but the *bona fides* of the belief of a man that is to be established.

Mr. SMITH (Westmoreland) said malice was proved in cases of malicious prosecution. The intent became evident from the facts and circumstances surrounding a case.

Mr. CAMERON asked whether the Bill applied to the case of a man who

Mr. MITCHELL.

deliberately signed a contract with the Government, but who at the time did not know that it forfeited his seat.

Mr. SMITH (Westmoreland) said that this law was intended to cover every case of unwitting violation of the Independence of Parliament Act. He presumed that no hon. member would wish to see any hon. gentleman condemned under such circumstances to pay \$2,000 a day for the period in question.

Sir JOHN A. MACDONALD asked what was the use of an Independence of Parliament Act if a law was to be passed rubbing it out? He was glad to hear the Minister of Justice say that he would introduce a Bill next Session to amend the Independence of Parliament Act, doing away with the excessive nature of the penalties and removing some of the anomalies connected with it. A general election would follow, and then there would be a crop of such cases, and another whitewashing. The same argument applied now would apply to such other cases, if a new Bill were introduced. If this argument was carried out, they had better wipe out the Independence of Parliament Act altogether.

Mr. FLESHER asked how would the law apply to a member who might be invited to enter into a contract with the Government and who would deny that the provisions of the enactment applied to his case, and swear to it.

Mr. SMITH (Westmoreland): That is a question of fact.

Mr. FLESHER: Such a member would rest on his own interpretation of the Statute. He would whitewash himself by his own act.

Mr. BLAIN said the logic of the hon. member for Kingston was very singular. The leader of the Government had referred to a case which met the approbation of the hon. gentlemen—in which a man had acted deliberately and with his eyes open in such relation—and yet the hon. gentleman held that persons who knew nothing whatever of these matters must be held responsible for them. This was absurd.

Section agreed to.

On the Preamble,

Mr. PLUMB asked why was not the law made general in its character and its effect continued.

Mr. SMITH (Westmoreland): Hon. members now have knowledge of the Act.

Mr. PLUMB said that hon. members were not better acquainted with the law now than previously. Hon. gentlemen had been sitting in Committee for twelve or fourteen days, and yet were unable to decide what constituted a contract. The difficulty lay in the disproportionate penalty attached to the infringement of the Act.

Preamble agreed to.

Bill ordered to be reported.

House resumed.

Bill reported, read the third time, and passed on a division.

SUPPLY.

House resolved itself into Committee of Supply.

UNPROVIDED ITEMS OF 1875-76.

234.	{ Capital.....\$	73,967	60
	{ Consolidated Fund.	80,589	67
		<hr/>	
		\$154,557	27

OCEAN AND RIVER STEAM SERVICE.

DOMINION STEAMERS.

235	{	To provide for extraordinary expenditure incurred for this service	\$15,000
		Pay for repairs, maintenance and balance due for construction of "Northern Light"...	16,000
			<hr/>
			\$31,000

Mr. CARTWRIGHT said the expenses had been cut down as low as possible. Under the heading "Extraordinary Expenditures" was included the use of the Government steamer on the proposed visit of His Excellency the Governor-General to Manitoba.

Mr. MITCHELL said he objected to His Excellency's trips costing the country so much. He also thought the expenditure as to the "Northern

Light" might be decreased. He desired to know the probable cost of the actual repairs.

Mr. SMITH (Westmoreland) said the Government had just received a telegram stating that the cost would be \$6,000. The Government was under an obligation to keep up steam communication with Prince Edward Island. He considered the enterprise had been very successful, and the people of Prince Edward Island were very much satisfied with it, although he admitted the expense was rather heavy.

Mr. SINCLAIR said he thought the hon. the Minister of Marine and Fisheries had done his duty very creditably. It was desirable that the vessel should be repaired for service next winter. Communication was not kept up as much as was desired, but still what was done was very much appreciated. He believed that a considerable part of the expense in carrying the mails was on account of ice-boats which were absolutely necessary during a certain portion of the year.

Vote agreed to.

LIGHTHOUSES AND COAST SERVICE.

236	{	To provide additional amount required for maintenance, viz.:-		
		Amount expended in repairs at Amet Island Breakwater, N.S.....	\$7,275 00	
		Replace buildings and fog-whistle at Digby, N.S. (destroyed by fire).....	5,000 00	
		Purchase of land at Point Pleasant, Ont.	750 00	
		Purchase of Isle à la Pierre .....	1,575 00	
		Cost of building pier at Isle aux Prunes.....	1,000 00	
		Excess of costs for repairs at St. Paul's Humane Establishment, N.S., over Estimates .....	2,400 00	
			<hr/>	
				\$18,000 00

237. To provide amount required to complete construction of Lighthouses and Fog-Whistles commenced in 1875 and 1876 (re-vote)..... \$39,000 00

FISHERIES.

238 { Further amount required for Fisheries Overseers' salaries and disbursements. 9,500 00  
 { Further amount required for fish-breeding ..... 8,000 00  
 \$17,500 00

CIVIL GOVERNMENT.

Department of Justice.

239. To provide for the salary of an Inspector of Indian Agencies, &c., with the rank of Chief Clerk of the 2nd grade..... \$1,800 00

Department of Secretary of State.

240 { One 1st Class Clerk... \$1,400 00  
 { One 3rd do .. 600 00  
 \$2,000 00

Department of Agriculture.

241. Private Secretary..... \$600 00

LEGISLATION.

242. Expenses of Committees, extra Sessions, Clerks &c., House of Commons.. 4,500 00  
 243. Salaries of Officers (additional), and contingencies of Library..... \$3,500 00

ARTS, AGRICULTURE AND STATISTICS.

244. To provide for expenditure likely to be incurred in connection with the Exhibition to be held at Paris..... \$25,000 00

Mr. SINCLAIR.

PUBLIC WORKS AND BUILDINGS.

CHARGEABLE TO CAPITAL.

Railways.

245. Prince Edward Island Railway, including stores \$42,000 00  
 246. Pacific Railway Survey ..... 130,000 00  
 247. Pacific Railway Construction, Pembina branch extension ..... \$60,000 00

Canals.

248. St. Lawrence canals and rapids ..... \$20,000 00  
 249. St. Peter's canal..... 49,500 00

CHARGEABLE TO INCOME.

Public Buildings.

250. Post Office and Custom House accommodation, St. Johns, P.Q..... \$4,000 00

Harbours and Breakwaters.

251. Campobello, N. B., (Wilson's Beach)..... \$1,000 00  
 252. St. Peter's Bay, King's Co., P.E.I..... 5,000 00

OCEAN AND RIVER STEAM SERVICE.

253. To provide for Mail Subsidy between Halifax and Cork, if necessary... \$39,541 67

LIGHT-HOUSES AND COAST SERVICE.

254. Towards possible additional construction of light-houses and fog-whistles ..... \$30,000 00

GEOLOGICAL SURVEY AND OBSERVATORIES.

255. To aid in the construction of a telegraph line from Matane to Fox River..... \$10,000 00

STEAMBOAT INSPECTION.

256. Expenses in connection with re-measurement of steamers in inland waters ..... \$800 00

INDIANS.

*Manitoba Superintendency.*

257. To provide for the payment of salaries to certain medical officers within that Superintendency..... \$4,000 00

*Manitoba and the North-West.*

258. To provide for such expenses as may be incurred in prosecuting the survey of Indian Reserves during the year \$15,000 00  
 259. To provide for the purchase of seedgrain and implements of husbandry to be given to bands of Sioux Indians in the neighbourhood of the Q'Appelle Lakes..... 3,000 00

MISCELLANEOUS.

260. Miscellaneous printing 2,000 00  
 261. To provide for the expenditure likely to be incurred in connection with the proposed visit of His Excellency the Governor-General to Manitoba.... 8,000 00  
 262. Towards paying cost of enquiries respecting disposal of saw-dust and mill rubbish in navigable waters..... 600 00  
 263. To meet expenses of Halifax Commission..... 30,000 00

COLLECTION OF REVENUES.

EXCISE.

264. Preventive Service.... 2,500 00

WEIGHTS AND MEASURES.

265. { To provide for the travelling expenses, rent and salaries of Inspectors, P.E.I..... \$ 3,100 00  
 { To provide for additional Inspection Divisions..... 3,000 00  
 { \$ 6,100 00

DOMINION LANDS.

266. { To provide for further expenditure in this service, viz., Surveying remaining portion of boundaries of Manitoba..... \$ 4,000 00  
 { Survey of Battleford 3,000 00  
 { Fixing the precise latitude and longitude of some point in the North West Territory, to facilitate systematic extension of surveys 2,500 00  
 { Copies of maps ..... 1,000 00  
 { Surveying of leading post trail or stage route from Manitoba to Battleford 2,500 00  
 { \$13,000 00

Resolutions ordered to be reported.

House resumed.

Resolutions reported.

House adjourned at

Fifteen minutes after One o'clock.

HOUSE OF COMMONS.

Friday, 27th April, 1877.

The Speaker took the Chair at Three o'clock.

CIVIL SERVICE.

REPORT OF SELECT COMMITTEE.

Mr. CASEY presented the report of the Select Committee appointed to enquire into the present condition of the Civil Service, and the method of nominating and examining candidates for appointments, with a view of ascertaining the general efficiency of the service.

COAL TRADE.

REPORT OF SELECT COMMITTEE.

Mr. MACKAY (Cape Breton) presented the report of the Select Committee to whom was referred the petition of Henry Mitchell and others, with instructions to enquire into the

allegations as to the state of the coal trade contained in the said petition, and into the best means of promoting Inter-Provincial trade.

### CIVIL SERVICE.

#### MOTION TO PRINT REPORT OF COMMITTEE.

Mr. CASEY moved that the report of the Civil Service Committee and the evidence taken before it be printed, and that the rule enquiring reference to the Printing Committee be suspended. He considered that the report and the evidence was of considerable importance to the House and the public. When he moved for the Committee he felt that the result of the investigation would justify the labour taken and the expense incurred, and he was sure that hon. members would agree with him when they perused the report and the evidence. The return to an address that he had the honour of moving for did not contain as full information as he desired, and the inference was that something was lacking in the Departments which had not responded, as nearly all the information he asked ought to have been on the books of the Departments. Owing to this, the Committee had to depend almost entirely on the oral evidence of gentlemen of high standing in the service, all of whom gave evidence with great clearness, frankness and courtesy. The general result of the evidence he might state to be this. The Committee found that political influence had been, and was, to a considerable extent, at work in all Departments of the service, and that that interference had almost invariably been injurious to the service and led to violations of the law regulating it. The actual state of the service he could not say had been found good; but, on the other hand, it was not found scandalous. In some instances the heads of Departments stated that their men were as good as could be wished; but in one instance it was testified that the employes were not of as high quality as were to be found in banks. He thought when the House saw the report they would agree with him that the labour and expense of the Committee had not been spent in vain.

Mr. MACKAY.

They had been unable to go into the points brought out in the evidence at any great length in the report, and he thought the *ipsisima verba* of some of the witnesses would carry great weight.

Sir JOHN A. MACDONALD said he thought the printing of the evidence would be valuable to hon. members. He would like to ask the hon. chairman of the Committee whether the report dealt with the service as a whole.

Mr. CASEY : Yes.

Sir JOHN A. MACDONALD : Does it deal with the mode of selecting the higher officers.

Mr. CASEY : It does not deal with that question. The report dealt with the method of selecting men for appointments, the modes of making appointments, the question of promotion and the discipline in the Departments. The Committee did not deal with the question of the appointments of higher officials, because that was considered a matter which, under all circumstances, should be left to the responsibility of the Government of the day. The report recommended a double process of selection for employes—a means of selecting men to be taken on trial, and a further trial by probation before the appointment was confirmed. The selection of men on trial was recommended to be made as in England, that was to say, there should be first a qualifying examination to test the ordinary education and intelligence of men applying for appointments; and, secondly, competition between those who showed themselves to be qualified for the privilege of being taken on trial. Those who succeeded in competition were to be appointed conditionally to places in the Departments; but they were to have no claim to permanent employment until they had earned a favourable report from their immediate superiors before the close of a certain term—one year, or two years, or whatever it might be. Subsequent proceedings regarding promotion should take place on the *primâ facie* ground of seniority. When a vacancy occurred, the senior qualified officer should be promoted unless a junior was especially recommended to the post by those under whom he

worked from year to year. This provision was intended to remedy existing evils. The practice of compelling a man to stay for a certain number of years in a certain grade, before he was promoted, they considered injudicious. It appeared that this took away any stimulus to be afforded by the hope of promotion; it kept employes for a very long time at mechanical work, sometimes thus unfitting them for higher duties, and too long on lower salaries, which affected their self-respect, their character and the support of their families. The Committee thought that these employes should be promoted when their turn came, although they might not have served a specified term, provided such persons were reported efficient by their superior officers. Regarding discipline, they made no distinct recommendation, but they called attention to the system in vogue in the Province of Victoria, Australia, where the official head of the Department was allowed to inflict a limited fine as a penalty on subordinates, in addition to suspending them, and this was sometimes found to be of very good effect. The only points they distinctly recommended related to the selection of men for trial in the service by some other means than political favouritism; and the adoption of qualifying and competitive examinations. Their strongest recommendation concerned probationary appointments, which, if strictly carried out, would remedy a great many of the evils which now existed. This alone would work a great reform as to the class of men admitted into the service, without any change being made in the manner of making the first appointments. They strongly insisted on promotion according to some fixed rule, and not favouritism. This should take place *primâ facie* by seniority, and should extend both to the inside and outside service. They found that at present promotion hardly existed in the outside service in the Department of the Minister of Customs—though it prevailed to some extent in the Inland Revenue Department—where vacancies as to the higher places were generally given to outsiders. They hoped to avoid this by making promotions general in both services.

There were many other minor points in which he could not go unless he read the whole of the report.

Mr. TUPPER said he regretted that the report had been presented at so late a period in the Session. Hon. gentlemen would, however, have opportunity and leisure to examine it during recess, and consequently they would be better able to take the question up next Session than they were now. He was inclined to think that the Committee had substantially come to the conclusion which was long since arrived at, and the recommendations of the Committee rather pointed to the rigorous enforcement of the law and practice which had been adopted by Parliament with regard to this service, than to the introduction of any new system. There was no novelty in the probationary system, as it had already been authorized by Parliament. The practice was, that every person who entered the service was obliged to do so as a probationary clerk, at \$300 a year; and he so remained for one year before he obtained an additional \$100, and before he was appointed by Order in Council a member of the service at all. Clerks were obliged to shew themselves worthy of their positions before they could be appointed. This system might, to a certain extent, have fallen into desuetude, but it nevertheless existed. The hon. gentleman had himself admitted that the Government must have the power to go outside of the service, in certain cases, to secure qualified officials. He was afraid that there was too much necessity for the action recommended with regard to the present Government, because he believed it would be found that very little regard had been paid, during the last two or three years at all events, to the rules relating to these appointments. He had endeavoured to conform to them when head of two or three Departments, and he thought that the hon. gentleman would search in vain for any violation of the law in this respect. He regarded the decision at which the hon. gentleman had arrived with reference to the system of promotion as the very foundation of an efficient Civil Service, which could not be made so while

capable and experienced officials were neglected and outsiders appointed over their heads. He did not think that the late Government had always observed the rule regarding promotions as closely perhaps as they ought to have done, but he believed that they had observed it much more closely than their successors.

Mr. MACKENZIE moved that the report be referred to the Joint Committee of both Houses on the Printing of Parliament, with a view to its being printed, with the evidence accompanying the said Report.

Mr. CASEY said that the presentation of the report had been delayed because they desired to make it as full as possible. They had found that the law to which the hon member for Cumberland had referred had not been carried out. This was the testimony at least of members of the Civil Service. Men had been nominally appointed on probation, but they had never been dropped when found to be inefficient. They had obtained no testimony to the effect that the rules relating to promotion had been more closely observed by the late than by the present Government. Mr. Fleming had stated that he had felt the grave evils of political nominations in his Department; and that this had been the case in connection with the construction of the Intercolonial Railway.

Mr. ROCHESTER rose to a point of order.

Mr. SPEAKER said that, as objection had been taken by the First Minister to the proposed resolution, it must, in its present shape, be dropped, while the suggestion of the Premier was not a debateable resolution. It was simply a mode of referring the matter to the Printing Committee.

Motion to refer report *agreed to*.

#### PILOTAGE ACT AMENDMENT BILL.—[BILL No. 108.]

(*Mr. Smith, Westmoreland.*)

SENATE AMENDMENTS CONCURRED IN.

*Amendments read the first and second times and agreed to.*

Mr. TUPPER.

#### THE NORTH-WEST TERRITORIES BILL.—[BILL No. 74.]

(*Mr. Mills.*)

SENATE AMENDMENTS CONCURRED IN.

Mr. MILLS moved that the amendments made by the Senate to the Bill relating to the North-West Territories be read the first time. One of them, he stated, provided for the publication of the proceedings of the North-West Council in English and French, and for the use of both languages in the Courts. They had thought that this was a matter which had better be left to the Council in question. He regretted that the amendment had been made, but it would be impossible to get the measure through at this late period in the Session, unless the amendments were accepted. The action taken by the Senate would add very considerably to the expense. Almost every one in that part of the country spoke Cree, though some spoke, in addition, English or French, and, if the proceedings were to be published in the most prevalent language, Cree should be chosen for the purpose.

*Amendments read the first and second times and concurred in.*

#### THE ALBERT RAILWAY COMPANY BILL.

MOTION TO CONSIDER.

Mr. DOMVILLE moved :

“That the Order of the House, referring the amendment made by the Senate to the Bill (No. 48) Respecting the Albert Railway Company, to the Select Standing Committee on Railways, Canals and Telegraph Lines, be discharged, and that the said amendment be considered this day.”

He said he was informed that the Committee would not meet again, and, as prorogation was near at hand, some action must be taken in the matter.

Mr. KERR said that he felt it would not be right to let the motion pass without considering whether it had not better lie over. He was a member of the Committee, and he knew that there was a diversity of opinion as to the expediency of granting the legislation asked for.

Mr. BURPEE (Sunbury) said he considered that the Bill as it stood was very objectionable, and it was quite important to Albert County in two or three aspects. The Bill, as a whole, was a local Bill. The only provision sought by the Bill at first was to allow the issue of debentures at 8 per cent. instead of 6 per cent. There were other provisions which had been sought for, however. One objection to the Bill as it now stood was that it did not give sufficient guarantee to parties having claims against the company as to land damages. Another ground on which he objected to the Bill was that it allowed the company to issue promissory notes. So guarded were the Local Legislature as to this power, that they altered a former Act so as to reduce the issue of bonds from \$700,000 to \$600,000. But the present Bill gave the company power to issue promissory notes as well as debentures at 8 per cent.

Mr. DOMVILLE: No.

Mr. BURPEE: And of course this added to the liability of the company. He was informed that the company had no paid-up capital at all. Under these circumstances the promissory notes issued under this Bill would be very deceptive, and liable to lead to serious difficulties. Another reason why he objected to the Bill was that it was not put on the Order paper, but passed through the House without proper notice being given. From all these considerations he must protest against the passage of the Bill.

Mr. HOLTON said he moved the reference of this Bill to the Railway Committee because he knew that it had engaged the serious attention of gentlemen from New Brunswick, although of course he had no local knowledge of the objections. It was considered at two or three sittings and subsequently amended in the appropriate Committee of the Senate in the interest of the parties concerned in the Bill. These amendments, so made, were overruled by the Senate. The Bill came back to the House amended. Of the precise purport of the amendments he was not in a position to judge, and he was desirous that the Bill should be considered anew; he,

therefore, moved its reference to the Railway Committee. The quorum of that Committee was very large, and no doubt there was a difficulty in getting a quorum together. He thought the motion just made with reference to the Bill was perfectly in order. It was for the House to pass not only upon the merits of the amendment, but upon the merits of the Bill itself. His suggestion was that, as the time of the House was so short, it should be put upon the Order paper to be discussed in the evening during the hours for Private Bills.

Sir JOHN A. MACDONALD approved of the suggestion.

*Motion agreed to.*

### COAL INTERESTS.

#### MOTION AS TO PRINTING REPORT OF COMMITTEE.

Mr. MACKAY (Cape Breton) moved that the report of, and the evidence given before, the Select Committee to whom was referred the petition of Henry Mitchell and others, relative to the coal interest, be referred to the Joint Committee on Printing.

*Motion agreed to.*

### SUPPLY—CONCURRENCE.

House resumed the further consideration of Resolution 124, completion and construction of Lighthouses and Fog-alarms, as reported from the Committee of Supply.

Mr. TUPPER said he wished to avail himself of that opportunity to direct the attention of the House to the mode in which the hon. the Minister of Marine and Fisheries had failed in the discharge of his duties. The House would remember that, at an early period of the Session, when he (Mr. Tupper) made a few remarks in connection with that Department, he was met by a very prompt and authoritative denial on the part of the hon. the Minister of Marine and Fisheries with regard to the question raised, and a challenge to bring forward, at any time, proof that the hon. gentleman had failed in the discharge of his duties. He now undertook to produce, from

public documents brought down to the House by the hon. Minister, evidence of the most gross neglect of public duty that any hon. gentleman administering a public Department could be charged with. Parliament had voted money for the purpose of establishing a fog-whistle at a very important point, viz., Cape D'Or, having come to the conclusion that such protection to shipping was necessary. The point in question was much exposed to fog during a considerable portion of the year, and, as much shipping passed off the point, the fog-whistle was extremely necessary. When Parliament provided money to maintain a fog-whistle at a certain point, and the Department afterwards failed to keep it in operation, the expenditure became a snare and a delusion. He would show the House that the most gross neglect had taken place with respect to keeping the fog-whistle in operation, for the correspondence submitted showed that, at one time, there was no water and at another time no coal. He had no hesitation in saying that, if a valuable vessel was wrecked under such circumstances, a petition of right would compel the Government to pay the amount of loss; and, if lives were sacrificed, they would have to suffer an extreme penalty on account of their neglect. If, from accident, a fog-alarm became useless, then due notice should be given; but, as he would show by quotations from the returns, no precaution was adopted by the Department, and during several months the Department was aware of the condition of affairs at that point, but took no action. It appeared that, on the 16th August, 1875, the person in charge of the fog-whistle at Cape D'Or wrote to the agent of the Department in Halifax, Mr. H. M. Johnson, in the following terms:—

"I am clear out of water and had to stop yesterday at 10.30 a.m., in thick fog, after running fifty-two and a half hours, and we have nothing else but thick fog this month. I have been running 171 hours this month already, and if it had not been for the rain we had last week I should have had to stop before. The fog cleared about three hours after stopping, and the weather looks a little clearer now, and the wind to the eastward."

The next paper of the series was a

Mr. TUPPER.

letter from Mr. Johnson, agent at Hali fax, to the Engineer, dated 12th October, 1875, in which he stated:—

"As it is just possible some change may be made in the location of the fog whistle, no steps will be taken at present to have another tank made, but meanwhile, you will make every possible exertion to secure and keep on hand a sufficient supply of water."

The Department had been informed that there was no water at the point, and that the only means of obtaining a supply was by constructing an additional tank at a cost of less than \$1,000. After an investigation was made he was told on the 12th October, 1875, that it was possible some change might be made in the location of a fog alarm, and, therefore, the Department was not prepared to construct the tank required. The next document was dated 18th October. It was a letter from Mr. Short, the Engineer, concerning an advertisement which appeared in the St. John newspaper, and which was a complaint from private individuals with regard to the fog alarm not being in operation. Mr. Short wrote:

"I have tried every possible means in my power to keep her going. Myself and my assistant have bucketed rain that fell from the dwelling; but without rain I can get no water, for there are no springs here, and I have to depend solely upon rain. If there was another tank built, as you mentioned in your last note, I could catch sufficient water to last the whole season, for there was more water run waste last season than would fill four or five tanks like the one that I have; and I sent you due notice when I had to stop: but I have been blowing all along since I have got water, and I have plenty of it now."

On the 31st May, 1876, the Engineer wrote:

"I had to stop on the 9th of this month on account of a rivet blowing out of the boiler while the whistle was going, and I had to screw a bolt and put in, and it was thick fog at the time, and I hear there were vessels in the bay at the time; but I soon got her running again. I would thank you to send me some coal as I am getting short."

On the 19th June, 1876, he again wrote:—

"I have been obliged to stop blowing the whistle, in consequence of my supply of both coal and wood being entirely exhausted. I stopped blowing on Sunday morning at seven o'clock. It was then very foggy, and it is now clear."

The Engineer at that time called the attention of the Department to the difficult position in which he was placed on account of the want of fuel. On the

14th July, 1876, having had no fuel since the 19th June, he wrote, stating that Captain Smith had arrived with a supply. On the 26th July, 1876, there was a letter from the agent of the Marine and Fisheries Department at Halifax, to the Department at Ottawa, which ran as follows :—

“The water supply at the station is very uncertain. There are no streams or springs, and it can only be obtained in the spring of the year from the melting snow running down the cleft, and from what can be secured from the roof of the whistle house. The tank can be filled in the spring but cannot be replenished after that, except from the rain supply. I would strongly recommend the building of another tank alongside the first one, by which means a constant and sufficient supply of water can be maintained. When I was at the station there was only enough for about 100 hours sounding, and had the whistle been in operation during the foggy weather at the end of June and the first part of July, when the fuel was out, the water supply would have been exhausted before this date.”

In the Department, with respect to the administration of which the hon. Minister had challenged him to point out any want of diligence, it appeared by the reports of the officers, that the only reason why there was not enough water on the 26th July was because they had to stop the fog whistle during the most dangerous period of the year for want of fuel. It would be difficult to imagine a case of more culpable negligence in any Department. The reply sent by the hon. the Minister of Marine and Fisheries to the agent of the Department at Halifax was as follows :—

“Your report received in this matter. I am glad charges against the Engineer are unfounded. I don't feel inclined to authorize expenditure this season for the tank you recommend. What will be the probable cost?”

The hon. Minister on the 5th August, 1876,—one year after the engineer had been asking for water—obtained an estimate which placed the cost of building the improvements at \$992, which was afterwards reduced to \$815. On the 8th of August, Mr. Johnston wrote to Mr. Short:

“I am in receipt of your letter of 1st inst., inclosing estimates and offers for building tank, coal-shed and wood-house at Cape D'Or. I sent these papers to the Minister of Marine and Fisheries, and he instructs me that these improvements will have to stand until next year, as there is no appropriation to meet expenditure.”

On 24th August Mr. Johnston wrote to the Minister:

“I have the honour to forward copy of letter from the engineer at Cape D'Or, stating that the supply of water there was exhausted. I did not advertise this whistle as stopped because, between the date and receipt of the letter, we had had very heavy rain, which will, I trust, both clear the fog and give us a supply of water.”

The Department had certainly shown unlimited faith in Providence. On the 19th August, Mr. Short wrote to the agent at Halifax, to the effect that the water had given out, and that the whistle was silent. Now, if any ships had gone ashore, under the circumstances every fair and just-minded man would consider the Government responsible for any loss of life and property that might occur. On the 19th December, 1876, Mr. W. M. Smith, the Inspector, wrote to the Department, stating that he proposed building an addition to the reservoir, so as to insure a supply of water, and they had a memorandum by Mr. Joseph Tomlinson to the effect that this would involve an expenditure of \$700. Without taking up any more time of the House, he submitted that, if there was any question which demanded careful consideration, it was the one to which he had referred.

Mr. SMITH (Westmoreland) said he did not think it was right that, at this late moment, without giving him notice, his hon. friend should make such a violent attack. He thought the conduct of the hon. gentleman on this occasion was unworthy of him. If any hon. member examined the papers he would find they did not reflect on either himself or his Department. It was impossible to manage 400 lighthouses and 30 or 40 fog-whistles without occasionally some mistake happening; but he did not think that there was sufficient ground in this instance for the hon. member for Cumberland (Mr. Tupper) to make a personal attack. He did not object to any fair criticism of his Department, but the hon. gentleman rather overstepped the mark in this particular. Any one who read the papers would find evidence to exculpate both himself and the Department. The appropriation for this fog-whistle was made during the incumbency of his predecessor, and it was finished in the

autumn of 1875. It was thought by the inspector at the time there would be an insufficient supply of water. Provision was made for the construction of a light on the Isle of Hope, and the agent advised the Department that it would be desirable and expedient that the fog-whistle should be transferred there, but it was decided that it should not be removed. In the month of August, last year, his attention was drawn to the fact that there was a deficiency of water; but he concluded, as there was no appropriation, that it would be better, before doing any work, to wait until Parliament met and voted a sum for the purpose. He did not think that he had been fairly treated in this matter. He would read the following letter:—

“HALIFAX, 9th May, 1876.

“Your note of 5th inst. offering to supply Cape D’Or Fog-alarm with 100 tons of coal during the month of June, was submitted to the Minister to-day, and he directs me to say that the Department will give you the sum of two hundred dollars (\$200) for landing 100 tons of Spring Hill coal at the Whistle-house, Cape D’Or, during the month of June next, or earlier if you desire. The coal will be provided at the wharf, Dorchester. Please inform me if you accept this offer, as otherwise we will probably send the coal by our own vessel.”

“I am, &c.,

“H. W. JOHNSTON,

“WILLIAM SMITH,

“Master Schooner *Ada*,

“Advocate Harbour.”

This was the contract, and the coal was to be delivered at the wharf at Dorchester. The coal was to be furnished in the month of June, or earlier if the captain chose. The captain, on the 13th of May, 1876, wrote the following letter:—

“CAPE D’OR, May 13th, 1876.

“DEAR SIR,—I received your letter to-day, and contents duly noted. I think your offer is too low, but I will take two hundred and fifty dollars (\$250), as that is as low as I could do it for; and if you choose to send me the order for the coal, I will accept it with pleasure, and be very much obliged to you.

“It is very bad freight to deliver and very expensive.

“It is of no use of our saying any more about the place, as it is well known to you all. When you get this, if you send the order, please send it at once, as I want the best of weather to land the coal.

“I remain, etc.,

“CAPT. WILLIAM SMITH,

“Schr. *Ada*.

“To H. W. JOHNSTON, Esq.”

Mr. SMITH.

Then followed this memorandum by himself (Mr. Smith, Westmoreland):

“Perhaps this offer had better be accepted. See that it is clear that coal is to be landed at whistle.”

Then Mr. Johnston wrote the following letter:—

“HALIFAX, 20th May, 1876.

“SIR,—Your offer to land one hundred tons of coals at the Whistle-house, Cape D’Or, for the sum of two hundred and fifty dollars, is accepted, and the work can be done at once. The coal is Spring Hill, and I suppose you can best take it from Dorchester.

“Let me know when you will be ready to load and I will send an order for its delivery to you.

“It must be clearly understood that the coal is to be landed at the Whistle-house.

“Yours, etc.,

“H. M. JOHNSTON.

“Capt. WILLIAM SMITH,

“Schr. *Ada*,

“Cape D’Or.”

This closed the correspondence. It was supposed that the coal would be delivered on the 20th of May, but unfortunately this was not done. He thought that the attack made on him by the hon. member for Cumberland was ungentlemanly and not warranted by the facts. In the matter of the fog-alarm, he was not to blame. He did not object at any time to fair criticism from friend or foe, but he did object to the unfair manner in which he had been attacked in this regard.

Resolution read the second time and agreed to.

On Resolution 78, Pacific Railway, \$1,524,000,

Mr. TUPPER said he wished to call the attention of the Minister of Public Works to a point regarding which he thought the hon. gentleman had misapprehended the views expressed by his right hon. friend and himself. It related to the exploratory survey of Pine Pass, and the country about Peace River. As this season was to be consumed in the further examination of the Fraser River District, with a view to ascertain whether the line could be taken down the Burrard Inlet, no time should be lost in making the explanations to which he alluded. The Assistant Chief Engineer was a man of great ability, and he could be

simply directed to go with a smaller staff, and see whether, without materially lengthening the line, the road could be carried from Edmonton to Fort George, through a valuable and productive country, instead of through a section which, as he believed, they were all agreed was unfortunately very unproductive. The expenditure this exploration would occasion would be comparatively small.

Mr. MACKENZIE said he had quite understood the point when made. He had, however, been misunderstood. They had now, they might say, a complete line from Lake Superior to the Pacific Coast by Dean Inlet and Bute Inlet; and, therefore, they would be in a position when the profiles were finished—which would be very soon—to ask for offers based on the Act of 1874. If the surveys of the season proved that the Burrard Inlet route was the best, a supplementary tender could be only received in this regard. If they laid on their oars altogether during the whole of the summer, and surveyed a complete route for two-thirds of the distance from Lake Superior, some 1,100 miles, they could not possibly be ready for tenders for a year and a half to come. Their intention was that, as soon as the profiles were finished, they would take the necessary steps to bring the matter before the public.

Sir JOHN A. MACDONALD said that the work to which his hon. friend from Cumberland had alluded could be done during this summer.

Mr. MACKENZIE said that, if Mr. Fleming's report of 1874 and appendices were examined, it would be found that they had got a pretty good exploratory survey from Fort George on the Saskatchewan, to the neighbourhood of Smoky River, where it joined the Peace River, and from that point to Pine River Pass, though this was no pass at all, but a flat portion of the country.

Sir JOHN A. MACDONALD: So much the better.

Mr. MACKENZIE said they knew this section of the country tolerably well. No doubt there was a fair route here for a railway, but they had to con-

tend continually with the impatience engendered in British Columbia by the policy of hon. gentlemen opposite. He was afraid that if they undertook to make an instrumental survey—which they would have to do, if anything was done—they could not possibly ask for tenders for two years to come.

Resolution read the second time, and agreed to.

On Resolution 56, towards assisting immigration and immigration expenses, including estimated expenses of transport of Mennonites, \$110,000,

Mr. POPE (Compton) said that an item concerning public health appeared in the Estimates improperly. It was placed there in 1873, and it had remained there ever since. This had then been done because balances were due under the old state of things; but this Parliament had nothing whatever to do with the public health. This was a matter entirely beyond their jurisdiction.

Mr. CARTWRIGHT said he was not prepared to express an opinion on the constitutional question; but he thought there was fair ground to assume that they might fairly be held responsible for taking measures with regard to the public health in the North-West Territories. One reason for the retention of the item was that they dreaded the breaking out of epidemics, such as smallpox in that region. This had, unfortunately, been the case during the past few months, and they had been absolutely obliged to use a certain portion of this vote to check the spread of smallpox among the settlers and the Indians. The ravages of the epidemic among the latter had been terribly destructive.

Mr. MACKENZIE said another case had occurred in British Columbia, where they had been obliged to expend \$4,000, Judge Gray and another gentleman having held that the epidemic had broken out owing to negligence on the part of Dominion officials. The Local Government had tried to make them pay \$12,000 or \$14,000, but the arbitrators reduced the amount to \$4,000.

Mr. TUPPER said he rarely differed from his hon. friend, the member for Compton, but he felt that the view taken by the Minister of Finance was correct. It might be quite true that the question might be raised as to how far the matter came under the surveillance of the Dominion Parliament. But there was no doubt that they had to do with quarantine. It would be monstrous to suppose that 1,000 immigrants could come into this country bringing contagious diseases with them, as immigrants coming into the port of Halifax had introduced cholera, which caused the death of 300 persons. He would suggest that the Government take it into consideration whether it would not be advisable to see that all immigrants were vaccinated.

Mr. CARTWRIGHT expressed his obligation for this suggestion, although it might not be practicable to carry it out. He would, however, communicate it to the head of the Department.

Mr. POPE (Compton) said he was of opinion that this question should be under the power of the Local Government.

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

On Resolution 208, Supplementary Estimates for North-West Mounted Police, \$33,750,

Mr. MITCHELL asked whether the amount could not be reduced 50 per cent. by next Session.

Mr. MACKENZIE said a reduction to as great an extent as possible had been made, although he hoped that further reductions could be made in a short time. It should be remembered that it was absolutely necessary to give a feeling of order and security before immigrants could be invited into the North-West.

Mr. TUPPER said he was glad that attention would be given to this matter, and he hoped that the expense for forage would be decreased by the force growing oats, potatoes, &c., themselves.

Mr. MACKENZIE said this had been attempted for two years, but the experiment failed, owing to the incursions of grasshoppers. However, it was thought that the North-West

would not be again afflicted with this scourge for a good many years to come.

Mr. TUPPER enquired why this force had been transferred to the Department of the Secretary of State, and not placed under the Militia Department.

Mr. MACKENZIE said it had been removed from the Department of Justice because of the large amount of work there. He did not think it was advisable to place it under the Department of Militia as it was a civil force, and the rules applicable to the Militia would not apply to it. The Department of the Secretary of State transacted much business with the North-West, and having less pressure than the other Departments as to the amount of work, it could control the force with advantage and convenience.

*Resolution read the second time and agreed to.*

On Resolution 235, Dominion steamers, \$31,000,

Mr. TUPPER asked the attention of the Government to the importance of exhausting every means in their power of discovering the best point of communication between Prince Edward Island and the mainland in winter. The efforts of the *Northern Light* during the past winter had only been partially successful. He was informed that during the whole winter there had been clear passage, free from ice, between the Island and Oak Island, at the mouth of Wallace Harbour. He hoped that would be investigated and the *Northern Light* put on that route next winter. The Ports of Pugwash and Wallace presented the best point of communication with Prince Edward Island as a short line of railway would bring either of those ports to the Intercolonial about mid-way between Halifax and St. John, forming the shortest connection with the Island both in winter and summer.

*Resolution read the second time and agreed to.*

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

## After Recess.

ALBERT RAILWAY COMPANY  
BILL.

(Mr. Domville.)

SENATE AMENDMENT POSTPONED.

Mr. DOMVILLE moved :

"That the amendments made by the Senate to the Bill No. 48, to grant additional powers to the Albert Railway Company, be now taken into consideration and concurred in."

Mr. BURPEE (Sunbury) said there were some grave considerations why the amendments should not be concurred in. Their adoption would place certain persons in the county of Albert in a very awkward position. The Bill also enabled the company, which had not one dollar of stock paid up, to issue an unlimited amount of promissory notes which would add to the liabilities of the corporation, while the Local Government had limited the borrowing powers to \$600,000. He moved :

"That the consideration of the amendments to the Bill be postponed till this day three months."

Mr. TUPPER said he thought the House would hardly be disposed to concur in the amendment just moved. The Bill had been carefully considered by the Railway Committee, and the Minister of Marine, a representative of the adjacent county, took great interest in its promotion ; and that Committee reported it to the House with such amendments as they thought necessary. The Bill passed through its different stages, and was sent to the Senate. It was open, of course, now, to consider the amendments made by the Senate, but he thought their criticisms should be limited to those amendments, which diminished instead of increased the powers granted by the Bill. The Senate had merely added the words "or others." He hoped the House would feel that the general merits of the Bill ought not now to be taken up.

Mr. HOLTON said that the question before the House was, of course, that of the Senate amendments. This Bill had, however, been brought in at the early part of the Session in a form in which the Railway Committee absolutely refused to consider it. It was

taken up again and to a considerable extent remodelled so that it was hardly in any sense the Bill which was first introduced. He understood the Bill was objectionable on its merits. Gentlemen from New Brunswick assured him that it was a vicious Bill, *ab initio*. He did not know anything about the company or about the country which it was proposed the railway should traverse ; but when gentlemen from the neighbourhood, in whom he had confidence, gave him such an assurance, he had no option but to act upon it.

Mr. DOMVILLE said the best legal advice had been obtained as to the absolute necessity of the proposed legislation. The hon. the Minister of Marine had been firmly of the opinion that the Bill was a good one ; it had been delayed on account of some technicality, and New Brunswick members, through the hon. member for Albert, had agreed to the new Bill which that hon. gentleman had informed him had his hearty approval. Only three or four members were opposed to it, among whom were the hon. members for Kent and Sunbury.

Mr. CAMERON said he was astonished at the argument of the hon. member for Chateauguay (Mr. Holton) who said that, because certain members of the House had represented to him privately that the Bill was vicious in principle, he had such confidence in their private representations that he was prepared to oppose it. The House, however, had already affirmed the Bill and passed it. The Senate had added words which did not alter the principle in any way, and yet, on concurrence in those amendments, it was proposed to defeat the whole Bill.

Mr. MITCHELL said the House would be stultifying itself if it refused to pass the Bill.

Mr. McLEOD said his object in seconding the motion of the hon. member for Sunbury (Mr. Burpee) was this : that there were few members from New Brunswick in this House who regarded this Bill in any light but as pernicious in its effect.

Sir JOHN A. MACDONALD rose to a point of order. The debate must be confined to the amendments from

the Upper House and the consideration of the motion to postpone the consideration of the amendments for three months. There could be no discussion on any portion of the Bill, because it had been assented to by both Houses. To consider the Bill *de novo* was contrary to common sense and principles of justice, and being contrary to both was contrary to the law of the land. The authorities laid down the principle that whenever either House had passed on a matter they could not go back on their tracks.

Mr. SPEAKER sustained the point of order.

Mr. GIBBS (South Ontario) moved in amendment to the amendment:

"That all after the word 'that' in the amendment be struck out and the following words substituted 'the amendment to the Albert Railway Bill be not agreed to.'"

Question *put* and amendment to the amendment *negatived* on the following division:—

## YEAS :

## Messieurs

Bowell	Killam
Cameron	Langevin
Caron	Macdonald (Kingston)
Guthbert	Masson
DeCosmos	Mitchell
Desjardins	Platt
Domville	Plumb
Flesher	Rochester
Fraser	Rouleau
Gibbs (North Ontario)	Thompson (Cariboo)
Gibbs (South Ontario)	Tupper
Haggart	Wallace (Norfolk).—24.

## NAYS :

## Messieurs

Appleby	Holton
Archibald	Horton
Aylmer	Irving
Bain	Kerr
Biggar	Kirk
Blackburn	Laflamme
Blain	Macdonald (Cornwall)
Borron	Macdonald (Centre Toronto)
Bourassa	Macdougall (E. Elgin)
Bowman	Mackenzie
Burk	McLeod
Burpee (St. John)	McNab
Burpee (Sunbury)	Metcalfe
Cartwright	Mills
Casey	Oliver
Christie	Paterson
Church	Pickard
Coffin	Roy
Cook	Ross (East Durhan.)
De St. Georges	Ross (Prince Edward)
Dymond	Rymal
Fleming	Sinclair
Flynn	Smith (Peel)
Forbes	Snider
Fréchette	

Sir JOHN A. MACDONALD.

Galbraith  
Gibson  
Gillies  
Goudge  
Guthrie  
Hagar  
Higinbotham

St. Jean  
Taschereau  
Thompson (Haldimand)  
Trow  
Wallace (Albert)  
Workman  
Young.—63.

Question *put* on the amendment.

Sir JOHN A. MACDONALD said he did not see how the House could agree to this amendment. This House passed a Bill and the Senate chose to amend it; and they had now voted that they would not disagree with the amendment.

Mr. BURPEE (Sunbury) said that the Bill passed through the House without being put on the Order paper at all. If this had not been the case, it would have been amended.

Sir JOHN A. MACDONALD said it was a libel and a slander on Mr. Speaker and the officers of the House to say that any such irregular proceeding was allowed.

Mr. HOLTON said his hon. friend from Sunbury merely meant that the Bill was considered on the same day on which it was reported, not having been previously placed on the printed Orders; therefore the hon. gentleman did not blame Mr. Speaker.

Sir JOHN A. MACDONALD said that, if the hon. gentleman's remarks did not convey a censure, they were intended to justify the hon. gentleman's motive in making such a motion. His hon. friend (Mr. Gibbs) had moved that the House should disagree with the amendment made in the Upper House, and an enormous majority of the members had voted the motion down, and had declared that they agreed with the amendment; and, after doing so, a motion was made to consider the amendment three months hence. This was really a most absurd position, and it only showed what spirit induced hon. gentlemen to so act, and to what lengths the spirit of patriotism—

Mr. MITCHELL: Say spirit of party.

Sir JOHN A. MACDONALD said that both terms ought to mean the same thing. The hon. member for Northumberland called it spirit of party. This was a short word, and

it sounded very much like the other ; but the action of the majority showed how a spirit of patriotism actually induced the House to stultify itself by voting down the motion.

Mr. HOLTON : My right hon. friend ought not to charge the House with stultifying itself in any act the House may take. This is out of order.

Sir JOHN A. MACDONALD said that, if the House had not stultified itself, it had passed a resolution which stultified itself. This was quite in order.

Mr. HOLTON : No proceeding of the House must thus be characterized.

Sir JOHN A. MACDONALD said he would take back what he had stated ; and would discuss the matter in the freer atmosphere outside of the House. In this instance, they had the House passing a Bill unanimously, and, when the other House ventured to amend it, and they were asked to disagree with the amendment, a majority of the House had declared that the amendment was quite right, and that they would not disagree with it ; and, after doing so, a motion was made to consider the Bill this day three months. To what extent and to what length would not the spirit of party carry men.

Mr. TUPPER said he wished to make a few remarks with relation to the very extraordinary position in which the question before the House then stood. The case had been stated strongly by his right hon. friend, but not strongly enough. It was not the case of an ordinary Bill introduced by an hon. member, and which, without undergoing careful consideration in the place on which the House relied for the treatment of such questions, had come before the House for consideration ; but a case in which strong exception had been taken to the Bill by leading members of the Railway Committee, to whom it had been sent. The hon. member for Sunbury had just told the House that he brought before the Railway Committee the strong objection he had to the measure receiving its approval. The Minister of Justice also took exception to the Bill, and it was very well known that the hon. gentleman

(Mr. Blake) and one of his colleagues on the Treasury benches differed very strongly in opinion upon this measure.

Mr. HOLTON : Will my hon. friend permit me ? My right hon. friend from Kingston called an hon. member to order for discussing the Bill.

Mr. TUPPER said he was not going to discuss the Bill, but the conduct of the hon. gentlemen who had dealt with it. He did not wonder at his hon. friend trying to prevent his taking this line of argument by raising a point of order ; but before he sat down he would place that hon. gentleman in a very equivocal position before the House with relation to this Bill. The Minister of Justice, the hon. member for Chateauguay, and other hon. gentlemen had taken exception to the mode in which the Bill was presented, and they had undertaken to remodel it. The Committee did so ; and, after the most careful and exhaustive examination, they made—notwithstanding the objections of the hon. member for Sunbury—such changes and alterations in it that he believed that he was correct in saying that it passed the Committee without dissent. At all events, the Bill was so changed as to induce the hon. member for Chateauguay—as the hon. gentleman had just stated—to move that the Bill should at once receive the sanction of the House.

Mr. HOLTON : All the Bills.

Mr. TUPPER said he did not care how many there were of them. The hon. member stood before the House as the father of this identical Bill. It was then, in fact, a new Bill, prepared by the Committee to meet every objection after every objection had been taken to it ; and the hon. member for Chateauguay, than whom no member of the House gave more careful consideration—this he was bound to say in compliment and in just compliment to the hon. gentleman—to measures before Committees, or discharged his duties on leading Committees of the House with greater fidelity, insisted that no measure should pass the Railway Committee or any of the most important Standing Committees until it was made to square with the public interests ; and the

hon. gentleman, having accomplished, in Committee, all that was necessary to obtain its entire support to and approval of this Bill, presented himself before the House as the father of the Bill, and asked the House to accept it, he and other members of the Committee having bestowed upon it the most careful and exhaustive consideration. He felt, when the hon. member for Northumberland had ventured to insinuate that night the motives which actuated hon. gentlemen in placing themselves in the extraordinary position—he would not say of stultifying the House, because that was unparliamentary—but of unanimously passing a Bill and sending it to the Senate, and then, by their vote, declaring that the amendment of the Senate should not be agreed to, for the purpose of preventing the Bill becoming law at all, that—and he believed he would be sustained in the assertion by hon. gentlemen on both sides of the House—in the history of legislation, they would search in vain to find a parallel to a proceeding such as this.

Sir JOHN A. MACDONALD: It is disgraceful.

Mr. TUPPER said he would say nothing like disgraceful. He did not want to use strong terms. The Act itself spoke in terms so loud to the country, as to the action of the House in regard to this Bill, as to admit of his dealing with it in a very subdued manner indeed. When the hon. member for Northumberland had ventured to insinuate that the motives behind this extraordinary change of position and right-about face—the fact of gentlemen being prepared to vote down that night what, after careful and deliberate consideration, the Railway Committee had accepted as a wise and judicious law—he was called to order, and justly so, because it was not parliamentary to impute such motives; but, while they were bound to consider that the action of hon. gentlemen in the House had not been influenced by improper motives, and while they were prevented from impugning motives to any hon. member, it would be impossible, outside of the House, to prevent the conviction being widespread throughout

Mr. TUPPER.

the country as to the cause of the defeat of the measure of his hon. friend from King's; this was the policy adopted in the House; to what would it bring the Legislature? He could tell hon. gentlemen opposite that, if those who sat on the Opposition benches had treated them as they were now treating these hon. gentlemen in relation to their legislation, Parliament could not have risen for another month. Had not the Opposition assisted these hon. gentlemen in passing over, as rapidly as possible, the most grave and important questions, and aided them in bringing the business of the House to a conclusion, it would have been impossible for them to prorogue the House for another month. If the principles of disintegration had gone on, and if the difficulties that could have been raised legitimately and constitutionally had been pressed, hon. gentlemen opposite would have found themselves in another month in an attitude still worse than that in which they were that night. Never was there an Opposition less deserving of such treatment as his hon. friend had received, and he would tell hon. gentlemen opposite that this treatment was accepted by him, as it would be by every member of the Opposition, as treatment not extended to an individual but to the whole Opposition as an Opposition. He said that the course taken and the example set was a baneful example, dragging down into the lowest mire of partyism all questions of public import which had a right to be considered on their merits alone and aside from all party considerations; and this was an example which, if it was followed, was going to be attended with the most baneful results in the House; and no persons in the House were going to feel these baneful results more than the hon. gentlemen on the Treasury benches, who had lent themselves, he would say, unworthily to crush a measure in which his hon. friend was interested, simply because it was a measure in which this hon. gentleman did take an interest.

Mr. DOMVILLE said he wished to make an explanation to the House to put himself right in this matter. When he found that there was opposition to

the Bill, he had gone to the various New Brunswick members, and to the hon. member for Sunbury (Mr. Burpee) and asked the reasons for this. With his usual diffidence, the hon. gentleman did not give him an answer, but, being pressed on the point, told him that he would give his answer that or the next day. The hon. gentleman afterwards communicated his objections, and he had the Bill drawn to meet these objections. Nevertheless, now, at the eleventh hour, the hon. gentleman stated he had objections to the Bill. He could prove, by the hon. member for Albert, that the hon. member for Sunbury had stated that he would agree to the Bill. He was called away on private business, and when he returned he found that it was altered in the Senate. He complained that the hon. member for Sunbury had committed a breach of faith; and, had the hon. member with candour and honesty of purpose told him that there was anything more to which he objected, he would have been the last man to bring anything before the House to which objection was taken. The Bill was drawn a third time and agreed to by the hon. member, and he contended that the hon. member had committed a grave breach of faith.

Amendment *agreed to* on the following division :—

## YEAS :

## Messieurs

Appleby	Goudge
Archibald	Guthrie
Biggar	Hagar
Blackburn	Higinbotham
Blain	Holton
Borron	Huntington
Bourassa	Irving
Burk	Kerr
Burpee (St. John)	Lafamme
Burpee (Sunbury)	Macdonald (Cornwall)
Cartwright	Mackenzie
Casey	McLeod
Cauchon	McNab
Christie	Mills
Church	Pickard
Coffin	Ray
Cook	Ross (Prince Edward)
Dymond	Sinclair
Flynn	Smith (Peel)
Forbes	St. Jean
Fréchet	Taschereau
Galbraith	Thompson (Haldimand)
Gibson	Trow.—47.
Gillies	

## NAYS :

## Messieurs

Bowell	Macdonald (Kingston)
Cameron	McDonald (Cape Breton)
Caron	MacKay (Cape Breton)
DeCosmos	Moffat
Domville	Plumb
Flesher	Pope (Compton)
Fraser	Rochester
Gibbs (North Ontario)	Rouleau
Haggart	Thompson (Cariboo)
Killam	Tupper.—21.
Langevin	

Main motion, as amended, *agreed to* on a division.

## SUPPLY—CONCURRENCE.

House *resumed* the consideration of the remaining Resolutions, as reported from the Committee of Supply.

On Resolution 239, to provide for the salary of an Inspector of Indian Agencies, &c., with the rank of Chief Clerk of the second grade, \$1,800,

Mr. MILLS said it had been found necessary, in consequence of alleged irregularities, to appoint an Inspector to examine the books of the different agencies throughout the country. The officer would, he believed, save the amount of his salary ten-fold.

Mr. LANGEVIN pointed out that there was no provision for travelling expenses, for, of course, the Inspector could not stop in one place all the time.

Mr. MILLS said the travelling expenses would be taken out of the \$1,000 for contingencies. Charges had been made against Agents, but he would not like to make any statement to the House until he had had them verified, and this examination could best be made by a special officer.

Sir JOHN A. MACDONALD said the Department had got on for a long time without such an officer, and, in view of the present commercial depression, it was advisable to do without these additional officers. If the present audit system was not correct, another system, that of inspection, should be introduced. It was impossible for one officer to travel all over this vast country and inspect the different Indian agencies.

Mr. MILLS said he had asked this appointment on the recommendation

of men familiar with the subject. Inspection was certainly needed, and his proposal would provide that inspection.

Mr. LANGEVIN said that, under the old Government, when any charge was made against an agent, an officer of the Government was sent up to examine into it. He did not think the appointment necessary.

Mr. CARTWRIGHT said he agreed with this to a certain extent, but the rule could not very well apply to the distant North-West.

Sir JOHN A. MACDONALD said the appointment seemed only to be for the benefit of some political friend, and he would take the sense of the House upon it.

Question *put*, and motion *agreed to*, on the following Division:—

## YEAS:

## Messieurs

Appleby	Goudge
Archibald	Hagar
Biggar	Higinbotham
Blackburn	Hantington
Blain	Irving
Blake	Kerr
Borron	Killam
Bourassa	Lafamme
Burk	Macdonald (Cornwall)
Burpee (St. John)	MacKay (Cape Breton)
Burpee (Sunbury)	Mackenzie
Carmichael	McLeod
Cauchon	Mills
Christie	Ray
Church	Ross (Prince Edward)
Coffin	Sinclair
Cook	Smith (Peel)
Dymond	Smith (Selkirk)
Fleming	Smith (Westmoreland)
Flynn	St. Jean
Forbes	Taschereau
Fréchette	Thompson (Haldimand)
Galbraith	Thomson (Welland)
Gibson	Vail
Gillies	Workman.—50.

## NAYS:

## Messieurs

DeCosmos	McDonald (Cape Breton)
Dewdney	Moffatt
Domville	Plumb
Flesher	Pope (Compton)
Gibbs (South Ontario)	Robitaille
Langevin	Rochester
Lanthier	Thompson (Cariboo)
Macdonald (Kingston)	Tupper.—16.

Resolution *read the second time and agreed to*.

On Resolution 242, expenses of Committees, extra Sessional clerks, &c., House of Commons, \$4,500,

Mr. MILLS.

Mr. ROBITAILLE asked, as to the mode of distributing reports, which he observed were being packed up and dispatched in large numbers, while some members could not obtain copies.

Mr. BOWELL said he had seen bushels being packed.

Mr. PLUMB said the reports appeared to consist of large pamphlets published by Mr. Spence and Mr. Trow.

Mr. FARROW said the hon. member for Perth (Mr. Trow) deserved great credit for the way in which he had acted on the Immigration Committee. It was the unanimous wish of the Immigration Committee that those pamphlets should be printed.

Mr. BOWELL said hon. gentlemen seemed to have lost sight of the question. What he wanted to know was why some hon. members could get bushels of those pamphlets and others did not know where to get them.

Mr. MILLS said the pamphlets could be got at the Immigration Office.

Resolution *read the second time and agreed to*.

On Resolution 214, to provide for expenditure likely to be incurred in connection with the Exhibition to be held at Paris, \$25,000,

In reply to Mr. LANGEVIN,

Mr. MACKENZIE said the Government had not yet matured their plans in regard to the manner in which the exhibition of Canadian goods at the Paris Exposition should be conducted. It was the intention of the Government to make it as creditable as possible.

Resolution *read the second time and agreed to*.

On Resolution 245, Prince Edward Island Railway, including stores, \$42,000,

Mr. MACKENZIE said the amount was altogether for stores. They required to keep a quantity of coal, iron, wheels, &c., on hand.

Mr. LANGEVIN said he thought this should not be charged to capital.

Mr. CARTWRIGHT said it was necessary, in the case of new railways, to have a certain amount of stores on hand. He thought the amount was properly charged.

Mr. TUPPER said he was satisfied that these stores should not be charged to Capital, but to Revenue Account, as the road had been in operation for more than a year.

Mr. CARTWRIGHT: Everything that is actually used goes to revenue; and, if, at the end of the year, this asset is diminished by \$15,000 or \$20,000, it will be charged against revenue.

Mr. TUPPER said he could quite understand the desire of hon. gentlemen to reduce the enormous deficit on this railway, which had been stated by the Minister of Public Works at about \$96,000.

Mr. CARTWRIGHT: It is \$100,000 a year.

Mr. TUPPER said that, under these circumstances, the deficit would really be \$150,000 instead of \$100,000 a year.

Mr. DOMVILLE said he entirely agreed with the hon. member for Cumberland. Stores should not be bought until required, instead of being placed in large quantities at various stations and store-houses. He knew of a large quantity of articles having been purchased for the Intercolonial which had been sold for old iron, though never used.

Mr. MACKENZIE: When were they bought?

Mr. DOMVILLE said he did not know when they were bought, but he knew when they were sold.

Mr. SINCLAIR said he was very glad to hear the explanation of the Premier regarding the vote. The road was about 200 miles long, and a large amount of stores was required. A station was greatly needed at Breadalbane, and he was glad to hear that one was to be built there at a cost of \$2,000. It was much needed.

Mr. TUPPER said it would be found on page 42 of the Minister of Public Works' Report, that \$36,594.38 had been paid for general stores for this

railway. This, then, was not opening this account, but it was to supply the annual demand.

Mr. CARTWRIGHT said they did not expect to expend \$240,000 a year on this railway, for if they did, the deficit would be \$140,000. They only anticipated an expenditure of \$200,000 a year. The officer charged with this account had considered that this vote should be charged to Capital Account, and, therefore, it had been so entered. He would, however, look into the point that had been raised, and revise the matter.

*Resolution read the second time and agreed to.*

On Resolution 246, Pacific Railway survey, \$130,000,

Mr. MACKENZIE said that an item of \$100,000 under this head had been placed in the regular Estimates; but Mr. Fleming, who had been absent at the time, had pointed out on his return that the vote was quite insufficient for the work of the year. Mr. Fleming reported that \$180,000 would be required for the Fraser Valley survey, and \$5,000 with relation to superintendence of telegraphic construction from Edmonton to Tête Jaune Cache and the revision of the location near the Saskatchewan. The sum of \$30,000 was also required for the revision of the location between Keewatin and English River. This had been instrumentally surveyed, but it was thought that the distance might be shortened by a slight deviation from the ascertained line. Some 40 or 50 miles from Pic towards French River, on a line which had been nearly explored, remained to be surveyed, and in this regard \$15,000 was required; a direct line was to be laid out to the point where the road would ultimately cross French River. The sum of \$230,000 in all was needed, and \$100,000 had already been voted.

Mr. PLUMB: How far north of the Sault does the line from Pic to French River run?

Mr. MACKENZIE said he would judge, in looking at the map roughly, that the distance was probably 70 or 80 miles.

Mr. PLUMB: I suppose that a preliminary line is being run.

Mr. MACKENZIE: Purely so. The original line reached pretty far north—to Troublesome Lake. One line ran north of Nepigon Lake and a second to the southern corner of this lake, instead of the north corner. If the road can be run in a direct line from Lake Nipissing to Pic it will be very much shorter than the other line proposed. A great deal of the country is favourable, but the Engineer is not able to pronounce at present very positively upon its capabilities for the support of a line, and the obtaining of an easy gradient. This cannot be done until a preliminary exploration is at least completed.

Mr. PLUMB: Is the line, as it crosses the Pic River, very far from the lake?

Mr. MACKENZIE said the line, he believed, ran quite close to the mouth of this river, which there would be no difficulty in crossing. The banks were low and sandy, but the river was not quite approachable for heavy vessels.

*Resolution read the second time and agreed to.*

On 247, Pacific Railway construction, Pembina Branch Extension, \$60,000,

Mr. MACKENZIE said it would be remembered that the Pembina Branch, which was to join the main line, was graded to a point opposite Winnipeg; a distance of 22 miles to the main line was still to be graded, and Mr. Fleming said this could be done for about \$60,000. The Engineer strongly recommended that it should be done this summer, chiefly with a view to the easy transportation of rails. Immediately below Winnipeg the water was too shallow, except for a week or two in the spring, for loaded vessels to descend it with cargoes. The recommendation in question was made particularly because the line passed through the only gravel bed obtainable in that quarter. Mr. Fleming estimated that it would cost about half this sum to have the rails taken down otherwise to Selkirk. The Government had not actually adopted the suggestion, but they, nevertheless, placed the sum in

Mr. MACKENZIE.

the Estimates to be used in case they did so, and Mr. Whiting, who was the contractor for and interested in No. 15, was the contractor for the Pembina Branch, and the Engineer reported that this person was willing to continue the contract at the same rates which had been paid for work performed between Winnipeg and Pembina; and these were very low, twenty-two cents a yard. Mr. Fleming was of opinion that the contract should be continued, but nothing was settled in this regard.

Mr. TUPPER enquired what prospect there was for a connection from Moorehead to the border of the Province at Pembina.

Mr. MACKENZIE said he had obtained several reports on the subject. He had endeavoured in various ways to stimulate the building of the road by showing that the Government were in earnest about it. There were now only 13 miles to grade and 63 miles to cover with rails.

Mr. TUPPER: There would be very little for the road to do unless this connection was made?

Mr. MACKENZIE: Very little.

*Resolution read the second time and agreed to.*

On Resolution 248, St. Lawrence Canals and Rapids, \$20,000,

Mr. JONES (Leeds) asked permission to refer to the vote for the Grenville Canal, \$30,000, passed the other night. The hon. member for Cardwell asked why so small a sum was placed in the Estimates, and the hon. the Minister of Public Works said it was for the reason that the canal could not be used because of the non-completion of the Carillon Locks. The hon. the Minister of Public Works had, he thought, been misled on the subject. The locks at the lower end of the Grenville Canal were of the old size and had never been put under contract, and nothing had been done towards the deepening. Therefore, if the hon. Minister of Public Works waited for the completion of the Carillon locks, it would be years before the canal could be used all the way through. Nothing also had been done with respect to St. Anne's Locks, to-

wards Montreal, except that the channel below had been deepened, but the channel above was still in the same state as the Carillon Locks. The fault was not with the contractors, and he felt assured that the hon. the Minister of Public Works had been misled. He felt a little delicacy in speaking about the matter, as his brother was a contractor. He would hand the hon. gentleman plans and specifications which would show him that, in damming the river four or five times, a larger amount of timber had to be used than was credited by the Department.

Resolution read the second time and agreed to.

On Resolution 250, Public Buildings, \$4,000,

Mr. FLEMING said, in the absence of the hon. member for South Brant (Mr. Paterson) he would remind the hon. Minister of Public Works that he had promised to consider the advisability of building a post office at Brantford.

Mr. MACKENZIE said the Government did not consider it an absolute necessity to take a vote for that place this year, but there would be, most likely, a vote taken next year.

Resolution read the second time and agreed to.

On Resolution 251 and 252, Harbours and Breakwaters, \$6,000,

Mr. LANGEVIN expressed regret that the Government had not thought proper to comply with the opinion given in the House that something should be done for the Province of Quebec in this respect. He must say that the Province of Quebec was nearly forgotten.

Mr. MACKENZIE said the remarks of the hon. gentleman were sectional. Although there might not be much given to the Province of Quebec this year, sometimes it might receive five times the amount given to other Provinces. Since Confederation, Quebec had received \$13,895,492; Ontario, \$14,379,299; New Brunswick, \$16,398,207; Nova Scotia, \$9,544,239. For public buildings there was expended in Ontario, exclusive of Parliamentary

Buildings, \$883,000; in Quebec, \$1,162,243; in New Brunswick, \$354,328; in Nova Scotia, \$144,749. They found in other services similar anomalies. They could not possibly expect, however, that in any Province there would be every year an equal distribution of the public money, because the expenditure was in accordance with the necessities which arose. The hon. gentleman would find, if he examined the votes for harbours and piers, that for Ontario there was voted this year \$28,500, and for Quebec \$22,000, which did not embrace nearly \$20,000 expended on Rimouski Pier, which was charged to the capital account of the Intercolonial Railway. To the Province of New Brunswick \$97,000 was voted, but \$80,000 was really for work undertaken for the benefit of commerce in the harbour of St. John. The sum of \$31,500 was voted to Nova Scotia, which, undoubtedly, required more than any other Province in the Dominion, in consequence of the extent of its sea coast. His hon. friend, however, would find that no neglect whatever had been shown to his Province, and he did not like to hear a leading member of the House speak as if there was a refusal to do justice to any Province.

Mr. LANGEVIN said he did not complain of the amounts voted to the other Provinces, but he affirmed that the Province of Quebec, though its members had made its wants known to the House, could not obtain justice. The hon. gentleman had quoted the vote for harbours and piers in the different Provinces. Last year the vote stood as follows:—Ontario, \$62,200; New Brunswick, \$86,000; Nova Scotia, \$36,500; Prince Edward Island, \$24,750; Quebec, \$5,000. The representatives from Quebec had repeatedly asked for improvements. A vote had been asked for improvements at the entrance to Chicoutimi harbour, but there was nothing for it in the Estimates; nevertheless, it was important that something should be done. There were reports made in regard to the Lower St. Lawrence, but no sums were placed in the Estimates for works there. Why was the Province of Quebec placed in that position? He did not suppose it was purposely done, but still the Pro-

vince was neglected. Its coast line was as long as that of any other Province, a large portion of it being on the Atlantic. He insisted on this point, because he was satisfied that, after the attention of the hon. the Premier had been called to it, he would be prepared to take the claims of the Province into consideration next year.

Mr. MACKENZIE said he hoped he would always take into consideration the public interests, whether they were connected with his own or any other Province. He claimed that the Government had carried out that policy, and that the hon. member for Charlevoix (Mr. Langevin) had no ground at present for complaint. He remembered the time when over half a million had been spent on piers in the Lower St. Lawrence and nothing in Ontario; and when an equal amount was spent on slides and booms in Quebec and nothing in the other Province. No person had complained of that expenditure.

Mr. LANGEVIN: The elections were carried against us on that question.

Mr. MACKENZIE: Let us see what we spent.

Mr. TUPPER: I do not think we can balance the accounts of all the Provinces to-night.

Mr. MACKENZIE said he had not raised the question; that was done by the hon. member for Charlevoix (Mr. Langevin), who had endeavoured to make political capital out of it. He could not, however, pass by the subject altogether without assuring the House that no injustice had been done to the Province of Quebec. With regard to what the hon. gentleman called the harbour of Chicoutimi, it was at the upper end of a large, deep river. It was not a harbour, but a mere landing, and there was a great difference between a landing place in a river, and a similar place for shipping in a harbour. He did not think it was the duty of the Government to build wharves at that point. He protested against the allegation that the Province of Quebec had been neglected. The Government would fulfil its duty without regard to any local or sectional consideration whatever.

Mr. LANGEVIN.

Mr. MITCHELL said he objected to the hon. the Premier referring to matters which took place fifteen or twenty years before Confederation, when the Provinces of Ontario and Quebec were flying at each other's throats. The county which he represented had not had justice.

Mr. TUPPER: We are not coming down to counties.

Mr. MITCHELL: I represent a county which has not had justice done to it.

Mr. TUPPER: I can compare favourably with you in that respect.

Mr. MITCHELL said then the hon. member for Cumberland had not done his duty. He entered his protest against such a large expenditure being made on the harbour of St. John, when he was informed that nothing was to be done this year at Miramichi. He contended that a breakwater should be built at Point Escuminac, which was one of the most exposed points on the shores of New Brunswick. He had asked that a small sum be put in the Estimates for erecting a breakwater at that point.

*Resolution read the second time and agreed to.*

On Resolution 261, to provide for the expenditure likely to be incurred in connection with the proposed visit of His Excellency the Governor General to Manitoba, \$8,000.00,

Mr. MITCHELL said this was an item new in its character, and, as its adoption would establish a bad precedent, the House should give it some little attention. Too much money was spent in paying expenses connected with the Government; the highest and the lowest official seemed to have his travelling expenses paid by the country. He thought this would be an improper appropriation of public money; it was highly improper to vote sums of money for the pleasure trips of His Excellency.

Mr. CARTWRIGHT said this item was put in at the suggestion of hon. gentlemen opposite, who objected to such expenses being charged to "unforeseen expenses." He thought the hon. gentleman underrated considerably the real practical value that had been

derived to Canada at large from His Excellency's visit to various portions of the country under his care and charge. Wherever His Excellency went, he did full justice to the resources of the Provinces, and his words had great weight in England and elsewhere, and were largely commented upon by the British press. But, while this was important as an immigration agency, there was another consideration. The distant Provinces were apt to think they were overlooked by gentlemen here, and he thought a good feeling was engendered in the minds of the inhabitants of those Provinces by the personal visit of such a person as His Excellency. He thought money appropriated in this manner would, even in a mere pecuniary sense, bring considerable advantage to the country at large.

Mr. MITCHELL: What did the trip to British Columbia cost?

Mr. CARTWRIGHT: I think the total expenditure will be within \$20,000.

Mr. MITCHELL: I simply protest against the principle of such a grant.

Resolution read the second time and agreed to.

On Resolution 262, to meet expenses of Halifax Commission, \$30,000,

Mr. TUPPER asked for an explanation as to the object of this vote.

Mr. CARTWRIGHT said it was for the purpose of meeting the expenditures incurred by Sir Alexander Galt and the various persons they would have to employ to prepare the case which was to be submitted to the Commission. The fees of the legal gentleman and the sums which would have to be paid with regard to the witnesses they would have to produce would amount to a considerable sum. In any case, the expenditure must necessarily be rather considerable; and, if they succeeded in recovering even a moiety of the amount which the hon. member for Northumberland held these fisheries to be worth to the country, this would be a very small percentage on the sum total.

Mr. TUPPER said he regretted this last remark, as was an intimation of a

divergence of sentiment between the gentlemen who occupied the Treasury benches and their predecessors such as was not calculated to promote the objects of the Commission. It was an unfortunate remark. Aside from this, he did not understand why they were called upon to pay anything. This Joint High Commission which sat at Washington was an Imperial Commission. It was very true that the Government of England had very properly given to the Government of Canada an opportunity of having representation on the Commission. They deferred to the wishes of the Government of Canada. He took it for granted that Sir Alexander Galt was not going there as an officer of the Government of Canada, but that he was appointed by the Imperial Government as a sequence to their former action, and a means of carrying out the objects of the Joint High Commission. He held that the expenses of the sequence should be dealt with in precisely the same way by the Imperial Government as was done in connection with the expenses of the Joint High Commission at Washington, by the Imperial Government, which was bound to protect Canadian interests, and provide the means of defraying the expenditure in connection with this matter.

Mr. MACKENZIE said that, if the hon. gentleman would turn to page 183 of the Public Accounts, he would find an item of \$11,307 which was paid in consequence of an arrangement made by the late Administration in this relation.

Mr. TUPPER: At Washington?

Mr. MACKENZIE: Yes.

Mr. TUPPER: That may be an incidental expenditure.

Mr. MACKENZIE: It was not incidental. It was by virtue of an exact agreement; one-half was to be paid by each Government.

Mr. MITCHELL said he did not recollect such an arrangement having been made. It was spent, he presumed, to secure desirable preliminary information.

Mr. MACKENZIE said that this occurred in the fall of 1873 and in the winter of 1874. It related to Mr. Rothery's expenses; not to those of the Joint High Commission.

Mr. MITCHELL: Have we paid those expenses?

Mr. MACKENZIE: Yes.

Mr. MITCHELL said that not one dollar of this sum should ever have been paid. He now learnt of it for the first time; a more useless expenditure had never been made. He could not understand why it was necessary to employ four legal gentlemen in preparing this case for the Commission, as the consequent expenses would be very great. He believed that the Bill which would have to be paid would be such as would not only astonish the British, but also the American Government. The Minister of Finance had chosen to refer in a jocular way to the amount he had had the honour to claim that these fisheries were worth to Canada. He made it on statistics and facts furnished by officers of the Department, and he did not believe that the value was at all exaggerated. He also believed that this valuation had been confirmed by the present Minister of Marine and Fisheries. He did not object to the rate asked, but he did not think that they should be extravagant. He knew that officers in the Department possessed more information and talent, serviceable in this regard, than any outside talent in the whole of Canada. One or two solicitors were sufficient. He recollected, however, that fault had been found with him for paying some \$400 to the Hon. Wm. McDougall for gathering information in the archives of London. He had been attacked for this by the hon. member for North York, who was backed up by the gentlemen on the Treasury benches, because that sum had been appropriated in advance; and yet he found in the Public Accounts that sums had already been paid in this relation for preliminary meetings.

Mr. TUPPER said he was open to correction, but he was satisfied that the hon. gentleman was mistaken in the statement that had been made.

Mr. MITCHELL.

Mr. Rothery had come to Canada during the crisis in which the late Government fell; he had not visited Washington at all; and he (Mr. Tupper) believed it would be found that not one dollar of the expenditure mentioned had been incurred by the late Administration.

Mr. SMITH (Westmoreland): The arrangement on which he was paid was made by your Government.

Mr. TUPPER said he would be satisfied of this when the hon. gentleman gave evidence of it. He knew of no such arrangement. He spoke, however, from memory on the point. As far as the Joint High Commission proper was concerned, the expenditure was borne by the Imperial Government; and the expenditure attending this sequence should also be so borne. This, however, would not preclude them from spending money in getting up the case, in order to present it as strongly as possible. The amount in question was insignificant compared with the results aimed at. He wished, while upon this subject, to draw attention to an important error into which the First Minister had fallen with relation to the Washington Treaty. The hon. gentleman had declared, in the most emphatic terms, in the House, that the Washington Treaty surrendered the canals of Canada irretrievably, and placed their control entirely beyond our jurisdiction. The hon. gentleman was entirely mistaken. The hon. gentleman had stated:

"We find ourselves, in consequence of that Treaty of Washington, placed in an invidious position in regard to several matters. There is a direct advantage given to the United States in regard to the canal navigation that no legislative and no administrative action of ours can ever possibly overcome. When the hon. gentleman came back from Washington, he boasted that he had obtained the free navigation of the Yukon, the Stikien and the Porcupine, and for this he gave away the free navigation of the magnificent St. Lawrence; he being actually in a state of supreme ignorance of the fact that we had the navigation of those rivers before then, by a Treaty with Russia in 1825, and in a more complete way too. We had the navigation of the northern rivers of this continent, not only for commercial purposes, but for every other purpose; and yet the hon. gentleman gave away the free navigation of the St. Lawrence to obtain navigation of these rivers for com-

mercial purposes, and the immediate result is already a quarrel between the two countries as to whether or not a prisoner can be conveyed down the Stikkeen River. We are bound by one of the clauses of that treaty to give the United States the free use of all the canals of the Dominion, and they are bound only to use their influence with the individual States to secure for us the navigation of the canals of the States contiguous to us, traversing the boundaries of the two countries. So they placed us actually in a position of inferiority in this respect from which no negotiation can possibly deliver us; and the successors of the hon. gentleman's Government have been obliged to take a stand upon other grounds in vindication of the rights of this country to certain privileges in connection with the navigation of these waters."

The hon. gentleman was entirely mistaken with regard to the common use or free navigation of the St. Lawrence. So long ago as 1826, a most elaborate discussion of the subject took place, and the Imperial Government then offered it to the United States as a concession; but the offer was refused, the United States demanding it as a right, and stating that, unless they so obtained it, they would not accept it at all. And this was the reason and the only reason why the free navigation of the St. Lawrence was not parted with so long ago as 1826. Whether the Treaty with Russia gave us these rivers or not, on the face of this Treaty appeared the fact that the United States abandoned the position they maintained in 1826, and accepted it as a concession from the Government of Great Britain. Every person understood that the common use or right of navigating the magnificent St. Lawrence was a mere phrase without any meaning in it whatever, as the navigation of the St. Lawrence did not amount to anything apart from the navigation of the canals. He would read a clause in the Treaty to show the hon. gentleman that, by an Order in Council to-morrow, notwithstanding the Treaty, he could close every canal in Canada against United States bottoms whilst leaving them open for the free use of Canadian subjects; therefore the hon. gentleman was under a complete misapprehension when he supposed that legislative and administrative action regarding these canals had been taken out of the hands of the Government by this Treaty. The 27th Article of the Treaty was as follows:—

"The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence and other canals in the Dominion on terms of equality with the inhabitants of the Dominion; and the Government of the United States engages that the subjects of Her Britannic Majesty shall enjoy the use of the St. Clair Flats' Canal on terms of equality with the inhabitants of the United States; and, further, engages to urge upon the State Governments to secure to the subjects of Her Britannic Majesty the use of the several canals connected with the navigation of the lakes or rivers traversed by, or contiguous to, the boundary-line between the possessions of the high contracting parties, on terms of equality with the inhabitants of the United States."

Then this was further provided:

"The Government of the United States may suspend the right of carrying granted in favour of the subjects of Her Britannic Majesty under this article, in case the Dominion of Canada should, at any time, deprive the citizens of the United States of the use of the canals in the said Dominion on terms of equality with the inhabitants of the Dominion, as provided in Article XXVII."

So, in the first place, all that the Imperial Government bound itself to do was to use its influence with the Government of Canada to obtain the use of these canals for the people of the United States, in precisely the same manner as the American Government bound itself to use its influence with the States' Governments, in order to secure to the people of Canada the use of State Canals; and the proviso followed that, if certain concessions with reference to the carrying trade were withdrawn, other concessions made by the United States could be suspended. It was, therefore, evident that the hon. gentleman might, to-morrow, by a stroke of his pen in an Order in Council, close our canals against the people of the United States. This was an important point, and, deprived of the right of dealing with the speech of the hon. gentleman on the occasion, in consequence of the ruling of Mr. Speaker, he now desired to correct the grave and serious error into which the hon. gentleman had fallen, because it led the Canadian people to suppose that we had deprived ourselves of the lever which, at any time, we might use if we desired it, for the purpose of obtaining better trade relations with the United States.

Mr. MACKENZIE said he had not fallen into error, but had stated what

was exactly, technically and literally correct, and he now reiterated it. The article stated :

“The Government of Her Britannic Majesty engages to urge upon the Government of the Dominion of Canada to secure to the citizens of the United States the use of the Welland, St. Lawrence, and other Canals in the Dominion on terms of equality with the inhabitants of the Dominion, and the Government of the United States engages that the subjects of Her Britannic Majesty shall enjoy the use of the St. Clair Flats Canal on terms of equality with the inhabitants of the United States, and, further, engages to urge upon the State Governments to secure to the subjects of Her Britannic Majesty the use of the several State Canals connected with the navigation of the lakes or rivers traversed by or contiguous to the boundary line between the Possessions of the High Contracting Parties on terms of equality with the inhabitants of the United States.”

There was a distinction at once. If the canals on the Upper Ottawa could be reached by American vessels, they could be used, while the United States only promised to use their influence with the several States to allow us to use the canals contiguous to the boundary or waters traversed by the boundary.

Mr. TUPPER: None of them have been conceded. All that has been done is that the Government of England has agreed to use her influence with us.

Mr. MACKENZIE: I said that.

Mr. TUPPER: You said we were placed beyond any administrative or legislative action on our part.

Mr. MACKENZIE said his point was, while certain canals only were to be conceded to us by the United States, we were to concede to the United States the whole of our canals under the same condition. He and the present Government had taken the ground that the canals connecting the Hudson River with the lakes ought properly to come under these terms. They had some difficulty in getting the right conceded, and, when it was, it was so hampered with conditions as to make the use of the canal of very little good. By the 30th Section of the Treaty, if Canada refused the Americans the use of our canals, they could refuse us the right of transportation over their territory. The hon. gentleman had not

Mr. MACKENZIE.

shown that he was wrong about the rivers. Our right to navigate the Stikcoen and the Yukon Rivers was not so great under the Washington Treaty as it was under the Treaty with Russia, the conditions of which had not been altered by the purchase of Alaska by the United States.

Mr. TUPPER held that he had shown that under this treaty Canada had the same right to close its canals against the Americans whenever it considered it desirable to do so.

Mr. MITCHELL: I have something to say.

Mr. HOLTON rose to a point of order. The discussion should be confined to the item upon which concurrence was asked.

Mr. SPEAKER took the same view.

Mr. MITCHELL said England had never protected our rights, and therefore the Treaty with Russia was of no practical use.

Mr. HOLTON again rose to a question of order.

Mr. MITCHELL objected to the Canadian Government paying for Mr. Rothery's mission as well as half the expenses of the Commission.

Mr. SMITH (Westmoreland) said the payment was made on the basis of an arrangement made with the Imperial Government before the present Government here came into office.

Sir JOHN A. MACDONALD: I think not.

Mr. MITCHELL said he had no recollection of such an arrangement.

Resolution read the second time and agreed to.

Resolutions referred to the Committee of Ways and Means.

House resolved itself into Committee of Ways and Means.

(In the Committee.)

Resolutions agreed to as follows :

1. Resolved, That towards making good the supply granted to Her Majesty for the financial year ending the 30th June, 1877, the sum of \$1,625,395.99 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved, That towards making good the supply granted to Her Majesty for the financial year ending the 30th June, 1878, the sum of \$16,286,576.52 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions ordered to be reported.

House resumed.

Resolutions reported, read the second time and agreed to.

### THE SUPPLY BILL.

Mr. CARTWRIGHT then introduced a Bill (No. 124) For granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending, respectively, the 30th June, 1877, and 30th June, 1878, and for other purposes relating to the Public Service.

Bill read the first, second and third times and passed.

### INDEPENDENCE OF PARLIAMENT.

#### EXPLANATION.

Sir JOHN A. MACDONALD said the hon. the Minister of the Interior had called his attention to a report of his remarks in the *Mail* on the Independence of Parliament Act. He was reported in that paper to have said :

"The hon. gentleman (Mr. Mills) came up to him and said : 'I understand that some of your friends intend to move against members on this side, and I give you notice that you and Mr. Rochester will be sued.'"

That was inaccurate. The remark was "I give you notice that Mr. Rochester will be moved against." There was no threat at all. It was simply a notification that, if proceedings were taken on that side of the House against hon. members on the other, hon. members on that side would be moved against.

### SIR JOHN A. MACDONALD AND CROWN SUITS.

#### MOTION FOR RETURN.

Sir JOHN A. MACDONALD said that the following notice of motion by the member for North York had been on the paper for some days :—

"That an Order of the House do issue for a statement of the suits and legal matters in which the legal firm of the Honourable Sir John A. Macdonald, M. P., or any partner of his said firm was instructed by his Department to act on behalf of the Crown, during the tenure of his office as Minister of Justice and Attorney General of Canada, with the dates of such instructions and of the last action in each case."

He would ask the hon. gentleman to move it, as he would like to obtain the statement for his own information. He also desired to secure the dates.

Mr. DYMOND said he had been anxious to make the motion. He now moved it without remark.

Sir JOHN A. MACDONALD: I would like the hon. gentleman to include in the motion, the dates of the commencement and end of the proceedings.

Motion, as amended, agreed to as follows :—

"That an Order of the House do issue for a statement of the suits and legal matters in which the legal firm of the Honourable Sir John A. Macdonald, M. P., or any partner of his said firm was instructed by his Department to act on behalf of the Crown, during his tenure of office as Minister of Justice and Attorney General of Canada, with the dates of such instructions and of the last action in each case; with statements of the dates of the beginning and conclusion of such suits and legal matters."

House adjourned at

Fifty minutes past

One o'clock.

### HOUSE OF COMMONS.

*Saturday, 28th April, 1877.*

The Speaker took the Chair at five minutes before Three o'clock.

### THE WASHINGTON TREATY AND FISHERIES COMMISSION.

#### EXPLANATION.

Mr. MACKENZIE said he wished to call attention to a conversation which had taken place the night previous in the House, when he had stated—and his hon. friend the Minister of Marine and Fisheries was of the same impression—that an arrangement was made by the late Administration to pay one-half of the salary of a special agent in connection with the Fisheries Commission, and of the expense with reference to the Halifax Commission. He was

not authorized to lay those papers on the table, but he might say that the proposition was made on June 16th, 1873, in a despatch, to pay £1,000 in addition to the usual travelling expenses to this agent. One-half of the expense was to be borne by the Colonies and one-half by the Imperial Treasury. The Colonies were to bear the expense relating to the preparation of the case, and the Imperial Government the expense connected with the memorandum of England, while the Colonies were to share the expense of the proceedings at Halifax. A telegram of a subsequent date from Sir John A. Macdonald stated that the propositions were accepted, and, on the 8th July, 1873, a formal Order in Council was passed sanctioning the arrangement; and, under that arrangement, the amount mentioned in the Public Accounts in this regard was paid. He brought down this statement, in compliance with the request of hon. gentlemen opposite, and in order to put themselves right.

Sir JOHN A. MACDONALD said that the circumstances connected with this expenditure had, the previous evening, utterly escaped his memory, as he had mentioned at the time. He was quite satisfied with the statement of his hon. friend. He further desired, on behalf of an absent member—the hon. member for King's, to make a personal statement. His hon. friend was charged, in the *Montreal Witness*, with having made certain charges against the seat of his hon. friend the Minister of Customs, and with holding them over the hon. gentleman's (Mr. Burpee's) head for the purpose of making him uncomfortable during recess. He desired, on behalf of the hon. member for King's, to say—and his hon. friend the Minister of Marine and Fisheries would verify the statement—that the hon. gentleman (Mr. Domville), at the personal request of the Minister of Marine and Fisheries, had postponed the motion with reference to which he had given the Minister of Marine and Fisheries notice; and the hon. gentleman did this with the distinct understanding that opportunity would be given him to bring the case before the Committee. The hon. gentleman assented to this, and the witnesses were

Mr. MACKENZIE.

at once summoned, and they would have been here that night had it not been ascertained that day that the Committee would not sit to try the case. He considered it due to the hon. gentleman (Mr. Domville) to make this statement.

Mr. MITCHELL said that, when, on the previous evening, he had stated that he had no recollection of the arrangement made touching the Fisheries Commission, he had stated what at the time, and now, he believed to be true. He had never been aware of such an arrangement; and this was due to the fact that the arrangement proceeded from the Department of Justice. His hon. friend (Sir John A. Macdonald) had assumed the responsibility, and it was done in his absence. He did not think that he had ever before up to this day seen the Order in Council; but the way in which the question had been dealt with would explain how, in a matter of fact so important in its character with relation to the Department of Marine and Fisheries, he should have been so ignorant. He rarely forgot a matter of fact though he might forget conversations.

## GEORGIAN BAY BRANCH.

### QUESTION.

Mr. TASCHEREAU said, before the Session closed, he would like to ask the hon. the Premier a question touching the interests of the Province of Quebec, on account of the disquieting effect which had been produced in that Province, owing to the rumours that were prevalent that the Government intended to abandon the extension of the Ottawa Valley Railway, which would connect the Quebec railways with the Canadian Pacific Railway system. This work had long been expected by Quebec, and in this expectation the Province had contracted heavy obligations; and he wanted to know if the Government still intended to subsidize the Canada Central and build the Georgian Bay Branch.

Mr. MACKENZIE: With reference to the question put by the hon. member for Montmagny, I have merely to

say that I stated in the House, in reply to the hon. the member for Terrebonne (Mr. Masson), that the policy of the Government with relation to building the railway up the Ottawa Valley was in no way changed, and that we considered that the subsidizing of the Canada Central or some other road running in the same direction was essential to the scheme. The misfortunes attending the contractor who had the contract for the Georgian Bay Branch, and the subsequent examination of the country with a view to making better arrangements, if we could, have occupied the time, so that we have not been able to present to Parliament at this Session the details as to the manner in which the connection should be made, but the scheme or plan originally proposed is still the scheme of the Government. I stated on a former occasion that the Government would be prepared to recommend to Parliament the importance of affording a junction at Portage du Fort wherever it is proposed for the Quebec system to cross the river. It is needless to say that many representations have been made about the superior capabilities of the Pembroke route and the Pembroke Railway constructed from that town. The Government are bound to consider what advantages that may have, and, while they were very anxious to consider this subject, they have not at present been able to make such progress which would justify the Government in bringing down any further proposition to Parliament at this Session, but they hope to be in a position to do so next Session. I cannot say anything more definitely to the hon. gentleman, but I believed what I said on a former occasion to the hon. member for Terrebonne would be quite satisfactory. The statement I now make is, perhaps, a little more full and explicit than the former one.

#### MARITIME CONTRACTS ACT.

##### QUESTION.

Mr. KILLAM said he would like to enquire of the hon. the Minister of Marine and Fisheries if the Government had any definite information with

regard to the Bill before the Imperial Parliament last Session, which was, he believed, being also considered during the present Session, relating to Insurance and entitled Maritime Contracts Act. He understood that it was the intention of the Imperial Parliament to make this Bill applicable to the whole of Her Majesty's Dominions. The Bill, as it appeared before the Imperial Parliament last year was radically bad in principle. But he did not object to it so much on this ground as on the principle that the Imperial Parliament had no right to interfere with private contracts in this country. The Bill was much more objectionable than the one introduced in this House last Session. Englishmen could legislate for themselves in any way they chose, but it was entirely too much to expect the people of Canada to accept legislation from the English Parliament in those matters which were under control of our own Parliament. He hoped representations would be made by the Government to the Imperial authorities to the effect that this Bill, supposed to be in the interest of Englishmen, would not be applied to Canada.

Mr. SMITH (Westmoreland) said the Government had made a remonstrance in the sense indicated by the hon. gentleman. The Bill was now pending before the Imperial Parliament, and the Government had sent a despatch protesting against any interference with the rights of Canada in this respect.

#### THE SEAT FOR GLOUCESTER.

##### REPORT OF COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. IRVING presented the first and second reports of the Select Committee on Privileges and Elections.

The Sergeant-at-Arms announced that a Messenger from His Excellency was in attendance.

Sir JOHN A. MACDONALD: This is too bad. I object to the door being opened until the report is read. It is very important, and it should be read.

Mr. SPEAKER: The door must be opened. Admit the Messenger.

Several HON. MEMBERS: Privilege, privilege.

A Message from His Excellency the Governor General, by the Gentleman Usher of the Black Rod:—

“MR. SPEAKER,—

“His Excellency the Governor General commands this Honourable House to attend immediately in the Chamber of the Senate.”

Accordingly, Mr. Speaker, with the House, went up to attend His Excellency.

### In the Senate Chamber.

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills, viz. :—

An Act to amend the Act respecting Larceny and other similar offences.

An Act to amend the Act respecting the Salaries of certain Judges.

An Act to make provision for improvements in Prison Discipline.

An Act to make better provision respecting the Geological and Natural History Survey of Canada and for the maintenance of the Museum in connection therewith.

An Act to extend to the Province of Prince Edward Island, certain Criminal Laws now in force in other Provinces of Canada.

An Act to extend the provisions of section fifty-six of the Act thirty-four Victoria, Chapter five, intitled an Act relating to Banks and Banking to the Bank of British North America.

An Act to authorize the Union Forwarding and Railway Company to reduce its paid-up capital.

An Act respecting the Canada Southern Bridge Company.

An Act to change the name of the Saint Francis and Megantic International Railway Company, to the International Railway Company, and for other purposes respecting the same.

An Act to amend the Act to incorporate the *Globe* Printing Company.

An Act concerning the Ottawa, Vaudreuil and Montreal Railway Company.

An Act respecting the transfer of Rockwood Asylum to the Province of Ontario, and to amend the Penitentiary Act of 1875.

An Act further to amend the Act to

MR. SPEAKER.

incorporate the Canada Mutual Marine Insurance Company.

An Act respecting La Banque Jacques Cartier.

An Act to authorize and provide for the winding-up of the Metropolitan Bank.

An Act respecting the Niagara Grand Island Bridge Company.

An Act respecting Procedure and Evidence in Criminal Cases.

An Act to amend the Act respecting Offences against the Person.

An Act to amend the Act to make further provision in regard to the Supreme and Exchequer Courts.

An Act to incorporate the Dominion of Canada Civil Service Mutual Benefit Association.

An Act to authorize the Royal Canadian Insurance Company to reduce its Capital Stock; and for other purposes.

An Act to amend the Act to incorporate the Ottawa Agricultural Insurance Company.

An Act to provide for the safe custody of prisoners in places where the Common Gaols become temporarily insecure.

An Act to amend the Railway Act, 1868.

An Act to extend the Act respecting Trade Marks and Industrial Designs to the Provinces of British Columbia and Prince Edward Island.

An Act to incorporate the Union Marine Insurance Company of Halifax, Nova Scotia.

An Act to amend the Act for the suppression of Gaming Houses.

An Act to revive and amend the Act incorporating the Canada Atlantic Cable Company.

An Act to incorporate the St. Lawrence and Pacific Railway Ferry Company.

An Act for the Prevention of Gambling Practices in certain Public Conveyances.

An Act respecting the boundaries of the Province of Manitoba.

An Act to make provision for the Extradition of Fugitive Criminals.

An Act to amend the Act relating to the Inspection of Steamboats.

An Act to amend the Act incorporating the Montreal, Portland and Boston Railway Company.

An Act to incorporate the Dominion Grange of the Patrons of Husbandry of Canada.

An Act to incorporate the Union Atlantic Cable Company.

An Act to authorize the Town of Kincardine, in the County of Bruce, to impose and collect certain Tolls at the Harbour in the said Town.

An Act to amend the Coteau and Province Line Railway and Bridge Act.

An Act to remove doubts as to the right to vote of Shareholders in certain Banks.

An Act to grant additional powers to the Springhill and Parrsborough Coal and Railway Company (Limited).

An Act to amend an Act to impose License Duties on Compounders of Spirits, to amend the Act respecting the Inland Revenue, and to prevent the adulteration of Food, Drink, and Drugs.

An Act to authorize the transfer of the Truro and Pictou Branch of the Intercolonial Railway to the person or company constructing a line of railway from New Glasgow to the Strait of Canso, and providing a proper ferry across the Strait.

An Act to provide for the employment without the walls of Common Gaols of prisoners sentenced to imprisonment therein.

An Act to make further provision for the payment of the Active Militia when called out in certain cases in aid of the civil power.

An Act to amend the law respecting appeals from convictions before or Orders by Justices of the Peace.

An Act to amend the Act respecting the Canadian Engine and Machinery Company.

An Act respecting the Beaver and Toronto Mutual Fire Insurance Company.

An Act to amend the Act to incorporate the Bridge Company of Rivière du Loup in the County of Maskinongé.

An Act respecting Tolls in the Harbour of Montreal.

An Act to amend the Act to incorporate the National Investment Company of Canada (Limited).

An Act to make provision against the improper use of Firearms.

An Act to repeal certain laws making breaches of contract of service criminal, and to provide for the punishment of certain breaches of contract.

An Act to transfer the management of certain harbours, piers and breakwaters from the Department of Public Works to the Department of Marine and Fisheries.

An Act to amend the Post Office Act, 1875.

An Act to amend the Act respecting the Culling and Measuring of Timber.

An Act to provide for the payment of travelling allowances to the District or County Court Judges in the Province of British Columbia.

An Act respecting the Measurement of Steam Ships registered under the repealed Act of the late Province of Canada.

An Act to amend an "Act respecting the Inland Revenue."

An Act to amend and consolidate certain Acts respecting Insurance.

An Act to amend the Act incorporating the Union Life and Accident Insurance Company of Canada, and to change the name thereof to the "Union Assurance Company of Canada."

An Act respecting the Great Seals of the Provinces of Canada, other than Ontario and Quebec.

An Act to amend the Act intituled An Act to incorporate the London and Ontario Investment Company (Limited).

An Act to incorporate the Pickering Harbour Company (Limited) and to authorize it to collect tolls.

An Act to establish a Court of Maritime Jurisdiction in the Province of Ontario.

An Act to amend the Insolvent Act of 1875, and the Act amending the same.

An Act to amend the Act thirty-seven Victoria, chapter fifty, respecting Permanent Building Societies in Ontario.

An Act to incorporate La Société de Construction de St. Jacques as a Permanent Building Society, and for other purposes.

An Act to incorporate the Canadian Securities Company (Limited).

An Act to amend the Act to make further provisions for the management

of Permanent Building Societies carrying on business in the Province of Ontario.

An Act to amend the Act incorporating the British Canadian Loan and Investment Company (Limited).

An Act to amend and consolidate the Acts respecting the Customs.

An Act for the repression of Betting and Pool Selling.

An Act to amend the Law respecting the Incorporation of Joint Stock Companies by Letters Patent.

An Act to amend certain Acts respecting duties of Customs and Excise.

An Act respecting the claim of the Dominion on the Northern Railway Company of Canada.

An Act respecting the Act further securing the Independence of Parliament.

An Act to incorporate the Dominion Building Society under the name of "The Dominion Mortgage Loan Company."

An Act respecting the Northern Railway of Canada.

An Act to amend the North-West Territories Act, 1875.

An Act to amend the Pilotage Act of 1875.

An Act to make further provision respecting the constituting and management of Building Societies in the Province of Quebec.

An Act further to amend the Acts to provide for the management of the Harbour of Quebec and the Pilotage Act of 1873.

An Act respecting certain Ordnance and Admiralty Lands in the Provinces of Ontario and Quebec.

An Act to provide for the inspection of Petroleum.

An Act to amend the Act respecting Weights and Measures.

The Titles to the following Bills were then read:—

An Act for the relief of Mary Jane Bates.

An Act for the relief of Walter Scott.

An Act for the relief of Martha Jemima Hawkshaw Holliwell.

To these Bills, the Clerk of the Senate, by His Excellency's command, did thereupon say:

"His Excellency the Governor General doth reserve these Bills for the significations of Her Majesty's pleasure thereon."

The Speaker of the House of Commons then said:

"MAY IT PLEASE YOUR EXCELLENCY:—

"The Commons of Canada have voted the supplies required to enable the Government to defray the expenses of the Public Service."

"In the name of the Commons I present to Your Excellency a Bill intituled an Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service for the financial years ending respectively the 30th June, 1877, and the 30th June, 1878, and for other purposes relating to the Public Service, of which I humbly request your Excellency's assent."

To this Bill the Royal Assent was signified in the following words:—

"In Her Majesty's name, His Excellency the Governor General thanks Her loyal subjects, accepts their benevolence, and assents to this Bill."

His Excellency the Governor-General was then pleased to address the two Houses in the following Speech:—

"Honourable Gentlemen of the Senate:

"Gentlemen of the House of Commons:

"In relieving you from further attendance in Parliament, I beg to convey to you my thanks for the diligence with which you have applied yourselves to the performance of your duties.

"Among the numerous measures you have passed are several of considerable public importance.

"The improved provision for the incorporation of Joint Stock Companies will, I trust, tend to the establishment of such companies under the operation of sound general rules, rather than by special and exceptional legislation.

"The law as to Insurance Companies will add to the existing securities of Canadian insurers.

"The alteration of the duties on petroleum will confer a great boon to the masses of the population.

"The vast shipping interests of our great inland seas will be benefitted by the extension to the trade on those waters of rights and remedies, the utility of which has been recognized by long experience.

“The law providing for the extradition of fugitive criminals will enable Canada to discharge efficiently her part of the engagements of the Empire in this important particular.

“*Gentlemen of the House of Commons :*

“In Her Majesty’s name, I thank you for the Supplies you have so cheerfully voted. I will take care that they are expended with due regard to economy.

“*Honourable Gentlemen of the Senate :*

“*Gentlemen of the House of Commons :*

“The Commissioners named under the Treaty of Washington having been at length appointed, the Commission will shortly be

organized at Halifax. I have taken steps to ensure a full and fair presentation of the case of Canada. I trust the negotiations may realize all our expectations.

“I have now only to give expression to my earnest hope that on your return to your several homes you may meet with evidences of growing prosperity, and that, before you are again called upon to meet together in your representative capacity, the passing cloud on our Trade and Commerce will have disappeared.”

The Parliament of the Dominion of Canada was then prorogued to Thursday, 7th June, next.

# INDEX.

—:00:—

## **A**CCIDENTS *caused by Railway Frogs.*

Motion for Return, 67.

## *Accidents on the Intercolonial Railway.*

Motion for Return, 102.

## **Address in answer to His Excellency's Speech.**

Taken into consideration, 4.

Referred to Committee, 21.

Address reported, 21.

Reply from His Excellency, 99.

## *Adjournment for Ash Wednesday.*

Resolution, 40.

## *Administration of Justice in the District of Richelieu.*

Motion for a Special Committee, 73.

## *Administration of Montreal Harbour Board—Town of Sorel.*

Motion, 1530.

## **Admission of Newfoundland Fish and Fish-Oil Bill.**

1<sup>o</sup>, 1083; 2<sup>o</sup> and 3<sup>o</sup>, 1168.

## *Adulteration of Food Bill.*

Resolution to be referred, 248.

## **Adulteration of Food, Drink, and Drugs Bill.**

1<sup>o</sup>, 854; 2<sup>o</sup>, 1064; 3<sup>o</sup>, 1084.

## *Advertising, Expenses of.*

Motion for Statement, 114.

## *Agricultural Committee's Report.*

Motion to print, 115.

## *Alaska Boundary Line.*

Motion for Returns, 983.

## **Albert Railway Company Bill.**

1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 1042.

Motion to consider Senate amendment, 1872.

Senate amendment postponed, 1879.

## *Amounts carried over by Orders in Council.*

Motion for Return, 370.

## *Annuities to Indians.*

Question, 186.

## **Appeals from Justices' Convictions Law Amendment Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup>, 849; 3<sup>o</sup>, 1165.

## APPLEBY, Mr.

Post Office and Custom House Buildings, 444.

Prohibitory Liquor Law, 1387.

## *Appointment of Harbour Commissioners.*

Question, 1361.

## *Appointment of Harbour Masters at Quebec Ports.*

Motion for Return, 1068.

## *Appointment of J. G. Norris.*

Motion for correspondence, 621.

## *Appointment of Mr. Tremain to a Judgeship.*

Explanation, 121.

## *Appointment of Officials.*

Motion for Return, 443.

## *Appointment of Senators.*

Motion for correspondence, 371.

## ARCHIBALD, Mr.

Revenue paid by Provinces, 104.

Northern Railway inquiry, 452.

Northern Railway Company, 1812, 1813.

## *Arichat West Breakwater.*

Motion for Reports and Plans, 445.

## *Aspy Bay Harbour.*

Motion for Report, 632.

## **Auditing of Public Accounts Act Amendment Bill.**

1<sup>o</sup>, 1595; 2<sup>o</sup>, 1765; 3<sup>o</sup>, 1822.

## *Audit of Advertising Accounts.*

Motion for Order in Council, 877.

## AYLMER, Mr.

Civil Service, 896.

Supply, 1619.

**BABY, Mr.**

Administration of Justice, District of Richelieu, 73.  
 Bill to amend the several Acts incorporating the Montreal, Portland and Boston Railway Company, 122, 257, 596.  
 Supply, 324, 325, 326, 328, 1430, 1499, 1615, 1827.  
 Breaches of Contracts, 868, 1012.  
 Postmaster at Montmagny, 989, 990.  
 Lachine Canal Enlargement, 1035, 1036.  
 Rivière du Loup Bridge Bill, 1041.  
 Appeals from Justices of the Peace, 1166.

*Baddeck, Defalcations at.*

Motion for correspondence, 529.

**BAIN, Mr.**

Customs Act amendment, 653.  
 Dundas Post Office Savings Bank, 1071, 1072.

*Banking and Commerce Committee.*

Motion to add names, 122.

**Bank of British North America Bill.**

1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 540.

**Bank Shareholders' Votes Bill.**

1<sup>o</sup>, 1164; 2<sup>o</sup> and 3<sup>o</sup>, 1222.

**BANNATYNE, Mr.**

Half-breed lands in Manitoba, 111.  
 North-West Troubles, 1412.  
 Pacific Railway, 1807.

**BARTHE, Mr.**

Insolvent Acts Repeal Bill, 24, 83, 279, 283, 296, 308, 353.  
 Administration of Justice, District of Richelieu, 73, 76, 77.  
 Insolvent Act amendment, 1087, 1102, 1115.  
 Royal Canadian Insurance Co., 1516, 1517.  
 Administration of Montreal Harbour Board, Sorel, 1530.  
 Ordnance and Admiralty Lands, 1665.

**Bates, Mary Jane, Divorce Bill.**

1<sup>o</sup>, 796; 2<sup>o</sup> ordered, 876; 2<sup>o</sup>, 949; 3<sup>o</sup>, 1040.

*Bay Des Chaleurs Railway.*

Question, 526.

*Bayfield Harbour, Lake Huron.*

Question, 98.

**Beaver and Toronto Insurance Company Bill.**

1<sup>o</sup>, 122; 2<sup>o</sup>, 353; 3<sup>o</sup>, 948.

**BECHARD, Mr.**

The Address, 8.  
 Administration of Justice in the District of Richelieu, 73.  
 Le Crédit Foncier du Bas Canada, 114.  
 Georgian Bay Branch, 350.

**BENOIT, Mr.**

Richelieu River Fisheries, 1074.

**BERNIER, Mr.**

Commercial Agencies, 367.

**BERTRAM, Mr.**

Trent River Works, 338.  
 Georgian Bay Branch, 348.  
 The Tariff, 591, 592.  
 Government business, 1440.  
 Supply, 1499, 1589  
 Intercolonial Railway, 1519.  
 Northern Railway Company, 1819.  
 Independence of Parliament Act amendment, 1862.

**BILLS.**

Bill (No. 1) *Respecting the Administration of Oaths of Office.*—(Mr. Mackenzie.)

1<sup>o</sup>, 2.

Bill (No. 2) *To repeal the Insolvent Acts now in force in the Dominion of Canada.*—(Mr. Barthe.)

1<sup>o</sup>, 24; 2<sup>o</sup> proposed, 83, 279, 353.

Bill (No. 3) *Respecting Procedure and Evidence in criminal cases.*—(Mr. Irving.)

1<sup>o</sup>, 42; 2<sup>o</sup>, 203; 3<sup>o</sup>, 574.

Bill (No. 4) *To repeal the Act 37 Victoria, Chapter 49, intituled: "An Act to authorize Corporations and institutions incorporated without the limits of Canada, to lend and invest moneys therein."*—(Mr. Blain.)

1<sup>o</sup>, 42; 2<sup>o</sup> postponed, 204; 2<sup>o</sup> 1043;

Bill (No. 5) *To amend the Act relating to Criminal Procedure, by allowing persons charged with crime to give evidence as witnesses for the defence.*—(Mr. Dymond.)

1<sup>o</sup>, 42; 2<sup>o</sup> postponed, 204; 2<sup>o</sup> proposed, 574; Bill withdrawn, 584.

Bill (No. 6) *To incorporate the Maitland Marine Insurance Company.*—(Mr. Goudge.)

1<sup>o</sup>, 78; 2<sup>o</sup>, 98.

Bill (No. 7) *To amend the Act respecting Weights and Measures.*—(Mr. Bolduc.)

1<sup>o</sup>, 96; Order discharged, 368.

Bill (No. 8) *Respecting the St. Francis and Megantic International Railway Company.*—(Mr. Brooks.)

1<sup>o</sup>, 96; Order discharged, 122.

Bill (No. 8) *To change the name of the St. Francis and Megantic International Railway Company, to the International Railway Company, and for other purposes.*—(Mr. Brooks.)

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 596.

Bill (No. 9) *Respecting the Canada Southern Bridge Company.*—(Mr. Casey.)

1<sup>o</sup>, 96; 2<sup>o</sup>, 257; 3<sup>o</sup>, 596.

Bill (No. 10) *To amend the Act incorporating the London and Canada Bank.*—(Mr. Bark.)

1<sup>o</sup>, 96; 2<sup>o</sup>, 257.

Bill (No. 11) *To amend the Insolvent Act of 1875, with reference to liabilities between traders and non-traders.*—(Mr. Landerkin.)

1<sup>o</sup>, 96; Order discharged, 368.

Bill (No. 12) *To grant additional powers to the Springhill and Parrsborough Coal and Railway Company (Limited).*—(Mr. Domville.)

1<sup>o</sup>, 96; 2<sup>o</sup>, 352; 3<sup>o</sup>, 1042

Bill (No. 13) *To incorporate the Dominion of Canada Civil Service Mutual Benefit Association.*—(Mr. Wood.)

1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 540.

Bill (No. 14) *To amend the several Acts incorporating the Montreal, Portland and Boston Railway Company.*—(Mr. Baby.)  
1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 596.

Bill (No. 15) *To amend the Insolvent Act of 1875; and to make the said Act operative within the temporary Judicial District of Nipissing.*—(Mr. White, North Renfrew.)  
1<sup>o</sup>, 122; Order discharged. 552.

Bill (No. 16) *Respecting the Beaver and Toronto Mutual Fire Insurance Company.*—(Mr. Bowell.)  
1<sup>o</sup>, 122; 2<sup>o</sup>, 353; 3<sup>o</sup>, 948.

Bill (No. 17) *To extend the provisions of section 56 of the Act 34 Victoria, chapter 5, intituled: "An Act relating to Banks and Banking," to the Bank of British North America.*—(Mr. Frazer.)  
1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 540.

Bill (No. 18) *To make better provision respecting the Geological and Natural History Survey of Canada, and for the maintenance of the Museum in connection therewith.*—(Mr. Mills.)  
1<sup>o</sup>, 122; 2<sup>o</sup>, 311; 3<sup>o</sup>, 483.

Bill (No. 19) *To amend and consolidate as amended the Acts respecting the Customs.*—(Mr. Burpee, St. John.)  
1<sup>o</sup>, 643; 2<sup>o</sup>, 1021; 3<sup>o</sup>, 1117.

Bill (No. 20) *To amend the Act of incorporation of the London and Ontario Investment Company (Limited).*—(Mr. Macdonald, Centre Toronto.)  
1<sup>o</sup>, 184; 2<sup>o</sup>, 257; 3<sup>o</sup>, 1042.

Bill (No. 21) *To amend the Act 37 Victoria, chapter 57, respecting Permanent Building Societies in Ontario.*—(Mr. Hall.)  
1<sup>o</sup>, 184; Order postponed, 369; 2<sup>o</sup>, 702; 3<sup>o</sup>, 1395.

Bill (No. 22) *To incorporate the "Dominion Grange of the Patrons of Husbandry."*—(Mr. Kymal.)  
1<sup>o</sup>, 184; 2<sup>o</sup>, 257; 3<sup>o</sup>, 889.

Bill (No. 23) *To extend to the Province of Prince Edward Island certain of the criminal laws now in force in other Provinces of Canada.*—(Mr. Blake.)  
1<sup>o</sup>, 184; 2<sup>o</sup>, 317; 3<sup>o</sup>, 400. Senate amendment agreed to, 684.

Bill (No. 24) *To amend the Act respecting larceny and other similar offences.*—(Mr. Blake.)  
1<sup>o</sup>, 184; 2<sup>o</sup>, 319; 3<sup>o</sup>, 400.

Bill (No. 25) *To amend the Act incorporating the Canada Atlantic Cable Company.*—(Mr. Thomson, Welland.)  
1<sup>o</sup>, 202; 2<sup>o</sup>, 351; 3<sup>o</sup>, 619.

Bill (No. 26) *To vest the property and powers of the Pickering Harbour and Road Joint Stock Company, in Joseph Harris McClellan.*—(Mr. Gibbs, South Ontario.)  
1<sup>o</sup>, 202; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1042.

Bill (No. 27) *To amend the Act respecting Offences against the Person.*—(Mr. Blake.)  
1<sup>o</sup>, 202; 2<sup>o</sup>, 319; 3<sup>o</sup>, 401.

Bill (No. 28) *Respecting the Niagara Grand Island Bridge Company.*—(Mr. Thomson, Welland.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 619.

Bill (No. 29) *To amend the Act passed in the 39th year of Her Majesty's Reign, intituled: "An Act to incorporate the British Canadian Loan and Investment Company (Limited)."*—(Mr. Young.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1042.

Bill (No. 30) *To incorporate the Union Marine Insurance Company of Halifax, Nova Scotia.*—(Mr. Jones, Halifax.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 698.

Bill (No. 31) *To authorize and provide for the winding up of the Metropolitan Bank.*—(Mr. Workman.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 352; 3<sup>o</sup>, 698.

Bill (No. 32) *Respecting La Banque Jacques Cartier.*—(Mr. Jetté.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 698.

Bill (No. 33) *To incorporate La Société de Construction St Jacques, as a permanent Building Society, and for other purposes.*—(Mr. Jetté.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1138.

Bill (No. 34) *To amend the Act to incorporate the Ottawa Agricultural Insurance Company.*—(Mr. Rochester.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 352; 3<sup>o</sup>, 812.

Bill (No. 35) *Concerning the Ottawa, Vaudreuil and Montreal Railway Company.*—(Mr. Haagar.)  
1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 596.

Bill (No. 36) *To amend and consolidate the several Acts respecting Insurance.*—(Mr. Cartwright.)  
1<sup>o</sup>, 248; 2<sup>o</sup>, 320; 3<sup>o</sup>, 1194.

Bill (No. 37) *Relating to the protest of Inland Bills, in the Province of Nova Scotia.*—(Mr. Jones, Halifax.)  
1<sup>o</sup>, 269; 2<sup>o</sup>, 369; Bill withdrawn, 1360.

Bill (No. 38) *Respecting procedure in criminal cases in New Brunswick.*—(Mr. Palmer.)  
1<sup>o</sup>, 269; Bill withdrawn, 540.

Bill (No. 39) *To repeal the Insolvent Act of 1875, and all Acts passed in amendment thereof.*—(Mr. Palmer.)  
1<sup>o</sup>, 269; Bill withdrawn, 541.

Bill (No. 40) *Respecting the transfer of the Rockwood Asylum to the Province of Ontario and to amend the Penitentiary Act of 1875.*—(Mr. Blake.)  
1<sup>o</sup>, 271; 2<sup>o</sup>, 489; 3<sup>o</sup>, 588.

Bill (No. 41) *To establish a Court of Maritime Jurisdiction in the Province of Ontario.*—(Mr. Blake.)  
1<sup>o</sup>, 271; 2<sup>o</sup>, 640; 3<sup>o</sup>, 1441; Senate amendment concurred in, 1710.

Bill (No. 42) *To authorize the Town of Kincardine, in the County of Bruce, to impose and collect certain tolls at the harbour in the said town.*—(Mr. Gillies.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 889.

Bill (No. 43) *To authorize the Union Forwarding and Railway Company to reduce its paid-up capital.*—(Mr. Currier.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 619.

Bill (No. 44) *To amend the Act to incorporate the Bridge Company of Rivière-à-Loup, in the County of Muskogee.*—(Mr. Boyer.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 1138.

Bill (No. 45) *To incorporate the St. Lawrence and Pacific Railway Ferry Company.*—(Mr. Jetté.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 698.

Bill (No. 46) *To incorporate the Union Cable Company.*—(Mr. Jetté.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 197.

Bill (No. 47) *To amend the Dominion Elections Act of 1874.*—(Mr. Richard.)  
1<sup>o</sup>, 310; 2<sup>o</sup> proposed, 557; Bill withdrawn, 559.

Bill (No. 48) *To grant additional powers to the Albert Railway Company.*—(Mr. Donville.)  
1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 1042; consideration of Senate amendment postponed, 1879.

- Bill (No. 49) *To amend the Act respecting the Election of Members to the House of Commons.*—(Mr. Cook.)  
1<sup>o</sup>, 311; Bill withdrawn, 902.
- Bill (No. 50) *To amend the Act 37 Victoria, chapter 4.*—(Mr. Blake.)  
1<sup>o</sup>, 321; 2<sup>o</sup>, 401; 3<sup>o</sup>, 488.
- Bill (No. 51) *To extend the Powers of the Montreal Loan and Mortgage Company.*—(Mr. Holton.)  
1<sup>o</sup>, 337; 2<sup>o</sup>, 409.
- Bill (No. 52) *To further amend the Act to incorporate the Canadian Mutual Marine Insurance Company.*—(Mr. Domville.)  
1<sup>o</sup>, 337; 2<sup>o</sup>, 409; 3<sup>o</sup>, 797.
- Bill (No. 53) *To make further provisions for the establishment and management of Building Societies in the Province of Quebec.*—(Mr. Jetté.)  
1<sup>o</sup>, 337; 2<sup>o</sup>, 699; 3<sup>o</sup>, 1395.
- Bill (No. 54) *To authorize the construction of Waterworks by Joint Stock Companies.*—(Mr. Jetté.)  
1<sup>o</sup>, 337; 2<sup>o</sup>, 1043.
- Bill (No. 55) *To make further provisions for improvements in Prison Discipline.*—(Mr. Blake.)  
1<sup>o</sup>, 337; 2<sup>o</sup>, 488; 3<sup>o</sup>, 552.
- Bill (No. 56) *For the Prevention of Gambling in certain public conveyances.*  
1<sup>o</sup>, 338; 2<sup>o</sup>, 488; in Committee, 553; 3<sup>o</sup>, 640.
- Bill (No. 57) *To authorize the Royal Canadian Insurance Company to reduce its Capital Stock, and for other purposes.*—(Mr. Jetté.)  
1<sup>o</sup>, 367; 2<sup>o</sup>, 409; 3<sup>o</sup>, 797.
- Bill (No. 58) *To change the name of the Dominion Building Society to that of the City Mortgage Loan Company, and to change, amend, and, in certain cases, to increase the powers of the said Society.*—(Mr. Ouimet.)  
1<sup>o</sup>, 367; 2<sup>o</sup>, 540; 3<sup>o</sup>, 1138.
- Bill (No. 59) *To amend the Act incorporating the Union Life and Accident Assurance Company of Canada, and to change the name to the Union Assurance Company of Canada.*—(Mr. Kirkpatrick.)  
1<sup>o</sup>, 367; 2<sup>o</sup>, 409; 3<sup>o</sup>, 1208.
- Bill (No. 60) *To amend the Insolvent Act of 1875, and the Act in amendment thereof.*—(Mr. Blake.)  
1<sup>o</sup>, 400; 2<sup>o</sup>, 641; 3<sup>o</sup>, 1146; Senate amendments concurred in, 1710.
- Bill (No. 61) *To incorporate the Canadian Securities Company (Limited).*—(Mr. Casgrain.)  
1<sup>o</sup>, 435; 2<sup>o</sup>, 540; 3<sup>o</sup>, 1208.
- Bill (No. 62) *Respecting the Northern Railway of Canada.*—(Mr. Macdonald, Centre Toronto.)  
1<sup>o</sup>, 436; 2<sup>o</sup>, 1375; 3<sup>o</sup>, 1755.
- Bill (No. 63) *To authorize municipalities to pass by-laws to provide means of escape for persons falling into the water in the vicinity of wharves and docks.*—(Mr. Cook.)  
1<sup>o</sup>, 436; 2<sup>o</sup>, 1077.
- Bill (No. 64) *To amend the Acts relating to the Supreme and Exchequer Courts.*—(Mr. Blake.)  
1<sup>o</sup>, 436; 2<sup>o</sup> and 3<sup>o</sup>, 588.
- Bill (No. 65) *To make provision for the Extradition of Fugitive Criminals.*—(Mr. Blake.)  
1<sup>o</sup>, 524; 2<sup>o</sup>, 710; 3<sup>o</sup>, 783.
- Bill (No. 66) *To repeal certain laws making breaches of contracts of service criminal, and to provide for the punishment of certain breaches of contract.*—(Mr. Blake.)  
1<sup>o</sup>, 524; 2<sup>o</sup>, 855; 3<sup>o</sup>, 1054.
- Bill (No. 67) *To amend the law respecting the Incorporation of Joint Stock Companies by letters patent.*—(Mr. Cartwright.)  
1<sup>o</sup>, 524; 2<sup>o</sup>, 711; 3<sup>o</sup>, 1145.
- Bill (No. 68) *For the better protection of life and property in the Mines of British Columbia.*—(Mr. Buxter.)  
1<sup>o</sup>, 524; Bill withdrawn, 889.
- Bill (No. 69) *To declare Life Assurance policies non-forfeitable.*—(Mr. Trow.)  
1<sup>o</sup>, 525; Bill withdrawn, 700.
- Bill (No. 70) *To preserve to the electors of the village of Stouffville the continuance of their representation in Parliament, to the respective electoral divisions in which they were placed before the incorporation of the said village.*—(Mr. Metcalfe.)  
1<sup>o</sup>, 618; 2<sup>o</sup>, 892; Bill withdrawn, 1139.
- Bill (No. 71) *To repeal the Act 36 Victoria, chapter 47, intitled, "An Act respecting Weights and Measures."*—(Mr. Jones, Halifax.)  
1<sup>o</sup>, 618.
- Bill (No. 72) *To amend the Act to incorporate the Globe Printing Company.*—(Mr. Blain.)  
1<sup>o</sup>, 684; 2<sup>o</sup>, 798; 3<sup>o</sup>, 889.
- Bill (No. 73) *Relating to Stamps on Promissory Notes and Bills of Exchange.*—(Mr. Irving.)  
1<sup>o</sup>, 684.
- Bill (No. 74) *To amend the North-West Territories Act, 1875.*—(Mr. Mills.)  
1<sup>o</sup>, 685; 2<sup>o</sup>, 1065; 3<sup>o</sup>, 1085; Senate amendments concurred in, 1872.
- Bill (No. 75) *To extend the Act respecting trade marks and industrial designs to the Provinces of Prince Edward Island and British Columbia.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup> and 3<sup>o</sup>, 848.
- Bill (No. 76) *To amend the Railway Act of 1868.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup> and 3<sup>o</sup>, 848.
- Bill (No. 77) *To provide for the safe custody of prisoners in places where the common goods become temporarily insecure.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup> and 3<sup>o</sup>, 848.
- Bill (No. 78) *To amend the law with reference to appeals from convictions made by Justices of the Peace.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup>, 849; 3<sup>o</sup>, 1165.
- Bill (No. 79) *To make provision against the improper use of firearms.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup>, 849; 3<sup>o</sup>, 1222.
- Bill (No. 80) *To amend the Act for suppressing gaming houses.*—(Mr. Blake.)  
1<sup>o</sup>, 685; 2<sup>o</sup>, 853; 3<sup>o</sup>, 904.
- Bill (No. 81) *To amend the Act respecting larceny and other similar offences.*—(Mr. Guthrie.)  
1<sup>o</sup>, 685; 2<sup>o</sup>, 892.
- Bill (No. 82) *To authorize the transfer of the Truro and Pictou Branch of the Intercolonial Railway to the person or company constructing a line of railway from New Glasgow to the Strait of Canso, and providing a proper ferry across the Strait.*—(Mr. Mackenzie.)  
1<sup>o</sup>, 710; 2<sup>o</sup>, 1020; 3<sup>o</sup>, 1051.
- Bill (No. 83) *To amend the Acts relating to the inspection of steamboats.*—(Mr. Sm , Westmoreland.)  
1<sup>o</sup>, 785; 2<sup>o</sup>, 905; 3<sup>o</sup>, 1020.
- Bill (No. 84) *For the relief of Walter Scott.*—(Mr. McCarthy.)  
1<sup>o</sup>, 811; 2<sup>o</sup> ordered, 875; 2<sup>o</sup>, 948; 3<sup>o</sup>, 1039.

- Bill (No. 85) *For the relief of Mary Jane Bates.*—(Mr. Trow).  
1<sup>o</sup>, 796; 2<sup>o</sup> ordered, 879; 2<sup>o</sup>, 949; 3<sup>o</sup>, 1040.
- Bill (No. 86) *To amend "An Act to impose license dues on compounders of spirits; to amend the Act respecting the Inland Revenue, and to prevent the adulteration of food, drink and drugs."*—(Mr. Laflamme).  
1<sup>o</sup>, 854; 2<sup>o</sup>, 1064; 3<sup>o</sup>, 1084.
- Bill (No. 87) *Respecting the boundaries of the Province of Manitoba.*—(Mr. Mills).  
1<sup>o</sup>, 874; 2<sup>o</sup> and 3<sup>o</sup>, 1021.
- Bill (No. 88) *To regulate the floating of cord-wood on the River St. Francis.*—(Mr. Gill).  
1<sup>o</sup>, 875; 2<sup>o</sup>, 1139.
- Bill (No. 89) *To provide greater convenience and safety for passengers on railways in Canada.*—(Mr. Trow).  
1<sup>o</sup>, 875; 2<sup>o</sup>, 1139.
- Bill (No. 90) *Respecting tolls in the Harbour of Montreal.*—(Mr. Smith, Westmoreland).  
1<sup>o</sup>, 904; 2<sup>o</sup> and 3<sup>o</sup>, 1064.
- Bill (No. 91) *To amend the Act respecting the Inland Revenue.*—(Mr. Laflamme).  
1<sup>o</sup>, 904; 2<sup>o</sup>, 1064; 3<sup>o</sup>, 1404.
- Bill (No. 92) *Further to amend the Act to provide for the inspection of gas and gas meters.*—(Mr. Laflamme).  
1<sup>o</sup>, 905; Bill withdrawn, 1769.
- Bill (No. 93) *For the Relief of Martha Jemima Hawkeshaw Holwell.*—(Mr. Cameron).  
1<sup>o</sup>, 936; 2<sup>o</sup>, 978; 3<sup>o</sup>, 1138.
- Bill (No. 94) *To provide for the employment without the walls of common gaols, of prisoners sentenced to imprisonment therein.*—(Mr. Blake).  
1<sup>o</sup>, 977; 2<sup>o</sup>, 1062; 3<sup>o</sup>, 1116.
- Bill (No. 95) *For the repression of betting and pool-selling.*—(Mr. Blake).  
1<sup>o</sup>, 977; 2<sup>o</sup>, 1062; 3<sup>o</sup>, 1441.
- Bill (No. 96) *To amend the Post Office Act, 1875.*—(Mr. Blake).  
1<sup>o</sup>, 977; 2<sup>o</sup>, 1063; 3<sup>o</sup>, 1084.
- Bill (No. 97) *To amend the National Investment Company Incorporation Act.*—(Mr. Blain).  
1<sup>o</sup>, 1051; 2<sup>o</sup>, 1065; 3<sup>o</sup>, 1375.
- Bill (No. 98) *To amend the Côteau and Province Line Railway and Bridge Act.*—(Mr. Currier).  
1<sup>o</sup>, 989; 2<sup>o</sup>, 1042; 3<sup>o</sup>, 1208.
- Bill (No. 99) *To amend the Act respecting the Canadian Engine and Machinery Company.*—(Mr. Workman).  
1<sup>o</sup>, 1009; 2<sup>o</sup>, 1042; 3<sup>o</sup>, 1375.
- Bill (No. 100) *To incorporate the Canada Traffic Company.*—(Mr. Workman).  
1<sup>o</sup>, 1009; 2<sup>o</sup>, 1042; 3<sup>o</sup>, 1645.
- Bill (No. 101) *To amend the Act respecting Permanent Building Societies.*—(Mr. Wood).  
2<sup>o</sup> postponed, 1078; 2<sup>o</sup>, 1144.
- Bill (No. 102) *To make further provision for the payment of the Active Militia when called out in certain cases in aid of the civil power.*—(Mr. Blake).  
1<sup>o</sup>, 1061; 2<sup>o</sup> and 3<sup>o</sup>, 1152.
- Bill (No. 103) *To amend the Act respecting the cutting of timber.*—(Mr. Laflamme).  
1<sup>o</sup>, 1081; 2<sup>o</sup>, 1166; 3<sup>o</sup>, 1441.
- Bill (No. 104) *To provide for the admission of fish and fish-oil into Canada, inspected in Newfoundland.*—(Mr. Laflamme).  
1<sup>o</sup>, 1083; 2<sup>o</sup> and 3<sup>o</sup>, 1168.
- Bill (No. 105) *To further amend the Acts to provide for the management and improvement of the Harbour of Quebec, and "the Pilotage Act of 1873."*—(Mr. Smith, Westmoreland).  
1<sup>o</sup>, 1083; 2<sup>o</sup>, 1628; 3<sup>o</sup>, 1666.
- Bill (No. 106) *Respecting the measurement of ships registered under the repealed Act of the late Province of Canada.*—(Mr. Smith, Westmoreland).  
1<sup>o</sup>, 1164; 2<sup>o</sup>, 1317; 3<sup>o</sup>, 1396.
- Bill (No. 107) *To remove doubts as to the right to vote of shareholders in certain Banks.*—(Mr. Cartwright).  
1<sup>o</sup>, 1164; 2<sup>o</sup> and 3<sup>o</sup>, 1222.
- Bill (No. 108) *To amend the Act further to amend the Pilotage Act of 1875.*—(Mr. Smith, Westmoreland).  
1<sup>o</sup>, 1164; 2<sup>o</sup>, 1317; 3<sup>o</sup>, 1397; Senate amendments concurred in, 1872.
- Bill (No. 109) *To amend the Acts respecting duties of Customs and Excise.*—(Mr. Cartwright).  
1<sup>o</sup>, 1192; 2<sup>o</sup>, 1841; 3<sup>o</sup>, 1851.
- Bill (No. 110) *To transfer the management of certain harbours, piers and breakwaters from the Department of Public Works to the Department of Marine and Fisheries.*—(Mr. Smith, Westmoreland).  
1<sup>o</sup>, 1192; 2<sup>o</sup> and 3<sup>o</sup>, 1317.
- Bill (No. 111) *Respecting certain Ordnance and Admiralty lands in the Provinces of Ontario and Quebec.*—(Mr. Mills).  
1<sup>o</sup>, 1396; 2<sup>o</sup>, 1664; 3<sup>o</sup>, 1760.
- Bill (No. 112) *To provide for the Inspection of Petroleum.*—(Mr. Laflamme).  
1<sup>o</sup>, 1404; 2<sup>o</sup>, 1628; 3<sup>o</sup>, 1760.
- Bill (No. 113) *To provide for the payment of travelling allowances to certain Judges of British Columbia.*—(Mr. Blake).  
1<sup>o</sup>, 1404; 2<sup>o</sup> and 3<sup>o</sup>, 1498.
- Bill (No. 114) *For defining and rendering uniform the powers of certain loan companies therein mentioned.*—(Mr. Cartwright).  
1<sup>o</sup>, 1438; 2<sup>o</sup>, 1664.
- Bill (No. 115) *Respecting the Great Seals of the Provinces of Canada, other than Ontario and Quebec.*—(Mr. Blake).  
1<sup>o</sup>, 1438; 2<sup>o</sup> and 3<sup>o</sup>, 1666.
- Bill (No. 116) *To make provision for the more effectual securing the observance, by Railway Companies, of the law requiring equality of treatment in the management of traffic, and imposition of rates and tolls.*—(Mr. Irving).  
1<sup>o</sup>, 1529.
- Bill (No. 117) *To amend the Act to incorporate the Manitoba Junction Railway Company.*—(Mr. Thompson, Haldimand).  
1<sup>o</sup>, 1529; 2<sup>o</sup>, 1569; Bill withdrawn, 1809.
- Bill (No. 118) *To amend the Act 31 Victoria, chapter 5, intitled: "An Act respecting the auditing of the Public Accounts."*—(Mr. Cartwright).  
1<sup>o</sup>, 1595; 2<sup>o</sup>, 1765; 3<sup>o</sup>, 1822.
- Bill (No. 119) *To amend the Act respecting Weights and Measures.*—(Mr. Laflamme).  
1<sup>o</sup>, 1611; 2<sup>o</sup> and 3<sup>o</sup>, 1825.
- Bill (No. 120) *To amend the Indian Act, 1876.*—(Mr. Mills).  
1<sup>o</sup>, 1627; 2<sup>o</sup>, 1764; Bill withdrawn, 1840.
- Bill (No. 122) *Respecting the Act further securing the Independence of Parliament.*—(Mr. Mackenzie).  
1<sup>o</sup>, 1809; 2<sup>o</sup>, 1851; 3<sup>o</sup>, 1867.

Bill (No. 123) *To provide for the arrangement of certain claims of the Government of Canada upon the Northern Railway Company.*—(Mr. Cartwright.)  
1<sup>o</sup>, 2<sup>o</sup> and 3<sup>o</sup>, 1840.

Bill (No. 124) *For granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1877, and 30th June, 1878, and 1 for other purposes relating to the Public Service.*—(Mr. Cartwright.)  
1<sup>o</sup>, 2<sup>o</sup> and 3<sup>o</sup>, 1893.

*Bills assented to, 1896.*

*Bills reserved, 1898.*

**BLAIN, Mr.**

Foreign Corporation Loans,  
42, 204, 1043, 1045.  
Hour of Adjournment, 99, 102.  
Supply, 249, 806.  
Insolvent Act repeal, 288.  
Insurance Act Amendment Bill, 320, 1084,  
1211, 1222.  
Ontario Building Societies Bill, 369.  
The Tariff, 524, 588.  
Globe Printing Company Bill, 684, 798,  
889.  
Quebec Building Societies Bill, 699.  
Non-forfeitable Life Assurance Policies, 701.  
Welland and St. Lawrence Canals, 837,  
1046, 1050, 1051.  
Breaches of Contracts, 860, 864, 867, 1014,  
1017.  
National Investment Company Incorporation  
Act amendment, 1065, 1375.  
Campbell Divorce Bill, 1759, 1838.  
Independence of Parliament Act amend-  
ment, 1857, 1866.

**BLAKE, Mr.**

Report of Penitentiaries, 4.  
Official Report of the Debates, 32.  
Changes in the Government, 34.  
Petition of Mr. Justice Loranger, 40, 399.  
Insolvent Act Amendment or Repeal, 40, 83.  
Disallowance of Provincial Acts, 68.  
Administration of Justice in the District of  
Richelieu, 73, 76, 77.  
Reception of Private Bills, 78, 96.  
Amendment and consolidation of the Insur-  
ance Acts, 83.  
Insolvent Act Repeal, 83.  
Prayers in the House, 95.  
North-Western Boundary of Ontario, 98.  
County Court Judge of Leeds and Gren-  
ville, 99.  
Hour of Adjournment, 101.  
Extension of jurisdiction of Vice-Admiralty  
Courts, 103.  
Le Crédit Foncier du Bas Canada, 114.  
Agricultural Committee's Report, 115, 118.  
Returning Officer at the Dorchester Elec-  
tion, 118, 119.  
The Budget, 151, 179.  
Bill to extend Criminal Laws to Prince  
Edward Island, 184, 317, 318, 400.  
Larceny Act Amendment, 184, 319, 400, 892.  
Bill respecting Offences against the Person,  
202, 319, 401.  
Procedure in Criminal Cases Bill, 204, 574.  
Criminal Witnesses Bill, 204.  
Dismissals from Office, 220, 221, 236, 243,  
585, 586, 588.  
Inland Revenue Bill, 248.

**BLAKE, Mr.—Con.**

Nova Scotia Judges' Salaries, 248, 320, 321,  
401, 488.  
Supply, 248, 249, 250, 254, 255, 256, 257, 258,  
259, 261, 264, 265, 266, 267, 268, 1432, 1668.  
New Brunswick Criminal Cases Procedure  
Bill, 269, 541.  
Insolvent Act Repeal Bill (Mr. Palmer), 270.  
do do (Mr. Barthe), 288,  
299.  
Rockwood Asylum Transfer Bill, 271, 489,  
588.  
Ontario Maritime Court Bill, 271, 273, 274,  
640, 641, 642, 643, 1054, 1057, 1059, 1060,  
1397, 1441, 1443, 1710.  
Prison Discipline Bill, 337, 338, 488, 552.  
Gambling in Public Conveyances Bill, 338,  
488, 553, 554, 640, 1062.  
Springhill and Parrsboro' Coal Company  
Bill, 352, 813, 814.  
Charlevoix Election Judgment, 366.  
Commercial Agencies, 367.  
Grand Trunk Strike, 368.  
Coal Interest, 394, 395, 398.  
Insolvent Act amendment, 400, 401, 641,  
1085, 1086, 1089, 1090, 1098, 1102, 1103,  
1109, 1115, 1146, 1147, 1150, 1710.  
Supreme and Exchequer Courts Act  
Amendment Bill, 436, 588.  
Secret Service Fund, 440, 441.  
New Brunswick Orange Incorporation Act,  
444.  
Northern Railway Inquiry, 449, 452, 457,  
458, 459, 463, 471, 477, 479, 480, 84, 554,  
1374.  
Extradition of Fugitive Criminals, 524, 710,  
783, 784.  
Breaches of Contracts, 524, 855, 872, 1010,  
1011, 1012, 1013, 1014, 1015, 1016, 1017,  
1018, 1019, 1054.  
Rules respecting Private Bills, 525.  
Miramichi River, 526.  
International Exhibition, 526.  
Bay des Chaleurs Railway, 526.  
Rivers Verte and Cabaneau Bridges, 526.  
Special Tariff for British Columbia, 532.  
Protestant Indians and the Seminary of  
Montreal, 555.  
Election Act amendment, 558, 559.  
Quebec Graving Dock, 566.  
Criminal Procedure amendment, 582.  
The late Edwin Larwill, 622.  
Returns of Harbour-Masters, 628, 629.  
Grand Trunk Railway Strike, 629.  
Wm. Graham, the late, 634.  
Great Seal of Nova Scotia, 636.  
Trade Marks Extension, 685, 818.  
Providing for safe custody of Prisoners, 685,  
848.  
Convictions by Justices of the Peace, 685,  
849, 1165, 1166.  
Improper use of Firearms, 685, 849, 851, 852,  
1222, 1509.  
Suppression of Gaming Houses, 685, 853,  
904.  
Railway Act amendment, 685, 848.  
Quebec Building Societies, 699.  
Non-forfeitable Life Assurance Policies, 701.  
Bates Divorce Bill, 797, 876.  
Scott Divorce Bill, 811, 812, 876.  
Pickering Harbour Bill, 812, 813.  
Ingonish Harbour, 815.  
Representation of Minorities, 832.  
Harbours of British Columbia, 837.  
Canadian Pacific Railway, 837.  
Superannuation of Whitty Customs Collec-  
tor, 840.

**BLAKE, Mr.—Con.**

Veterans of 1812-15, 841.  
 Procedure with Government Orders, 842.  
 Quebec Harbour and Pilotage acts Amendment, 848.  
 Floating Cordwood on River St. Francis, 875, 1139.  
 Questions put by Members, 877.  
 Audit of Advertising Accounts, 877.  
 Sale of Postage Stamps in St. John Post Office, 880.  
 David H. Waterley, Case of, 882, 883.  
 Protection of British Columbia Miners, 890, 891, 892.  
 Election Law amendment, 902.  
 Holiwell Divorce Bill, 937.  
 Employment of Prisoners outside of gaols, 977, 1062, 1116.  
 Repression of Betting and Pool-selling, 977, 1062, 1397, 1441.  
 Post Office Law amendment, 977, 1063, 1084.  
 Washington Treaty and British Columbia, 979.  
 Dismissal of Mr. Colwell, 983.  
 Alaska boundary line, 984.  
 Supplies for Mounted Police, 985, 986, 987.  
 Postmaster of Montmagny, 989, 990.  
 Ontario Bank Government Deposits, 1000, 1002.  
 Political Custom House Officers, 1035.  
 Appointment of County Court Judges for New Westminster, 1037.  
 Rivière du Loup Bridge Bill, 1041, 1042.  
 Stouffville Representation, 1043, 1139.  
 Payment of Active Militia, 1061, 1152, 1153, 1156, 1157.  
 Joint Stock Companies' Incorporation, 1065.  
 Ontario Permanent Building Societies Act amendment, 1075.  
 Means of Escape from Drowning, 1077.  
 Permanent Building Societies Act amendment, 1078.  
 Insurance Acts Amendment Bill, 1084.  
 A Defective Return, 1193, 1194.  
 Government Printing in New Brunswick, 1243, 1246, 1309.  
 Extradition of Fugitive Criminals, 1317.  
 Voting by Ballot on Dunkin Act, 1368, 1372, 1373.  
 British Columbia Judges' travelling allowances, 1404, 1498.  
 North-West Troubles, 1418, 1423.  
 Provincial Great Seals, 1438, 1666.  
 Privileges and Elections Committee—Examination of Witnesses, 1497.  
 Quebec Judges' Salaries, 1510.  
 Resignation of Mr. Currier, 1516.  
 Goderich Harbour Works, 1548.  
 Ordnance and Admiralty Lands, 1664.

**BLANCHET, Mr.**

Weights and Measures Act, 49.  
 Reception of Private Bills, 96.  
 Supply, 263, 786, 1561, 1616, 1651.  
 Insolvent Act Repeal Bill (*Mr. Palmer*), 270.  
 Georgian Bay Branch, 349.  
 Quebec Graving Dock, 376, 562, 569, 570.  
 Coal Interests, 398.  
 Justice Loranger, 399.  
 Select Standing Committees, 399.  
 St. Charles Railway Line, 436.  
 Form of Questions, 437.  
 Mails in Beauce and Dorchester, 444, 445.  
 Rivers Verte and Cabaneau Bridges, 526.  
 Canadian Ship Sales in France, 537.  
 Election Act amendment, 558, 559.

**BLANCHET, Mr.—Con.**

Intercolonial and Prince Edward Island Railways, 635.  
 Bates Divorce Bill, 797, 876.  
 Winter Mail Carriage below Quebec, 841.  
 Quebec Harbour and Pilotage Acts amendment, 847, 848.  
 Audit of Advertising Accounts, 877.  
 Ways and Means—The Tariff, 960.  
 Departmental Printing, 989.  
 Postmaster of Montmagny, 989, 990.  
 Quebec School of Navigation, 1066.  
 Culling of Timber, 1081, 1082, 1167, 1399, 1400, 1401.  
 Pilotage Act amendment, 1158, 1160, 1163.  
 Quebec Harbour Improvements, 1529.  
 Works at River St. Charles, 1529, 1530.  
 Weights and Measures Act amendment, 1604, 1610, 1825.  
 Ordnance and Admiralty Lands, 1763.

**BOLDUC, Mr.**

Bill to amend the Act respecting Weights and Measures, 56, 368.  
 Weights and Measures Act amendment, 1610.

*Booms and Piers on the Gatineau.*

Motion for Report, 1533.

**BORRON, Mr.**

Annuities to Indians, 186.  
 Fort Frances Locks, 194.  
 The Tariff, 778, 967.  
 Lake Huron and Superior Indian Annuities, 1075.

*Boundary Line of Alaska.*

Question, 44.

*County on Coal.*

Petition, 39.  
 Motion to receive Petition, 51.

**BOWELL, Mr.**

Official Report of Debates, 4, 32.  
 Iron Rails loaned to railways, 68.  
 Northern Railway Commission, 77, 457, 458, 462, 482.  
 Extension of Jurisdiction of Vice-Admiralty Courts, 103.  
 Steel Rails for the Pacific Railway, 112.  
 Post Office Printing, 112, 113.  
 Expenses of Advertising, 114.  
 Agricultural Committee's Report, 115.  
 Bill respecting the Beaver and Toronto Mutual Fire Insurance Company, 122, 353, 948.  
 Dominion Elections Bill, 311.  
 Appointment of Senators, 376.  
 Coal Interest, 393, 395, 398.  
 Volunteer Militia, 444.  
 The Tariff, 512, 615, 616, 721, 779, 1175, 1190, 1192.  
 Seizure of Schooner "Napier," 529.  
 Protestant Indians and the Seminary of Montreal, 554.  
 Dismissals from Office, 586, 587.  
 Insolvent Act amendment, 641.  
 Supply, 795, 796, 798, 1346, 1347, 1349, 1351, 1356, 1357, 1358, 1359, 1360, 1434, 1477, 1508, 1587, 1591, 1622, 1626, 1884.  
 Bates Divorce Bill, 796, 797.  
 Superaunation of Whitby Customs Collector, 839, 841.

**BOWELL, Mr.—Con.**

- Improper use of Firearms, 851, 852.
- Breaches of Contract, 864, 865, 866, 867.
- Postmaster at Little Narrows, 939.
- Northern Railway Commission, 980, 1374, 1518, 1519.
- Government Bank Deposits, 995, 999, 1000.
- Section 15 of Pacific Railway, 1005.
- Post Office Act amendment, 1063.
- Insurance Acts amendment, 1083.
- Insolvent Act amendment, 1098, 1099, 1100.
- A Defective Return, 1116.
- Prohibitory Liquor Law, 1134, 1379.
- Safety of Railway Passengers, 1142.
- Payment of Active Militia, 1153, 1155, 1156, 1157.
- Government Printing in New Brunswick, 1222, 1236, 1237, 1263, 1302.
- Seat for Gloucester, 1311.
- Old Rails Distribution, 1396, 1570.
- North-West Troubles, 1425.
- Queen *vs.* Wilkinson, 1482, 1509, 1540.
- Employés of the House, 1541.
- Northern Railway of Canada Bill, 1755.
- Northern Railway Company, 1813, 1819, 1821.
- Independence of Parliament Act amendment, 1851, 1855, 1859, 1860, 1861.

**BOWMAN, Mr.**

- Postage on newspapers, 1029.

**BOYER, Mr.**

- Rivière du Loup Bridge Bill, 310, 409, 1042.

**Breaches of Contract Bill.**

- 1<sup>o</sup>, 524; 2<sup>o</sup>, 855; considered in Committee, 1010; 3<sup>o</sup>, 1054.

**Breakwater at Point Escuminac.**

- Motion for Papers, 1069.

**Bridge at Long Island.**

- Motion for Correspondence, 629.

**British Canadian Loan and Investment Company Bill.**

- 1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1042.

**British Columbia Customs Stations Inspection.**

- Motion for correspondence, 621.

**British Columbia, Immigration to.**

- Question, 1511.

**British Columbia Judges' Travelling Allowances Bill.**

- 1<sup>o</sup>, 1404; 2<sup>o</sup> and 3<sup>o</sup>, 1493.

**British Columbia Mails.**

- Motion for Tenders, 638.

**British Columbia, Special Tariff for.**

- Resolution proposed, 531.
- Motion for correspondence, 1373.

**British North America Bank Bill.**

- 1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 540.

**BROOKS, Mr.**

- Bill respecting the St. Francis and Megantic International Railway Company, 96, 122, 247, 351, 596.
- Criminal procedure, 580.
- Breaches of contracts, 856, 1012.
- Quebec Judges' salaries, 1510.

**BROUSE, Mr.**

- Canadian Surgeons in Allan Steamships, 24.
- Recognition of Volunteers of 1837-38, 52, 55.
- Vital Statistics, 199.
- Protection of Fish, 339.
- St. Lawrence and Welland Canals, 837, 1047.
- Larceny Act amendment, 892.

**BROWN, Mr.**

- Payment of Active Militia, 1155.
- Supply, 1353, 1357, 1507, 1625.
- Ways and Means—the Tariff, 936, 940.
- Insolvent Act amendment, 1102, 1148.
- Safety of Railway Passengers, 1140.
- Sunday Traffic on Canals, 1520.
- Supply, 1622, 1829.

**Brydges, C. J., Money paid to.**

- Motion for Return, 838.

**BUDGET, The, 123.****BUNSTER, Mr.**

- Supply, 255, 268, 810, 1359, 1360, 1561, 1563, 1566, 1583.
- Ways and Means—The Tariff, 413, 415, 416, 512, 1189.
- Protection of Life and Property in British Columbia Mines, 524, 889, 891, 892.
- Special Tariff for British Columbia, 531, 532, 533, 534.
- Gambling Prevention, 553.
- Customs Act amendment, 653.
- Canadian Pacific Railway, 693.
- Representation of Minorities, 831, 832.
- Alaska Boundary Line, 984.
- County Court Judges for New Westminster, 1038.
- Means of Escape from Drowning, 1077.
- Inland Revenue Act amendment, 1171.
- Prohibitory Liquor Law, 1395.
- Pacific Railway Surveying Staff, 1510.
- Immigration to British Columbia, 1511.

**BURK, Mr.**

- London and Canada Bank Bill, 96, 257.
- Newcastle Fish-breeding Establishment, 838.

**BURPEE, Mr. (St. John).**

- Report of Trade and Navigation, 4.
- Dismissals from office, 89, 208, 585, 586.
- Supply, 333, 803.
- Insolvent Estates, 443.
- Imported Coal, 527.
- French Repatriation, 527, 528.
- Seizure of Schooner "Napier," 528, 529.
- Defalcations at Baddeck, 529.
- Live Cattle Imports and Exports, 536.
- Appointment of J. G. Norris, 621.
- Customs Act Amendment Bill, 643, 644, 645, 647, 649, 652, 1021, 1022, 1023, 1024, 1025, 1079, 1081, 1117.
- Emigration Agents in Ireland, 836.
- Superannuation of Whitby Customs Collector, 839, 840.
- Sale of Postage Stamps in St. John Post Office, 880.

**BURPEE, Mr. (St. John)—Con.**

London Emigration Agency, 981.  
Dismissal of Wm. Colwell, 983.  
Political Custom House Officers, 1034.  
Settlement of Claims, 1361.  
Transportation of Mounted Police, &c.,  
1513.  
Seat for St. John, 1709.

**BURPEE, Mr. (Sunbury).**

The Tariff, 609.  
St. John River Navigation, 636.  
Insolvent Act amendment, 1:49.  
Prohibitory Liquor Law, 1382.  
Supply, 1499.  
Albert Railway Company, 1873, 1879, 1880.

**Business of the House.**

Special Order, 1193.

**By-wash at Long Island.**

Motion for Correspondence, 635.

**CAMERON, Mr.**

Insolvent Act repeal, 307.  
Criminal Law Extension Bill, 318.  
Northern Railway Inquiry, 459, 462.  
Gambling Prevention, 554.  
Election Act amendment, 558, 903.  
Criminal Procedure, 579.  
Customs Act amendment, 646, 648.  
Civil Service, 899.  
Hollivell Divorce Bill, 938, 978, 1065, 1138.  
Insurance Acts amendment, 1212, 1221.  
Ontario Maritime Court, 1443.  
Resignation of Mr. Currier, 1516.  
Booms and Piers on the Gatineau, 1533, 1535,  
1537, 1538, 1539, 1540.  
Queen vs. Wilkinson, 1540.  
Goderich Harbour Works, 1553, 1554.  
Manitoba Junction Railway Act amendment,  
1569.  
Supply, 1612, 1613.  
Campbell Divorce Bill, 1760, 1840.  
Northern Railway Company, 1811.  
Independence of Parliament Act amend-  
ment, 1852, 1866.  
Albert Railway Company, 1879.

**Campbell Divorce Bill.**

Motion to place on the Orders, 1757, 1837.

**CAMPBELL, Mr.**

Dismissals from Office, 88, 89, 238, 587, 588.  
Great Bras d'Or Postmastership, 106, 107.  
Appointment of Mr. Tremain to a Judge-  
ship, 121.  
Seizure of Schooner "Napier," 528, 529.  
Defalcations at Baddeck, 529.  
Coal Interest, 547.  
Removal of Malcolm Matheson, 632.  
Aspy Bay Harbour, 632.  
Ingonish Harbour, 815.  
Postmaster at Little Narrows, 938.  
Supply, 1833.

**Canada Atlantic Cable Com-  
pany Bill.**

1<sup>o</sup>, 202; 2<sup>o</sup>, 351; 3<sup>o</sup>, 619.

**Canada Central Extension.**

Motion for Returns, 1117.  
Motion for Engineer's Report, 1375.

**Canada Civil Service Associa-  
tion Bill.**

1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 540.

**Canada Mutual Marine Insur-  
ance Company Bill.**

1<sup>o</sup>, 337; 2<sup>o</sup>, 409; 3<sup>o</sup>, 797.

**Canada Southern Bridge Com-  
pany Bill.**

1<sup>o</sup>, 96; 2<sup>o</sup>, 257; 3<sup>o</sup>, 596.

**Canadian Engine and Machin-  
ery Company Bill.**

1<sup>o</sup>, 1009; 2<sup>o</sup>, 1042; 3<sup>o</sup>, 1375.

**CANADIAN PACIFIC RAILWAY.**

Message from His Excellency, 339.  
Motion for Committee, 686.  
Motion for Correspondence and Despatches,  
837.  
Motion for Papers in regard to Employés,  
884, 1075.  
Motion for Papers respecting Section 15,  
1005.  
Motion for Reports, 1118.  
Question respecting Surveying Staff, 1510.  
Motion for Statement of Surveys, 1517.  
Notice of Motion, 1570.  
Ministerial Statement, 1629.  
Motion of Want of Confidence, 1668.  
Adjourned Debate, 1711, 1769.

**Canadian Securities Com-  
pany Bill.**

1<sup>o</sup>, 435; 2<sup>o</sup>, 540; 3<sup>o</sup>, 1208.

**Canadian Ships in France, Sale of.**

Motion for Return, 536.

**Canadian Surgeons in Allan Steamships.**

Question, 24.

**Canadian Traffic Company  
Bill.**

1<sup>o</sup>, 1009; 2<sup>o</sup>, 1042; 3<sup>o</sup>, 1645.

**Canal Tolls.**

Question, 202.

**Carillon Dam.**

Question, 339.  
Motion for Correspondence, 1026.

**CARMICHAEL, Mr.**

Coal Interest, 387, 338, 548.  
Pilotage Act amendment, 1159.

**CARON, Mr.**

Superannuated and Retired Officials, 72.  
Prayers in the House, 95.  
Supply, 256, 1352, 1358, 1429, 1560, 1623.  
Quebec Graving Dock, 377, 378, 563, 564,  
565, 566, 572.  
Dufferin Improvements at Quebec, 437.  
Rifle Regiments' Arms, 686.  
Militia General Orders, 686.  
Quebec Harbour and Pilotage Act amend-  
ment, 843.

**CARON, Mr.—Con.**

Sale of Postage Stamps in St. John Post Office, 879.  
 Ways and Means—the Tariff, 949, 952.  
 Ordnance Property at Quebec, 981.  
 Lachine Canal Staff, 981.  
 Unprepaid Letters, 1038, 1039.  
 Ontario Maritime Court, 1059, 1060.  
 Insolvent Act amendment, 1146.  
 Pilotage Act amendment, 1160, 1161, 1318.  
 Culling of Timber Act amendment, 1166, 1167, 1398, 1401.

**CARTWRIGHT, Mr.**

Public Accounts, 24.  
 Reduction of Petroleum Duties, 41.  
 Salt Interests, 44.  
 Importation of Sugar, 72.  
 Superannuated and Retired Officials, 72.  
 Amendment and Consolidation of the Insurance Acts, 78, 79, 81.  
 Message from His Excellency, 93.  
 The Estimates, 96.  
 Revenue paid by Provinces, 104, 105.  
 The Loan of 1875, 106.  
 Statement of Receipts and Expenditure, 123.  
 Ways and Means—the Budget, 123, 156, 182, 184.  
 Ways and Means—the Tariff, 401, 598, 1174, 1177, 1180, 1188, 1189, 1192.  
 Foreign Corporations Loans Bill, 204.  
 Dismissals from Office, 237, 245, 246, 587.  
 Insurance Acts Amendment Bill, 248, 320, 1084, 1194, 1202, 1207.  
 Supply, 250, 251, 252, 253, 254, 264, 323, 324, 328, 329, 330, 332, 333, 336, 785, 786, 788, 789, 794, 803, 806, 810, 1346, 1430, 1432, 1434, 1435, 1436, 1504, 1505, 1506, 1561, 1562, 1571, 1574, 1576, 1577, 1578, 1580, 1585, 1587, 1588, 1612, 1615, 1616, 1651, 1652, 1654, 1668, 1826, 1828, 1867, 1877, 1878, 1884, 1885, 1888, 1899.  
 Geological Survey Bill, 313.  
 Inland Revenue Act, 322, 1170.  
 Twenty Cent Pieces, 368.  
 Ontario Permanent Building Societies Bill, 369.  
 Amounts carried over by Orders in Council, 370.  
 Coal Interest, 383, 392, 396, 543.  
 Incorporation of Joint Stock Companies, 524, 711, 1064, 1065, 1145, 1146.  
 Dominion Notes in British Columbia, 526.  
 French Repatriation, 528.  
 Special Tariff for British Columbia, 532, 534, 1374.  
 Customs Act amendment, 649.  
 Quebec Building Societies, 700.  
 Non-forfeitable Life Assurance Policies, 701.  
 Canadian Pacific Railway, 837, 1651, 1652.  
 Superannuation of Whitty Customs Collector, 839, 840.  
 Civil Service, 898.  
 Supplies for Mounted Police, 987.  
 Ontario Bank Government Deposits, 997, 1000.  
 Foreign Corporations' Loans, 1045.  
 Culling of Timber, 1081.  
 Bank Shareholders' Votes, 1164, 1222.  
 Customs and Excise Acts amendment, 1192, 1841, 1843, 1846, 1847, 1848, 1849, 1850.  
 Government Printing in New Brunswick, 1222.  
 Northern Railway of Canada, 1375, 1755.  
 Loan Companies, 1438, 1664.

**CARTWRIGHT, Mr.—Con.**

Government Business, 1440.  
 Loan of 1876, 1445, 1448, 1449, 1450, 1462, 1463.  
 Queen vs. Wilkinson, 1482, 1540.  
 Royal Canadian Insurance Company, 1517.  
 Auditing of Public Accounts Act amendment, 1595, 1765, 1767, 1768, 1769, 1822, 1823, 1824.  
 Supplementary Estimates, 1808, 1836.  
 Northern Railway Company, 1810, 1812.  
 Northern Railway Arrangement Bill, 1840.  
 Supply Bill, 1893.

*Cascumpeck Harbour.*

Motion for Reports, 1068.

**CASEY, Mr.**

Bill respecting the Canada Southern Bridge Company, 96, 257, 596.  
 The Civil Service, 119, 196, 696, 899, 1869, 1870, 1872.  
 Fort Frances Locks, 193, 198.  
 Insolvent Act repeal, 309.  
 Live Cattle Imports and Exports, 536.  
 Eagle Harbour, 536.  
 Representation of Minorities, 828.  
 Parliamentary Representation Committee, 875.  
 Government Printing in New Brunswick, 1274.  
 Seat for Gloucester, 1311, 1312.  
 Supply, 1624, 1625.  
 Seat for Hochelaga, 1810.

**CASGRAIN, Mr.**

Canadian Securities Company's Bill, 435, 540, 1208.

**CAUCHON, Mr.**

Official Report of Debates, 4.  
 Changes in the Government, 34.  
 Prayers in the House, 95.  
 Agricultural Committee's Report, 117.  
 Geological Survey Bill, 313, 314.  
 Quebec Graving Dock, 378, 562, 563, 564, 565, 570, 572.  
 Coal Interests, 398.  
 Northern Railway Inquiry, 485.  
 Scott Divorce Bill, 812.  
 Quebec Harbour and Pilotage amendment, 843, 844, 846, 847.  
 Ways and Means—The Tariff, 953, 957, 960.  
 Culling of Timber, 1082, 1167, 1399.  
 Supply, 1613.  
 Campbell Divorce Bill, 1758.  
 Customs and Excise Acts amendment, 1845.

*Changes in the Government.*

Ministerial Explanations, 32.

*Charlevoix Election.*

Judgment of Supreme Court reported, 366.

**CHARLTON, Mr.**

Geological Survey Bill, 314.  
 Coal Interest, 391.  
 Ways and Means—The Tariff, 435.  
 Secret Service Fund, 439, 1484.  
 The Tariff, 489.

**CHEVAL, Mr.**

Registration of Shipping, 25.  
 Canal Tolls, 202.  
 Twenty Cent Pieces, 368.  
 Montreal Wharfage Dues, 535.  
 Quebec Harbour and Pilotage amendment, 847, 848.  
 Pilotage Act amendment, 1163.  
 Appointment of Harbour Commissioners, 1361.  
 Payment by Steamers at St. Ours Lock, 1517.

*Chicoutimi Mails.*

Motion for Correspondence, 1367.

**CHRISTIE, Mr.**

Carillon Dam and Slide, 1026.  
 Prohibitory Liquor Law, 1580.

**CHURCH, Mr.**

Lunenburg Shipping Master, 278, 279.

**CIMON, Mr.**

Railway from Quebec to Lake St. John, 638, 1117.  
 L'Anse St. Jean Lighthouse, 979.  
 Fishing Regulations in Chicoutimi, Saguenay and Charlevoix, 979.  
 Navigation on North Shore of St. Lawrence, 979.  
 L'Anse St. Jean Wharf, 979.  
 Piers at Baie St. Paul, Malbaie and Eboulements, 981.  
 Wharf at St. Anne du Saguenay, 1025.  
 Insolvent Act amendment, 1149.  
 Chicoutimi Mails, 1367.  
 Supply, 1498.  
 Postmaster of Jonquières, 1533.

**City Mortgage Loan Company Bill.**

1°, 367; 2°, 409, 540.

*Civil Service.*

Motion for Return, 119, 196.  
 Motion for Committee, 696.  
 Committee appointed, 893.  
 Report of Committee, 1869.  
 Motion to Print Report, 1870.

*Coal Interest.*

Motion to refer Petition, 379.  
 Adjourned Debate, 541.  
 Addition to Committee, 584.  
 Report of Committee, 1869.  
 Motion as to printing Report, 1873.

*Coal Owners' Petition.*

Speaker's Rulings, 77, 396.

*Coal Shipments on the Intercolonial Railway.*

Motion for Returns, 104.

**COCKBURN, Mr.**

Georgia Bay Branch, 344.  
 Parry Sound Harbour, 1005.

**COFFIN, Mr.**

Dismissals from Office, 246.

*Coffin's Island Fog-Whistle.*

Question, 438.  
 Report of Committee, 1869.  
 Motion to print Report, 1870.

**COLBY, Mr.**

Reduction of Petroleum Duties, 40.  
 Insolvent Act repeal, 288, 355, 364, 365.  
 The Tariff, 513.  
 Customs Act amendment, 1021, 1022, 1079, 1080.  
 Insolvent Act amendment, 1090, 1094, 1113.  
 Insurance Acts amendment, 1197, 1222.  
 Weights and Measures Act amendment, 1608.

*Commercial Agencies.*

Question, 367.

*Controverted Election.*

Glengarry, 1.

*Convictions for Capital Offences.*

Motion for Return, 108.

**COOK, Mr.**

Dominion Elections Bill, 311, 902.  
 Georgian Bay Branch, 348.  
 Ways and Means—The Tariff, 408, 607.  
 Wharves and Docks Protection Bill, 436, 1077, 1078.  
 Pacific Railway Survey Employés, 884, 1075.  
 Political Custom House Officers, 1034, 1035.  
 Culling of Timber, 1082, 1400.  
 Northern Railway Bill, 1757.  
 Northern Railway Company, 1820.

**COSTIGAN, Mr.**

The Civil Service, 119.  
 New Brunswick Orange Incorporation Act, 444.  
 Tobique Indian Agency, 637.  
 Dismissal of Postmaster at Upper St. Francis, 815.  
 Government Printing in New Brunswick, 1265, 1266.  
 North-West Troubles, 1405, 1410.  
 Supply, 1437, 1501.

**Coteau and Province Line Railway and Bridge Act Amendment Bill.**

1°, 989; 2°, 1042; 3°, 1208.

*County Court Judge of Leeds and Grenville.*

Question, 99.

*County Court Judges for New Westminster.*

Motion for Correspondence, 1036.

*Court House and Gaol for Kamouraska.*

Motion for Statements, 1069.

*Crédit Foncier du Bas Canada.*

Motion for Statement, 114.

**Criminal Law Extension Bill.**

1°, 184; 2°, 317; 3°, 400; Senate amendments agreed to, 684.

**Criminal Witnesses Bill.**

1<sup>o</sup>, 42; 2<sup>o</sup> postponed, 204; 2<sup>o</sup> proposed, 574;  
Bill withdrawn, 584.

**Culling of Timber Bill.**

1<sup>o</sup>, 1081; 2<sup>o</sup>, 1166; in Committee, 1398; 3<sup>o</sup>,  
1441.

**CUNNINGHAM, Mr.**

Canadian Pacific Railway, 690.  
Appointment of County Court Judges for  
New Westminster, 1036.

**Currier, Mr.—Seat for Ottawa.**

Motion to refer, 1482.  
Resignation of Mr. Currier, 1513.  
New Writ for Ottawa issued, 1541.

**CURRIER, Mr.**

Navigation of American Waters, 25.  
Prayers in the House, 94.  
Fort Frances Locks, 193.  
Supply, 265.  
Insolvent Act repeal, 296.  
Union Forwarding Company Bill, 310, 409,  
619.  
Election Act amendment, 559.  
Rideau Canal, 627.  
The Tariff, 724, 1189.  
Sale of Postage Stamps in St. John Post  
Office, 878, 879.  
Civil Service, 897.  
Oteau and Province Line and Bridge Bill,  
989, 1042, 1208.  
Carillon Dam, Lock and Slide, 1026, 1028.  
Rise of Ottawa waters, 1029, 1031.  
Culling of Timber, 1082, 1167, 1401, 1402,  
1403.  
Resignation of Seat, 1513.

**Customs Act Amendment Bill**

1<sup>o</sup>, 643, 653; 2<sup>o</sup>, 1021; in Committee, 1079;  
3<sup>o</sup>, 1117.

**Customs and Excise Acts  
Amendment Bill.**

1<sup>o</sup>, 1192; 2<sup>o</sup>, 1841; 3<sup>o</sup>, 1851.

**DAOUST, Mr.**

St. Placide Wharf, 1066.  
St. Augustin Parish Post Office, 1066, 1067.

**DAVIES, Mr.**

Weights and Measures Act, 51.  
"Northern Light" Steamer, 84.  
Insolvent Act repeal, 308.  
Criminal Laws Extension to Prince Edward  
Island, 400.  
Northern Railway Inquiry, 481, 482, 483,  
484.  
Truro and Pictou Railway Transfer, 709.  
Deep Sea Weirs or Pounds, 885.  
Intercolonial and Grand Trunk Tariffs,  
1008.  
Customs Acts Consolidation, 1025.  
Insolvent Act amendment, 1088.  
Government Printing in New Brunswick,  
1293.

**Dawson Route Subsidy.**

Motion for Return, 1541.

**DECOSMOS, Mr.**

The Address, 19.  
Prayers in the House, 41.  
Telegraph Line on Vancouver Island, 43.  
Pacific Railway Surveys, 43.  
Boundary Line of Alaska, 44.  
Mail Service between Victoria and San  
Francisco, 72.  
Geological Survey Bill, 314.  
British Columbia Mails, 638, 639, 640.  
Pacific Railway—Motion for Committee, 686,  
688, 695, 696.  
The Tariff, 771.  
Representation of Minorities, 830.  
Harbours of British Columbia, 837.  
Esquimalt Graving Dock, 837.  
Pacific Railway, 837, 1717, 1721, 1733, 1807.  
Protection of British Columbia Miners, 891.  
Washington Treaty and British Columbia, 979.  
Life-Saving Stations in British Columbia,  
1070.  
Means of Escape from Drowning, 1077.  
Special Tariff for British Columbia, 1373,  
1374.  
Supply, 1558, 1573, 1574, 1577, 1539, 1594,  
1636, 1633, 1646, 1647, 1657.

**Deep Sea Weirs or Pounds.**

Motion for Returns, 884.

**Defalcations at Port of Baddeck.**

Motion for Correspondence, 529.

**Defective Return.**

Remarks, 1116, 1193.

**DELORME, Mr.**

Veterans of 1812-15, 438.  
French Exhibition of 1878, 1025.  
The Tariff, 1184.  
Supply, 1502.

**Departmental Contingencies.**

Motion for Return, 538.

**Departmental Officials.**

Motion for Return, 538.

**Departmental Pay Lists.**

Motion for Copies, 1541.

**Departmental Printing.**

Motion for Return, 939.

**DESJARDINS, Mr.**

Importation of Sugar, 68, 70.  
Prayers in the House, 94.  
Free Postal Delivery, 186.  
Georgian Bay Branch, 349.  
Post Offices at Notre Dame de Grace and  
Ste. Cunegonde, 442.  
Quebec Graving Dock, 566, 568.  
Criminal Procedure, 531.  
Breaches of Contracts, 1019.  
Payment of Active Militia, 1152.  
Supply, 1499, 1502, 1504.  
Logan's Farm at Montreal, 1510.  
Pacific Railway, 1751.  
Seat for Hochelaga, 1810.  
Customs and Excise Acts amendment,  
1843, 1845.

**DE ST. GEORGES, Mr.**

Montreal Harbour Commissioners' Tariff,  
1517.  
Quebec Harbour Act amendment, 1628, 1666.

**DEVENER, Mr.**

Criminal Procedure, 581.

**DEVLIN, Mr.**

Geological Survey Bill, 312, 313.  
Northern Railway Inquiry, 482.  
Extradition of Criminals, 784.  
Representation of Minorities, 816, 824,  
832, 836.  
Emigration Agents in Ireland, 836, 837.

**DEWDNEY, Mr.**

Special Tariff for British Columbia, 534.  
Appointment of J. G. Norris, 621.  
British Columbia Customs Stations Inspe-  
ction, 621.  
British Columbia Mails, 639, 640.  
Canadian Pacific Railway, 688, 695.  
Pacific Railway Route in British Columbia,  
978.  
Indian Lands in British Columbia, 1075.  
Settlement of Claims, 1361.  
Supply, 1438, 1500, 1501, 1564, 1573, 1574.  
Pacific Railway, 1790.

*Dewe, John, Appointment of.*

Motion for papers, 881.

*Disallowance of Provincial Acts.*

Motions for Correspondence, 68.

*Dismissal of Arnprior Slide Master.*

Motion for Correspondence, 1361.

*Dismissal of Postmaster at Erin.*

Question, 1026.  
Motion for Papers, 1073.

*Dismissal of Postmaster at Upper St. Francis.*

Motion for Correspondence, 815.

*Dismissal of William Colwell.*

Motion for Return, 982.

*Dismissals from Office.*

Motion for Returns, 88.  
Motion for Correspondence, 89, 204.  
Explanations and Remarks, 585.

**DIVISIONS.***Albert Railway Company Bill.—(Mr. Domville.)*

Motion in amendment to concurrence in Senate amendment (Mr. Burpee, Sunbury.) Yeas, 47; nays, 21; p. 1883.

Motion in amendment to amendment (Mr. Gibbs, South Ontario.) Yeas, 24; nays, 63; p. 1880.

*Bates, Mary Jane, Divorce Bill.—(Mr. Trow.)*  
Motion for first reading (Mr. Trow.) Yeas, 74; nays, 37; p. 796.

Motion for second reading (Mr. Trow.) Yeas, 88; nays, 52; p. 949.

Motion for third reading (Mr. Trow.) Yeas, 69; nays, 45; p. 1040.

*Breaches of Contracts Bill.—(Mr. Blake.)*  
Motion in amendment to second reading (Mr. Irving.) Yeas, 46; nays, 125; p. 874.

*Fort Frances Locks.*

Motion of want of confidence (Mr. Kirkpatrick.) Yeas, 59; nays, 107; p. 1345.

**DIVISIONS.—Con.***Goderich Harbor Works.*

Motion of want of confidence (Mr. Farrow.) Yeas, 62; nays, 103; p. 1554.

*Government Printing in New Brunswick.*

Motion of want of confidence (Mr. Bowell.) Yeas, 72; nays, 111; p. 1310.

*Holwell, Martha Jemima Hawkshaw, Divorce Bill.—(Mr. Cameron.)*

Motion for first reading (Mr. Cameron.) Yeas, 94; nays, 54; p. 936.

Motion for second reading (Mr. Thompson, Haldimand) Yeas, 91; nays, 48; p. 978.

*Independence of Parliament Act Amendment Bill.—(Mr. Mackenzie)*

Motion for second reading (Mr. Mackenzie.) Yeas, 97; nays, 45; p. 1864.

*Insolvent Act Amendment Bill.—(Mr. Blake.)*

Motion in amendment (Mr. Gibbs, South Ontario.) Yeas, 58; nays, 113; p. 1114.

Motion in amendment to the amendment (Mr. White, North Renfrew.) Yeas, 57; nays, 112; p. 1113.

Motion in amendment (Mr. Blake.) Yeas, 25; nays, 141; p. 1115.

Motion in amendment (Mr. Caron.) Yeas, 56; nays, 101; p. 1150.

*Insolvent Act Repeal Bill.—(Mr. Barthe.)*

Motion in amendment (Mr. Wood.) Yeas, 103; nays, 41; p. 366.

*Insurance Acts Amendment Bill.—(Mr. Cartwright.)*

Motion in amendment (Mr. Young.) Yeas, 77; nays, 104; p. 1221.

Motion in amendment to the amendment (Mr. Colby) Yeas, 23; nays, 157; p. 1220.

*Loan of 1876.*

Motion of want of confidence (Mr. Gibbs, South Ontario.) Yeas, 60; nays, 111; p. 1471.

*North-West Troubles—W. D. O'Donoghue.*

Motion of want of confidence (Mr. Costigan.) Yeas, 60; nays, 105; p. 1429.

*Pacific Railway.*

Motion of want of confidence (Mr. Tupper.) Yeas, 59; nays, 104; p. 1808.

*Prohibitory Liquor Law.*

Resolution (Mr. Schultz).  
Motion in amendment (Mr. Ross, West Middlesex.) Yeas, 104; nays, 59; p. 1394.

*Scott, Walter, Divorce Bill.—(Mr. McCarthy.)*

Motion for first reading (Mr. McCarthy.) Yeas, 92; nays, 47; p. 811.

Motion for second reading (Mr. Oliver.) Yeas, 69; nays, 44; p. 948.

Motion for third reading (Mr. Oliver.) Yeas, 58; nays, 39; p. 1039.

*Secret Service Fund.*

Motion to adopt report of Public Accounts Committee (Mr. Young.) Yeas, 82; nays, 60; p. 1497.

*Supply—Concurrence.*

Motion to adopt resolution providing for Indian Agencies Inspector. Yeas, 50; nays, 16; p. 1884.

*The Tariff.*

Motion to concur in Resolution 1 (Mr. Cartwright.) Yeas, 120; nays, 69; p. 976.

Motion in amendment (Sir John A. Macdonald.) Yeas, 70; nays, 119; p. 976.

Motion in amendment to amendment (Mr. Wood.) Yeas, 78; nays, 109; p. 771.

Motion to adjourn debate (Mr. Borron.) Yeas, 75; nays, 112; p. 778.

DIVISIONS—*The Tariff—Con.*

- Motion in amendment to amendment (*Mr. Orton.*) Yeas, 74; nays, 113; p. 975.  
 Motion to concur in Resolution 3 (*Mr. Cartwright.*)  
 Motion in amendment (*Sir John A. Macdonald.*) Yeas, 67; nays, 119; p. 1185.  
 Motion in amendment (*Mr. Wallace, South Norfolk.*) Yeas, 65; nays, 114; p. 1187.  
*Truro and Pictou Railway Transfer Bill* (*Mr. Mackenzie.*)  
 Motion in amendment (*Mr. Mitchell.*) Yeas, 44; nays, 88; p. 1054.

**Dominion Building Society Bill.**

1<sup>o</sup>, 367; 2<sup>o</sup>, 409, 540; 3<sup>o</sup>, 1138.

*Dominion Dam on Devil Lake.*

Motion for Returns, 28.  
 Motion to print Report, 628.

**Dominion Elections Bill.** (*Mr. Richard.*)

1<sup>o</sup>, 310; 2<sup>o</sup> proposed, 557; Bill withdrawn 559.

**Dominion Grange Bill.**

1<sup>o</sup>, 184; 2<sup>o</sup>, 257; 3<sup>o</sup>, 889.

**Dominion of Canada Civil Service Mutual Benefit Association Bill.**

1<sup>o</sup>, 122; 2<sup>o</sup>, 257.

*Dominion Notes in British Columbia.*

Motion for Return, 526.

**DOMVILLE, Mr.**

- Lighthouse at Palmer's Point, 43.  
 Intercolonial Railway, 56, 57, 58, 59, 60, 61, 63, 64, 65, 66, 634, 635.  
 Springhill and Parrsborough Coal and Railway Company Bill, 96, 352, 619, 813, 814, 1042.  
 Coal Shipments on the Intercolonial Railway, 103, 104.  
 Insolvent Act repeal, 300.  
 Albert Railway Company Bill, 310, 409, 1042, 1872, 1879, 1882.  
 Canadian Mutual Marine Insurance Company Bill, 337, 409, 797.  
 Exemption from Duty, 338.  
 Miramichi River, 526.  
 Horseshoe Bar Channel, 527.  
 Prince Edward Island Railway, 634, 635.  
 St. John River Navigation, 637.  
 Customs Act amendment, 644, 645, 1023, 1025.  
 Truro and Pictou Railway Transfer, 710.  
 Sale of Postage Stamps in St. John Post Office, 880.  
 David H. Waterley, case of, 883.  
 Ways and Means—The Tariff, 924.  
 Purchase of Old Rails from Intercolonial, 988.  
 Dismissal of Wm. Colwell, 982.  
 Supply, 1356, 1358, 1430, 1478, 1555, 1556, 1561, 1562, 1567, 1664, 1831, 1832, 1833, 1885.  
 Transportation of Mounted Police, &c., 1513.  
 Militia Staff Officers, 1533.  
 Seat for St. John, 1709, 1710.  
 Customs and Excise Acts amendment, 1848.  
 Independence of Parliament Act amendment, 1862.

*Dredging in Cape Breton.*

Question, 620.

*Dufferin Improvements at Quebec.*

Question, 437.

*Dundas Post Office Savings Bank.*

Motion for Papers, 1071.

*Dunkin Act, Voting by Ballot on.*

Resolution proposed, 1367.

*Duty on Malt.*

Instructions to Inland Revenue Officers—  
 Motion, 629.  
 Question, 940.

**DYMOND, Mr.**

- Prayers in the House, 41, 94.  
 Bill relating to Criminal Witnesses, 42, 204, 574, 584.  
 Recognition of the Volunteers of 1837-1838, 55.  
 Convictions for Capital Offences, 108.  
 Agricultural Committee's Report, 117.  
 Supply, 260, 323, 1652, 1692.  
 Insolvent Act repeal, 306.  
 Coal Interest, 393, 551.  
 Ways and Means—The Tariff, 409, 411, 412, 413, 414, 415, 780.  
 Gambling Prevention, 553.  
 Representation of Minorities, 824, 825.  
 Pacific Railway Survey Employees, 884.  
 Northern Railway Commission, 980.  
 Rivière du Loup Bridge Bill, 1041, 1042.  
 Stouffville Representation, 1043.  
 Prohibitory Liquor Law, 1131, 1137, 1376, 1384.  
 Insurance Acts amendment, 1213, 1219.  
 Fort Frances Locks, 1335.  
 Goderich Harbour Works, 1553.  
 Pacific Railway, 1742, 1754, 1769, 1772, 1777, 1801.  
 Independence of Parliament Act amendment, 1861.  
 Sir J. A. Macdonald and Crown Suits, 1893.

*Eagle Harbour.*

Motion for Report, 536.

*Easter Adjournment.*

Resolution, 1051.

*Election Cases.*

Motion to examine Witnesses on Oath, 1836.

**Election Law Amendment Bill** (*Mr. Cook.*)

1<sup>o</sup>. 311; Bill withdrawn, 902.

*Emigration Agents in Ireland.*

Motion for Correspondence, 836.

*Employés of the House.*

Motion for Statements, 1541.

*English Mail Train.*

Question, 1510.

*Esquimalt Graving Dock.*

Motion for Correspondence, 837.

*Estimates.*

Message from His Excellency, 93.  
Motion, 96.

*Exemption from Duty.*

Question, 338.

*Expenses of Advertising.*

Motion for Statement, 114.

*Extension of Jurisdiction of Vice-Admiralty Courts.*

Motion for Correspondence, 103.

*Extradition of Fugitive Criminals.*

Address to Her Majesty, 1316.

**Extradition of Fugitive Criminals Bill.**

1<sup>o</sup>, 524; 2<sup>o</sup>, 710; 3<sup>o</sup>, 783.

**FARROW, Mr.**

Salt Interests, 44.  
Prayers in the House, 94.  
Goderich Harbour Works, 186.  
The Tariff, 720, 754, 1182.  
Sale of Postage Stamps in St. John Post Office, 880.  
Goderich Harbour Return, 1009, 1541.  
Insolvent Act amendment, 1097.  
Prohibitory Liquor Law, 1130, 1131, 1135, 1388.  
North-West Troubles, 1428.  
Supply, 1508, 1884.  
Slide Mastership of Black River, 1510.

**FERRIS, Mr.**

Supply, 1502.

**FISER, Mr.**

Grand Trunk and Intercolonial Traffic, 815.

*Fish-Breeding Establishment in Cape Breton.*

Question, 619.

*Fisheries Commission.*

Question, 814.  
Ministerial Statement, 981.

*Fisheries in the Napan and Black Rivers.*

Motion for Reports, 1531.

*Fishery Clauses of the Washington Treaty.*

Motion for Correspondence, 28.

*Fishery Regulations in Restigouche.*

Motion for Papers, 881.

*Fishing Regulations in Chicoutimi, Saguenay and Charlevoix.*

Question, 979.

*Fishing Rights in New Brunswick.*

Motion for Returns, 1003.

**FLEMING, Mr.**

Accidents caused by Railway Frogs, 102.  
The Tariff, 618, 653.  
Supply, 1887.

**FLESHER, Mr.**

Prohibitory Liquor Law, 1394.  
Weights and Measures Act amendment, 1825.  
Independence of Parliament Act amendment, 1863, 1866.

**Floating Cordwood on the River St. Francis Bill.**

1<sup>o</sup>, 875; 2<sup>o</sup>, 1139.

**FLYNN, Mr.**

Weights and Measures Act, 49.  
Aricat Breakwater, 445.  
Fourchi Harbour, 620.  
St. Peter's Canal, 629.

*Fog-Whistle at Cape D'Or.*

Motion for Correspondence, 1003.

**FORBES, Mr.**

Mail to West Indies, 98.  
Nova Scotia Indian Commissioners, 120.  
Coffin's Island Fog-Whistle, 438.  
Customs Act amendment, 652.  
Deep Sea Weirs or Pounds, 888.  
Supply, 1557, 1561, 1562, 1664.  
Campbell Divorce Bill, 1758.

**Foreign Corporations Loan Act Repeal Bill.**

1<sup>o</sup>, 42; 2<sup>o</sup> proposed, 204; 2<sup>o</sup>, 1043.

*Form of Petitions.*

Mr. Speaker's Ruling, 268.

*Form of Questions, 339, 437.**Fort Frances Locks.*

Motion for Papers, 186.  
Resolution proposed, 1319.

*Fourchi Harbour, N.S.*

Question, 620.

**FRAZER, Mr.**

Bill to extend Section 56 of "An Act relating to Banks and Banking," to the Bank of British North America, 122, 257, 436, 540.  
Refunding of Fees on Bill No. 17, 525.  
Insolvent Act amendment, 1090.

**FRÉCHETTE, Mr.**

Quebec Graving Dock, 25, 569.  
Winter Navigation of St. Lawrence, 1375.

*Free Postal Delivery.*

Question, 186.

*French International Exhibition of 1878.*

Question, 1025.

*French Repatriation.*

Question, 488.  
Motion for Correspondence, 527.

**Gambling in Public Conveyances Bill.**

1<sup>o</sup>, 338; 2<sup>o</sup>, 488; in Committee, 553; 3<sup>o</sup>, 640.

**Gaming Houses Suppression Act Amendment Bill.**1<sup>o</sup>, 685; 2<sup>o</sup>, 853; 3<sup>o</sup>, 904.**Gas and Gas Meters Inspection Bill.**Resolution, 248, 854; 1<sup>o</sup>, 905.  
Bill withdrawn, 1769.**GAUDET, Mr.**

The Tariff, 974.

**Geological and Natural History Survey Bill.**1<sup>o</sup>, 122; 2<sup>o</sup>, 311; resolution considered in Committee, 399; Bill in Committee, 401; 3<sup>o</sup>, 488.**Georgian Bay Branch.**Question, 43.  
Motion for Reports, 339.  
Question, 1894.**GIBBS, Mr. (N. Ontario.)**Weights and Measures Act, 50.  
The Budget, 173, 174.  
Coal Interest, 382, 383, 390.  
Ways and Means—The Tariff, 427, 433, 497.  
Government Bank Deposits, 620.  
Customs Act amendment, 650, 1079, 1080.  
Insurance Acts amendment, 1208.  
Railway Companies Traffic Rates, 1527.  
Weights and Measures Act amendment, 1609.**GIBBS, Mr. (S. Ontario.)**Bill respecting Pickering Harbour, 202, 351, 812, 1042.  
Insolvent Act repeal, 285, 365  
Ways and Means—The Tariff, 411, 716, 717, 718, 721, 1190, 1192.  
Superannuation of Whitby Customs Collector, 838, 840.  
Ontario Bank Government Deposits, 998, 999, 1002.  
Insolvent Act amendment, 1086, 1098, 1103.  
Government Printing in New Brunswick, 1303.  
Inspection of Petroleum, 1404.  
Government Business, 1440.  
Loan of 1876, 1443, 1453, 1454.  
Weights and Measures Act amendment, 1607, 1825.  
Pacific Railway, 1723, 1803.  
Campbell Divorce Bill, 1757, 1760, 1837, 1838, 1839.  
Albert Railway Company, 1880.**GILLIES, Mr.**Immigrant Sheds for Southampton, 202.  
Kincardine Harbour Dues Bill, 310, 409, 889.  
Mail Service in County of Bruce, 1510.**GILL, Mr.**Tête-de-Brule Indians, 98.  
Floating Cordwood on River St. Francis, 875.  
Supply, 1586.**GILLMOR, Mr.**The Tariff, 758.  
Supply, 1354.  
Prohibitory Liquor Law, 1390.**Globe Printing Company Bill.**1<sup>o</sup>, 684; 2<sup>o</sup>, 798; 3<sup>o</sup>, 889.**Goderich Breakwater.**

Question, 686.

**Goderich Harbour Works.**Motion for Papers, 186.  
Remarks on Return, 1009.  
Resolution proposed, 1541.**GOUDGE, Mr.**Bill to incorporate the Maitland Marine Insurance Company, 78, 98.  
Supply, 330, 1584, 1595.  
Ways and Means—the Tariff, 433.  
Imported Coal, 527.  
Coal Interests, 548.  
Customs Act amendment, 651, 1081.  
Windsor Branch Railway, 973.  
Light Dues on Canadian Shipping, 1036.  
Insolvent Act amendment, 1102, 1150, 1151, 1152.  
Prohibitory Liquor Law, 1390.**Government Bank Deposits.**

Motion for Returns, 620.

**Government Business.**Motions for Precedence, 552, 1193, 1439.  
Remarks, 842.**Government Life Insurance.**

Motion withdrawn, 88.

**Government Printing in New Brunswick.**Resolution proposed, 1222.  
Adjourned Debate, 1266.**Graham, Wm., the late.**

Motion for Correspondence, 633.

**Grand Trunk and Intercolonial Railways.**

Motion for Correspondence, 815, 1006.

**Grand Trunk Strike.**Question, 368.  
Motion for Orders in Council, 629.**Granville Mail Route.**

Motion for Correspondence, 1375.

**Great Bras d'Or Postmastership.**

Motion for Correspondence, 106.

**Great Seal of Nova Scotia.**Motion for Correspondence, 636.  
Question, 981.**GREENWAY, Mr.**Bayfield Harbour, Lake Huron, 98.  
Ways and Means—the Tariff, 434.  
Prohibitory Liquor Law, 1389.  
Supply, 1507.**GUTHRIE, Mr.**The Address, 5.  
Criminal Procedure, 581.  
Larceny Act amendment, 685, 892, 893.  
The Tariff, 775.  
Insolvent Act amendment, 1101.  
Voting by Ballot on Dunkin Act, 1372.  
Northern Railway Bill, 1645.  
Northern Railway Company, 1816.

**HAGAR, Mr.**

Ottawa, Vaudreuil and Montreal Railway Company, 247, 351, 596.  
Rise of Ottawa Waters, 1029, 1031.

**HAGGART, Mr.**

Fort Frances Locks, 195.  
Supply, 264, 266.  
Georgian Bay Branch, 343, 344.  
Rideau Canal, 624.  
Pacific Railway, 1786, 1803.

**Half-Breed Lands in Manitoba.**

Motion for Correspondence, 109.

**HALL, Mr.**

Bill respecting Permanent Building Societies in Ontario, 184, 369, 1075.

**Harbour Improvement.**

Motion for Papers, 105.

**Harbours of British Columbia.**

Motion for Papers, 837.

**HIGINBOTHAM, Mr.**

Live Cattle Imports and Exports, 536.  
The Tariff, 775.  
Supply, 1353, 1354.  
Weights and Measures Act amendment, 1609.  
Independence of Parliament Act amendment, 1858.

**Holiwell, Martha Jemima Hawkshaw, Divorce Bill.**

1<sup>o</sup>, 936; 2<sup>o</sup>, 978; in Committee, 1065; 3<sup>o</sup>, 1133.

**HOLTON, Mr.**

Prayers in the House, 28, 41, 94, 95.  
Official Report of Debates, 31, 40.  
Representation in Parliament, 49.  
Intercolonial Railway, 59.  
Importation of Sugar, 70.  
Reception of Private Bills, 78.  
Amendment and Consolidation of the Insurance Acts, 81.  
Petitions from U. S. Citizens, 93.  
The Loan of 1875, 106.  
Justice Loranger, 202.  
Supply, 266, 1626, 1681, 1682, 1892.  
Montreal Loan and Mortgage Company Bill, 337, 409.  
Insolvent Act Repeal, 355.  
Charlevoix Election Judgment, 367.  
Coal Interest, 393, 394, 398.  
Refunding of Fees, 525.  
Weights and Measures Act repeal, 619.  
Bates Divorce Bill, 796.  
Inland Revenue Act amendment, 853.  
Scott Divorce Bill, 876.  
Sale of Postage Stamps in St. John Post Office, 878, 879.  
Montreal Harbour Tolls, 904.  
Holiwell Divorce Bill, 937.  
Ontario Maritime Court, 1058.  
Permanent Building Societies Act amendment, 1078.  
Insurance Acts amendment, 1083.  
Insolvent Act amendment, 1101, 1112, 1152.  
Incorporation of Joint Stock Companies, 146.  
Transfer of Public Works, 1165.

**HOLTON, Mr.—*Con.***

Ways and Means—The Tariff, 1190, 1192.  
A Defective Return, 1194.  
Government Printing in New Brunswick, 1225.  
Fort Frances Locks, 1344.  
Queen vs. Wilkinson, 1482, 1540.  
Resignation of Mr. Currier, 1516.  
Sunday Traffic on Canals, 1521.  
Northern Railway Bill, 1645, 1755.  
Ordnance and Admiralty Lands, 1665.  
Indian Act amendment, 1764, 1840.  
Auditing of Public Accounts, 1765, 1766, 1767, 1768, 1823, 1824.  
Manitoba Junction Railway, 1809.  
Northern Railway Company, 1818.  
Campbell Divorce Bill, 1838, 1839.  
Customs and Excise Acts amendments, 1842.  
Albert Railway Company, 1873, 1879, 1880, 1881.

**Homestead Settlement—*Railway Reserve.***

Question, 1511.

**Horse-Shoe Bar Channel.**

Motion for Correspondence, 527.

**HORTON, Mr.**

Goderich Breakwater, 686.  
Supply, 1508.

**Hour of Adjournment.**

Resolution, 99.

**HUNTINGTON, Mr.**

Changes in the Government, 39.  
Report of Postmaster-General, 39.  
Tampering with Registered Letters, 44.  
Mails on Canada Southern Railway, 44.  
Mail to West Indies, 98.  
Great Bras D'Or Postmastership, 107, 108.  
Mail on the London, Huron and Bruce Railway, 186.  
Free Postal Delivery, 186.  
Supply, 251, 253, 1565.  
Mails in Beauce and Dorchester, 445.  
Northern Railway Inquiry, 468, 469, 470.  
Postal Union, 537, 538.  
Removal of Malcolm Matheson, 632.  
British Columbia Mails, 638, 640.  
St. Isidore Mail, 815.  
Dismissal of Postmaster at Upper St. Francis, 816.  
Sale of Postage Stamps in St. John Post Office, 878, 879, 880, 881.  
D. H. Waterley's case, 882.  
Postmaster at Little Narrows, 939.  
Loss of a Mail Bag, 988.  
Postmaster at Montmagny, 989, 990.  
Dismissal of Postmaster of Erin, 1026, 1074.  
Mail Service between Campbelltown and Paspebiac, 1033.  
Unpaid Letters, 1039.  
Government Printing in New Brunswick, 1261.  
Newspaper Postage, 1510.  
English Mail Train, 1510.  
Mail Service in County of Bruce, 1510.

**Immigrant Sheds for Southampton.**

Question, 292.

**Immigration and Colonization Committee.**

Explanation, 97.

**Imperial Board of Trade and Canadian Surgeons.**

Motion for Correspondence, 30.

**Importation of Sugar.**

Motion for Return, 68.

**Imported Coal.**

Motion for Return, 527.

**Imports from the United States.**

Motion for Return, 25.

**Improper use of Firearms Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup>, 849; 3<sup>o</sup>, 1222; Senate amendment considered, 1509

**Improvement of the Miramichi River.**

Questions, 1360.

**Independence of Parliament Act Amendment Bill.**

1<sup>o</sup>, 1809; 2<sup>o</sup>, 1851; 3<sup>o</sup>, 1867; Explanation, 1893.

**Indian Act Amendment Bill.**

1<sup>o</sup>, 1627; 2<sup>o</sup>, 1764; in Committee, 1824; Bill withdrawn, 1840.

**Indian Lands in British Columbia.**

Motion for Correspondence, 1075.

**Ingonish Harbour.**

Motion for Plans and Report, 815.

**Inland Revenue Act Amendment Bill.**

Resolution in Committee, 247, 321, 852; 1<sup>o</sup>, 904; 2<sup>o</sup>, 1064; in Committee, 1168; 3<sup>o</sup>, 1404.

**Insolvent Act Amendment Bill. (Mr. Blake.)**

1<sup>o</sup>, 400; 2<sup>o</sup>, 641; in Committee, 1085; 3<sup>o</sup>, 1146; Senate amendments concurred in, 1710.

**Insolvent Act Amendment Bill. (Mr. Landerkin.)**

1<sup>o</sup>, 96; Order discharged, 368.

**Insolvent Act Amendment Bill. (Mr. White, North Renfrew.)**

1<sup>o</sup>, 122; Order discharged, 368.

**Insolvent Act Amendment or Repeal.**

Question, 40.

**Insolvent Act Repeal Bill. (Mr. Palmer.)**

1<sup>o</sup>, 269; Bill withdrawn, 541.

**Insolvent Acts Repeal Bill. (Mr. Barthe.)**

24; 2<sup>o</sup> proposed, 83, 279; adjourned Debate, 353, 365; Division on Mr. Wood's amendment,—“That the Bill be read the second time this day four months,” 366.

**Insolvent Estates.**

Motion for Returns, 442.

**Inspection of Gas and Gas Meters, 248, 854, 904, 1769.****Inspection of Petroleum Bill.**

1<sup>o</sup>, 1404; 2<sup>o</sup>, 1628; 3<sup>o</sup>, 1760.

**Inspection of Steamboats Act Amendment Bill.**

1<sup>o</sup>, 785; 2<sup>o</sup>, 905; 3<sup>o</sup>, 1020.

**Insurance Acts Amendment and Consolidation.**

Considered in Committee, 78.

**Insurance Acts Amendment Bill.**

1<sup>o</sup>, 248; 2<sup>o</sup>, 320; in Committee, 1083; 3<sup>o</sup>, 1194.

**Intercolonial and Grand Trunk Tariffs.**

Motion for Return, 1006.

**Intercolonial and Prince Edward Island Railways.**

Motion for Return, 634.

**Intercolonial Railway, Coal Shipments on.**

Motion for Returns, 103.

**Intercolonial Railway Employés in Northumberland.**

Motion for Return, 443.

**Intercolonial Railway.**

Motions for Returns, 56, 1519.

**International Exhibition.**

Question, 526.

**Iron Rails Loaned to Railways.**

Motion for Return, 68.

**IRVING, Mr.**

Imports from the United States, 25.

Procedure and Evidence in Criminal Cases Bill, 42, 203, 552, 574.

Stamps on Promissory Notes or Bills of Exchange Bill, 684.

Breaches of Contracts, 857, 864, 865, 870.

Privileges and Elections Committee—Examination of Witnesses, 1497, 1498.

Resignation of Mr. Currier, 1516.

Railway Companies' Traffic Rates, 1521, 1529.

Supply, 1613.

Seat for Restigouche, 1700.

Election Cases, 1836.

Independence of Parliament Act amendment, 1853.

Seat for Gloucester, 1895.

**Issue of Writs during Session.**

Mr. Speaker's Ruling, 436.

**Jacques Cartier Bank Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 698.

**Jesuit Barracks.**

Question, 97.

**JETTÉ, Mr.**

La Banque Jacques Cartier Bill, 247, 698.  
 La Societé de Construction St. Jacques Bill,  
 247, 351, 1138.  
 St. Lawrence and Pacific Railway Company  
 Ferry Bill, 310, 409, 698.  
 Union Cable Company Bill, 310, 409, 797.  
 Supply, 332.  
 Quebec Province Building Societies, 337,  
 699, 700, 1395.  
 Waterworks Joint Stock Companies Bill,  
 337.  
 Georgian Bay Branch, 348.  
 Royal Canadian Insurance Company Bill,  
 367, 409, 797, 988.  
 Rivière du Loup Bridge Bill, 1041, 1138.  
 Insolvent Act amendment, 1094.  
 Incorporation of Joint Stock Companies,  
 1146.  
 Ontario Maritime Court, 1441.

**Joint Stock Companies Incorporation Bill.**1<sup>o</sup>, 524; 2<sup>o</sup>, 711; in Committee, 1064; 3<sup>o</sup>, 1145.**JONES, Mr. (Halifax.)**

Post Office Printing, 113.  
 Dismissals from Office, 217, 218, 246.  
 Bill to Incorporate Union Marine Insurance  
 Company, 247, 351, 698.  
 Supply, 256, 257, 329, 1473, 1475, 1561, 1562,  
 1591, 1594, 1652, 1663, 1830.  
 Bill respecting Protest of Inland Bills, 269,  
 369.  
 Ontario Maritime Court Bill, 273.  
 Springhill and Parrsboro' Coal and Railway  
 Company Bill, 352.  
 Coal Interest, 384, 385, 387, 388, 544.  
 Gambling Prevention, 553.  
 Tariff, 611, 615, 616, 617, 618, 676.  
 Weights and Measures Act repeal, 618, 619.  
 Customs Acts Amendment Bill, 644, 647, 648,  
 651, 652, 1024.  
 Truro and Pictou Railway Transfer, 705.  
 Sale of Postage Stamps in St. John Post  
 Office, 878, 880.  
 Deep Sea Weirs or Pounds, 888.  
 Weights and Measures Act amendment, 1601,  
 1602, 1603, 1825.

**JONES, Mr. (South Leeds).**

Supply, 253, 266, 267, 1431, 1432, 1593, 1654,  
 1886.  
 Postal Union, 537, 538.  
 Rideau Canal, 624.  
 Dominion Dam, Devil Lake, 628.  
 Customs Act amendment, 645, 651, 1021,  
 1024, 1081.  
 Civil Service, 899.  
 Intercolonial and Grand Trunk Tariffs, 1007.  
 Joint Stock Companies, Incorporation of,  
 1064.  
 The Tariff, 1181, 1189.  
 Fort Frances Locks, 1327.  
 Independence of Parliament Act amend-  
 ment, 1858.

**Judges' Salaries, Nova Scotia, Bill.**Resolution, 248; 1<sup>o</sup>, 320; 2<sup>o</sup>, 401; 3<sup>o</sup>, 488.**Judicial Staff of Montreal District.**

Motion for Correspondence, 815.

**KERR, Mr.**

Supply, 265.  
 Insolvent Act repeal, 358.  
 Criminal Procedure, 582.  
 Breaches of Contracts, 869.  
 Government Printing in New Brunswick,  
 1284, 1285, 1286.  
 Albert Railway Company, 1872.

**KILLAM, Mr.**

Canadian Ship Sales in France, 536.  
 Truro and Pictou Railway Transfer, 707.  
 Insolvent Act amendment, 1084, 1090.  
 Insurance Acts amendment, 1299.  
 Pilotage Act amendment, 1318.  
 Prohibitory Liquor Law, 1393.  
 Culling of Timber, 1400.  
 Inspection of Petroleum, 1404.  
 Maritime Contracts Act, 1894.

**Killing of Cattle on the Intercolonial Railway.**

Motion for Return, 1005.

**Kincardine Harbour Dues Bill.**1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 889.**KIRK, Mr.**

Coal Interest, 551.  
 Truro and Pictou Railway Transfer, 709.

**KIRKPATRICK, Mr.**

Fort Frances Locks, 186, 192, 193, 194, 1319.  
 Supply, 249, 259, 262, 263, 1353, 1360, 1474,  
 1624, 1626, 1627, 1633.  
 Georgian Bay Branch, 345.  
 Charlevoix Election Judgment, 367.  
 Union Life and Accident Insurance Company  
 of Canada Bill, 367, 1208.  
 Coal Interest, 390, 395.  
 Breach of Contracts, 524.  
 The Tariff, 615, 1190.  
 Weights and Measures Act repeal, 619.  
 Ontario Maritime Court, 642, 643, 1054, 1058,  
 1059, 1060.  
 Customs Act amendment, 651, 652.  
 Holiwell Divorce Bill, 937.  
 Welland and St. Lawrence Canals Improve-  
 ments, 1047, 1048, 1050.  
 Insolvent Act amendment, 1086.  
 Payment of Active Militia, 1153, 1156, 1157.  
 Government Printing in New Brunswick,  
 1276.  
 Voting by Ballot on Dunkin Act, 1372.  
 Inspection of Petroleum, 1404.

**Lachine Canal Enlargement.**

Motion for Correspondence, 1035.

**Lachine Canal Staff.**

Motion for Return, 981.

**LAFLAMME, Mr.**

Report of Inland Revenues, 24.  
 Changes in the Government, 37.  
 Weights and Measures Act, 50, 51.  
 Inland Revenue Act amendment, 247, 321,  
 322, 853, 904, 1064, 1168, 1169, 1170, 1171,  
 1404.  
 Adulteration of Food, 248, 854, 1064, 1084.

**LAF** **FLAMME, Mr.—Con.**

Inspection of Gas and Gas Meters, 248, 854, 855, 905, 1769.  
 Insolvent Act Repeal, 362, 363, 364, 365.  
 Seizure of Distilling Apparatus, 439.  
 Quebec Graving Dock, 568.  
 Duty on Malt, 940.  
 Culling of Timber, 1081, 1166, 1398, 1399, 1402, 1403, 1441.  
 Admission of Newfoundland Fish and Fish Oil, 1083, 1168.  
 Inspection of Petroleum, 1404, 1628, 1760.  
 Supply, 1587, 1588, 1589, 1611, 1612, 1613, 1614.  
 Weights and Measures Act amendment, 1595, 1605, 1610, 1825.  
 Pacific Railway, 1746, 1748.

**LAJOLIE, Mr.**

Rivière du Loup Bridge Bill, 1042.

*Lakes Huron and Superior Indian Annuities.*

Motion for Correspondence, 1075.

**LANDERKIN, Mr.**

Bill to amend the Insolvent Act of 1875, 96, 357, 368.  
 Goderich Harbour Works, 1550.  
 Weights and Measures Act amendment, 1606.

**LANGEVIN, Mr.**

Military College at Kingston, 30.  
 Piers at Bay St. Paul, Eboulements and Malbaie, 40.  
 Intercolonial Railway, 64, 65.  
 Sessional Paper No. 96, 66.  
 Quebec Marine Hospital, 66.  
 Prayers in the House, 94.  
 Telegraph Lines in British Columbia, 103.  
 Supply, 265, 267, 1429, 1430, 1431, 1476, 1478, 1479, 1480, 1481, 1500, 1502, 1504, 1506, 1507, 1555, 1556, 1557, 1559, 1561, 1566, 1567, 1568, 1572, 1585, 1586, 1611, 1612, 1613, 1662, 1663, 1827, 1828, 1828, 1884, 1887, 1888.  
 Introduction of Mr. Roy, 328.  
 Culling of Timber, 1081.  
 Pilotage Act amendment, 1159, 1162.  
 Fort Frances Lock, 1323, 1324, 1325, 1326.  
 Sunday Traffic on Canals, 1520.  
 Ordnance and Admiralty Lands, 1664, 1665, 1763.  
 Indian Act amendment, 1764, 1824.  
 Pacific Railway, 1780.  
 Auditing of Public Accounts, 1823.

*L'Anse St. Jean Lighthouse.*

Question, 979.

*L'Anse St. Jean Wharf.*

Question, 979.

**LANTHIER, Mr.**

Appointment of Harbour Masters at Quebec Ports, 1068.

**Larceny Act Amendment Bill.**

(*Mr. Blake.*)

1<sup>o</sup>, 184; 2<sup>o</sup>, 319; 3<sup>o</sup>, 400.

**Larceny Act Amendment Bill.**

(*Mr. Guthrie.*)

1<sup>o</sup>, 685; 2<sup>o</sup>, 892.

*Larwill, Edwin, the late.*

Motion for Correspondence, &c, 621.

**LAURIER, Mr.**

Disallowance of Provincial Acts, 68.  
 Prayers in the House, 94  
 Election Act amendment, 558.  
 Loranger Committee, 685, 686.  
 Judicial Staff of Montreal District, 815.  
 Ways and Means—The Tariff, 920, 952.  
 Insolvent Act amendment, 1148, 1149.  
 Appeals from Justices of the Peace, 1165.  
 Mr. Currier's Seat for Ottawa, 1482, 1515.

*Le Crédit Foncier du Bas Canada.*

Motion for Statement, 114.

**Life Insurance Bill.**

1<sup>o</sup>, 248; 2<sup>o</sup>, 320; 3<sup>o</sup>, 1194.

**Life Insurance Policies Bill.**

1<sup>o</sup>, 525; Bill withdrawn, 700.

*Life Saving Stations in British Columbia.*

Resolution proposed, 1070.

*Light Dues on Canadian Shipping.*

Motion for Correspondence, 1036.

**LITTLE, Mr.**

Tampering with Registered Letters, 44.  
 The Tariff, 966.  
 Government Printing in New Brunswick, 1292.  
 North-West Troubles, 1414.  
 Northern Railway Bill, 1755.  
 Northern Railway Company, 1815.

*Live Stock.*

Motion for Return, 68.  
 Imports and Exports, 536.

**Loan Companies Bill.**

1<sup>o</sup>, 1438; 2<sup>o</sup>, 1664.

*Loan of 1875.*

Motion for Return, 106.

*Loan of 1876.*

Resolution proposed, 1443.

*Logan's Farm at Montreal.*

Question, 1510.

**London and Canada Bank Bill.**

1<sup>o</sup>, 96; 2<sup>o</sup>, 257.

**London and Ontario Investment Co. Bill.**

1<sup>o</sup>, 184; 2<sup>o</sup>, 257; 3<sup>o</sup>, 1042.

*London Emigration Agency.*

Question, 980.

*Long Island Bridge.*

Motion for Correspondence, 629.

*Loranger, Mr. Justice.*

Printing of Petitions ordered, 40.  
 Motion for Reference, 202.  
 Motion to refer Petition, 399.  
 Motion to print Evidence, 685.

*Loss of a Mail Bag.*

Motion for Return, 988.

*Lunenburg Shipping Master.*

Explanation, 276.

**MACDONALD, Mr. (Centre Toronto.)**

Prayers in the House, 26, 41, 94.

Bill to amend Act of Incorporation of London and Ontario Investment Company, 184, 257, 1042.

Insolvent Act repeal, 295, 296.

Northern Railway Bill, 436, 1375, 1644, 1645, 1755.

The Tariff, 521, 606.

Toronto Harbour, 534, 535.

Customs Act amendment, 650, 1024.

Insolvent Act amendment, 1090, 1095, 1098.

Prohibitory Liquor Law, 1383, 1384.

Secret Service Fund, 1489.

Independence of Parliament, 1853.

**MACDONALD, Mr. (Cornwall.)**

Government Printing in New Brunswick, 1267, 1269.

Sunday Traffic on Canals, 1520.

**MACDONALD, Sir John A.**

Official Report of Debates, 4, 24, 31.

The Address, 11.

Prayers in the House, 27, 94.

Dominion Dam on Devil Lake, 28.

Fishery Clauses, Washington Treaty, 29.

Changes in the Government, 33.

Mails on Canada Southern Railway, 44.

Secret Service Fund, 44, 48, 439, 440, 441.

Recognition of the Volunteers of 1837-38, 55.

Intercolonial Railway, 65.

Administration of Justice in the District of Richelieu, 73.

Amendment and Consolidation of the Insurance Acts, 79, 81.

Insolvent Acts Repeal Bill, 83.

Dismissals from Office, 93, 204, 585, 586.

Reception of Private Bills, 96.

County Court Judge of Leeds and Grenville, 99.

Hour of Adjournment, 100, 101, 102.

Mails between Sydney and Cow Bay, 122.

The Budget, 178.

Fort Frances Locks, 191, 192, 193, 1340, 1341, 1343, 1345.

Northern Railway, 196, 469, 471, 472, 473, 479, 485, 488, 554.

Civil Service, 197, 1870.

Vital Statistics, 200.

Port Hope Postmastership, 201.

Inland Revenue Bill, 247, 248, 1170.

Supply, 250, 252, 253, 254, 255, 260, 263, 265, 266, 268, 323, 324, 325, 327, 328, 337, 1346, 1357, 1430, 1473, 1574, 1576, 1577, 1579, 1580, 1612, 1614, 1615, 1616, 1642, 1662, 1877, 1883, 1884.

Insolvent Act repeal, 270, 309.

Ontario Maritime Court Bill, 271, 274, 641, 642.

Lunenburg Shipping Master, 279.

Albert Railway Company Bill, 310.

Geological Survey Bill 314.

Offences against the Person Bill, 319.

Salaries of Nova Scotia Judges Bill, 321.

Inland Revenue Act, 322.

Introduction of Mr. Roy, 328.

Prison Discipline Bill, 338.

Georgian Bay Branch, 350.

**MACDONALD, Sir John A.—Con.**

Ottawa Agricultural Insurance Company Bill, 352.

Springhill and Parrsboro' Coal and Railway Company Bill, 353, 813, 814.

Charlevoix Election Judgment, 366, 367.

Appointment of Senators, 373, 374, 375, 376.

Coal Interest, 394, 395.

Ways and Means—The Tariff, 401, 404, 411, 416, 517, 519, 592, 616, 617, 716, 719, 772, 773, 957, 977, 1171, 1172, 1173, 1174, 1175, 1180, 1188.

New Brunswick Orange Incorporation Act, 444.

Special Tariff for British Columbia, 532, 534. Government Business Precedence, 552, 1439, 1441.

Gambling Prevention, 553, 554.

Election Act amendment, 558, 559.

Quebec Graving Dock, 570, 572.

Criminal Procedure, 582.

The late Edwin Larwill, 622.

Rideau Canal, 627.

Mr. Graham, the late, 633.

Customs Act amendment, 645, 646, 648, 649, 650, 1021, 1022, 1023, 1024.

Printing of Votes and Proceedings, 684.

Stamps on Promissory Notes and Bills of Exchange, 684.

Non-forfeitable Life Assurance Policies, 701.

Procedure with Government Orders, 842.

Quebec Harbour and Pilotage amendment, 845.

Improper use of Fire-arms, 850, 851.

Inspection of Gas and Gas Meters, 855.

Floating Cordwood on River St. Francis, 875.

Scott Divorce Bill, 876.

Questions put by Members, 877.

Sale of Postage Stamps in St. John Post Office, 877, 880.

David H. Waterley, case of, 883.

Montreal Harbour Tolls, 904.

Holiwell Divorce Bill, 937.

Nova Scotia Great Seal, 981.

Dismissal of Wm. Colwell, 983.

Postmaster of Montmagny, 990.

Ontario Bank Government Deposits, 1001.

Breaches of Contracts, 1011, 1015.

Rivière du Loup Bridge Bill, 1041, 1042.

Stouffville Representation, 1042, 1043.

Foreign Corporations Loans, 1045.

Welland and St. Lawrence Canal Improvements, 1251.

Ontario Maritime Court, 1057, 1059, 1060.

Payment of Active Militia, 1061.

Insolvent Act amendment, 1151, 1152.

A Defective Return, 1193, 1194.

Government Printing in New Brunswick, 1234, 1238, 1252, 1263, 1284.

Port Colborne Harbour Claims, 1361, 1532.

Dismissal of Arnprior Slidemaster, 1364.

Voting by Ballot on Dunkin Act, 1369.

Prohibitory Liquor Law, 1386.

North-West Troubles, 1422, 1425.

Loan of 1876, 1466, 1468, 1469, 1470.

Seat for Lincoln, 1483.

Privileges and Elections Committee—Examination of Witnesses, 1497.

Transportation of Mounted Police, &c., 1512.

Resignation of Mr. Currier, 1516.

Sunday Traffic on Canals, 1520, 1521.

Goderich Harbour Works, 1547, 1554.

Northern Railway, 1645.

Ordinance and Admiralty Lands, 1665, 1762, 1763.

Provincial Great Seals, 1667.

**MACDONALD, Sir John A.—*Con.***

Pacific Railway, 1713, 1717, 1718, 1720, 1777, 1802, 1803, 1804, 1805.  
 Indian Act amendment, 1764.  
 Auditing of Public Accounts, 1824.  
 Customs and Excise Acts amendment, 1843, 1848.  
 Independence of Parliament Act amendment, 1851, 1852, 1861, 1865, 1866, 1893.  
 Albert Railway Company, 1873, 1879, 1880, 1881.  
 Sir John A. Macdonald and Crown Suits, 1893.  
 Washington Treaty and Fisheries Commission, 1894.  
 Seat for Gloucester, 1895.

**MACDONNELL, Mr.**

Ontario Maritime Court Bill, 271.  
 Insolvent Act repeal, 356.  
 Coal Interest, 381.  
 Weights and Measures Act repeal, 618.  
 Port Hood Harbour, 620.  
 Truro and Pictou Railway Transfer, 706, 710, 1053.  
 Breaches of Contracts, 863.  
 Sale of Postage Stamps in St. John Post Office, 880.  
 Protection to British Columbia Mines, 892.  
 Insolvent Act amendment, 1104, 1151.

**MACDOUGALL, Mr. (East Elgin.)**

Insolvent Act repeal, 286, 288.  
 The Tariff, 679.  
 Improper Use of Firearms, 853.  
 Breaches of Contracts, 869.  
 Insolvent Act amendment, 1100.  
 Stouffville Representation, 1139.  
 Campbell Divorce Bill, 1758.  
 Independence of Parliament Act amendment, 1866.

**MACKAY, Mr. (Cape Breton.)**

Bounty on Coal, 39, 51, 379, 541, 584, 1869, 1873.  
 Partridge Harbour Improvement, 105.  
 Great Bras D'Or Postmastership, 107.  
 Mails between Sydney and Cow Bay, 122, 123.  
 Dismissals from Office, 241, 243.  
 Ontario Maritime Court Bill, 273.  
 Insolvent Act repeal, 307.  
 Protest of Inland Bills Bill, 369, 370.  
 Seizure of Schooner "Napier," 529.  
 Defalcations at Baddeck, 529.  
 Gambling Prevention, 553.  
 Fish-Breeding in Cape Breton, 619.  
 Dredging at Cape Breton, 620.  
 Quarantine Station at Sydney, 620.  
 Returns of Harbour Masters, 628.  
 St. Peter's Canal, 631.  
 Customs Act amendment, 652.  
 Truro and Pictou Railway Transfer, 707.  
 Improper Use of Firearms, 851.  
 Breaches of Contracts, 857.  
 Protection of British Columbia Mines, 890.  
 Pilotage Act amendment, 1163, 1318.  
 Ways and Means—The Tariff, 1189.  
 Supply, 1346, 1347, 1476, 1477, 1624, 1652, 1656.  
 Measurement of Registered Ships, 1396.  
 Goderich Harbour Works, 1550.  
 Independence of Parliament Act amendment, 1863.

**MACKENZIE, Mr.**

Oaths of Office Bill, 2.  
 Consideration of Speech from the Throne, 4.  
 Printing of Votes and Proceedings, 4.  
 Select Standing Committees, 4, 25, 39, 42, 399.  
 General Report of Public Works, 4.  
 Official Report of Debates, 4, 24, 31.  
 The Address, 17, 21.  
 Quebec Graving Dock, 25, 377, 378, 562, 566, 568, 569, 571, 572, 573.  
 Prayers in the House, 27, 95  
 Changes in the Government, 32.  
 Adjournment for Ash Wednesday, 40.  
 Naturalized Aliens, 43.  
 Georgian Bay Branch, Pacific Railway, 43, 1894.  
 River Sydenham, 43.  
 Telegraph line, Vancouver Island, 43.  
 Pacific Railway Surveys, 44, 1517.  
 Boundary line of Alaska, 44.  
 Welland Canal Works, 44, 202, 1048, 1051.  
 Secret Service Fund, 46, 49, 440.  
 Recognition of the Volunteers of 1837-1838, 54.  
 Intercolonial Railway, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 1519.  
 Sessional Paper, No. 96, 66.  
 Accidents on the Intercolonial Railway, 68.  
 Northern Railway, 77, 460, 462, 464, 465, 472, 473, 483, 485, 487, 554, 585, 1517, 1518.  
 Reception of Private Bills, 78, 96.  
 Dismissals from office, 89, 91, 93, 209, 215.  
 Jesuit Barracks, 97.  
 Bayfield Harbour, Lake Huron, 98.  
 Steamers between Ontario and Cape Breton, 98.  
 Reply to the Address, Message from His Excellency, 99.  
 Hour of Adjournment, 100, 101, 102.  
 Accidents caused by Railway Frogs, 103.  
 Coal Shipments on the Intercolonial Railway, 104.  
 Partridge Harbour Improvement, 105.  
 Agricultural Committee's Report, 116, 117.  
 Manitoba Land Claims, 120.  
 Banking and Commerce Committee, 122.  
 The Budget, 170.  
 Lieutenant-Governor of Manitoba, 185.  
 Fort Frances Locks, 188, 189, 190, 191, 192, 193, 194, 1320, 1321, 1323, 1324, 1325, 1326, 1330, 1331, 1341, 1342, 1343, 1344, 1345.  
 Vital Statistics, 201.  
 Port Hope Postmastership, 201.  
 Immigrant Sheds, Southampton, 202.  
 Inland Revenue Bill, 247.  
 Supply, 252, 253, 257, 263, 267, 324, 325, 326, 327, 328, 331, 334, 335, 795, 796, 810, 1346, 1352, 1354, 1360, 1430, 1431, 1432, 1435, 1436, 1437, 1438, 1472, 1473, 1474, 1475, 1476, 1478, 1479, 1480, 1481, 1482, 1498, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1555, 1556, 1557, 1558, 1559, 1567, 1584, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1611, 1613, 1614, 1615, 1616, 1624, 1627, 1629, 1646, 1647, 1662, 1663, 1686, 1692, 1694, 1698, 1701, 1702, 1704, 1709, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1835, 1877, 1878, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892.  
 Insolvent Act Repeal Bill (*Mr. Palmer*) 270.  
 Lunenburg Shipping Master, 279.  
 Albert Railway Company Bill, 310.  
 Dominion Elections Bill, 311.  
 Introduction of Mr. Roy, 328.  
 St. Roche Post Office, 338.  
 Trent River Works, 338.  
 Exemption from Duty, 338.  
 Protection of Fish, 339.

**MACKENZIE, Mr.—Con.**

Carillon Dam, 339.  
 Georgian Bay Branch, 342, 343, 344, 348, 350, 351.  
 Pickering Harbour Company Bill, 352.  
 Ottawa Agricultural Insurance Company Bill, 352.  
 Quebec and Lake St. John Railway, 367.  
 Insolvent Act Repeal Bill (*Mr. White, Renfrew*) 368, 369.  
 Ontario Permanent Building Societies Bill, 369.  
 Appointment of Senators, 373, 375, 376.  
 Coal Interests, 388, 393, 396, 397, 399.  
 Truro and Pictou Railway Transfer, 400, 703, 704, 707, 710, 1020, 1051.  
 Ways and Means—The Tariff, 404, 405, 406, 408, 502, 519, 773, 778, 781, 782, 964, 977, 1171, 1173, 1174.  
 St. Charles Railway Branch, 436.  
 Dufferin Improvements at Quebec, 437.  
 Intercolonial Railway Employés in Northumberland, 443.  
 French Repatriation, 488.  
 Horseshoe Bar Channel, 527.  
 Rondeau Harbour of Refuge, 531.  
 Toronto Harbour, 535.  
 Precedence for Government business, 552, 1439, 1440, 1441.  
 Dismissals from Office, 587, 588.  
 Dredging in Cape Breton, 620.  
 Quarantine Station at Sydney, 620.  
 Breakwater at Main-à-Dieu, 620.  
 Fourchi Harbour, 620.  
 The late Edwin Larwill, 622.  
 Rideau Canal, 627, 628.  
 Dominion Dam, Devil Lake, 628.  
 Long Island Bridge, 629.  
 St. Peter's Canal, 632.  
 Aspy Bay Harbour, 633.  
 Wm. Graham, The late, 633.  
 Bywash at Long Island, 635.  
 St. John River Navigation, 637.  
 Customs Act amendment, 649, 650.  
 Printing of Votes and Proceedings, 683.  
 Goderich Breakwater, 686.  
 Pacific Railway, 691, 1123, 1124, 1126, 1570, 1629, 1637, 1640, 1642, 1711, 1713, 1717, 1723, 1724, 1728, 1730, 1801, 1803, 1804.  
 Montreal Harbour Tolls, 904.  
 Postmaster at Little Narrows, 939.  
 Pacific Railway Route in British Columbia, 978.  
 Purchase of Old Rails from the Intercolonial, 978.  
 Windsor Branch Railway, 979.  
 L'Anse St. Jean Wharf, 979.  
 Northern Railway Commission, 980, 1117.  
 Great Seal of Nova Scotia, 981.  
 Ordinance Property at Quebec, 981.  
 Section 15 of Pacific Railway, 1005.  
 Intercolonial and Grand Trunk Tariffs, 1007, 1008, 1009.  
 Goderich Harbour Return, 1009, 1545, 1554.  
 Customs Act amendment, 1021, 1022, 1023, 1024, 1079, 1080, 1117.  
 French Exhibition of 1878, 1025.  
 Wharf at Ste. Anne du Saguenay, 1025.  
 Carillon Lock and Slide, 1027, 1028.  
 Rise of Ottawa waters, 1030, 1031.  
 Introduction of Mr. H. L. Langevin, 1032.  
 Political Custom House Officers, 1035.  
 Lachine Canal enlargement, 1036.  
 Foreign Corporations Loans, 1046.  
 St. Placide Wharf, 1066.  
 Malt taken out of Bond, 1068.  
 Cascumpec Harbour, 1069.

**MACKENZIE, Mr.—Con.**

Court House and Gaol for Kamouraska, 1069.  
 Life Saving Stations in British Columbia, 1070.  
 Pacific Railway Survey Employés, 1076, 1510.  
 A Defective Return, 1116, 1193.  
 Railway from Quebec to Lake St. John, 1117.  
 Safety of Passengers, 1140, 1141, 1143.  
 Culling of Timber, 1168, 1402, 1403.  
 Inland Revenue Act amendment, 1171.  
 Business of the House, 1193.  
 Government Printing in New Brunswick, 1232, 1266, 1302, 1303.  
 Seat for Gloucester, 1315.  
 Improvement of Miramichi River, 1360.  
 Port Colborne Harbour claims, 1361, 1532.  
 Newspaper Postage, 1361.  
 Dismissal of Annprior Slidemaster, 1365.  
 Voting by Ballot on Dunkin Act, 1373.  
 Northern Railway of Canada, 1375, 1755, 1756, 1757.  
 Prohibitory Liquor Law, 1385, 1388.  
 Old Rails distribution, 1396, 1571.  
 Inspection of Petroleum, 1404.  
 North-West Troubles, 1425.  
 Loan of 1876, 1468, 1469, 1470.  
 Seat for Lincoln, 1484, 1569.  
 Slidemastership on Black River, 1510.  
 Logan's Farm at Montreal, 1510.  
 Immigration to British Columbia, 1511.  
 Homestead Settlement Railway Reserve, 1511.  
 Transportation of Mounted Police, &c., 1512.  
 Resignation of Mr. Currier, 1514, 1515.  
 Sunday Traffic on Canals, 1520.  
 Railway Companies' Traffic Rates, 1527, 1529.  
 Works at River St. Charles, 1529.  
 Administration of Montreal Harbour Board, Sorel, 1530.  
 Booms and Piers on the Gatineau, 1535, 1536, 1538, 1539.  
 Departmental Pay Lists, 1541.  
 Manitoba Junction Railway amendment, 1569.  
 Weights and Measures Act amendment, 1602.  
 Ordinance and Admiralty Lands, 1665, 1763.  
 Campbell Divorce Bill, 1759, 1837, 1839.  
 Indian Act amendment, 1840, 1841.  
 Independence of Parliament Act amendment, 1809, 1851, 1865.  
 Civil Service, 1872.  
 Washington Treaty and Fisheries Commission, 1893.

**MACMILLAN, Mr.**

Mail on the London, Huron and Bruce Railway, 186.  
 Northern Railway Inquiry, 479.  
 Proposed Bill regarding the Agricultural Insurance Company of Canada, 525.  
 Insolvent Act amendment, 1092.  
 Government Printing in New Brunswick, 1283, 1302.

**Mail-Tag, Loss of.**

Motion for Return, 988.

**Mails between Sydney and Cow Bay.**

Explanation, 123.

**Mai Service below Quebec in 1876.**

Motion for Return, 841.

**Mail Service between Campbellton and Paspebiac.**

Motion for Correspondence, 1032.

*Mail Service between Victoria and San Francisco.*

Motion for Correspondence, 72.

*Mail Service in the County of Bruce.*

Question, 1510.

*Mail Service on Lakes Huron and Superior.*

Motion for Advertisement for Tenders, 112.

*Mails in the Counties of Beauce and Dorchester.*

Motion for Correspondence, 444.

*Mails on the Canada Southern Railway.*

Question, 44.

*Mails on the London, Huron and Bruce Railway.*

Question, 186.

*Mail to West Indies.*

Question, 98.

*Main-à-Dieu Breakwater.*

Question, 620.

**Maitland Marine Insurance Company Bill.**

1<sup>o</sup>, 78; 2<sup>o</sup>, 98.

*Malcolm Matheson, Removal of.*

Motion of Correspondence, 632.

*Malt taken out of Bond.*

Motion for Return, 1068.

*Management of the Library.*

Committee appointed, 40.

*Manitoba Battalion Claims.*

Question, 25.

**Manitoba Boundaries Bill.**

1<sup>o</sup>, 874; 2<sup>o</sup> and 3<sup>o</sup>, 1021.

**Manitoba Junction Railway Company Act Amendment Bill.**

1<sup>o</sup>, 1529; 2<sup>o</sup>, 1569; Bill withdrawn, 1809

*Manitoba Land Claims.*

Motion for Return, 119.

*Manitoba Lands.*

Motion for Return, 438.

*Manitoba, Lieut.-Gov. of.*

Explanations, 185, 274.

*Manitoba Railway Reserve.*

Motion for Correspondence, 67.

*Marquette Wood Lands.*

Motion for Return, 538.

Debate Resumed, 555.

*Marine Hospital at Sydney.*

Motion for Return, 31.

*Maritime Contracts Act.*

Question, 1895.

**MASSON, Mr.**

Changes in the Government, 36.

Administration of Justice, District of Richelieu, 73.

Amendment and Consolidation of the Insurance Acts, 82.

Prayers in the House, 94, 95.

Jesuit Barracks, 97, 98.

North-Western Boundary of Ontario, 98.

Agricultural Committee's Report, 117.

The Budget, 156.

Fort Frances Locks, 189, 193, 1323, 1329, 1337, 1343.

Supply, 257, 258, 259, 266, 267, 325, 326, 330, 331, 332, 801, 803, 810, 1346, 1356, 1359, 1360, 1437, 1438, 1478, 1479, 1481, 1499, 1505, 1555, 1579, 1584, 1585, 1586, 1587, 1614, 1615, 1623, 1626, 1640, 1643, 1646, 1651.

Geological Survey Bill, 312, 314.

Georgian Bay Branch, 348.

Appointment of Senators, 371.

Quebec Graving Dock, 378, 566, 567.

Coal Interest, 392.

Form of Questions, 437.

Seizure of Distilling Apparatus, 439.

French Repatriation, 488, 527.

Dismissals from Office, 586, 587.

The Tariff, 671, 676, 712, 714, 1172, 1173, 1175.

Bates Divorce Bill, 796.

Improper use of Firearms, 853.

Montreal Harbour Tolls, 904.

Breaches of Contracts, 1014.

Rivière du Loup Bridge Bill, 1042.

Pacific Railway, 1122, 1124, 1722, 1728, 1730, 1731, 1749, 1752.

Insolvent Act amendment, 1152.

Government Printing, New Brunswick, 1278.

Seat for Gloucester, 1312.

Extradition of Fugitive Criminals, 1317.

Old Rails Distribution, 1396.

North-West Troubles, 1412, 1421.

Government Business, 1440.

Ordnance and Admiralty Lands, 1664.

Au litting of Public Accounts, 1823.

Customs and Excise Acts amendment, 1841.

**MCCALLUM, Mr.**

Supply, 268, 799, 1479, 1480, 1657.

Georgian Bay Branch, 347.

Coal Interest, 387.

Ways and Means—The Budget, 417.

Northern Railway Enquiry, 463, 1117.

The Tariff, 658, 944.

Government Printing in New Brunswick, 1249, 1289.

Secret Service Money, 1493.

Northern Railway Commission — A accountant's Report, 1517, 1518.

Port Colborne Harbour Master, 1532.

Goderich Harbour Works, 1552.

Northern Railway Company, 1821.

**MCCARTHY, Mr.**

Mail Service on Lakes Huron and Superior, 112.

Georgian Bay Branch, 339, 350.

Ways and Means—The Tariff, 418, 424, 425, 427.

**MCCARTHY, Mr.—Con.**

Appointment of Officials, 443.  
 Scott Divorce Bill, 811, 812, 875, 1039.  
 Political Custom House Officers, 1033, 1035.  
 Insolvent Act amendment, 1097, 1098, 1149.  
 Ontario Permanent Building Societies Act amendment, 1144.  
 Government Printing in New Brunswick, 1294.  
 Transportation of Mounted Police, 1511.  
 Canadian Pacific Railway Survey, 1517.  
 Northern Railway Commission, 1519.

**MCCRANEY, Mr.**

Prohibitory Liquor Law, 1392.

**MCDONALD, Mr. (Cape Breton.)**

Marine Hospital at Sydney, Cape Breton, 31.  
 Steamers between Ontario and Cape Breton, 98.  
 Great Bras D'Or Postmastership, 107.  
 Dismissals from Office, 237, 238, 243, 586.  
 Pilotage Authorities, 378, 379.  
 Coal Interest, 382, 543.  
 Breakwater at Main-a-Dieu, 620.  
 Returns of Harbour Masters, 628.  
 Truro and Pictou Railway Transfer, 706.  
 Pilotage Act amendment, 1160, 1163, 1317.  
 Goderich Harbour Works, 1549, 1551.  
 Supply, 1558.

**MCDUGALL, Mr. (South Renfrew.)**

Live Stock, 68.  
 Civil Service, 198, 895.  
 Geological Survey Bill, 313.  
 Carillon Dam, 339, 1026.  
 Georgian Bay Branch, 347.  
 Wm. Graham, The late, 633.  
 Canada Central Extension, 1117, 1375.  
 Culling of Timber, 1166, 1167, 1402, 1403.  
 Dismissal of Arnprior Slide-Master, 1362, 1364, 1366, 1367.  
 Supply, 1613, 1827.  
 Campbell Divorce Bill, 1759.  
 Independence of Parliament Act amendment, 1860.

**MCGREGOR, Mr.**

Coal Interest, 381.  
 Montserrat Harbour of Refuge, 531.

**MCINTYRE, Mr.**

"Northern Light" Steamer, 85.

**MCIISAAC, Mr.**

"Northern Light" Steamer, 86.  
 Insolvent Act amendment, 1151.  
 Supply, 1475.

**MCKAY, Mr. (Colchester.)**

Loss of a Mail Bag, 988.  
 Intercolonial and Grand Trunk Tariffs, 1008.

**MCLEOD, Mr.**

Supply, 1478, 1501, 1555.  
 Great Northern Railway Company, 1879.

**MENAB, Mr.**

The Tariff, 747.  
 Rise of Ottawa Waters, 1029.  
 Prohibitory Liquor Law, 1380.

**MCCUADE, Mr.**

Ontario Bank Government Deposits, 999.

**Measurement of Registered Ships Bill.**

1<sup>o</sup>, 1164; 2<sup>o</sup>, 1317, 3<sup>o</sup>, 1396.

**Merchant Shipping Act.**

Motion for Correspondence, 55.

**METCALFE, Mr.**

Coal Interest, 550.  
 Stouffville Representation Bill, 618, 792, 1042, 1139.  
 The Tariff, 662.

**Metropolitan Bank Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 352; 3<sup>o</sup>, 698.

**Military College at Kingston.**

Motion for Return, 30.

**Militia General Orders.**

Question, 686.

**Militia Staff Officers.**

Motion for Orders in Council, 1533.

**MILLS, Mr.**

Manitoba Railway Reserve, 67.  
 Prayers in the House, 94.  
 Tête de Brule Indians, 99.  
 Half-breed Lands in Manitoba, 111, 112.  
 Manitoba Land Claims, 120.  
 Nova Scotia Indian Commissioners, 121.  
 Bill respecting the Geological and Natural History Survey of Canada, and maintenance of Museum connected therewith, 122, 311, 316, 399, 401, 488.  
 Annuities to Indians, 186.  
 Supply, 263, 264, 326, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1584, 1585, 1586, 1614, 1615, 1662, 1693, 1883, 1884.  
 Appointment of Senators, 374.  
 Coal Interest, 388, 395, 549.  
 Northern Railway Inquiry, 486.  
 Woodland in Marquette, 557.  
 The Tariff, 616, 712, 714, 716, 717, 718, 719, 720, 721, 725, 726, 1190, 1191, 1192.  
 Customs Act amendment 650.  
 North-West Territories Act amendment, 685, 1065, 1085, 1872.  
 Scott Divorce Bill, 812.  
 Boundaries of Manitoba, 874, 875, 1021.  
 Protection of British Columbia Miners, 891.  
 Preservation of Buffalo, 993, 994, 995.  
 St. Augustin Parish Post Office, 1067.  
 Dundas Post Office Savings Bank, 1072.  
 Lakes Huron and Superior Indian Annuities, 1075.  
 Inland Revenue Act amendment, 1170.  
 A Defective Return, 1193.  
 Insurance Acts amendment, 1207, 1208.  
 Government Printing in New Brunswick, 1260, 1263, 1303.  
 Voting by Ballot on Dunkin Act, 1369, 1371.  
 Granville Mail Route, 1375.  
 Ordnance and Admiralty Lands, 1396, 1664, 1665, 1760, 1761, 1762, 1763.  
 Loan of 1876, 1465, 1468.  
 Indian Act amendment, 1627, 1764, 1824, 1825, 1840.  
 Pacific Railway, 1723, 1724.

**Miramichi River.**

Question, 526.

**MITCHELL, Mr.**

Fishery Clauses, Washington Treaty, 28.  
 Prayers in the House, 41.  
 Intercolonial Railway, 61.  
 Accidents on Intercolonial Railway, 67.  
 Revenue paid by Provinces, 105.  
 Fort Frances Locks, 191.  
 Dismissals from Office, 234, 586, 587.  
 Supply, 251, 252, 255, 256, 267, 268, 323, 328, 334, 799, 1349, 1354, 1356, 1360, 1429, 1432, 1437, 1475, 1476, 1477, 1479, 1481, 1500, 1501, 1504, 1505, 1507, 1508, 1557, 1558, 1616, 1625, 1626, 1638, 1642, 1652, 1828, 1829, 1830, 1831, 1867, 1878, 1888, 1889, 1890, 1892.  
 Insolvent Act repeal, 270, 301, 363.  
 Ontario Maritime Court Bill, 271, 272, 273, 274, 1058, 1060, 1397, 1442, 1443.  
 Georgian Bay Branch, 349.  
 Smelt Fisheries in Bathurst Harbour, 442.  
 Intercolonial Railway Employés in Northumberland, 443.  
 Quebec Graving Dock, 562, 573.  
 Civil Service, 698, 893, 895, 898.  
 Picton and Truro Railway Transfer, 705, 707, 708, 710, 1020, 1021, 1051.  
 The Tariff, 754, 773, 783.  
 Inspection of Steamboats, 785.  
 Bates Divorce Bill, 797.  
 Fisheries Commission, 814.  
 Representation of Minorities, 836.  
 Quebec Harbour and Pilotage amendment, 842, 843, 844, 845, 846, 847, 848, 1020, 1666.  
 Superannuation of Whitby Customs Collector, 840.  
 Inland Revenue Act amendment, 854.  
 Inspection of Gas and Gas Meters, 854, 855.  
 David H. Waterley, case of, 884.  
 Postmaster at Little Narrows, 939.  
 Fishing Rights in New Brunswick, 1004.  
 Killing of Cattle on Intercolonial, 1005.  
 Intercolonial and Grand Trunk Tariffs, 1008, 1009.  
 Breaches of Contracts, 1011.  
 Customs Acts Consolidation, 1022, 1023, 1024.  
 Rise of Waters on Ottawa, 1031.  
 Rivière du Loup Bridge Bill, 1041.  
 Rouffville Representation, 1043.  
 Insolvent Act amendment, 1089, 1090, 1095, 1102, 1104, 1147, 1149.  
 Transfer of Portage Island, 1118.  
 Pilotage Act amendment, 1158, 1161, 1162, 1163, 1317, 1318, 1397.  
 Transfer of Public Works, 1165.  
 Improvement of the Miramichi, 1360.  
 Culling of Timber, 1403.  
 North-West Troubles, 1415.  
 Government Business, 1439.  
 English Mail Train, 1510.  
 Fisheries in Napan and Black Rivers, 1531.  
 Ordnance and Admiralty Lands, 1761.  
 Auditing of Public Accounts, 1768, 1769, 1822.  
 Inspection of Gas and Gas Meters, 1769.  
 Indian Acts amendment, 1841.  
 Independence of Parliament Act amendment, 1853, 1865.  
 Albert Railway Company, 1879.  
 Washington Treaty and Fisheries Commission, 1894.

**MOFFAT, Mr.**

Seat for Restigouche, 1711.

*Money paid to C. J. Brydges.*

Motion for Return, 838.

**Montmagny Postmaster.**

Motion for Return, 989.

**MONTEITH, Mr.**

Supply, 789, 1351, 1352.  
 The Tariff, 971.

**Montreal Harbour Commissioners' Pilotage Tariff By-Law.**

Motion for Order in Council, 1517.

**Montreal Harbour Tolls Bill.**

1<sup>o</sup>, 904; 2<sup>o</sup> and 3<sup>o</sup>, 1064.

**Montreal Loan and Mortgage Company Bill.**

1<sup>o</sup>, 337; 2<sup>o</sup>, 409.

**Montreal, Portland and Boston Railway Company Bill.**

1<sup>o</sup>, 122; 2<sup>o</sup>, 257; 3<sup>o</sup>, 596.

**Montreal Wharfage Dues.**

Motion for Return, 535.

**Morris, Lieutenant-Governor.**

Explanation, 185, 274, 275, 276.

**MOUSSEAU, Mr.**

Petition of Justice Loranger, 4.  
 Administration of Justice, District of Richelieu, 76.  
 Insolvent Act repeal, 359.  
 Ways and Means—The Tariff, 905.  
 Seat for Montreal West, 1809.

**"Napier," Seizure of.**

Motion for Correspondence, 528.

**National Investment Company of Canada Bill.**

1<sup>o</sup>, 1051; 2<sup>o</sup>, 1065; 3<sup>o</sup>, 1375.

**Naturalized Aliens.**

Question, 43.

**Navigation of American Waters.**

Motion for Correspondence, 25.

**Navigation on the North Shore of the St. Lawrence.**

Question, 979.

**New Brunswick Criminal Cases Procedure Bill.**

1<sup>o</sup>, 269; Bill withdrawn, 540.

**New Brunswick Orange Incorporation Act.**

Motion for Correspondence, 444.

**Newcastle Fish-breeding Establishment.**

Motion for Return, 838.

**New Members Elected, 2.**

*New Members Introduced, 2, 24, 328, 1032.*

*New] Westminster, County Court Judges,  
Appointment of.*

Motion for Correspondence, 1036.

*Newspaper Postage.*

Questions, 1361, 1509.

*New Writ, 1541.*

### **Niagara Grand Island Bridge Company Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 619.

### **Non-forfeitable Life Assur- ance Policies Bill.**

1<sup>o</sup>, 525; Bill withdrawn, 700.

### **NORRIS, Mr.**

Welland Canal Works, 44, 202, 1047.

Customs Act amendment, 653.

Resignation of, 1568.

*"Northern Light" Steamer.*

Motion for Return, 83.

Explanation, 186.

Motion for Return, 379.

### **Northern Railway Arrange- ment Bill.**

1<sup>o</sup>, 2<sup>o</sup> and 3<sup>o</sup>, 1840.

### **Northern Railway Bill.**

1<sup>o</sup>, 436; 2<sup>o</sup>, 1375; in Committee, 1644; 3<sup>o</sup>, 1755.

*Northern Railway Commission.*

Question and Report, 77.

Motion for Instructions, 196, 445.

Question, 980.

Question, 1117.

Motion for Return, 1374.

Motion for Accountant's Report, 1517.

*Northern Railway Committee, 554, 585.*

*Northern Railway Company.*

Government Notice of Motion, 1810.

*North-Western Boundar Ontario.*

Question, 98.

### **North-West Territories Act Amendment Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup>, 1065; 3<sup>o</sup>, 1085; Senate amend-  
ments concurred in, 1872.

*North-West Troubles—W. D. O'Don-  
oughue.*

Resolution proposed, 1405.

*Nova Scotia Great Seal.*

Motion for Correspondence, 636.

Question, 981.

*Nova Scotia Indian Commissioners.*

Motion for Return, 120.

### **Oaths of Office Bill.**

1<sup>o</sup>, 2.

### **Offences against the person Bill.**

1<sup>o</sup>, 202; 2<sup>o</sup>, 319; 3<sup>o</sup>, 401.

*Official Report of the Debates.*

Questions and Observations, 4, 24.

Appointment of Select Committee, 31.

Motion and Report of Committee, 39.

Concurrence in Committee's Report, 40.

Second Report of Committee, 42.

*Old Rails Distribution.*

Question, 1396.

Remarks, 1570.

### **OLIVER, Mr.**

Insolvent Act repeal, 284.

Northern Railway Inquiry, 451.

Departmental Contingencies, 538.

Departmental Officials, 538.

Customs Act amendment, 652.

The Tariff, 662.

Quebec Building Societies, 700.

Scott Divorce Bill, 948.

Intercolonial and Grand Trunk Tariffs, 1007.

Safety of Railway Passengers, 1141.

Ontario Permanent Building Societies Act  
amendment, 1144.

Northern Railway of Canada, 1375, 1644,  
1756, 1757.

Prohibitory Liquor Law, 1383.

Railway Companies Traffic Rates, 1523.

Weights and Measures Act amendment, 1608.

*Ontario Bank Government Deposits.*

Motion for Correspondence, 995.

### **Ontario Maritime Court Bill.**

1<sup>o</sup>, 271; 2<sup>o</sup>, 640; Resolutions in Committee,  
641, 1054, 1397; 3<sup>o</sup>, 1441; Senate amend-  
ments concurred in, 1710.

### **Ontario Permanent Building Societies Bill.**

1<sup>o</sup>, 184; 2<sup>o</sup>, 702; considered in Committee,  
1042; 3<sup>o</sup>, 1395.

### **OPENING OF PARLIAMENT, 1.**

### **Ordinance and Admiralty Lands Bill.**

1<sup>o</sup>, 1396; 2<sup>o</sup>, 1664; 3<sup>o</sup>, 1760.

*Ordinance Property at Quebec.*

Motion for Return, 981.

### **ORTON, Mr.**

Agricultural Committee's Report, 115, 116  
117.

Coal Interest, 383.

Northern Railway Inquiry, 480.

The Tariff, 512, 600, 696, 726, 772, 773, 774,  
775, 778.

Dismissal of Postmaster of Erin, 1026, 1073,  
1074.

**ORTON, Mr.—Con.**

- Supply, 1354, 1435.  
 Voting by Ballot on Dunkin Act, 1373.  
 Goderich Harbour Works, 1551.  
 Independence of Parliament Act amendment, 1854, 1859.

**Ottawa Agricultural Insurance Company Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 352; 3<sup>o</sup>, 812.

**Ottawa, Vaudreuil and Montreal Railway Company Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 596.

**OUMET, Mr.**

- Dominion Building Society Bill, 367, 409, 540, 1138.  
 Coal Interest, 381.  
 City Mortgage Loan Company, 367, 409, 540.  
 Quebec Graving Dock, 563.  
 Government Printing in New Brunswick, 1262, 1263.

**Pacific Railroad Survey Employés.**

Motion for Papers, 884, 1075.

**Pacific Railway Route in British Columbia.**

Question, 978.

**Pacific Railway Surveys.**

Question, 43.  
 Motion for Statement, 1517.

**PALMER, Mr.**

- Supply, 249, 332, 336.  
 New Brunswick Criminal Cases Procedure Bill, 269, 540.  
 Insolvent Act Repeal Bill, 269, 298, 299, 541.  
 Ontario Maritime Court Bill, 271, 273, 274, 1056, 1058, 1060.  
 Albert Railway Company Bill, 310.  
 Form of Questions, 437.  
 Northern Railway Enquiry, 485.  
 The Tariff, 591, 598, 1181.  
 Pictou and Truro Railway Transfer, 703.  
 Springhill and Parrsboro' Company Bill, 814.  
 Money paid to C. J. Brydges, 838.  
 Improper Use of Firearms, 852.  
 Audit of Advertising Accounts, 877.  
 Sale of Postage Stamps in St. John Post Office, 877, 878, 879, 880.  
 Floating Cordwood on St. Francis River, 875.  
 Fishery Regulations in Restigouche, 881.  
 David H. Waterley, case of, 881, 882, 883, 884.  
 Holiwell Divorce Bill, 937.  
 Dismissal of Wm. Colwell, 983.  
 Ontario Bank Government Deposits, 1002.  
 Fishing Rights in New Brunswick, 1003, 1004.  
 Breaches of Contracts, 1010, 1013, 1019.  
 Postmaster at the Mouth of the Neripis, 1067.  
 Breakwater at Point Escuminac, 1069.  
 Transport of Rails in New Brunswick, 1074.  
 Means of Escape from Drowning, 1077.

**PALMER, Mr.—Con.**

- Permanent Building Societies Act amendment, 1078.  
 Customs Acts Consolidation, 1080, 1081.  
 Insolvent Act amendment, 1097, 1102, 1115.  
 Pilotage Act amendment, 1318.  
 Voting by Ballot on Dunkin Act, 1371, 1372.  
 North-West Troubles, 1416.

**Palmer's Point Lighthouse.**

Question, 43.

**Parliamentary Representation Committee.**

Committee Appointed, 875.

**Parry Sound Harbour.**

Motion for Report, 1005.

**PATERSON, Mr.**

- Insolvent Act repeal, 305.  
 Coal Interest, 392.  
 The Tariff, 740, 742.  
 Insolvent Act amendment, 1092, 1094, 1098.  
 Inland Revenue Act amendment, 1169, 1170.  
 Supply, 1580.  
 Indian Act amendment, 1765, 1824.

**Payment by Steamers at St. Ours Lock.**

Motion for Statement, 1517.

**Payment of Active Militia Bill.**

1<sup>o</sup>, 1061; 2<sup>o</sup> and 3<sup>o</sup>, 1152.

**Permanent Building Societies Act Amendment Bill.**

2<sup>o</sup> postponed, 1078; 2<sup>o</sup>, 1144.

**PERRY, Mr.**

- "Northern Light" Steamer, 83.  
 Northern Railway Enquiry, 487.  
 Deep Sea Weirs or Pounds, 889.  
 Purchase of Land in P.E. Island, 1067.  
 Cascumpec Harbour, 1068.

**Petition of Elizabeth Sullivan.**

Motion for Correspondence, 623.

**Petition of Mr. Justice Loranger.**

By Mr. Mousseau, 4.

**Petitions from United States Citizens.**

Speaker's Ruling, 93.

**Petitions Involving Expenditure.**

Speaker's Ruling, 42.

**Petroleum Duties, Reduction of.**

Resolution proposed, 40.

**PICKARD, Mr.**

St. John River Navigation, 636.

**Pickering Harbour and Road Company Bill.**

1<sup>o</sup>, 202; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1042.

**Piers at Bay St. Paul, Eboulements and Malbaie.**

Motion for Return, 40, 981.  
 Senate amendments concurred in, 1872.

**Pilotage Act Amendment Bill.**

Resolutions in Committee, 1164; 1<sup>o</sup>, 1164; 2<sup>o</sup>, 1317; 3<sup>o</sup>, 1397.

*Pilotage Authorities.*

Motion for Returns, 378.

**PLATT, Mr.**

The Tariff, 972.  
Inland Revenue Act amendment, 1171.  
Supply, 1588.  
Customs and Excise Acts amendment, 1850.

**PLUMB, Mr.**

Weights and Measures Act, 51.  
Dismissals from Office, 241.  
Coal Interest, 395.  
The Tariff, 501, 502, 503, 1183, 1184, 1189.  
Customs Act amendment, 653, 1024, 1081.  
Supply, 805, 1358, 1559, 1560, 1566, 1567, 1568, 1589, 1615, 1623, 1624, 1831, 1884, 1885, 1886.  
Inspection of Gas and Gas Meters, 855.  
Sale of Postage Stamps in St. John Post Office, 879.  
Preservation of Buffalo, 993.  
Foreign Corporations Loans, 1044.  
Welland and St. Lawrence Improvements, 1048.  
Means of Escape from Drowning, 1077.  
Permanent Building Societies Act amendment, 1078.  
Safety of Railway Passengers, 1143.  
Insurance Acts amendment, 1210.  
Government Printing in New Brunswick, 1308.  
Fort Frances Locks, 1337.  
Transportation of Mounted Police, &c., 1513.  
Port Colborne Harbour Master, 1532.  
Purchase of Iron, 1533.  
Northern Railway Bill, 1645.  
Ordnance and Admiralty Lands, 1666.  
Pacific Railway, 1794.  
Independence of Parliament Act amendment, 1867.

*Political Custom House Officers.*

Motion for Correspondence, 1033.

**POPE, Mr. (Comptou.)**

Weights and Measures Act, 50.  
Supply, 253, 327, 328, 329, 332, 333, 334, 335, 336, 785, 789, 1615, 1652, 1656, 1829, 1877, 1878.  
French Repatriation, 528.  
Bates Divorce Bill, 797.  
Scott Divorce Bill, 812.  
Representation of Minorities, 836.  
Supplies for Mounted Police, 987.  
Breaches of Contracts, 1013, 1014.  
Customs Act Consolidation, 1022.  
Closing of a Post Office, 1028.  
Truro and Pictou Railway Transfer, 1053.  
Insolvent Act amendment, 1148.  
The Tariff, 1173, 1179, 1180.  
North West Troubles, 1414.  
Government Business, 1440.  
Railway Companies Traffic Rates, 1527.  
Independence of Parliament Act amendment 1859.

**POPE, Mr. (Queen's, P.E.I.)**

Changes in the Government, 34.  
"Northern Light" Steamer, 84, 186, 379.  
Victoria Breakwater, Wood Islands, Prince Edward Island, 112.  
Criminal Law Extension Bill, 317, 318.  
Northern Railway Inquiry, 482, 483, 484, 485.  
Truro and Pictou Railway Transfer, 709.  
Supply, 810.  
Sale of Postage Stamps in St. John Post Office, 879.  
The Tariff, 972.  
Legal Expenses in Prince Edward Island, 1028.  
Government Officials in Prince Edward Island, 1028.  
Government Printing in Prince Edward Island, 1032.

*Port Colborne Harbour Master.*

Question, 1361.  
Motion for Orders in Council, 1532.

*Port Hood Harbour.*

Motion for Reports, 620.

*Postage on Newspapers.*

Motion for Statement, 1029.

*Postal Union.*

Motion for Return, 537.

*Postmaster at Little Narrows.*

Explanations, 938.

*Postmaster at Montmagny.*

Motion for Return, 989.

*Postmaster at the Mouth of the Neripis.*

Motion for Papers, 1067.

*Postmaster of Jonquières.*

Motion for Correspondence, 1533.

*Postmastership of Port Hope.*

Question and Remarks, 201.

**Post Office Act Amendment**

1<sup>o</sup>, 977; 2<sup>o</sup>, 1063; 3<sup>o</sup>, 1084.

*Post Office and Custom House Buildings.*

Motion for Return, 444.

*Post Office at Notre Dame de Grace and Ste Cunègonde.*

Motion for Return, 442.

*Post Office Printing.*

Motion for Return, 112.

**POULIOT, Mr.**

Reef near Rivière-du-Loup, 437.  
Supply, 801, 1347, 1652, 1655.  
Intercolonial and Grand Trunk Tariffs, 1006.  
Court House and Jail for Kamouraska, 1069.  
Insolvent Act amendment, 1089.

**POWER, Mr.**

Safety of Railway Passengers, 1140.  
North West Troubles, 1409.  
Supply, 1558.

**Prayers in the House.**

Resolution, 26.  
Committee Appointed, 41.  
Report of Committee concurred in, 94.

**Preservation of the Buffalo.**

Motion for Papers, 990.

**Prince Edward Island.**

Communication with, 43.  
Legal Expenses in, 1028.  
Government Officials in, 1028.  
Government Printing in, 1032.

**Printing Committee.**

Message sent to Senate, 42.

**Printing of Votes and Proceedings.**

Resolution, 4.  
Report of Committee, 682.

**Prisoners Employment Bill.**

1<sup>o</sup>, 977; 2<sup>o</sup>, 1062; 3<sup>o</sup>, 1116.

**Prison Discipline Bill.**

1<sup>o</sup>, 337; 2<sup>o</sup>, 488; 3<sup>o</sup>, 552.

**Privileges and Elections Committee.**

Motions to Examine on Oath, 1497.

**Procedure in Criminal Cases Bill.**

1<sup>o</sup>, 42; 2<sup>o</sup>, 203; Considered in Committee, 552; 3<sup>o</sup>, 574.

**Procedure with Government Orders.**

Remarks, 842.

**Prohibitory Liquor Law.**

Resolution Proposed, 1126.  
Adjourned Debate, 1375.

**PROROGATION OF PARLIAMENT, 1899.****Protection of Fish.**

Question, 339.

**Protection of Life and Property in British Columbia Mines Bill.**

1<sup>o</sup>, 524; Bill withdrawn, 889.

**Protestant Indians and the Seminary of Montreal.**

Question, 554.

**Protest of Inland Bills Bill.**

1<sup>o</sup>, 269; 2<sup>o</sup>, 369; Bill withdrawn, 1360.

**Provincial Great Seals Bill.**

1<sup>o</sup>, 1438; 2<sup>o</sup> and 3<sup>o</sup>, 1666.

**Public Accounts.**

Motion for Reference, 202.

**Purchase of Iron.**

Motion for Return, 1533.

**Purchase of Lands in Prince Edward Island.**

Motion for Papers, 1067.

**Purchase of Old Rails from the Intercolonial.**

Motion, 978.

**Quarantine Station at Sydney.**

Question, 620.

**Quebec and Lake St. John Railway.**

Question, 367.

**Quebec Building Societies Bill.**

1<sup>o</sup>, 337; 2<sup>o</sup>, 699; 3<sup>o</sup>, 1395.

**Quebec Graving Dock.**

Question, 25.  
Motion for Return, 376.  
Adjourned Debate, 559.

**Quebec Harbour and Pilotage Act Amendment Bill.**

Resolution considered in Committee, 842, 1020  
1<sup>o</sup>, 1083; 2<sup>o</sup>, 1628; 3<sup>o</sup>, 1666.

**Quebec Harbour Improvements.**

Motion for Papers, 1529.

**Quebec Judge's Salaries.**

Question, 1516.

**Quebec Marine Hospital.**

Motion for Report, 66.

**Quebec School of Navigation.**

Question, 1066.

**Queen vs. Wilkinson.**

Motion to Grant Leave of Absence, 1482, 1509, 1540.

**Railway Act Amendment Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup> and 3<sup>o</sup>, 848.

**Railway Companies Traffic Rates Bill.**

Resolution, 1521; 1<sup>o</sup>, 1529.

**Railway from Quebec to Lake St. John.**

Motion for Correspondence, 638.  
Question, 1117.

**Railway Passenger Protection Bill.**

1<sup>o</sup>, 875; 2<sup>o</sup>, 1139.

**RAY, Mr.**

Dismissals from Office, 238.

*Reception of Private Bills.*

Motion to Extend Time, 78, 96.

*Reception of Reports.*

Time Extended, 1051.

*Recognition of the Volunteers of 1837-38\**

Resolution, 52.

*Reef near Rivière du Loup.*

Question, 437.

*Refunding of Fees, 525.**Registered Letters, tampering with.*

Question, 44.

*Registration of Shipping.*

Question, 25.

*Removal of Malcolm Matheson.*

Motion for Correspondence, 632.

*Repairs to Breakwaters on the South Shore of the St. Lawrence.*

Motion for instructions, 988.

*Repatriation of French Emigrants.*

Motion for Correspondence, 527.

*Reply to the Address.*

Message from His Excellency, 99.

*Reports.*

Public Works, 4.

Librarian, 4.

Penitentiaries, 4.

Marine and Fisheries, 4.

Trade and Navigation, 4.

Inland Revenues, 24.

Public Accounts, 24.

Postmaster General, 39.

Militia, 122.

*Representation in Parliament.*

Motion, 49.

*Representation of Minorities.*

Motion for a Select Committee, 816.

Appointment of Committee, 875.

**Repression of Betting and Pool-Selling Bill.**

1<sup>o</sup>, 977; 2<sup>o</sup> 1062; 3<sup>o</sup>, 1441.

*Restigouche, Fishery Regulations in.*

Motion for Papers, 881.

*Returning Officer at the Dorchester Election.*

Motion for Correspondence, 118.

*Returns of Harbour Masters.*

Motion for Copies, 628.

*Revenue paid by Provinces.*

Motion for Return, 104.

**RICHARD, Mr.**

Dominion Elections Bill, 310, 557, 559.

*Richelieu River Fisheries.*

Motion for Papers, 1074.

*Rideau Canal.*

Motion for Returns, 623.

*Rifle Regiments' Arms.*

Question, 686.

*Rise of Waters on the Ottawa.*

Motion for Report, 1029.

*Rivers Verte and Cabaneau Bridges.*

Question, 526.

*River Sydenham.*

Question, 43.

Motion for Returns, 198.

**Riviere du Loup Bridge Bill.**

1<sup>o</sup>, 310; 2<sup>o</sup>, 409; Considered in Committee, 1041; 3<sup>o</sup>, 1138.

**ROBINSON, Mr.**

Recognition of Volunteers of 1837-38, 54.

Prayers in the House, 95.

Northern Railway Commission, 196, 445, 450, 488.

Georgian Bay Branch, 348.

Coal Interest, 383, 549.

Printing of Votes and Proceedings, 683.

The Tariff, 769.

Breaches of Contracts, 868.

Voting by Ballot on Dunkin Act, 1367, 1373.

Northern Railway Bill, 1757.

**ROBITAILLE, Mr.**

Bay des Chaleurs Railway, 526.

Quebec Graving Dock, 566.

Sale of Postage Stamps in St. John Post Office, 879.

Mail Service between Campbelltown and Paspébiac, 1032.

Supply, 1478, 1479, 1561, 1568, 1586, 1884.

Campbell Divorce Bill, 1837.

**ROCHESTER, Mr.**

Weights and Measures Act, 50.

Bill to amend Act of Ottawa Agricultural

Insurance Company Bill, 247, 352, 797, 812.

Inland Revenue Act, 322.

Ways and Means—The Tariff, 407, 408, 512.

Rideau Canal, 627, 628.

Bridge at Long Island, 629.

Duty on Malt, 629, 940.

By-wash at Long Island, 635.

The Tariff, 669, 960, 964, 965.

Quebec Harbour and Pilotage amendment, 843, 844.

Breaches of Contract, 1013, 1016.

Carillon Lock and Slide, 1026, 1028.

Seizure of Illicit Stills, 1029.

Rise of Ottawa Waters, 1030, 1031.

Malt taken out of Bond, 1068.

Culling of Timber, 1082, 1398.

Booms and Piers on the Gatineau, 1535, 1536, 1539, 1540.

**ROCHESTER, Mr.—Con.**

Dawson Route Subsidy, 1541.  
 Departmental Pay Lists, 1541.  
 Supply, 1587, 1588, 1589.  
 Weights and Measures Act amendment, 1605.  
 Customs and Excise Act amendment, 1849,  
 1850.

**Rockwood Asylum Transfer Bill.**

1<sup>o</sup>, 271; 2<sup>o</sup>, 489; 3<sup>o</sup>, 588.

**Rondeau Harbour of Refuge.**

Motion for Return, 530.  
 Motion for Correspondence, 1531.

**ROSCOE, Mr.**

Alaska Boundary Line, 983.  
 Supply, 1573, 1643.

**ROSS, Mr. (East Durham.)**

Repeal or amendment of the Insolvent Act,  
 40.  
 Superannuation of Whitby Customs Col-  
 lector, 840.  
 Ontario Bank Government Deposits, 999.

**ROSS, Mr. (Prince Edward.)**

Weights and Measures Act, 50.  
 Recognition of the Volunteers of 1837-1838,  
 55.  
 The Tariff, 617, 618, 1185.  
 Customs Act amendment, 650.  
 Breaches of Contracts, 870.  
 Insolvent Act amendment, 1085, 1086, 1096,  
 1105, 1149.  
 Payment of Active Militia, 1157.  
 Supply, 1351, 1358, 1436, 1508, 1623, 1625.  
 Prohibitory Liquor Law, 1382.  
 North-West Troubles, 1414.  
 Weights and Measures Act amendment, 1607.

**ROSS, Mr. (West Middlesex.)**

Official Report of Debates, 31, 39, 40, 42.  
 Joint Committee on Printing: Message sent  
 to Senate, 42.  
 Agricultural Committee's Report, 117.  
 Insolvent Act repeal, 308, 353.  
 Supply, 323, 328.  
 Northern Railway Enquiry, 449, 450.  
 The Tariff, 505.  
 Government Bank Deposits, 620.  
 Printing of Votes and Proceedings, 682, 683,  
 684.  
 Veterans of 1812-1815, 841.  
 Bates Divorce Bill, 876.  
 A Defective Return, 1117.  
 Prohibitory Liquor Law, 1132, 1133, 1134,  
 1390.  
 Government Printing in New Brunswick,  
 1304, 1305.  
 Seat for Restigouche, 1710.

**ROULEAU, Mr.**

Returning Officer at the Dorchester Election,  
 118.  
 Quebec Graving Dock, 559, 562.  
 St. Isidore Mail, 815.

**Royal Canadian Insurance Co. Bill.**

1<sup>o</sup>, 367; 2<sup>o</sup>, 409; 3<sup>o</sup>, 797; Senate amend-  
 ments agreed to, 988.

**Royal Canadian Insurance Company.**

Motion for Reports, 1516.

**ROY, Mr.**

Repairs to Breakwater on South Shore of St.  
 Lawrence, 988.

**Rules respecting Private Bills, 525.****RYAN, Mr.**

Half-Breed Lands in Manitoba, 109, 111.  
 Manitoba Land Claims, 119, 120.  
 Lieutenant Governor of Manitoba, 186.  
 Supply, 255, 267, 785, 806, 808.  
 Wood Lands in Marquette, 538, 555, 557.  
 Preservation of Buffalo, 992.  
 Pacific Railway, 1118, 1122.  
 North-West Troubles, 1409, 1410, 1411.  
 Independence of Parliament Act amend-  
 ment, 1862.

**RYMAL, Mr.**

Reception of Private Bills, 78, 96.  
 Bill to Incorporate Dominion Grange of the  
 Patrons of Husbandry, 184, 257, 889.  
 Dismissals from Office, 243.  
 Government Printing in New Brunswick,  
 1281.  
 Pacific Railway, 1742.  
 Campbell Divorce Bill, 1758, 1839.  
 Independence of Parliament Act amend-  
 ment, 1863.

**Safe Custody of Prisoners Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup> and 3<sup>o</sup>, 848.

**Sale of Postage Stamps in St. John Post Office.**

Motion for Return, 877.

**Salt Interests.**

Question, 44.

**SCHULTZ, Mr.**

Manitoba Railway Reserve, 67.  
 Half-Breed Lands in Manitoba, 111.  
 Manitoba Land Claims, 119, 120.  
 Supply, 254, 255, 263, 267, 790, 1432, 1435,  
 1436, 1437, 1438, 1498, 1502, 1503, 1567,  
 1579, 1581, 1583, 1656.  
 Lieutenant-Governor of Manitoba, 274.  
 Geological Survey Bill, 315.  
 Dominion Government Lands in Manitoba,  
 438.  
 Inspection of Steamboats, 785.  
 Boundaries of Manitoba, 874, 875.  
 Supplies for Mounted Police, 986.  
 Preservation of Buffalo, 990, 994, 995.  
 Welland and St. Lawrence Canal Improve-  
 ments, 1048.  
 Pacific Railway, 1121, 1797, 1801.  
 Prohibitory Liquor Law, 1126, 1132, 1133,  
 1137, 1392.  
 Homestead Settlement—Railway Reserve,  
 1511.  
 Manitoba Junction Railway amendment,  
 1569.

**Scott, Walter, Divorce Bill.**

1<sup>o</sup>, 811; 2<sup>o</sup> ordered, 875; 2<sup>o</sup>, 948; 3<sup>o</sup>, 1039.

**SCRIVER, Mr.**

Grand Trunk Strike, 368.  
Breaches of Contracts, 864.  
Customs Acts amendment, 1021, 1079.  
Weights and Measures Act amendment, 1610.

*Seat for Gloucester.*

Referred to Committee, 1311.  
Report of Committee, 1895.

*Seat for Hochelaga.*

Motion to Refer, 1810.

*Seat for Lincoln.*

Motion for New Writ—Referred, 1483.  
Resignation of Mr. Norris, 1568.

*Seat for Montreal West.*

Motion to Refer, 1809.

*Seat for Restigouche.*

Motion to Refer, 1710.  
Motion to take Evidence on Oath, 1760.

*Seat for St. John.*

Motion to Refer, 1709.

*Secret Service Fund.*

Explanations, 44.  
Reference to Committee, 439.  
Motion to adopt Report of Committee, 1484.

*Seizure of Distilling Apparatus.*

Motion for Correspondence, 439.

*Seizure of the Schooner "Napier,"*

Motion for Correspondence, 528.

*Seizures of Illicit Stills.*

Motion for Return, 1029.

*Select Standing Committees.*

Motions, 4, 25.  
Report of Committee, 39.  
Lists Concurred in, 42.  
Motion to Substitute, 399.

*Sessional Paper No. 96.*

Motion to Print, 66.

*Settlement of Claims.*

Question, 1361.

**SHIBLEY, Mr.**

Rideau Canal, 623, 626.

**SINCLAIR, Mr.**

Communication with Prince Edward Island, 43.  
"Northern Light" Steamer, 87.  
Agricultural Committee's Report, 117.  
Northern Railway Enquiry, 485.  
Supply, 785, 1589, 1867, 1885.  
Government Printing in New Brunswick 1302.

*Sir John A. Macdonald and Crown Suits.*

Motion for Return, 1893.

*Slidemastership of Black River.*

Question, 1510

*Slide Masters on the Ottawa River.*

Motion for Return, 636.

*Smelt Fisheries in Bathurst Harbour.*

Motion for Returns, 442.

**SMITH, Mr. (Peel.)**

Ways and Means—The Tariff, 947.  
Prohibitory Liquor Law, 1392.

**SMITH, Mr. (Selkirk.)**

Fort Frances Locks, 195.  
Supply, 803, 808, 810, 1434, 1438, 1500, 1579, 1580, 1581, 1582.  
Civil Service, 897.  
Supplies for Mounted Police, 988.  
Preservation of the Buffalo, 992, 994, 995.  
Insolvent Act amendment, 1105.  
Pacific Railway, 1118, 1125, 1753, 1801.  
Insurance Acts amendment, 1217.  
Government Printing in New Brunswick, 1293.  
North-West Troubles, 1413.  
Loan of 1876, 1471.  
Independence of Parliament Act amendment, 1861, 1862, 1963.

**SMITH, Mr. (Westmoreland.)**

Report of Marine and Fisheries, 4.  
Canadian Surgeons in Allan Steamships, 24.  
Registration of Shipping, 25.  
Fishery Clauses, Washington Treaty, 29.  
Imperial Board of Trade and Canadian Surgeons, 30.  
Lighthouse, Palmer's Point, 43.  
Communication with Prince Edward Island, 43.  
"Northern Light" Steamer, 87, 379.  
Dismissals from Office, 91, 234, 235, 236, 237.  
Canal Tolls, 202.  
Lunenburg Shipping Master, 276, 279.  
Pilotage Authorities, 379.  
Reef near Rivière du Loup, 437.  
Coffin's Island Fog Whistle, 438.  
Rondeau Harbour of Refuge, 530, 531, 1531.  
Canadian Ship Sales in France, 537.  
Fish Breeding in Oape Breton, 620.  
Goderich Breakwater, 686.  
Inspection of Steamboats, 785, 905, 1020.  
Springhill and Parraboro' Company Bill, 814.  
Fisheries Commission, 815, 981.  
Quebec Harbour and Pilotage amendment, 842, 843, 844, 845, 846, 847, 1020, 1083, 1628, 1666.  
Deep Sea Weirs or Pounds, 888.  
Montreal Harbour Tolls, 903, 904, 1064.  
L'Anse St. Jean Lighthouse, 979.  
Fishing Regulations in Chicoutimi, Saguenay and Charlevoix, 979.  
Navigation on North Shore of St. Lawrence, 979.  
Fishing Rights in New Brunswick, 1004, 1005.  
Quebec School of Navigation, 1066.  
Pilotage Act amendment, 1158, 1160, 1161, 1162, 1163, 1317, 1397.  
Measurement of Registered Ships 1164, 1317, 1318, 1396.

**SMITH, Mr. (Westmoreland).—Con.**

Transfer of Public Works, 1165, 1192, 1317  
 Government Printing in New Brunswick,  
 1264.  
 Appointment of Harbour Commissioners, 1361.  
 Supply, 1509, 1559, 1560, 1561, 1566, 1567,  
 1568, 1867, 1875, 1890, 1892.  
 Fisheries in Napan and Black Rivers, 1532.  
 Independence of Parliament Act amend-  
 ment, 1852, 1866, 1867.  
 Maritime Contracts Act, 1895.

**SNIDER, Mr.**

Manitoba Battalion Claims, 25.  
 Larceny Act amendment, 892.

**Société de Construction St. Jacques Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 1138.

**SPEAKER, Mr.**

Controverted Election, 1.  
 Vacancies, 1.  
 Writ issued, 1.  
 New Members Elected, 2.  
 Speech from the Throne reported, 2.  
 Report of Librarian, 4.  
 Petitions involving expenditure—Rulings,  
 42.  
 Official Report of Debates, 42.  
 Bounty on Coal—Ruling, 52.  
 Recognition of Volunteers of '37 '38, 54.  
 Administration of Justice in the District of  
 Richelieu, 73, 76, 686.  
 Northern Railway Commission, 77.  
 Coal Owners' Petition—Ruling, 77, 541, 551.  
 Reception of Private Bills, 78.  
 Message from His Excellency, 93.  
 Petitions from United States' Citizens, 93, 94.  
 Prayers in the House, 94, 95.  
 Reply to the Address, Message from His  
 Excellency, 99.  
 Agricultural Committee's Report, 115, 116,  
 117.  
 Mails between Sydney and Cow Bay, 122, 123.  
 Northern Railway, 196, 554.  
 Port Hope Postmastership, 201.  
 Form of Petitions—Ruling, 268.  
 Insolvent Act Repeal Bill, 270, 283, 288.  
 Supply, 323, 324, 1613, 1830.  
 Form of Questions, 339, 437.  
 Charlevoix Election Judgment, 366, 367.  
 Twenty-Cent Pieces, 368.  
 Protest of Inland Bills Bill, 370.  
 Quebec Graving Dock, 378, 566, 568, 570.  
 Pilotage Authorities, 379.  
 Coal Interest, 388, 395, 396, 398.  
 Ways and Means—The Tariff, 411, 413, 512,  
 714.  
 Issue of Writs during Session, 436.  
 Northern Railway Enquiry, 470, 477, 479, 482,  
 483, 484, 485.  
 Rules respecting Private Bills, 526.  
 Rondeau Harbour of Refuge, 531.  
 Special Tariff for British Columbia, 532, 533.  
 Dismissals from Office, 586.  
 Weights and Measures Act repeal, 618, 619.  
 Intercolonial and Prince Edward Island  
 Railways, 635.  
 Printing of Votes and Proceedings, 683.  
 Bates Divorce Bill, 796, 797, 877.  
 Scott Divorce Bill, 811, 812, 875, 876.  
 Representation of Minorities, 832.  
 Questions put by Members, 877.

**SPEAKER, Mr.—Con.**

Holiwell Divorce Bill, 937.  
 Postmaster at Little Narrows, 939.  
 The Tariff, 965, 1171, 1172, 1173, 1174, 1190,  
 1192.  
 Ontario Bank Government Deposits, 999.  
 A Defective Return, 1116, 1193, 1194.  
 Insolvent Act amendment, 1152.  
 Government Printing in New Brunswick,  
 1267, 1303.  
 Measurement of Registered Ships, 1396.  
 Secret Service Fund, 1493, 1495.  
 Queen vs. Wilkinson, 1509.  
 Booms and Piers on the Gatineau, 1539, 1540.  
 Goderich Harbour Works, 1551.  
 Seat for Lincoln, 1568.  
 Northern Railway Bill, 1755.  
 Campbell Divorce Bill, 1759, 1833.  
 Pacific Railway, 1801.  
 Customs and Excise Acts amendment, 1842,  
 1843.  
 Civil Service, 1872.  
 Albert Railway Company, 1890.  
 Seat for Gloucester, 1895.

*Special Tariff for British Columbia.*

Resolution proposed, 531.  
 Motion for Correspondence, 1373.

**Speech from the Throne, 2.****Springhill and Parrsboro' Coal and Railway Company Bill.**

1<sup>o</sup>, 96; 2<sup>o</sup>, 352; in Committee, 619; 3<sup>o</sup>, 1042.

**St mps on Promissory Notes and Bills of Exchange Bill.**

1<sup>o</sup>, 684.

*St. Anne du Saguenay Wharf.*

Question, 1025.

*Statement of Receipts and Expenditure,*  
123.*St. Augustin Parish Post Office.*

Motion for Correspondence, 1066.

*St. Charles Railway Line.*

Question, 436.

*Steamboats, Amounts paid by.*

Motion for Return, 535.

*Steamers between Ontario and Cape Bre-  
ton.*

Question, 98.

*Steel Rails for the Pacific Railway.*

Motion for Return, 112.

**STEPHENSON, Mr.**

River Sydenham, 43, 198.  
 Rondeau Harbour of Refuge, 530, 531, 1531.  
 The late Edwin Larwill, 621, 622.  
 Supplies for Mounted Police, 985, 988.  
 A Defective Return, 1116, 1117, 1193, 1194.  
 Supply, 1481, 1482, 1508, 1625.  
 Railway Companies Traffic Rates, 1527.

**St. Francis and Megantic International Railway Company Bill.**

1<sup>o</sup>, 96; order discharged, 122; 1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 596.

**St. Isidore Mail.**

Question, 815.

**St. Jean l'Evangeliste Post-Office, Closing of.**

Motion for Correspondence, 1028.

**St. JEAN, Mr.**

Veterans of 1812-1815, 841.  
North-West Troubles, 1428.

**St. John Post-Office, Sale of postage stamps in.**

Motion for Return, 877.

**St. John River Navigation.**

Motion for Reports, 636.

**St. Lawrence and Pa Railway Ferry Company Bill.**

1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 698.

**Stouffville Representation Bill.**

1<sup>o</sup>, 618; 2<sup>o</sup>, 892; In Committee, 1042; Bill withdrawn, 1139.

**St. Peter's Canal.**

Motion for Orders in Council, 629.

**St. Placide Village Wharf, Ottawa River.**

Motion for Papers, 1066.

**St. Roche Post Office.**

Question, 338.

**Sunday Traffic on Canals.**

Resolution proposed, 1520.

**Superannuated and retired Officials.**

Motion for Returns, 72.

**Superannuation of Collector of Customs at Whitby.**

Motion for Correspondence, 838.

**Supplementary Estimates.**

Messages from His Excellency, 1898, 1836.

**Supplies for the Mounted Police.**

Motion for Returns, 935.

**SUPPLY.**

Resolution, 23.  
Civil Government, 97, 248, 1826, 1863.  
Administration of Justice, 254, 1826.  
Police, 257.  
Penitentiaries, 257, 1826.  
Legislation, 323, 1826, 1863.  
Arts, Agriculture and Statistics, 327, 1826.  
Immigration and Quarantine, 785, 798, 1651.  
Pensions, 1310, 1345.

**SUPPLY.—Con.**

Militia, 1346, 1429, 1828.  
Public Works and Buildings chargeable to Capital, 1472, 1629, 1829, 1868.  
Public Works and Buildings chargeable to Income, 1481, 1498, 1554, 1833, 1868.  
Ocean and River Service, 1559, 1867, 1868.  
Lighthouse and Coast Service, 1567, 1867, 1868.  
Fisheries, 1567, 1868.  
Geological Surveys and Observatories, 1568, 1571, 1868.  
Marine Hospitals and Sick and Distressed Seamen, 1571.  
Steamboat Inspection, 1571, 1868.  
Inspection of Insurance Companies, 1571.  
Indians, 1571, 1869.  
Miscellaneous, 1586, 1836, 1869.  
Collection of Revenue—Customs, 1587.  
Collection of Revenue—Excise, 1587, 1836, 1869.  
Culling Timber, 1589.  
Weights and Measures, and Gas, 1589, 1836.  
Inspection of Staples, 1589, 1836.  
Adulteration of Food, 1590.  
Public Works, 1590.  
Post Office, 1595.  
CONCURRENCE, 123, 1611, 1657, 1668, 1873, 1883.  
Pacific Railway, 1629, 1646.  
Dominion Lands, 1657, 1836.  
Minor Revenues, 1826.  
Charges of Management, 1826.  
Arts, Agriculture and Statistics, 1826, 1862.  
Public Buildings, 1835.  
Supplementary Estimates, 1867.

**Supply Bill.**

1<sup>o</sup>, 2<sup>o</sup> and 3<sup>o</sup>, 1893.

**Suppression of Gaming Houses Act Amendment Bill.**

1<sup>o</sup>, 685; 2<sup>o</sup>, 853.

**Supreme and Exchequer Courts Act Amendment Bill.**

1<sup>o</sup>, 436.

**Sydenham River.**

Question, 43.

Motion for Returns, 193.

**Tariff Bill.**

1<sup>o</sup>, 1192; 2<sup>o</sup>, 1841; 3<sup>o</sup>, 1851.

**TARIFF, THE.**

123, 401, 409, 489, 583, 712, 905, 940, 949, 1171.

**TASCHEREAU, Mr.**

Quebec Graving Dock, 566.  
Wm. Graham, the late, 633.  
Georgian Bay Branch, 1894.

**Telegraph Line on Vancouver Island.**

Question, 43.

**Telegraph Lines in British Columbia.**

Motions for Returns, 103.

**Tête-de-Brule Indians.**

Question, 98.

**THIBAudeau, Mr.**

S. Roch Post Office, 338.  
Quebec and Lake St. John Railway, 367.  
Quebec Harbour and Pilotage amendment,  
843, 844, 845.  
Culling of Timber, 1166.

**THOMPSON, Mr. (Cariboo )**

The Address, 21.  
Dominion Notes, 526.  
North West Territories Act amendment, 685.  
Canadian Pacific Railway, 689, 1806.  
The Tariff, 768, 1180.  
County Court Judges for New Westminster,  
1038.  
Supply, 1574.  
Weights and Measures Act amendment,  
1825.

**THOMPSON. Mr. (Haldimand.)**

Manitoba Junction Railway Act amendment,  
1529, 1569, 1809.

**THOMSON, Mr. (Welland.)**

Canada Atlantic Cable Company Bill, 202,  
351, 619.  
Grand Island Bridge Company Bill, 247, 351,  
619.  
The Tariff, 520, 934.  
Coal Interest, 544.  
Customs Act amendment, 652.  
Supply, 799.  
Port Colborne Harbour Master, 1532,

***Tobique Indian Agent.***

Motion for Correspondence, 637.

***Toronto Harbour.***

Motion for Return, 534.

**Trade Marks Act Extension Bill.**

1°, 685; 2° and 3°, 848.

***Transfer of Portage Island.***

Motion for Papers, 1118.

**Transfer of Public Works Bill**

Resolution considered in Committee, 1164.  
1°, 1192; 2° and 3°, 1317.

***Transportation of Mounted Police, Emigrants, &c.***

Motion for Orders in Council, 1511.

***Transport of Rails in New Brunswick.***

Motion for Papers, 1074.

***Trent River Works.***

Question, 338.

**TROW, Mr.**

Naturalized Aliens, 43.  
Immigration and Colonization Committee,  
97.  
Fort Frances Locks, 196, 1328.  
Life Insurance Policies, 525, 700, 702.  
Supply, 786, 788, 1354, 1499, 1654, 1656.  
Bates Divorce Bill, 796, 797, 949, 1040.

**TROW, Mr.—*Con.***

Provision for greater convenience and safety  
of Railway Passengers Bill, 875, 1139, 1140,  
1143.  
Preservation of Buffalo, 994.  
Insolvent Act amendment, 1148.  
Newspaper Postage, 1361, 1509.  
Transportation of Mounted Police, &c., 1513.  
Railway Companies Traffic Rates, 1527.

**Truro and Pictou Branch Railway Transfer Bill.**

Motion to refer Resolution, 400.  
Resolutions considered in Committee, 702.  
1°, 710; 2°, 1020; 3°, 1051.

**TUPPER, Mr.**

Imperial Board of Trade and Canadian  
Surgeons, 30.  
Merchant Shipping, 55.  
Intercolonial Railway, 59, 61, 63, 64.  
Amendment and Consolidation of the In-  
surance Acts, 79.  
Dismissals from Office, 90, 92, 212, 244, 246,  
585.  
Partridge Harbour Improvement, 105, 106.  
The Loan of 1875, 106.  
Great Bras D'Or Postmastership, 108  
Agricultural Committee's Report, 115, 117,  
118.  
The Budget, 147, 156.  
Lieutenant-Governor of Manitoba, 185.  
Fort Frances Locks, 189, 190, 1344.  
Vital Statistics, 200.  
Supply, 248, 250, 254, 1431, 1436, 1472, 1473,  
1503, 1507, 1571, 1578, 1580, 1584, 1587,  
1593, 1594, 1595, 1632, 1633, 1634, 1635,  
1637, 1638, 1640, 1641, 1668, 1683, 1827,  
1828, 1835, 1873, 1876, 1878, 1885, 1886,  
1888, 1889, 1890, 1892.  
Amounts carried over by Orders in Council,  
370.  
Appointment of Senators, 373.  
Coal Interest, 384, 386, 387, 388, 389, 392,  
393, 543, 548, 551.  
Ways and Means—The Tariff, 433, 777, 778,  
779, 780, 781, 782, 1172, 1175, 1188, 1190.  
Northern Railway Enquiry, 464, 465, 468, 477,  
480, 486, 554.  
Defalcations at Baddeck, 529.  
Rondeau Harbour of Refuge, 531.  
Postal Union, 538.  
Weights and Measures Act repeal, 619.  
Government Bank Deposits, 620.  
Grand Trunk Strike, 629.  
St. Peter's Canal, 632.  
Wm. Graham, the late, 633, 634.  
Great Seal of Nova Scotia, 636.  
Ontario Maritime Court—Salaries of Judges,  
641.  
Customs Act amendment, 648, 1022, 1023,  
1024.  
Pictou and Truro Railway Transfer, 704,  
705, 710, 1020.  
Veterans of 1812-15, 841  
Breaches of Contracts, 870, 1017.  
Fog Whistle at Cape D'Or, 1003.  
Unpaid Letters, 1039.  
Stouffville Representation, 1043.  
Insolvent Acts amendment, 1106.  
Pacific Railway, 1126, 1570, 1668, 1711, 1722,  
1772.  
Transfer of Public Works, 1164.  
Inland Revenue Act amendment, 1168, 1170.  
A Defective Return, 1193.

**TUPPER, Mr.—Con.**

Insurance Acts amendment, 1204, 1207, 1222.  
 Government Printing in New Brunswick, 1253, 1305.  
 Granville Mail Route, 1375.  
 Inspection of Petroleum, 1404.  
 Loan of 1876, 1450, 1459, 1465.  
 Slidemastership on Black River, 1510.  
 Goderich Harbour Works, 1551.  
 Distribution of Old Rails, 1570.  
 Weights and Measures Act amendment, 1598, 1602.  
 Northern Railway of Canada Bill, 1755.  
 Auditing of Public Accounts, 1767, 1823, 1824.  
 Inspection of Gas and Gas Meters, 1769.  
 Northern Railway Company, 1812, 1817, 1819.  
 Campbell Divorce Bill, 1837.  
 Customs and Excise Acts amendment, 1846, 1848.  
 Civil Service, 1871.  
 Albert Railway Company, 1879, 1881.

**Twenty-Cent Pieces.**

Question, 368.

**Union Cable Company Bill.**

1<sup>o</sup>, 310; 2<sup>o</sup>, 409; 3<sup>o</sup>, 797.

**Union Forwarding Company Bill.**

1<sup>o</sup>, 310; 2<sup>o</sup>, 469; 3<sup>o</sup>, 619.

**Union Life and Accident Insurance Company of Canada Bill.**

1<sup>o</sup>, 367; 2<sup>o</sup>, 409; 3<sup>o</sup>, 1208.

**Union Marine Insurance Company Bill.**

1<sup>o</sup>, 247; 2<sup>o</sup>, 351; 3<sup>o</sup>, 698.

**Unpaid Letters.**

Motion for Correspondence, 1038.

**Vacancies, 1.****VAIL, Mr.**

Manitoba Battalion Claims, 25.  
 Dismissals from Office, 91, 92, 207, 240, 241, 244, 585, 587.  
 Report of Minister of Militia, 122.  
 Weights and Measures Act Amendment Bill, 368.  
 Veterans of 1812-15, 438, 554, 841.  
 Great Seal of Nova Scotia, 636.  
 Rifle Regiments' Arms, 686.  
 Militia General Orders, 686.  
 Supply, 1346, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1429, 1430, 1431, 1432, 1434, 1435, 1616, 1617.

**Veterans of 1812-15.**

Motion for Return, 438.  
 Ministerial Statement, 554.  
 Motion to print (*Mr. St. Jean*), 841.

**Vice-Admiralty Courts, Extension of Jurisdiction of.**

Motion for correspondence, 103.

**Victoria Breakwater, Wood Islands, Prince Edward Island.**

Motion for Reports, 112.

**Vital Statistics.**

Motion for Select Committee, 199.

**Volunteer Militia.**

Motion for Return, 414.

**Voting by Ballot on the Dunkin Act.**

Resolution proposed, 1367.

**WALLACE, Mr. (South Norfolk).**

Coal Interest, 396, 542  
 The Tariff, 734, 1186.  
 Supply, 786, 788.  
 Breaches of Contracts, 1017.  
 Independence of Parliament Act amendment, 1860.

**Washington Treaty and British Columbia.**

Question, 979.

**Washington Treaty and Fisheries Commission.**

Explanation, 1893.

**Washington Treaty, Fishery Clauses of.**

Motion for correspondence, 23.

**Waterley, D. H., case of.**

Motion for Papers, 881.

**Waterworks Joint Stock Companies Bill.**

1<sup>o</sup>, 337; 2<sup>o</sup>, 1043.

**WAYS AND MEANS.**

Resolution, 24.  
 The Budget, 123.  
 The Tariff, 401, 409, 489, 588, 596, 653, 712, 905, 940, 949, 1171.

**Weights and Measures Act.**

Motion for Inspectors' Instructions, 49.

**Weights and Measures Act Amendment Bill.**

(**MR. BOLDOC.**)

1<sup>o</sup>, 96, Order discharged, 368.

**Weights and Measures Act Amendment Bill.**

(**MR. LAFLAMME.**)

Resolutions, 1595; 1<sup>o</sup>, 1611; 2<sup>o</sup> and 3<sup>o</sup>, 1825

**Weights and Measures Act Repeal Bill.**

1<sup>o</sup>, 618.

*Welland and St Lawrence Canals.*

Motion for Returns, 837.  
Adjourned Debate, 1046.

*Welland Canal Works.*

Question, 44.  
Question, 202.

**Wharves and Docks Protection Bill.**

1<sup>o</sup>, 436; 2<sup>o</sup>, 1077.

*Whitby Customs Collector, Superannuation of.*

Motion for correspondence, 838.

**WHITE, Mr. (East Hastings.)**

The Tariff, 742.  
Representation of Minorities, 824.  
London Emigration Agency, 980.  
Prohibitory Liquor Law, 1381, 1382.  
North-West Troubles, 1410.  
Transportation of Mounted Police, &c., 1512.  
Pacific Railway, 1803.

**WHITE, Mr. (North Renfrew.)**

Georgian Bay Branch of the Pacific Railway, 43, 346.

Bill to amend the Insolvent Act of 1875, and make said Act operative within the temporary Judicial District of Nipissing, 122, 368, 369.

Fort Frances Locks, 195.  
Dismissals from Office, 211.  
Petition of Elizabeth Sullivan, 623.  
Slidemasters on Ottawa River, 636.  
The Tariff, 766.  
Breaches of Contracts, 868, 1010, 1013, 1054.  
Carillon Dam, 1027.  
Culling of Timber, 1082, 1167, 1399, 1402, 1403.  
Insolvent Act amendment, 1085, 1094, 1101, 1106.

Dismissal of Arnprior Slidemaster, 1361, 1366, 1367.  
Supply, 1483, 1558, 1589, 1590.  
Pacific Railway, 1778.

*Windsor Branch Railway.*

Question, 978.

*Winter Mail Carriage below Quebec.*

Motion for Return, 841.

*Winter Navigation of the St. Lawrence.*

Resolution proposed, 1375.

**WOOD, Mr.**

Weights and Measures Act, 51.  
Amendment and Consolidation of the Insurance Acts, 81, 82.  
Government Life Insurance, 88.  
Bill to Incorporate the Dominion of Canada Civil Service Mutual Benefit Association, 122, 257, 436, 540.  
The Budget, 184.

**WOOD, Mr.—Con.**

Insolvent Act repeal, 283, 281, 288, 1086.  
Coal Interest, 382.  
The Tariff, 510, 512, 513, 663, 1189.  
Customs Act amendment, 647, 651, 1022, 1025.  
Breaches of Contracts, 1010.  
Ontario Maritime Court, 1059.  
Permanent Building Societies Act amendment, 1078, 1144.  
Insurance Acts amendment, 1216, 1222.  
Weights and Measures Act amendment, 1825.  
Customs and Excise Acts amendment, 1848.

**WORKMAN, Mr.**

Weights and Measures Act, 50.  
Bill for winding up Metropolitan Bank, 247, 352, 698.  
Insolvent Act repeal, 297, 299.  
Geological Survey Bill, 313.  
Coal Interest, 391, 392.  
Customs Act amendment, 649, 652, 1023.  
The Tariff, 752, 754, 1188.  
Sale of Postage Stamps in St. John Post Office, 879.  
Civil Service, 899.  
Canada Engine and Machine Company, 1009, 1042, 1375.  
Canada Traffic Company, 1009, 1042, 1615.  
Insolvent Act amendment, 1104.  
Joint Stock Companies Incorporation, 1145.  
Inland Revenue Act amendment, 1171.  
Insurance Acts amendment, 1212.  
Secret Service Money, 1493, 1494.  
Weights and Measures Act amendment, 1599, 1603.  
Seat for Montreal West, 1809.

*Works at River St. Charles.*

Motion for Papers, 1529.

**WRIGHT, Mr. (Ottawa County.)**

Rise in Ottawa waters, 1031.  
Ways and Means—The Tariff, 1189.  
Resignation of Mr. Currier, 1514, 1515.

**WRIGHT, Mr. (Pontiac.)**

Criminal Procedure, 581.  
Ways and Means—The Tariff, 934.  
Supply, 1618, 1627, 1652, 1833.  
Pacific Railway, 1748, 1752.

**YEO, Mr.**

Northern Railway Inquiry, 487.

**YOUNG, Mr.**

Official Report of Debates, 31.  
Public Accounts, 202.  
British Canadian Loan and Investment Company Bill, 247, 351, 1042.  
Insolvent Act repeal, 302.  
Protest of Inland Bills Bill, 370.  
Coal Interest, 388, 389, 390.  
Secret Service Fund, 441, 1481, 1492, 1493, 1495.  
Insolvent Estates, 442.  
Northern Railway Inquiry, 475.  
The Tariff, 512, 1188.  
International Exhibition, 526.  
Printing of Votes and Proceedings, 634.

YOUNG Mr.—*Con.*

Sale of Postage Stamps in St. John Post Office, 880.  
 Foreign Corporations Loans, 1044.  
 Joint Stock Companies, Incorporation of, 1064, 1065.  
 Insurance Acts amendment, 1084, 1194, 1217, 1219.  
 Insolvent Act amendment, 1086, 1103.

YOUNG Mr.—*Con.*

North-West Troubles, 1428.  
 Northern Railway of Canada, 1757.  
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